

UPF-BSM rules for coexistence

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Preamble

The Fundació Institut de Educació Continua and its affiliated centre, the UPF Barcelona School of Management (hereinafter *UPF Barcelona School of Management* or *UPF-BSM* indistinctly) as a private centre attached to the Pompeu Fabra University, had approved its own disciplinary regulations, based on the Academic Disciplinary Regulations, approved by Decree of 8 September 1954. This is a rule of a pre-constitutional nature that had generated doubts regarding its constitutionality, as expressed in the judgments of the Supreme Court, of 9 September 1988 and 11 April 1989.

Royal Decree 1791/2010, of 30 December, which approved the University Students' Statute, includes, in its second additional provision, a mandate to the State Government to present a draft law regulating disciplinary power over university students. In compliance with this rule, on 25 February 2022, Law 3/2022, of 24 February, on coexistence in universities, was published in the Official State Gazette, and which purpose is "to establish the bases of coexistence in the university environment, encouraging the preferential use of alternative methods of resolution of those conflicts that could alter it, or that prevent the normal development of the essential functions of teaching, research and knowledge transfer" (Article 1.1); as well as "to establish the disciplinary regime for university students" (Article 1.2).

The *UPF Barcelona School of Management*, in its capacity as a private centre attached to Pompeu Fabra University, is also subject to the University Coexistence Law, as established in its Article 2.2, which provides for the need to approve "its Rules of Coexistence, based on the principles and guidelines of coexistence that this law establishes for the university environment", and within a maximum period of one year counted from the entry into force of the Law, as provided for in the fourth additional provision, although enjoying a greater scope of regulatory discretion (third final provision).

With this text, the *UPF Barcelona School of Management* adapts, within the regulatory autonomy allowed by the third final provision of the University Coexistence Law, its Coexistence Rules to the aforementioned legal regulation.

Part I. General provisions

Article 1

Purpose

1. This Regulation has a dual function:
 - a) To establish the bases of coexistence at the university level, encouraging the preferential use of alternative methods of resolution of those conflicts that could alter it, or that prevent the normal development of the essential functions of teaching, research and knowledge transfer.
 - b) To establish the academic and disciplinary regime applicable to UPF-BSM students enrolled in any of its courses.
2. The purpose of these Regulations is to facilitate understanding, peaceful coexistence and full respect for democratic values, fundamental rights and public freedoms within the scope of the School. In particular, they will encourage:
 - a) Respect for diversity and tolerance, equality, inclusion and the adoption of positive action measures in favour of vulnerable groups.
 - b) Freedom of expression, the right of assembly, association, demonstration and strike, freedom of teaching and freedom of professorship.
 - c) The elimination of all forms of violence, discrimination or sexual harassment, on the basis of sex, sexual orientation, gender identity or expression, sexual characteristics, national origin, belonging to an ethnic group, disability and/or functional diversity, age, health status, social class, religion or belief, language or any other personal or social condition or circumstance.
 - d) Transparency in the development of academic activity.
 - e) The use and conservation of the assets and resources of the UPF-BSM in accordance with its function.
 - f) Respect for and respect in common spaces, including those of a digital nature.
 - g) Respectful use of the name and symbols of the UPF-BSM in accordance with established protocols.
3. Mentions made in this regulation to:
 - a) Sexual harassment and harassment based on sex shall be interpreted in accordance with Article 7 of Organic Law 3/2007, of 22 March, for the effective equality of women and men.
 - b) Discrimination on the basis of racism and xenophobia shall be interpreted in accordance with Article 1 of Law 19/2007, of 11 July, against violence, racism, xenophobia and intolerance.
 - c) Discrimination on the basis of disability shall be interpreted in accordance with Articles 2, 7, 63 and following articles of the Consolidated Text of the General Law on the Rights of Persons with Disabilities and their Social Inclusion, approved by Royal Legislative Decree 1/2013, of 29 November and amended by Law 6/2022, of 31 March.
4. Part X of the Regulations regulates the protocol to prevent and act against male violence, sexual harassment and harassment based on sex, sexual orientation, gender identity or gender expression, provided for in Article 4 of Law 3/2022, of 24 February, on university coexistence. Part X, although integrated into the Regulations, will have its own scope of application, planned and regulated in its specific provisions.

Article 2

Definitions

For the purposes of these Regulations, the following definitions apply:

1. Regulations: The Rules of Internal Coexistence.
2. School: The UPF Barcelona School of Management, or the denomination that the centre has at any given moment.
3. Protocol: The protocol to prevent and act against male violence, sexual harassment and harassment based on sex, sexual orientation, gender identity or gender expression, contained in Part X of the Regulations.
4. Community: The students of the official degrees, the School's degrees and other courses offered by the School; as well as the teaching and research staff and the management staff who provide their services to the School, regardless of the legal status that unites them.
5. Students are:
 - a) Any natural person who is enrolled and admitted in accordance with the general conditions of the School, in any of its courses, whether official or the School's own, on-demand teaching programs, seminars, conferences, workshops taught by the School in-company, training contracted by companies, or any other academic and/or training programs.
 - b) Also natural person who carries out external, curricular or extracurricular academic practices, as well as those who, subject to compliance with the requirements in each case established, are enrolled in any academic activity, organized by the School.
 - c) Those not considered as Students will be: those natural persons who request, voluntarily and in compliance with the general conditions, their own withdrawal or resignation and this is effected; those people who finish their studies at the School and/or their academic relationship; and those people who, in accordance with the Regulations, are discharged from office or sanctioned with the loss of status of Student.
6. Academic fraud: Any premeditated behaviour aimed at falsifying the documentation or requirements for admission to a teaching program of any type; the results of an exam, activity or work, their own or by another, carried out as a requirement to pass a subject or accredit academic performance.
7. PDI: Teaching and research staff.
8. PAS: Management staff.
9. Standing Committee: The Standing Committee against Male Violence and LGBTI-phobia, a specific body created within the framework of the Protocol regulated in Part X of the Regulations.

Article 3

Regulatory framework

The School is endowed with this regulation under Article 2.2 of Law 3/2022, of 24 February, on university coexistence and the third final provision.

Article 4

Interpretation of the Regulations

The interpretation of the Regulations corresponds to the Disciplinary Commission of the School regulated in Part VIII.

Part II. The status of Student of the School

Article 5

Loss of Student status

Individuals will lose the status of Student when they voluntarily request, in accordance with the general conditions of the School, their withdrawal or resignation from their enrolment, when they finish their studies at the School and when, in accordance with the Regulations, they are discharged from office or sanctioned with the loss of status of Student..

Part III. The rights of the Student

Article 6

Student rights

School students have the following rights:

1. To quality academic training, which encourages the acquisition of competences that correspond to the chosen studies and includes knowledge, skills, attitudes and values of respect for others and the environment.
2. To be informed of the rules and evaluation criteria and the qualification review procedure.
3. To be evaluated in their academic performance objectively, through the application of the evaluation system established in the Teaching Guide, and be officially informed of the results obtained.
4. To the use of the facilities, means and services of the School, in accordance with its regulations of use.
5. To advice and assistance from teachers, tutors and the different Student services of the School.
6. To receive the Alumni activities program and to be invited to be part of the Alumni network of the School, as long as they meet the criteria established by the School.
7. To information and vocational, academic and professional guidance, as well as to advice and participation in the activities promoted by the School, and their transition to the world of work.
8. To their incorporation in activities of volunteering and social participation, development cooperation, culture and other social responsibility organized by the School.
9. To recognition for academic purposes of work or professional experience in accordance with the conditions established by the School within the framework of current regulations.
10. To those benefits generally recognized to postgraduate students and official studies by the Spanish State and to which the School may grant scholarships and study aids.
11. To choose delegates and representatives who transmit their proposals and concerns to the governing bodies of the School.
12. To make written requests or appeals to competent bodies.
13. To the fact that their personal data is not used for other ends than those regulated by Organic Law 3/2018, of 5 December, on the Protection of Personal Data and Guarantee of Digital Rights and its developed regulations.
14. To not be discriminated against on grounds of sex, race and other reasons, in accordance with the principles established in Law 17/2015, of 21 July, on the effective equality of women and men, for the effective equality of women and men.
15. To the recognition of the authorship of works prepared during their studies and to the protection of their intellectual property.
16. And to all those rights recognized in the general legislation, in the regulations of the Autonomous Communities, as well as in the Statutes and rules of the School.

Part IV. Obligations of the Student

Article 7

Obligations of the Student

1. Students in the School must commit to having an active and responsible presence. They are obliged to know and respect its Statutes and other rules of operation approved by its governing bodies.
2. Understood as an expression of this commitment, the obligations of the Student are as follows:
 - a) Know the mission and values of the School and contribute to creating a community of talent that acts ethically and responsibly, representing the value and excellence of the School.
 - b) Study and actively participate in the academic activities that help complete their training.
 - c) Be punctual at the start and finish of the class and pay attention to the explanations of the teacher.
 - d) Respect the members of the Community and the staff of the collaborating entities that provide services to the School.
 - e) Care and use properly the goods, equipment and facilities of the School.
 - f) Refrain from using and/or cooperating with fraudulent procedures in evaluation tests, in activities or work undertaken, or in official documents.
 - g) Participate responsibly in the activities and cooperate in their normal development.
 - h) Know and comply with internal health and safety standards, especially those relating to the use of laboratories, practice centres and research environments.
 - i) Respect the name and symbols of the School or its bodies, and use them properly.
 - j) Respect the academic acts of the School and its participants.
 - k) Undertake basic rules of hygiene and supplement them according to indications by the School.
 - l) Not consume food and drinks in classrooms and other spaces typically for teaching and research activity, unless it is expressly allowed.
 - m) Contribute to the improvement of the purposes and functioning of the School.
 - n) Observe the Statutes and other regulations of the School and other rules issued by the competent authorities of the School.

Part V. Disciplinary offences

Article 8

Basis for disciplinary offences

1. Any violation and non-compliance with the duties and obligations of the Student as established in this Regulation and other internal rules that develop or complement it will constitute misconduct that, depending on the circumstances, will be qualifiable as minor, serious or very serious.
2. Any acts that are criminal or administrative may not be sanctioned, in cases where the identity of the subject, act and basis is known.
3. Any Student who collaborates in the performance of acts or behaviour constituting a very serious offence will also incur disciplinary liability.

Article 9

Very serious offences

1. Very serious offences are:
 - a) The undertaking of “initiation ceremonies” or “hazing” or any other behaviour or attitudes, physical or psychological, which pose a serious detriment to the dignity of people.
 - b) Harassing or being seriously violent against any member of the Community, regardless of whether the conduct is been carried out physically or through social networks or media of any kind.
 - c) Sexual harassment. This conduct must be integrated, in its objective scope and in the type of sanctionable conduct, with that established in Part X of the Regulations.
 - d) Discriminating or harassing on the basis of sex, sexual orientation, gender identity, national origin, ethnicity, age, social class, disability, health status, religion or belief, or for any other personal or social reason.
 - e) Altering, falsifying, stealing or destroying academic documents, or supplying the School with false documents.
 - f) Carrying out, through any means or network, defamatory actions against the School and/or the Community.
 - g) Destroying and irreparably damaging or removing catalogued works of historical and cultural heritage of the School.
 - h) Plagiarizing all or part of a work, or committing academic fraud in the preparation of the Final Project that leads to obtaining an official degree or the School's own degree or any other work or activities of a similar nature.
 - i) Failure to comply with the public health standards established by the School and/or by the health authorities or university institutions, facilities and services, thereby putting the community at risk.
 - j) Impersonating a member of the community in their own work or giving consent to be impersonated, in relation to academic activities.
 - k) Preventing the development of the electoral processes of the School.
 - l) Having been convicted, with a firm sentence, by the commission of a malicious offence that involves the affectation of a different legal asset, committed in the School, its facilities and services, or related to the academic activity of the School.
 - m) Within the framework of the external academic internship program, whether curricular or extracurricular, show behaviour or attitude that is manifestly inappropriate or which breaches obligations towards the collaborating entity.
2. The following behaviour is included in the concept of academic fraud by way of example but is in no way limiting in nature:
 - a) With regard to exams or other evaluable activities:
 - i) Copying or facilitating copying in a premeditated manner.
 - ii) Elaborating, contributing or providing instruments with premeditation for the copying or the illegitimate obtaining of information.
 - iii) Unauthorized reproduction of exams, exam results or any other academic test on social networks or on the Internet.
 - iv) Consciously omitting or falsifying the recognition of a person in academic work or activities.
 - v) Plagiarism, copying, obviously incorrectly citing in documents and other serious lack of respect for intellectual property.
 - vi) Duplicating publication of unauthorized work, relevant deletion of pertinent data or inclusion of false data.
 - b) With regard to academic acts, or academic management or administration:
 - i) The appropriation of bibliographic funds, instruments, software or other educational resources.
 - ii) The improper acceptance or offering of gifts or benefits in consideration of academic or administrative actions, which may influence or appear as an influence on future academic or administrative actions.
3. Included in the category of falsification of documents, by way of example but in no way limiting in nature, are falsification, alteration or omission of relevant data in instances, applications, print-outs, forms or any other document or administrative procedure, or the conscious use of untrue or altered documents.

Article 10

Serious offences

1. Serious offences are:
 - a) Taking possession of and/or misusing the content of tests, exams or knowledge checks.
 - b) Seriously damaging the listed assets of the historical and cultural heritage of the School.
 - c) Preventing teaching, research or knowledge transfer activities, provided that these activities exceed the powers of exercise of the fundamental rights of the Student to freedom of expression, assembly, association, demonstration and strike.
 - d) Committing academic fraud, other than those cases provided for in Article 9.1.h) of the Regulations.
 - e) Improperly using content or means of reproduction and recording of activities subject to intellectual property rights.
 - f) Failing to comply with the safety and health regulations established by the School and its facilities and services.
 - g) Accessing the computer systems of the School without proper authorization.
 - h) Allowing or facilitating, through manifest recklessness, the falsification of the results of an exam, activity or work, their own or by another, carried out as a requirement to pass a subject or accredit their academic performance.
2. It will be understood, by way of example but in no way limiting in nature, that the following conduct constitutes academic fraud, in the terms of this article:
 - a) Disregarding or exaggerating the contribution of a person in works or in joint academic activities.
 - b) Plagiarism, copying or incorrect citation in any proportions of documents, and in general a lack of respect for intellectual property.
 - c) The partial reuse of works without authorization and correct citation, and the deletion or alteration of relevant data.

Article 11

Minor offences

Minor offences are any other acts not included in the previous articles, which may cause disturbance to academic order or discipline. In particular, and by way of example and in no way limiting in nature:

1. Accessing the facilities of the School to which access is not authorized.
2. Using the services of the School in breach of the established requirements of general recognition.
3. Performing acts that damage the property of the School, or making unseemly or inappropriate use of it.

Part VI. Sanctions

Article 12

Sanctions for very serious offences

Sanctions applicable to the commission of very serious offenses:

1. Expulsion from the School from two months to three years. The expulsion will be recorded in the academic record until it has been fully complied with. The expulsion may take place during the academic year and may involve non-compliance with the minimum percentage of attendance of the various subjects, in which case it will imply failure to pass the affected subjects.
2. Partial or total loss of tuition fees, during a course or one or more academic quarters.

Article 13

Sanctions for serious offences

1. Sanctions applicable to the commission of serious offenses:
 - a) Expulsion for up to one month from the School. This sanction may not be applied during the evaluation and registration periods. The expulsion may take place during the academic year and may involve non-compliance with the minimum percentage of attendance of the various subjects, in which case it will imply failure to pass the affected subjects.
 - b) Loss of the right to the ordinary call in the academic quarter in which the offence is committed and with respect to the subject or subjects in which it had been committed.
2. The loss of registration rights may not affect any rights relating to the scholarships in the terms regulated in their development rules.

Article 14

Sanctions for minor offences

Minor offences will be sanctioned with a private reprimand.

Article 15

Grading of sanctions

The sanctioning body will specify the sanction according to its seriousness, and will adapt it to the specific case, always in a reasoned manner, according to the principle of proportionality and weighting in accordance with the following criteria:

1. Intentionality or repetition.
2. The nature of the damage caused.
3. The motive of profit.
4. The recognition of responsibility, through communication of the event to the authorities of the School prior to the initiation of the disciplinary procedure.
5. The repair of the damage prior to the initiation of the disciplinary procedure.
6. The personal, economic, health, family or social circumstances of the offender.
7. The degree of participation in the events.
8. Carrying out acts due to any causes of violence, discrimination or harassment.

Article 16

Additional sanctioning measures

In addition to imposing the sanctions that correspond in each case, the resolution of the disciplinary procedure may declare an obligation to:

1. Return those things or replace them to their previous state within a determined period, including in the case of actions in the media and social networks.
2. Pay damages equal to the value of the goods destroyed or the damage caused, as well as compensation, within the period determined.

Article 17

Substitute measures for the sanction

1. In the case of sanctions applicable for the commission of a serious offence, the sanctioning body may propose a substitute measure of an educational or remedial nature, provided that:
 - a) It is agreed to on the part of the person or persons affected by the infringement, and on the part of the infringing person.
 - b) The substitute measure for the sanction is aimed at the maximum possible reparation of the damage caused, so that its effective fulfilment is ensured.
 - c) The offender or offenders acknowledge their responsibility in the commission of the offence, as well as the consequences of their conduct for the affected person or persons, and for the student community.
 - d) Where appropriate, the person or persons responsible show a willingness to restore a relationship with the person or persons affected by the infringement. The aforementioned re-establishing of a relationship would be facilitated provided that the affected person expressly consents.
2. Substitute measures may consist of participation or collaboration in training, cultural activities, public health, sports, covering the university and institutional relations, or others of a similar nature. In no case may they consist of the performance of functions or tasks assigned to the staff of the School in their respective jobs.
3. The duration of the measures will be determined, in each case, by the sanctioning body.

Part VII. End of liability

Article 18

End of liability

1. The disciplinary liability arising from the regime provided for in this Regulation shall be ended by:
 - a) Compliance with the sanction or the substitute measure.
 - b) The expiry of the offence or the sanction.
 - c) The loss of the Student's connection to the School.
 - d) The death of the person responsible.
2. Very serious offences will be limited at three years, serious offences at two years and minor offences at six months. The period of limitation will begin to be calculated from the commission of the offence or from the ending of the commission of the offences, in case of continuous offences.
3. Very serious sanctions will be limited at three years, serious offences at two years and minor offences at six months. The period of limitation will begin to be calculated from the end of the sanctioning resolution.

Part VIII. Disciplinary proceedings

Chapter One. Bodies involved in disciplinary proceedings

Article 19

Bodies involved in disciplinary proceedings

The disciplinary procedure will involve the intervention of three internal bodies of the School:

1. The Disciplinary Committee, which will be the competent body for the exercise of disciplinary and sanctioning power.
2. The Investigative Committee, which will be in charge of carrying out the investigation of the disciplinary procedures initiated.
3. The Executive Committee, which will be the competent body to hear appeals against the decisions to end the sanctioning procedure issued by the Disciplinary Committee.

Article 20

The School Disciplinary Committee

1. The Disciplinary Committee shall be governed by these Regulations and their implementing rules, as well as by any internal rules that the Disciplinary Committee may establish.
2. The Disciplinary Committee of the School will be composed of the Dean, who will act as Chairperson of the Committee; the Associate Dean of Academic Studies and Affairs; the General Secretary, who will act as Secretary of the sessions of the Disciplinary Committee; and the person responsible for legal services of the UPF Barcelona School of Management who will act with voice but without vote. In case of absence or impossibility of the Dean attending, the Associate Dean of Academic Studies and Affairs will assume the functions of President.
3. The secretary of the Committee shall be the person responsible for drawing up the minutes of the meetings and communicating them to the presidency and general management of the School.
4. The Disciplinary Committee will govern its actions in accordance with the principles of legality and type of offences and sanctions, non-retroactivity of unfavourable sanctioning provisions and retroactivity of those favourable to the alleged infringer, responsibility, proportionality, expiry of offences and sanctions, and guarantee of the procedure.
5. Sanctions may only be imposed by virtue of files instructed for this purpose, with the hearing of the concerned party and subsequent right to appeal.
6. The Disciplinary Committee may act *ex officio*, as soon as it becomes aware of the alleged infringement, on its own initiative, after report by the injured party or by a member of the community or by reasoned request of another body.
7. The functions of the Disciplinary Committee shall be:
 - a) Adopt the provisional measures deemed necessary and proportionate, when the following requirements of a cumulative nature are met:
 - i) That the effectiveness of the resolution that may be adopted in the disciplinary procedure may be affected during the processing of the sanctioning file.
 - ii) There is an urgent situation.
 - iii) Their adoption is necessary to ensure the provisional protection of the interests involved.
 - b) Initiate the informative proceedings.
 - c) Appoint, on the proposal of the Executive Committee, the members who will make up the Ad Hoc Investigative Committee in charge of the disciplinary procedure.
 - d) Inform the alleged infringer of the open proceedings and the rights that they have within the framework of the contradictory disciplinary procedure.
 - e) Report the possibility of submitting the controversy to mediation by the School's Coexistence Committee.
 - f) Issue the resolution to end the sanctioning procedure.
8. The Disciplinary Committee shall be convened whenever necessary, at the discretion of the Chairperson of the Committee.

Article 21

The Ad Hoc Investigative Committee

1. The Ad Hoc Investigative Committee of the sanctioning procedure will be appointed by agreement of the Disciplinary Committee of the School.
2. The Ad Hoc Investigative Committee may be single-member or collegiate and composed of up to three members.
3. Appointment as a member of the Ad Hoc Investigative Committee will be temporary and will last until the proposal for a resolution is submitted to the Disciplinary Committee.
4. The functions of the Ad Hoc Investigative Committee shall be:
 - a) Collect all information, testimonies and evidence of the alleged infringement.
 - b) Order the practice of the steps that are appropriate for the determination of the veracity of the facts subject to the disciplinary procedure.

- c) In the event that the parties have expressly stated their willingness to submit the dispute to the mediation of the Coexistence Committee, suspend the procedure once the evidence ordered and requested by the parties have been examined, and pass the actions on to the Coexistence Committee.
- d) Formulate the statement of charges and decide on the confirmation, modification or lifting of the provisional measures adopted by the Disciplinary Committee.
- e) Formulate the proposal for resolution of the disciplinary file, which will be submitted to the Disciplinary Committee. The proposal for a resolution will be merely indicative of the final decision that may be taken by the Disciplinary Committee of the School.

Chapter Two. The process of disciplinary proceedings

Section 1. Initiation

Article 22

Provisional measures

5. The Disciplinary Committee is the competent body for the adoption of the provisional measures that are deemed pertinent, provided that the assumptions regulated in Article 20.7.a) of these Regulations concur before the issuance of the agreement to initiate the procedure.
6. The adoption of the provisional measures may be agreed ex officio by the Disciplinary Committee or at the request of the person concerned.
7. The provisional measures must be temporary in nature, must be proportionate and may be adjusted, always in a reasoned manner, if there are changes in the situation that justified their adoption. In any case, they will be extinguished when the resolution comes into effect that puts an end to the disciplinary procedure.
8. The adoption of provisional measures shall not prejudice the outcome of the proceedings.

Article 23

Initiation of the procedure

1. The disciplinary procedure will be initiated at the behest of the Disciplinary Committee, acting ex officio, by reasoned request of another body or department of the School or of a member of the Community or injured person. The request can be made through an official application that should be sent to the email designated for this purpose.
2. Any person who has knowledge of an event that may constitute an offence of those provided for in these regulations has the right and the duty to inform the School.
3. Once the Disciplinary Committee is aware of the case, it will issue, within ten working days, an initiation document that must contain the following details:
 - a) Identification of the person or persons allegedly responsible.
 - b) A brief presentation of the facts known to the Disciplinary Committee, which are the subject of the disciplinary procedure.
 - c) The possible grade of the offence and sanction that may correspond to the events.
 - d) The appointment of the members who will form the Ad Hoc Investigative Committee, upon the proposal made by the Executive Committee of the School; with express indication of the regime for abstention or recusal, provided for in Article 24 of the Regulations.
 - e) The right of the people involved to make allegations and to the hearing, the deadline, and the requirement for the people involved to express their willingness to submit to a mediation procedure.
 - f) In the event that provisional measures have been adopted under Article 22 of the Regulations, the initiation document must be issued within fifteen days of their adoption and must necessarily pronounce on their confirmation, modification or lifting. In this case, the initiation document may be subject to appeal in the terms of Article 34.
4. The initiation document shall be notified to the persons concerned in the procedure.

Section 2. Investigation

Article 24

Abstention and recusal of members of the Ad Hoc Investigative Committee

1. The members of the Ad Hoc Investigative Committee shall be and shall remain independent and impartial during the investigation of the disciplinary procedure. In no case may they maintain a personal, professional or commercial relationship with the parties involved.
2. Any person proposed as a member of the Ad Hoc Investigative Committee shall disclose all circumstances that may give rise to justified doubts about their impartiality and independence. This disclosure must take place without any delay and, in any case, within fifteen days following their appointment in the initiation document.
3. In the event that there is a relationship of the type described in Paragraph 1 above, and within fifteen days following their appointment in the initiation document, the member of the Ad Hoc Investigative Committee must submit a written justification of abstention to the Disciplinary Committee.
4. At any time during the processing of the investigation phase, either party may request one or more members of the Ad Hoc Investigative Committee to clarify their relations with any of the other parties.
5. The members of the Ad Hoc Investigative Committee may be recused, at the request of any of the parties involved in the disciplinary procedure, if justified doubts about their impartiality or independence are raised.
6. The request for recusal must be submitted, directly, to the Disciplinary Committee of the School, indicating and justifying the reasons that support it.
7. The Disciplinary Committee shall decide, after hearing the member of the Ad Hoc Investigative Committee concerned, within ten days from the date of registration of the request for recusal. If the request for recusal is accepted, a new member of the Ad Hoc Investigative Committee will be appointed.
8. In case of abstention, the Disciplinary Committee of the School will appoint, within five days, a new member of the Ad Hoc Instructive Committee.

Article 25

Acceptance of the members and constitution of the Ad Hoc Investigative Committee

1. The members of the Ad Hoc Investigative Committee will have a period of five working days from their appointment to expressly accept it using the email address designated for this purpose by the Investigative Committee.
2. The absence of a response within this period will be interpreted as abstaining to be part of the Ad Hoc Investigative Committee.
3. In case of expressly abstaining or absence of response, the Disciplinary Committee will proceed to a new appointment within the following five days.
4. The Ad Hoc Investigative Committee shall be understood to be constituted from the moment of receipt by the Disciplinary Committee of the School of the last of the acceptances.

Article 26

Initial steps

1. The Ad Hoc Investigative Committee shall order the practice of the procedures that are appropriate for the determination and verification of the facts and, in particular, of the evidence that is necessary for its clarification and the determination of the liabilities susceptible to sanction.
2. As a first step, the Ad Hoc Investigative Committee will receive a statement from the person or persons allegedly responsible and will carry out the proceedings arising from the communication or complaint that motivated the initiation of the disciplinary procedure and which these persons had alleged in their statement.
3. The parties will have a period of ten working days from the notification of the initiation document to make allegations, present reports or inform the Ad Hoc Investigative Committee of the information they deem appropriate and, if relevant, propose evidence, specifying the means they intend to use in the defence of their respective positions.

4. In view of the allegations made and the proposed evidence, the Ad Hoc Investigative Committee may carry out ex officio the necessary steps for determining the facts that may constitute an infringement, collecting any data and information that may be relevant.
5. If, in view of the steps, the Investigative Committee considers that there are no indications of an offence being committed, or it has not been possible to determine the identity of the persons allegedly responsible, it will propose archiving the file.

Article 27

Submission of the file to the Coexistence Committee

1. Once the proof has been examined, in those cases in which the parties have expressly expressed their willingness to take part in a mediation procedure, the Ad Hoc Investigative Committee will send the file to the Coexistence Committee, which will decide whether or not it is appropriate.
2. If the Coexistence Committee considers that it is not appropriate to submit the proceedings to mediation, or when not all parties wish to submit to mediation, or an agreement is not reached during mediation, or a partial agreement is reached, the case will return to the Ad Hoc Investigative Commission to formulate a corresponding list of charges.
3. If the Coexistence Committee considers that it is appropriate to submit the case to mediation, it will proceed to inform the Ad Hoc Investigative Committee, which will suspend the disciplinary procedure.
4. If the parties reach an agreement within the framework of mediation, the Coexistence Committee will inform the Ad Hoc Investigative Committee, which will proceed to archive the file.

Article 28

List of charges

1. The Ad Hoc Investigative Committee will issue a list of charges within fifteen days from the end of examining the proof, if there is no agreement, in principle, on the possible submission of the dispute to mediation; or from the return of the file from the Coexistence Committee.
2. The list of charges will necessarily contain the following pronouncements:
 - a) The events imputed with description, where appropriate, of the offence allegedly committed.
 - b) The sanctions that may apply.
 - c) In the event that there are provisional measures being applied, an agreement on their maintenance or lifting.
3. The list of charges will be notified to the parties involved. The person or persons allegedly responsible will have ten days to formulate their allegations, provide the documents and information they deem appropriate for their defence, and propose evidence to be examined.
4. Once the list of charges has been answered or after the deadline has elapsed without answer, the Ad Hoc Investigative Committee shall agree on the examination of the evidence it deems appropriate and will give a hearing to the concerned person, within ten days.

Article 29

Motion for resolution

1. The Ad Hoc Investigative Committee shall, within ten days of the deadline set out in Article 28.4 above, formulate its motion for a resolution containing the following pronouncements:
 - a) The facts in a reasoned manner, specifying those that are considered proven.
 - b) Their exact legal qualification, indicating whether they are susceptible to minor, serious or very serious offences.
 - c) The penalty proposed for each offence.
 - d) The person or persons allegedly responsible for the events, with individualization of the events that are imputed to them, the infractions committed and the corresponding sanctions.
 - e) Provisional measures, with justification of the reasons for their maintenance or lifting. This measure may be subject to appeal under the terms of Article 34.

2. The proposed resolution will be notified to the person allegedly responsible, who will have a period of ten days to allege, before the Ad Hoc Investigative Committee, what they deem appropriate in relation to their defence and provide any documents and information they deem pertinent, and that they could not supply in the procedure provided for in Article 28.3 above.
3. In the event that the circumstance provided for in Article 26.5 above occurs, the period of ten days for the issuance of the proposed resolution will count from the end of the examination of evidence.

Article 30

Maximum duration of the investigation phase

1. The investigation phase may not last longer than two months, counted from the constitution of the Ad Hoc Investigative Committee, in the terms of Article 25.4 above.
2. In the event that the Ad Hoc Investigative Committee considers that it is necessary to have a longer period for the investigation of the procedure, it will proceed to submit a reasoned request to the Disciplinary Committee of the School, which will assess it and issue a decision within five days.
3. A request for extension must be made no later than twenty working days before the end of the period indicated in Section 1 above.
4. The elevation of the request for extension of the investigation phase will not suspend the procedure.
5. Only one extension may be requested and this will be of a duration of one month, counted from the end of the period indicated in Section 1 above.

Section 3. Completion of disciplinary proceedings

Article 31

Issuance of the resolution of the disciplinary procedure

1. Once the phase provided for in Article 29 of these Regulations has been completed, the Ad Hoc Investigative Committee will submit the completed file, with a proposal for a resolution, to the Disciplinary Committee of the School, which will have a period of ten days to issue a resolution of the disciplinary procedure.
2. The resolution that puts an end to the disciplinary procedure must be reasoned and will decide on all the issues raised by the concerned parties, as well as all those that have arisen during the processing of the case.
3. The disciplinary procedure may end with any of the following pronouncements:
 - a) Upon imposing a sanction on one or more of the persons allegedly responsible.
 - b) Upon deciding to archive the procedure. Archiving will also take place in cases of expiry of the offence.
 - c) Upon determining voluntary recognition of responsibility.
 - d) Upon declaring the expiry of the procedure.
 - e) Upon the withdrawal of the School, except in those cases initiated at the request of the affected person.
 - f) Upon the withdrawal of the affected person.
 - g) Upon agreeing on termination due to material impossibility motivated by supervening causes.
4. An appeal may be lodged against the decision in accordance with Article 34 of the Regulations, both by the sanctioned person and/or by the affected party.

Article 32

Expiry of the procedure

1. The maximum period to resolve the sanctioning procedure will be six months, counted from the day after the date of adoption of the initiation document. Once this period has elapsed without a resolution having been issued, a resolution must be issued in the terms provided for in Article 31.3.d) above.

Article 33

Reduction of time limits in disciplinary proceedings based exclusively on minor offences

1. For those cases in which, in the opinion of the Ad Hoc Investigative Committee, there are sufficient elements to consider that the events subject to the disciplinary procedure constitute, exclusively, one or more minor faults in accordance with this Regulation, the Ad Hoc Investigative Committee will inform the Disciplinary Committee in order to assess the advisability of reducing the deadlines provided for in this Part by up to a maximum of one half.
2. The decision on a reduction in deadlines will be issued within five days of receipt of the request by the Secretary of the Disciplinary Commission. If no decision is issued within the time limit, it will be understood that the request has been dismissed.
3. The decision on the reduction of time limits shall in no case affect the period of expiry provided for in Article 32.
4. The decision adopted will be notified to the persons concerned and, if applicable, to the person or body that requested the initiation of the procedure. It will indicate how to file an appeal and the deadline for doing so.

Section 4. Appeals against decisions taken in the framework of the disciplinary procedure

Article 34

Right of appeal

1. The resolutions contained in Article 23.3.f), Article 29.1.e) and Article 31.4 may be subject to appeal by the party affected by them within ten days of notification of the corresponding decision.
2. The appeal must be submitted in writing to the Executive Committee of the School.
3. In the appeal, the suspension of the execution of the sanction may be requested, as a precautionary measure. If requested, the Executive Committee of the School must resolve it preliminarily and by separate decision within five days of the submission of the appeal.
4. The maximum period for resolving the appeal will be one month from its filing.
5. The final decision must be reasoned and must respond to the principles of legality, justice, fairness and proportionality. In addition, it will specify other possible appeals, and the deadline and the body before which they can be filed.

Chapter Three. Additional questions relating to the disciplinary procedure

Article 35

Executive nature of the sanction

1. The sanction will be enforceable from the next day on which the sanctioning decision is notified to the parties.
2. In the event that an appeal is filed in which the suspension of the sanction is requested, it will not be enforceable until the resolution of the request for suspension by the Executive Committee of the School.

Article 36

Documented record of firm sanctions

1. The sanctions for Students are recorded in the academic record. The cancellation of the sanction in the academic records of the person sanctioned is carried out by the School, once the studies in which they are enrolled have been completed.
2. It will include all the documentation that was generated in the analysis of the events that occurred and will state the academic sanction applied and the period of application.

Article 37

Commission of a crime

1. When, within the framework of the investigation of the sanctioning procedure, the Ad Hoc Investigative Committee considers that the events or conduct under investigation may constitute a crime, the Ad Hoc Investigative Committee will inform the parties and the Disciplinary Committee. At this time the Ad Hoc Investigative Committee will proceed to suspend the sanctioning procedure and will inform the Public Prosecutor's Office.
2. In the event that the Public Prosecutor's Office considers that the events brought to its attention do not constitute a crime, the Ad Hoc Investigative Committee, as soon as it has reliable knowledge, will resume the investigation of the sanctioning procedure.
3. If the event indicated in Section 1 of this article occurs, the suspension will affect all the periods of the sanctioning procedure, including that of expiry in Article 32 above.

Part IX. The Coexistence Committee

Chapter One. Composition and appointment of the Coexistence Committee

Article 38

Composition

1. The Coexistence Committee will be made up of:
 - a) A Student representative.
 - b) A person representing the PDI.
 - c) A representative of the PAS.
2. The appointment of the member of the Student body will be made through an electoral procedure that will be carried out among the Students of the School. In the absence of candidates, a person will be appointed by the General Director of the School from among the Student representatives.
3. The representatives of PDI and PAS will be designated by the General Director of the School.
4. The period of the appointments will be one year from the election, with the possibility of being renewed for another consecutive year.
5. For each person forming part of the Coexistence Committee, an alternate person will be appointed, who will occupy the position in case the person holding the position must abstain or is recused.
6. The elected Coexistence Committee will meet to decide who will occupy the position of President, Secretary and Member.

Article 39

Supervening cessation

1. The holders and alternates of the Coexistence Committee will cease to hold office if they cease to be part of the School Community.

2. In the event that a person holding any of the positions that make up the Coexistence Committee ceases to hold office, the alternate person will occupy the position for the remaining period, in the terms provided for in Article 39.4 of the Regulations.
3. In the event that the alternate ceases to hold any of the positions that make up the Coexistence Committee, a new appointment will be made in accordance with the terms of Paragraphs 2 and 4 of Article 38 of the Regulations.
4. In the event of cessation of both persons, holder and alternate, an appointment will be made by the General Director of the School in the terms of Article 38.4 of the Regulations.

Article 40

Regime for abstention and recusal

5. The members of the Coexistence Committee must be and must remain independent and impartial with respect to the parties concerned. In no case may they maintain a personal, work or commercial relationship with the parties involved.
6. When the Ad Hoc Investigative Committee sends the file to the Coexistence Committee, the full members and alternates who make it up will have a period of five days to state any circumstances that may affect the imperative independence and impartiality that must characterize the exercise of their functions.
7. In the event that there is a reason why a member of the Coexistence Committee cannot guarantee their independence and impartiality, they will be replaced by their substitute, subject to abstention.
8. In the event that one of the persons subject to the mediation of the Coexistence Committee is aware of a circumstance that may affect the independence and impartiality of one of the members of the Coexistence Committee, they should state so within two days following the formal notification to the parties of the acceptance of the matter by the member.
9. The Coexistence Committee will then hear the person whose recusal is sought and will decide within two days whether or not to proceed with their recusal.

Chapter Two. Procedure before the Coexistence Committee

Article 41

Reception and processing

Once the file has been received in accordance with the provisions of Article 27, the Coexistence Committee will decide whether to proceed with processing it by means of the mediation procedure, or if it should be held back, returning it to the Ad Hoc Investigative Committee for them to continue with processing.

Article 42

Prior information session

1. In the prior session, the parties are advised on the value, advantages, principles and characteristics of mediation. Based on this knowledge and the specific case, they decide to ratify their willingness to process the procedure through mediation channels. In the event that any of the parties does not agree to submit to mediation, the Coexistence Committee will proceed in the terms indicated in Article 27.2 of the Regulations.
2. In the event that the parties decide to try to resolve the situation through mediation, the Coexistence Committee and the parties must agree on the issues to be examined and must plan the development of the sessions that may be necessary.
3. The President of the Coexistence Committee will inform the parties of the possibility of receiving legal advice during mediation.
4. Depending on the circumstances of the case, the President of the Coexistence Committee will inform the parties of the desirability of having specific advice, in addition to legal advice.
5. The prior session will be minuted, and will include the date, the willingness or not of the parties to participate, and the

acceptance of the obligation of confidentiality. It will also establish the object and scope of mediation and a forecast of the number of sessions. The minutes will be signed by the parties and the Secretary and the President of the Coexistence Committee.

6. Each party will receive a copy of the minutes, while the Coexistence Committee will notify the beginning of the mediation procedure to the Ad Hoc Investigative Committee on the working day following the holding of the meeting.

Article 43

Duration of mediation

1. The duration of the mediation will depend on the nature and complexity of the conflict, but may not exceed sixty days, counted from the day following the holding of the prior information session. By means of a reasoned request from the President of the Coexistence Committee to the Ad Hoc Investigative Committee and from the parties, the Ad Hoc Investigative Committee may agree on an extension for a maximum of thirty working days, taking into account the complexity of the conflict and the number of people involved.
2. If no agreement is reached within the maximum duration provided for in the previous section, the Coexistence Committee will proceed in the terms indicated in Article 27.2 of the Regulations.

Article 44

Final act of mediation

1. A record will be drawn up from the final session of the mediation, in which the agreements reached by the parties will be recorded. If mediation concludes by partially resolving the conflict, the case will proceed in accordance with Article 45 below.
2. If the impossibility of reaching an agreement between the parties is decided, a record must be drawn up stating only this situation.
3. The record will be signed by the parties and the Secretary and the President of the Coexistence Committee.
4. Each intervening party will receive a copy of the record, while the Coexistence Committee will notify the final record to the Ad Hoc Investigative Committee on the working day following the holding of the meeting, which will record it in the case file. The content of the agreement will be kept in strict confidentiality.

Article 45

Partial resolution of the conflict

1. If the procedure does not resolve all the issues raised, the Coexistence Committee will return the case file to the Ad Hoc Investigative Committee to continue its partial processing, taking note of the agreements reached.

Article 46

Suspensive nature of the disciplinary procedure during the Coexistence Committee procedure

1. The initiation of the mediation procedure will mean the suspension of the calculation of the expiry dates and period of limitation of the disciplinary procedure. The suspension will last for as long as the mediation procedure lasts.

Part X. Protocol to prevent and act against male violence, sexual harassment and harassment based on sex, sexual orientation, gender identity or gender expression

Chapter One. Object and scope of application

Article 47

Object and purpose

The purpose of this Protocol is to:

1. Prevent the emergence of situations of male violence, sexual harassment, harassment based on sex, sexual orientation, gender identity or gender expression among the members of the School community.
2. Establish the guidelines for action in relation to a complaint related to the situations described in Article 48; investigate them and, where appropriate, initiate the necessary actions to address them, adopt provisional measures or deal with any possible disciplinary responsibilities that may arise. In particular:
 - a) Violent conduct:
 - i) Physical violence.
 - ii) Psychological violence.
 - iii) Sexual violence.
 - iv) Digital violence.
 - v) Second order violence.
 - vi) Intersection or concurrence of male violence with other types of discrimination.
 - vii) Violence in the educational environment.
 - viii) Violence in the workplace.
 - ix) Violence at the institutional level.
 - b) Harassment, including of a sexual nature, based on sexual orientation, gender identity or gender expression.
3. Establish measures of support and reparation for the affected people.

Article 48

Definitions

1. The definitions contained in this article will be applicable to this Part, being able to serve as an interpretative aid to the provisions of Article 1.3 of the Regulations.
2. Physical violence is any act of force against a woman's body, with the result or risk of physical injury or harm.
3. Psychological violence is understood as any conduct or omission that produces in a woman devaluation or suffering, by means of threats, humiliation, vexation, belittling, contempt, demand for obedience or submission, verbal coercion, insults, isolation or any other limitation of her scope of freedom. Male violence can also be carried out by means of a threat or cause of physical or psychological violence against the emotional environment of a woman, especially her sons and daughters or other relatives who live with her or who have a direct relationship, when the intention is to affect the woman.

It also includes environmental violence, which is carried out through the exercise of violence against the goods and properties of a woman, with economic or sentimental value, or on animals with which they have an affective bond, in order to affect them or create an intimidating environment.

4. Sexual violence means any act that attacks the sexual freedom and personal dignity of women by creating conditions or taking advantage of a context that, directly or indirectly, imposes a sexual practice without the consent or will of the woman, regardless of the link between her and the aggressor or aggressors. It includes bodily access, genital mutilation or the risk of it, forced marriages, trafficking in women for the purpose of sexual exploitation, sexual and gender-based harassment, sexual threat, exposure, observation and imposition of any sexual practice, among other behaviours.
5. Digital violence means acts of male violence and online misogyny committed, instigated, amplified or aggravated, in part or in whole, with the use of information and communication technologies, social media platforms, websites or forums, email and instant messaging systems and other similar means that affect the dignity and rights of women.
6. Second order violence means the conduct of physical or psychological violence, reprisals, humiliation and persecution exercised against people who support victims of male violence. It includes acts that impede the prevention, detection, care and recovery of women in situations of male violence.
7. The intersection or concurrence of male violence with other types of discrimination, such as ethnicity, skin colour, religion, functional or psychological diversity, and sexual and gender diversity is understood as an aggravated and differentiated form of violence that must be taken into account in prevention, approach, support and reparation actions.
8. Violence in the educational environment means any type of violence that occurs in the educational environment among members of the educational community. It can occur between equals, from a person of legal age towards a minor or vice versa. It includes harassment, sexual abuse and physical, sexual, psychological or emotional abuse. Among these acts of violence, there are those that occur due to gender or sexual identity.
9. Violence in the workplace is understood as behaviour constituting physical, sexual, economic, digital or psychological violence that can occur in the public or private sphere during the working day, or outside the centre and the established timetable if it is related to work. It can be of the following types:
 - a) Harassment on the basis of sex: consists of any unwanted behaviour, verbal or physical, related to the sex or gender of the woman, carried out with the purpose or effect of attacking the dignity, indemnity or working conditions of women for being so, creating an intimidating, hostile, degrading, humiliating, offensive or annoying environment that hinders their promotion, functions, access to managerial positions, remuneration and professional recognition, in equity with men.
 - b) Sexual harassment: consists of any unwanted verbal, non-verbal or physical behaviour of a sexual nature that has as its objective or produces the effect of attacking the dignity and freedom of a woman or of creating an intimidating, hostile, degrading, humiliating, offensive or annoying environment.
 - c) Discrimination due to pregnancy or maternity: this consists of any treatment unfavourable to women related to an existing or potential pregnancy or maternity, which involves direct discrimination and a violation of fundamental rights to health, physical and moral integrity and to work.
10. Violence in the institutional sphere are those actions and omissions of the authorities, public personnel and agents of any body or public institution that have the purpose of delaying, hindering or preventing access to public policies and the exercise of rights recognized by Law 5/2008, of 24 April, to ensure a life free of male violence, in accordance with the assumptions included in the applicable sectoral legislation. This violence can come from a single serious act or practice, from the repetition of acts or practices of lesser scope that generate an accumulated effect, from a lack of action when the existence of a real or imminent danger is known, and from practices or omissions that victimize a second or additional time. Harassment on the basis of sexual orientation, gender identity or gender expression means any behaviour based on the sexual orientation, gender identity or gender expression of a person that has the purpose or causes the effect of attacking their dignity or their physical or psychological integrity or of creating an intimidating, hostile, degrading, humiliating, offensive or annoying environment.
11. Male violence and sexual harassment based on sexual orientation, gender identity or gender expression also includes any other similar form that injures or is likely to injure the dignity, integrity or freedom of women or LGBTI persons.

Article 49

Scope of application

This Part shall apply to any of the conduct described in Article 47 of these Regulations, in the sense in which they are defined in Article 48, and which occur through verbal, physical or digital means, within the organization and/or provision of services of the School, including the buildings of the UPF campuses or facilities, or outside the facilities of the School, when the conduct occurs within the framework of a curricular or extracurricular activity organized by the School, or when this conduct is linked to a relationship derived from an educational activity.

Article 50

Subjective scope of application

1. This Part shall apply to all members of the School community, including PDI and PAS, users of the facilities or services provided by the School, staff of external collaborating companies or contractors of the School.
2. If less than one year has passed since the affected person belonged to the Community, for whatever reason, this protocol shall also apply, provided that the person responsible for the conduct continues to be part of any of the groups mentioned in Section 1 above and that the events reported are prior to the date on which the affected person ceased to be linked to the School.
3. The Protocol will also apply to students who work or study remotely, whatever the circumstances that motivate them.
4. This Protocol shall not apply to staff and students of the School participating in a posting program or agreement, which must comply with the laws of the host country in matters of male violence and homophobia, as well as the rules of the University, institution or entity of destination in the matter.

Article 51

Communication to external collaborating companies or contractors

1. In application of the obligations established for the coordination of business activities to which Law 31/1995, of 8 November, on the prevention of occupational risks; and Royal Decree 171/2004, of 30 January, which develops Article 24 of the aforementioned law, external companies of works and services contracted by the School will be informed of the existence of this protocol.
2. When there is any conduct as described in this protocol between the staff of the School and the staff of an external collaborating or contracting company, there will be reciprocal communication of the case, so that each of the parties applies the respective protocol of action and executes the corresponding corrective measures within its scope of action. As such, the Equality Committee will follow up until the case is resolved.

Article 52

Inter-institutional communication

1. When there is behaviour that is the object of this Protocol between the staff or Students of the School and staff or Students of another university or other types of educational centres that collaborate with the School, there will be reciprocal communication of the case between the respective services specialized in equality policies, in order to activate the appropriate response mechanism.
2. The institution to which the person responsible for the conduct belongs will be responsible for activating its protocol, will be responsible for the investigation of the facts and, if appropriate, will initiate a disciplinary procedure and execute the measures that are pertinent and appropriate.
3. If the person responsible for the conduct belongs to both institutions, one of them being the School, the corresponding protocol will be activated by the university, institution or educational centre to which the affected person belongs, respecting the intervention by the Equality Commission.

Article 53

Conduct produced within the framework of an external academic internship program

1. If in the framework of an external academic internship program, whether curricular or extracurricular, the application of this Protocol will be conditioned by:
 - a) Whether the person responsible for the conduct is a student of the School; or
 - b) Whether the affected person is a student of the School and there is no applicable protocol in the collaborating entity.
2. If the collaborating entity has an applicable protocol, it must implement it and guarantee at all times the intervention of the Equality Committee, as well as the support of the affected person by the School. In case of not doing so, the School may adopt its Protocol at the request of the affected person.
3. The General Director of the School, in coordination with the Directorate of the Careers Service, may agree to the adoption of corrective or protective precautionary measures for the person or persons affected that they deem pertinent in the sense of Article 22 of the Regulations. In any case, the decision must be sufficiently reasoned and must be notified to all parties involved.

Chapter Two. Bodies responsible for the implementation of the Protocol

Article 54

Bodies responsible for the implementation of the Protocol

As regards the implementation of this Protocol, the obligations of preventive management are distributed among the bodies of the School as follows:

1. General Director of the School: This constitutes the highest authority of the School, and is the competent body to initiate and resolve the corresponding procedures, in order to investigate and deal with possible disciplinary responsibilities, when there are indications of discriminatory, violent or sexual harassment, on the basis of sex, or on the basis of sexual orientation, gender identity or gender expression.
2. Equality Committee:
 - a) Body in charge of managing the reception of complaints; advising, informing and interviewing the complainant(s); issuing a preliminary assessment report of the events and collaborating in the implementation of preventive measures provided for in this Protocol.
 - b) The Equality Commission must adopt the appropriate measures to implement specific training programs on prevention, detection and action against violent, discriminatory or harassing conduct of male origin within the training plans for the PAS and the PDI, of which it will regularly inform the General Director of the School.
3. The rest of the bodies, offices and authorities of the School must:
 - a) Ensure the reduction and elimination of the risk factors that generate the appearance of discriminatory, violent or harassing situations.
 - b) Understand this protocol, ensure compliance and detect any need for updating or improving it.
 - c) Ensure that the Community is informed about their rights, as well as about the content of this Protocol and about all related regulations and disciplinary regimes.
 - d) Prompt the disciplinary procedure regulated in Part VIII, with the exceptions of Chapter Five of the Protocol, when there are indications of a typified conduct, collaborating in its application when it affects its sphere of control.
 - e) Execute, if appropriate, the corrective and preventive measures that may be applied and recommended by the Standing Committee to resolve the conflict and/or prevent the appearance of new cases.

Chapter Three. Primary prevention measures

Article 56

Mesures de prevenció primària

The primary prevention measures to be adopted within the framework of the functioning of the Protocol are:

1. Development of a communication plan, with the aim of making this Protocol known to the Community, providing it in Catalan, Spanish and English. It will be disseminated:
 - a) On the School's website.
 - b) On the website of the Equality Committee and on the Human Resources portal of the eCampus.
 - c) On eCampus and through email lists.
 - d) In the School's internal news bulletins.
 - e) In manuals and welcoming sessions and guides for the Community.
 - f) In the trade union sections.
2. Through regular information and awareness campaigns, aimed at the whole Community by:
 - a) Preparing informative documents on the commitment of the School to achieve spaces free of these behaviours, the Rules of Coexistence, the rights and obligations and responsibilities associated with non-compliance with the Protocol.
 - b) Providing information on the Protocol and the accompanying resources offered by the Equality Commission to the newly incorporated Community in the School, and including specific content on this matter in the welcome sessions and activities aimed at Students who join undergraduate and graduate degrees.
 - c) Organizing annual events and campaigns.

Chapter Four. Secondary prevention measures

Article 57

Secondary prevention measures

The secondary prevention measures to be adopted within the framework of the functioning of the Protocol are:

1. Developing and disseminating codes of good professional practice (both for the PDI and for the PAS) and academic practice (for the Student).
2. Implementing training programs on gender equality, sexual diversity and non-discrimination and on prevention and detection of the behaviours included in this Protocol within the training plans of the PAS and the PDI, and scheduling specific courses aimed at people who perform management tasks and direct work teams, and all people who perform functions representing workers.
3. Implementing a specific training program aimed at the Student on prevention, detection and action against sexist and LGBTI-phobic aggression that may occur at student parties.
4. Implementing a specific training program for people who participate in the investigation of procedures.
5. Periodically collecting information on the prevalence of situations of violence collected in this Protocol through surveys or other qualitative techniques, and creating an internal database in which all requests for information, complaints, actions and resolutions are collected, anonymously and without references to personal data.
6. Including in contracts with external companies specific clauses on the obligation to have a protocol to prevent sexual harassment, male violence and LGBTI-phobia.
7. Incorporating a clause relating to the conduct provided for in this Protocol in the educational cooperation agreements signed with collaborating companies within the framework of external academic practices, whether of a curricular or extracurricular nature.

8. Ensuring that the procedure for changing the name of transgender people works in an agile manner and ensuring that the new name appears in all processes that depend on the School, including electoral censuses.

Chapter Five. Exceptions in the processing of disciplinary proceedings

Article 58

Maintenance of ordinary disciplinary procedure

The ordinary disciplinary procedure provided for and regulated in Part VIII of the Regulations will be applicable in the event of one of the situations that cause the activation of the Protocol, under the provisions of Article 47 of the Regulations, but with the exceptions that will be found in the following articles.

Article 59

Exceptions in the initiation of the procedure

1. The initiation of the procedure will also occur, in addition to at the request of the persons identified in Article 23.1 of the Regulations, by the complaint of third parties who have direct or indirect knowledge of the conduct in question.
2. The initiation of the procedure may be carried out, in addition:
 - a) Verbally, in which case the complaint should be made to the Equality Committee. The person responsible for this Unit will issue a document with the details of the place, date, name and surname of the complainant, the events reported, the body that issues it and the signature of the attending persons.
 - b) In writing to the Equality Committee. A written submission to any other body, authority or person of the School will be referred to the Equality Commission for processing.
3. The complaint must include at least:
 - a) The identification of the complainant, with name, surname and identification document (DNI, NIE or passport).
 - b) The identification of the person reported, with name, surname and position.
 - c) A detailed description of the situation which has happened to the affected person and the specific actions of which they are a victim, with identification, if possible, of the dates, places and people involved in each reported action.
 - d) A list of the evidence available.
 - e) The date of writing.
 - f) The signature.
4. The School will make available to the complainants a standardized form for writing, through the corresponding webpage.

Article 60

Interview with the affected person

1. Within a maximum period of five days from the date of entry of the complaint to the Equality Committee, a technician will interview the complainant in an appropriate space in order to guarantee the confidentiality of the interview.
2. In the course of the interview, the data notified will be confirmed or expanded upon. For these purposes, if appropriate, technical instruments may be used whose application has been proven. Likewise, the necessary advice and guidance will be provided to the complainant(s).

Article 61

Post-interview actions

After the interview, the technician that directed the interview, will inform the affected person of the possibilities that may be open to them from that moment:

1. If it becomes clear that there are no indications of one of the conducts covered by this Protocol, the technician will communicate to the reporting person the lack of viability of the complaint. However, they will inform the person of the advisory and support services available in the School.
2. If the events are subsumable in the conduct covered by this Protocol, the technician will send, within five days, a detailed report to the Disciplinary Committee in order to proceed with the initiation document in the terms of Article 23.3 of the Regulations.

Article 62

Exceptions in the investigation of disciplinary proceedings initiated in accordance with the Protocol

1. The Ad Hoc Investigative Committee must include a member of the Equality Committee, taking turns among the members that compose it, it being, equally, a single person or collegiate of up to three members.
2. As a first action, the Ad Hoc Investigative Committee will summon to testify the person or persons affected and the person or persons allegedly responsible for the reported conduct. The summons will always be made on different days or in different time slots and in an appropriate space, in order to guarantee confidentiality, so that they can offer their version of the events reported and provide the evidence and/or indications on which they are based.
3. The Community has the obligation to collaborate with the investigating body and provide it with all the information that is required during the investigation.
4. The procedure may involve external experts who will determine the origin of the conflict and assess its potential psychological effects. Experts may include specialists in the field of male violence or homophobia, biphobia and transphobia, persons with a degree in Psychology and experts in the management of these situations, and other accredited specialists in the field of the reported conduct.

Article 63

Exceptions in the resolution of the disciplinary procedure in the case of external companies collaborating with the School

When the person allegedly responsible for the conduct is from an external collaborating company or contractor of the School or a university with which the School has signed an agreement, the Disciplinary Committee will send the final resolution of the procedure to the aforementioned company or university to the General Director of the School, who:

1. Will communicate the resolution to the external company on which the person allegedly responsible depends, or to the corresponding university, so that they adopt pertinent measures within their scope of organization.
2. Will communicate the resolution to the unit of the School that manages the collaboration or contracting so that, if appropriate, it proposes pertinent measures in relation to the contract or collaboration agreement with the external company or the corresponding university.

Article 64

Monitoring and control of the evolution of the case

1. The Equality Committee will monitor the evolution of the case from the complaint to the final resolution and will facilitate, if appropriate, personalized support and rehabilitation to the person or persons affected. Likewise, it will try to avoid possible situations of hostility in the work environment, especially in cases of reincorporation related to these circumstances.
2. The Standing Committee will also monitor the progress of the case once the procedure has been completed and, thus, will verify the absence of the conduct that motivated the initiation of the procedure and, if appropriate, evaluate the adequacy of the measures adopted. From the date on which the Disciplinary Committee resolves the finished procedure, it will meet with the people involved in the events at least every three months during the first year, and will issue a report of conclusions that it will send to the Equality Committee.
3. The Standing Committee shall review on an annual basis all the files processed for the conduct related to this Protocol in order to carry out an adequate follow-up and, where appropriate, propose the adoption of suitable preventive and corrective measures.

Chapter Six. Measures to support people who are in a situation of sexual violence because of sex or because of sexual orientation, gender identity or gender expression

Article 65

Support measures

1. The Equality Committee is the unit responsible for providing the affected people with access to the different support services, including psychological support. These services are offered to the entire Community, regardless of whether or not there has been a complaint and whether or not the disciplinary procedure has been activated.
2. The Equality Committee will provide information on social and support resources that may be useful to the person offended, assaulted or harassed.
3. The School will also provide information on the rights that the current legislation grants to women in situations of violence, in the context of couples or families, as well as to dependent sons and daughters.

Unique additional provision. Calculation of days

The calculation of days provided for in the Regulations will be carried out with regards to working days in accordance with the academic calendar of the School, unless expressly stated otherwise.

First transitional provision. Regime in force for disciplinary proceedings underway

The disciplinary procedures that were in progress before the entry into force of this Regulation shall be governed by the version in force at the time they were initiated, except in relation to the grade of the offences and the sanctions associated with their commission, provided that the grade of the offence and the sanction would be more beneficial for the persons allegedly responsible than the regime in force at the time of the adoption of the initiation document.

Second transitional provision. Regime in force for sanctioning decisions issued prior to the entry into force of this regulation

Resolutions issued prior to the entry into force of these Regulations, whether firm or not, will not be subject to review. Nor will they be so in those cases in which the sanctions associated with the offences considered committed by the Disciplinary Commission were more beneficial under the regime contained in these Regulations.

First final provision. Amendments and repeal

Modifications, replacement or repeal of these regulations must be agreed by the School's Executive Committee.

Second final provision. Entry into force

These regulations will enter into force from the day of their approval and will remain in force until the Executive Committee expressly approves any modification or repeal.

