



CEU

*Universidad
San Pablo*

REGULATION 3/2024 OF THE COEXISTENCE COMMISSION OF UNIVERSIDAD CEU SAN PABLO

Approved by the Board of Trustees of the University, at its meeting held on June 14, 2024, at the proposal of the Governing Council, at its meeting held on May 29, 2024.

RULES OF PROCEDURE OF THE COEXISTENCE COMMISSION OF UNIVERSIDAD SAN PABLO-CEU

PREAMBLE

In compliance with the provisions of Law 3/2022, of February 24, of University Coexistence, on July 15, 2023, the Coexistence Regulations of Universidad San Pablo-CEU were approved, with the aim of strengthening and promoting a coexistence environment in which students, teaching and research staff, and administration and services staff can exercise their rights and freedoms.

Article 21 of the Coexistence Regulations of Universidad San Pablo-CEU provides for the creation of the Coexistence Commission, which will be composed equally by representatives of students, teaching and research staff, and administration and services staff.

For its part, Article 6 of Law 3/2022, of February 24, on University Coexistence, establishes that the universities, within the scope of their competences, shall develop the provisions relating to the organization and operation of said Commission, as well as those concerning the appointment and incompatibilities of its members and the grounds for abstention and recusal in the procedures in which they intervene. With this purpose, the present Regulations are drawn up, with which it is intended to regulate the composition, functions and operation of the Coexistence Commission of the Universidad San Pablo-CEU.

Article 1. Creation and composition

1. The Coexistence Commission of Universidad San Pablo-CEU is a collegiate body whose main purpose is to ensure peaceful coexistence at the University, as well as to ensure the proper functioning of the mediation mechanism and the processing of the mediation procedure as a means of resolving coexistence conflicts, in the terms provided in Chapter I of Title III of the Coexistence Regulations of Universidad San Pablo-CEU.

2. The Coexistence Commission will be appointed by the Rector for a period of four years and will be composed of a Chairman, a Secretary and six members belonging to the different groups that make up the university community: two representatives of the student body, two representatives of the teaching and research staff and two representatives of the administration and services staff. In any case, a balanced composition between men and women will be sought.

3. The representatives of the student body shall be the Delegate and the Subdelegate of the University.

4. The representatives of the teaching and research staff shall be chosen by lot from among the elected members of the Faculty and School Boards. The drawing of lots shall be carried out by the General Secretary's Office of the University.

5. The representatives of the administration and services personnel shall be the two representatives of this group who have obtained the highest number of votes in the elections to the University Senate.

6. Each group shall also appoint two alternates, indicating in the same act the order of priority of the same.

7. The University Ombudsman shall attend the meetings of the Committee with voice, but without vote. In addition, the Committee may request advice from persons external to the Committee, as well as invite them, with voice but without vote, to a specific meeting of the Committee.

Article 2. Functions of the Coexistence Committee

The functions of the Coexistence Commission are as follows:

- a. To channel the consultations and initiatives of the student body, the teaching and research staff and the administration and services staff for the improvement of coexistence, and to formulate proposals in this area.
- b. Promote the use of the mediation mechanism to try to respond to conflicts that may arise between members of the university community due to the violation of the Regulations of Coexistence.
- c. Conduct, where appropriate, information sessions to communicate to the persons involved the availability and scope of the mediation mechanism or procedure.
- d. Communicate to the competent bodies the facts that could constitute misconduct, in accordance with the disciplinary regime applicable in each case.
- e. To process the mediation procedure as an alternative to the disciplinary regime of the student body, after coordination with the General Secretary's Office, at the request of the parties involved and in accordance with the provisions of Chapter I of Title III of the Coexistence Regulations of Universidad San Pablo-CEU, when it deems it appropriate.
- f. To prepare an annual report, which will be presented to the Senate, on matters it considers relevant in matters of coexistence, and may make proposals for improvement. The report shall not contain personal data that would allow the identification of the persons who have availed themselves of the mediation mechanisms or procedures.

Functioning of the Coexistence Commission.

- 1. The Commission shall meet at least once a year, as well as when requested by one third of its members.
- 2. The Chairman shall be responsible for convening and presiding over the meetings. The Secretary shall take the minutes of the same. The Chairman shall convene the Committee on his own initiative or at the request of one third of its members. In the latter case, the meeting shall be held within a maximum period of five days.
- 3. The actions of the Coexistence Commission shall be governed by the principles of independence and autonomy.
- 4. The members of the Committee shall maintain strict confidentiality regarding the matters dealt with at the meetings held, as well as any documentation they may become aware of in the performance of their duties.

5. The Coexistence Commission will have a Protocol of Action in the mediation procedure, respecting the use of mediation as an alternative to the disciplinary regime of the student body, in accordance with the provisions of Chapter I of Title III of the Coexistence Regulations of the Universidad San Pablo-CEU.

6. The Committee may assign the mediation function to one of its members or to a subcommittee constituted for this purpose from among its members. It may also entrust mediation to other persons, bodies or services of the University, in particular the University Ombudsman.

Article 4. Status of the members of the Commission

1. The members of the Coexistence Committee shall be appointed by resolution of the Chairman.

2. The members of the Coexistence Commission may not be appointed as instructors in disciplinary proceedings.

3. Any member of the 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) Have a personal interest in the matter in question or in another matter whose resolution could be influenced by the resolution of that matter.

b) If applicable, be a professor of the student affected by the proceeding or have 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 labor 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.

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.

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

4. When there are causes that could give rise to abstention, recusal may be promoted by the interested parties, which shall be submitted in writing to the Rector, stating the cause. or causes on which it is based. If the Rector appreciates the concurrence of the cause of abstention, he/she shall agree to the substitution by his/her alternate.

5. The members of the Commission and other participants in its meetings shall observe the duty of confidentiality regarding the matters dealt with therein. This duty shall subsist even after the expiration of their term of office and regardless of their statutory or employment status.

6. The actions of the members of the Commission shall not be subject to the imperative mandate of any university body and shall be governed by the principles of independence and autonomy.

7. The members of the Coexistence Commission shall have the right to be excused from the fulfillment of any other ordinary university activity that, due to their condition, corresponds to them, for the time necessary to attend its sessions, provided that they can prove their attendance.

8. The members of the Coexistence Commission are not entitled to receive any type of compensation or remuneration for the performance of their duties on said Commission.

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.