

**REGULATION 2/2023 ON UNIVERSITY COEXISTENCE  
OF UNIVERSIDAD SAN PABLO-CEU**

Approved by the Governing Council at its meeting of June 21, 2023 and by the Board of Trustees at its meeting of July 15, 2023.

## UNIVERSITY COEXISTENCE REGULATIONS OF UNIVERSIDAD SAN PABLO-CEU

### PREAMBLE

*Law 3/2022, of February 24, 2002, on University Coexistence*, has definitively repealed the *Decree of September 8, 1954, approving the Regulations on Academic Discipline of the Official Centers of Higher Education and Technical Education, under the Ministry of National Education*.

The new law aims to establish the appropriate framework so that the members of the university community, made up of students, teaching and research staff and administration and services personnel, can exercise their rights and freedoms in an environment of coexistence established democratically by the universities themselves.

In accordance with the provisions of the law, the universities must approve the University Coexistence Regulations, establishing a period of one year from their entry into force, that is, from February 26, 2022.

In this regard, it should be noted that Universidad San Pablo-CEU already has rules that regulate aspects related to the provisions of the law. Thus, in this regard, the following can be mentioned:

- The *Organization and Functioning Rules of Universidad San Pablo-CEU*, approved by Decree 31/2011, of June 2, of the Governing Council of the Community of Madrid, which set out the rights and duties of all members of the university community.
- The *Code of Conduct of Fundación Universitaria San Pablo-CEU*, a non-profit Catholic charitable-educational institution to which Universidad San Pablo-CEU belongs, establishes the generic premises of behavior applicable to the Foundation and to the groups related to it and the principles and values that inspire this Institution, such as honesty; integrity; respect for diversity, freedom, equal rights and non-discrimination, with special attention to situations of harassment; professional loyalty and cooperation; commitment to human and labor rights; protection of the environment and promotion of sustainability.
- The *Student Regulations of Universidad San Pablo-CEU*, which contains a series of duties that students must observe, ensuring peaceful coexistence and in relation to all members of the university community. with all members of the university community.
- The *Decalogue and commitment to Universidad San Pablo-CEU* for students and professors.

The mandate contained in *Law 3/2022, of February 24, 2002, on University Coexistence*, establishes that the Regulations on University Coexistence must comply with a series of basic principles, as well as adapt to the rules on effective equality between men and women and comprehensive protection against gender violence.

In any case, the legislator considers that the promotion of coexistence within the university community goes beyond a disciplinary regime, and therefore it is the responsibility of the universities to develop with greater intensity measures and actions that favor active coexistence and co-responsibility among all members of the university community, as well as to promote the use of alternative means of conflict resolution, such as mediation.

Likewise, the universities must create a University Coexistence Commission, composed on a parity basis by representatives of the student body, the teaching and research staff, and the administration and services staff. Likewise, they will develop the provisions relating to the organization and operation of this Commission, as well as in relation to the appointment and incompatibilities of its members and the reasons for abstention and recusal in the procedures in which they intervene.

Article 3 of *Organic Law 2/2023, of 22 March, on the University System*, in its second paragraph letter b), expressly recognizes the Spanish universities the power to draw up their internal regulations. This capacity is part of the so-called university autonomy, a constitutional principle set forth in Article 27, paragraph 10, of the Spanish Constitution of 1978.

In this context, Universidad San Pablo-CEU has drawn up these Regulations on University Coexistence, with which it seeks to strengthen and promote the total involvement of the university community with these shared values, as well as to comply with the provisions of *Law 3/2022, of February 24, on University Coexistence*. Likewise, its purpose is in line with article three, section 2, r) of *Organic Law 2/2023, of March 22, of the University System*, which establishes that the autonomy of the universities includes and requires the development of the rules of coexistence and mediation mechanisms for the alternative solution of conflicts in the university environment.

**TITLE I**  
**OF THE RULES OF UNIVERSITY COEXISTENCE**

**CHAPTER I**  
**Purpose and scope of application**

**Article 1. Object**

1. The Regulations on University Coexistence contained in these Regulations are configured as a fundamental instrument to promote understanding, peaceful coexistence and full respect for fundamental rights and public freedoms within the University, establishing a comprehensive system of protection and guarantee of coexistence within the university environment fully adapted to democratic values and principles.

**Article 2. Scope of application**

1. The provisions of these Regulations shall apply to the university community, consisting of the student body, teaching and research staff and administrative and service staff of Universidad San Pablo-CEU, regardless of the legal relationship of such staff with the University, without prejudice to the subjection, where appropriate, to the disciplinary regime that corresponds to them and to the labor regulations governing their relationship with the University.

2. These Regulations shall not apply to conduct or behavior that may constitute a crime, without prejudice to any other internal regulations that may be applicable.

3. The disciplinary regime of students will be governed by the provisions of Title I "Academic Discipline" of the *Student Regulations of Universidad San Pablo-CEU*.

4. The disciplinary regime for teaching and research personnel and administrative and service personnel shall be governed by the provisions of their specific regulations.

**CHAPTER II**  
**Principles and guidelines of the Norms of Coexistence**

**Article 3. Principles and guidelines**

The Regulations on University Coexistence of Universidad San Pablo-CEU are based on the following principles:

- a) The protection of the dignity of the person.

- b) Respect for diversity and tolerance, equality, inclusion and the adoption of positive action measures in favor of vulnerable groups.
- c) Effective equality between men and women and comprehensive protection against gender violence.
- d) Confidentiality, privacy, impartiality and fair treatment of all parties.
- e) Freedom of expression, the right of assembly and association, freedom of education, the right to education and the rights set forth in Article 20.1 of the Spanish Constitution.
- f) The elimination of all forms of violence, discrimination, or harassment for any of the causes indicated in art. 3.2.c) of *Law 3/2022, of February 24, on University Coexistence*.
- g) Transparency in the development of academic activities.
- h) The use and conservation of the University's assets and resources, in accordance with its public service function.
- i) Respect for common spaces, including those of a digital nature.
- j) Commitment to collaborate with the Institution.
- k) The use of the university name and symbols in accordance with established protocols.

### **CHAPTER III**

#### **Universidad San Pablo-CEU Regulations on University Coexistence**

##### **Article 4. Obligatory nature**

1. The Regulations on University Coexistence contained in this chapter shall be mandatory for all members of the university community, both with respect to their individual and collective actions, in order to promote understanding, peaceful coexistence and full respect for democratic values, fundamental rights and public freedoms in the university environment.

**Article 5.** General rules on University coexistence

1. All persons who are part of Universidad San Pablo-CEU shall:

- a) Maintain at all times an attitude of respect, both in their general behavior and in the language and expressions used towards all members of the university community (students, professors and administrative and service personnel). The duty of respect will be observed in all educational and cultural activities carried out by the University in its facilities and outside them.
- b) Take care that their personal appearance and dress at the University are appropriate to the dignity of the Institution to which they belong, always respecting individual freedom and the free development of personality.
- c) Make a justified use of social media, which in no case may be used to publicly discredit members of Universidad San Pablo-CEU or the Institution itself. All this, without prejudice to full respect for the freedom of expression of all persons who are part of the Institution.

2. In order to guarantee coexistence within the university environment, the following actions will not be admitted:

- a) Any action that involves discrimination based on birth, racial or ethnic origin, sex, religion, conviction or opinion, age, disability, nationality, illness, gender, socioeconomic, linguistic or linguistic condition, political and union affinity or any other personal or social condition or circumstance of the members of the university community, as well as the staff of collaborating entities or those who provide services at Universidad San Pablo-CEU.
- b) The performance of any act or the possession of objects that threaten health and safety, pose an unacceptable risk or cause harm to other members of the University or hinder coexistence. In particular, smoking is prohibited in all University premises.
- c) The performance of any serious or unjustified act or behavior that prevents or hinders the normal provision of the service, affecting teaching, research, study, administrative management or the holding of academic events.
- d) Being intoxicated or under the influence of narcotic or psychotropic substances, including their possession, distribution and consumption on University premises or in those other places which, not being strictly "University premises", are used for the delivery of its degrees and programs.

**Article 7.** Rules on university coexistence at academic and cultural events

1. All persons who are part of Universidad San Pablo-CEU have the right to participate in the academic and cultural events of the University, whether or not they are held in its facilities, as well as the duty to respect their normal development and their participants, without detriment to their free exercise of expression and manifestation.
2. In the case of solemn academic events held at the University, participants must comply with the University's protocol regulations.

**Article 8.** Rules for the use of Universidad San Pablo-CEU property and resources.

1. All members of the university community have the duty to take care of and use correctly the facilities, goods and equipment of the University, as well as to make a rational use of water, energy, communications and the rest of its resources.
2. It is forbidden to appropriate University property, to retain it once the title that legitimizes its possession has expired, to cause damage to it and to fail to comply with the provisions that regulate its use.
3. Unauthorized entry into the University's computer systems, disruption of their operation or fraudulent use of electronic files is prohibited.

**Article 9.** Rules of university coexistence in common areas

1. All persons on the premises of Universidad San Pablo-CEU are obliged to identify themselves if required to do so by the academic authorities, the faculty in the exercise of their teaching duties, the administration and services personnel responsible for each unit and the security personnel.
2. In the corridors, patios and cloisters of the University, as well as in the study rooms and computer rooms, no acts may be carried out that impede, hinder or alter the normal development of teaching, research, study, administrative management, cultural or academic activities that are taking place at the University, except in the case of activities organized by the University itself.
3. The consumption of food and beverages is permitted in the common areas of the University or in areas specially set aside for this purpose. In all cases, the rules of hygiene and the necessary care must be taken to avoid damage to the furniture and, in particular, any leftover food or containers must be collected at all times. The consumption of any food or drink, except water, is forbidden in classrooms and study rooms.

4. In computer classrooms or specific laboratories where it could be harmful to people or equipment, the consumption of any food or drink, including water, is prohibited. Likewise, the specific rules of use established in each case must be respected.

**Article 10.** Rules of university coexistence in the classroom

1. Only students enrolled in a subject shall be entitled to attend teaching activities related to that subject, unless expressly authorized by the University.

2. Students attending a teaching activity will be required to identify themselves if requested to do so by the faculty responsible for the activity. To this end, and in accordance with current regulations, they will be required to carry their Universidad San Pablo-CEU student ID card or, failing that, their National Identity Card, Foreigner's Identity Card or Passport, without prejudice to being able to prove their identity by means of another legally valid document.

3. Both students and teachers will be punctual in entering and leaving class.

4. No food or beverages, except water, may be consumed during the teaching activities.

5. Students attending the teaching activities carried out in the classroom must pay due attention and refrain from any act that prevents or hinders their normal development. In particular, the appropriate silence shall be maintained at all times, always following the indications of the person responsible for the activity.

6. During teaching activities in the classroom, cell phones must be turned off or silenced, and may not be used for making calls or for the use of messaging services or any other activity not related to the activity carried out in the classroom.

7. The use of electronic devices, such as computers, tablets and the like, during classes must be authorized by the teacher and will be exclusively for the best monitoring of the teaching.

8. No photography or audio or video recording will be permitted during classroom teaching activities, except with the express consent of the faculty member responsible for the activity and those who may be the subject of the photograph or recording.

**Article 11.** Rules of coexistence in the performance of the evaluation tests

1. All students have the obligation to refrain from the use of and cooperation in fraudulent procedures in the evaluation tests and in the work they perform.



2. Plagiarism, in whole or in part, of intellectual works or of any other type is prohibited in the elaboration of assignments, resolution of practical cases or any other activity subject to evaluation.
3. During the celebration of the evaluation tests, students may not make use of any electronic device that allows communication or data storage, unless the type of evaluation requires it and the professor authorizes it.
4. It is not permitted to take photographs or audio or video recordings during the development of any evaluation tests or exams in the classroom, except with the express consent of the teacher, as well as those who may be the subject of the photograph or recording.
5. It is forbidden to take possession by any fraudulent means or abuse of trust of the wording of the tests, questionnaires, examinations or evaluation exercises, for one's own benefit or for the benefit of others, prior to their completion.
6. The theft, alteration or destruction of tests, questionnaires, exams or evaluation exercises already completed, as well as of the documents in which, on any support, the grades or marks are recorded, for one's own benefit or for the benefit of others, is prohibited.

**Article 12.** Rules of university coexistence in administrative offices

1. Users of Universidad San Pablo-CEU services shall respect the rules of access to administrative and customer service areas.
2. Any act that impedes, hinders or alters the normal development of the administrative management activities carried out by these services, whether it takes place inside or outside their premises, is forbidden.

**Article 13.** Rules of university coexistence in the libraries

1. The regime of users of Universidad San Pablo-CEU Library, access to the library collection, as well as sanctions in the case of conduct that implies non-compliance with the rules of the service shall be governed by the provisions of the *Organization and Functioning Rules of Universidad San Pablo-CEU Library*, and by the provisions of the disciplinary procedure regulations contained in the *Student Regulations of Universidad San Pablo-CEU*.

**TITLE II**  
**MEASURES FOR THE MAINTENANCE AND REESTABLISHMENT OF COEXISTENCE**

Principle of proportionality

By virtue of the principle of proportionality, unfavorable measures may only be taken against those who disrupt the coexistence or threaten to do so when they are necessary and respond to the objective of preserving or restoring this university coexistence or to the need to protect the rights and freedoms of the university community.

**Article 15.** Measures for the maintenance and restoration of university coexistence in common areas.

1. The academic authorities of the Center and, in case of emergency, the administration and services personnel or the security service, shall adopt the necessary measures to avoid or put an end, when they take place in the common areas of the University, to all those events that endanger the safety and health of persons, the integrity of things, as well as those that, in a serious and unjustified manner, prevent or hinder the normal provision of the service by affecting teaching, research, study, administrative management or the celebration of academic events.
2. Without prejudice to the disciplinary responsibilities that may be applicable, the measures will be adopted only for the time strictly necessary for the reestablishment of university coexistence.
3. The explanation of the facts and the provisional measures taken shall be recorded in an incident report drawn up by the authorities and personnel referred to in paragraph 1 of this article.
4. These measures shall also be adopted when the events take place in the administrative offices and libraries of the University.

**Article 16.** Measures for the maintenance and reestablishment of the coexistence within the classroom

1. The faculty member in charge of a specific teaching activity may require that those persons who, being in the classroom, refuse to identify themselves or, being identified, are not enrolled in the subject to which the activity is linked, leave the classroom, laboratory or similar facility.
2. During the development of teaching activities, the teacher in charge may take the measures strictly necessary to ensure the provision of the service and the normal development of the activity and coexistence, in accordance with the rules of these Regulations and the rules of operation of the service. In particular, he/she may give the students the orders and prohibitions that are strictly necessary for the indicated purposes and, even, the expulsion from the classroom, laboratory or similar facility.
3. Without prejudice to the disciplinary responsibilities that may be applicable, the measures will be adopted only for the time strictly necessary for the reestablishment of university coexistence.

4. The explanation of the facts and the provisional measures taken must be included in an incident report drawn up by the faculty member responsible and sent to the Dean or Director of the Center where the events occurred.

**Article 17.** Measures for the maintenance and reestablishment of university coexistence during the evaluation tests.

1. The person in charge of the test or examination may require that those persons who, being in the classroom, refuse to identify themselves or, being identified, are not enrolled in the subject to which the test or examination is related, leave the classroom.

2. In the development of the evaluation tests and exams, the teaching staff has the power to adopt all the measures strictly necessary to ensure their development in conditions of equality and respect for legality. In particular, he/she shall ensure that no means are used and that no events involving fraud and violating the individual character of the tests take place.

3. Among other measures, teachers may carry out the ocular inspections they deem necessary and students must cooperate with them.

4. In case of discovering the existence of communication devices or fraudulent means during the performance of tests or exams, the professor responsible may terminate the participation of the student involved in them and order his immediate departure from the classroom, requiring the delivery of the device used. The alleged offending student will wait until the end of the exam to go with the professor to the Dean's Office of the School Management, where the corresponding incident report will be opened. All this, without prejudice to the disciplinary responsibilities that may arise.

5. The explanation of the facts and the provisional measures taken must be included in an incident report drawn up by the faculty member responsible and sent to the Dean or Director of the Center where the events occurred.

6. The facts described in this article may give rise to disciplinary proceedings, in accordance with the provisions of the Student Regulations of Universidad San Pablo-CEU.

Measures for prevention and response to situations of violence, discrimination or harassment.

1. The University will adopt protection and response measures in accordance with a human rights protection approach to violence, discrimination or harassment, in accordance with the provisions of the *Protocol against University Harassment of Universidad San Pablo-CEU*, as well as the *General Procedure for Prevention and Intervention in the area of workplace harassment of Fundación Universitaria San Pablo-CEU*.

2. Sexual harassment and harassment based on gender shall be interpreted in accordance with Article 7 of *Organic Law 3/2007, of March 22, 2007, for the effective equality of women and men*.

3. Discrimination on the grounds of racism, xenophobia and intolerance in sport in the university environment must be interpreted in accordance with Article 1 of *Law 19/2007, of July 11, 2007, against violence, racism, xenophobia and intolerance*, and in relation to Article 22, paragraph 1, letter

a) of *Law 39/2022, of December 30, 2002, on Sports*.

4. Discrimination on grounds of disability in the university sphere shall be interpreted in accordance with the provisions of Articles 2, 7, 63 et seq. 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 November 29*.

5. Faced with these situations, the University will adopt primary prevention measures, such as awareness-raising, sensitization and training, to promote recognition and respect for equality and equity in the university environment, as well as secondary prevention measures to act on contexts, circumstances and risk factors, and prevent situations of violence, discrimination or harassment from occurring. Likewise, an Ethical Communication Channel has been implemented, accessible through the University's website, to channel complaints or denunciations of situations of violence, discrimination or harassment that may have occurred.

6. In the event of a situation of violence, discrimination or harassment that has been reported through the Ethical Communication Channel, the provisions of the *Protocol against Harassment of Universidad San Pablo-CEU*, as well as the *General Procedure for Prevention and Intervention in matters of workplace harassment of Fundación Universitaria San Pablo-CEU* shall apply, including the precautionary measures deemed appropriate to prevent the maintenance of the effects of such situation and ensure the effectiveness of the resolution that may fall. In the case of behavior or conduct considered as misconduct in the disciplinary regime of the University's personnel, the aforementioned regulations will be applied in the matter of provisional measures.

7. The University, in addition to the provisions of said protocols, will favor the establishment of measures to accompany the victims, guaranteeing them the appropriate tools and providing them with adequate information on their rights and psychological and legal accompaniment that will favor their recovery.

8. In the development of these measures, the University will ensure that any action against situations of violence, discrimination or harassment will conform to the following principles:

- a) Respect for gender equality and protection of the rights of persons with disabilities or any other social inequality.
- b) Respect and protection of persons, proceeding with the necessary discretion to protect the privacy and dignity of the persons concerned, who may be assisted.

by a representative or other accompanying person of your choice, throughout the procedure.

- c) Confidentiality, so that the persons involved in the procedure shall be obliged to maintain strict confidentiality and reserve and shall not transmit or divulge information on the content of the complaints filed, resolved or in the process of investigation of which they are aware.
- d) Diligence and speed in the investigation and resolution of the conduct reported, acting with due professionalism and without undue delay, so that the procedure can be completed in the shortest possible time, respecting the due guarantees.
- e) Impartiality and contradiction, so that during the procedure an impartial hearing and fair treatment for all affected persons is guaranteed. All persons involved in the procedure shall act in good faith in the search for the truth and the clarification of the facts denounced.
- f) Prevention and prohibition of retaliation against persons who make a complaint, appear as witnesses or participate in an investigation of violence or sexual harassment, harassment based on sex or any other circumstance, both during the course of the procedure and at the end of it.

**TITLE III**  
**GENERAL MEANS OF RESOLVING UNIVERSITY COEXISTENCE CONFLICTS**  
**AND UNIVERSITY COEXISTENCE COMMITTEE**

**CHAPTER I**  
**General means of resolving conflicts of university coexistence**

**Article 19.** Disciplinary proceedings

1. Coexistence conflicts affecting students will be resolved in accordance with the provisions of Title I "Academic Discipline" of *Student Regulations of Universidad San Pablo- CEU*.
2. In the case of coexistence conflicts affecting teaching and research personnel and administration and services personnel, the applicable disciplinary regime shall be governed by the provisions of their specific regulations.

Implementation of alternative means of conflict resolution.

1. Under these Regulations on University Coexistence, Universidad San Pablo-CEU may promote the implementation of alternative means of solving coexistence conflicts that affect students, based on mediation and conciliation, which may be applied before initiating a disciplinary procedure, as well as during its substantiation to terminate it.
2. The application of alternative means of conflict resolution referred to in the previous section will only be possible when the facts that could give rise to disciplinary proceedings constitute a minor offense, as provided in the *Student Regulations of Universidad San Pablo-CEU*.
3. The alternative means of conflict resolution that may be developed, if any, shall conform to the principles of voluntariness, confidentiality, fairness, impartiality, good faith and mutual respect, prevention and prohibition of retaliation, flexibility, clarity and transparency.
3. Where appropriate, the University may draw up action manuals that guarantee the application of the principles that must be present in mediation procedures, as well as promote the technical training of the persons who participate in mediation and conciliation processes.

## **CHAPTER II**

### **University Coexistence Commission**

**Article 21.** Constitution and functions of the University Coexistence Commission.

1. Under these Regulations on University Coexistence, Universidad San Pablo-CEU establishes the University Coexistence Commission, which will be responsible for channeling initiatives and proposals to improve coexistence in the university environment, promote the use of alternative mechanisms for conflict resolution and, in those cases where appropriate, process the mediation or conciliation procedure as an alternative to the sanctioning regime in conflicts involving students. For these purposes, the Commission may hold informative sessions to communicate its availability and scope to the persons involved in a conflict.

**Article 22.** Composition of the Coexistence Committee

1. The Coexistence Commission will be composed on a parity basis by representatives of the different groups that make up the university community: students, teaching and research staff and administration and services staff, ensuring a numerical balance between men and women.

2. The Governing Council of the University shall approve the corresponding Regulations governing the organization and operation of the Coexistence Committee, which shall include, among other aspects, the provisions relating to the appointment and incompatibilities of its members.

#### **Article 23. Abstention**

1. Any member of the University Coexistence Commission must abstain from participating in any mediation or conciliation procedure that could be articulated as an alternative to the sanctioning regime, when he/she finds him/herself in any of the following situations:

- a) To have a personal interest in the matter in question or in another matter whose resolution could be influenced by that matter.
- b) If applicable, being a professor of the student affected by the procedure or having a litigious matter pending with him/her.
- c) To have a marital relationship or similar de facto situation, or blood relationship within the fourth degree or affinity within the second degree, with any of those involved in the procedure, as well as to have any professional or work relationship with them.
- d) Having intimate friendship or manifest enmity with any of the persons mentioned in the preceding paragraph.
- e) Having been a witness or having any relation or intervention in the facts that are the object of the proceeding.

2. The actions of persons in which there are grounds for abstention shall not necessarily and in any case imply the invalidity of the acts in which they have intervened.

3. Failure to abstain in cases in which any of these circumstances apply shall give rise to the appropriate liability.

#### **Article 24. Challenge**

1. In the cases provided for in the preceding article, the affected parties may recuse themselves at any time during the proceedings.

2. The challenge shall be made in writing, stating the cause or causes on which it is based.

3. On the following working day, the challenged person shall state to the Rector whether or not the alleged cause is present in him/her. In the first case, if the Rector appreciates the concurrence of the cause of disqualification, he/she shall immediately agree to his/her substitution.

4. If the challenged person denies the cause of disqualification, the Rector shall rule within three working days, following the reports and verifications that he/she deems appropriate.

5. There shall be no appeal against the resolutions adopted in this matter.

**Sole final provision.** Entry into force

These Regulations shall enter into force on the day following their approval by the Board of Trustees of Universidad San Pablo-CEU.