

# Student Disciplinary Regulations

## Vrije Universiteit Brussel

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### Scope of application

#### Article 1

These disciplinary regulations apply to all students, including guest students, of the Vrije Universiteit Brussel (VUB).

### Principle

#### Article 2

A student who is part of the university community is expected to behave with a sense of responsibility and respect for others and their environment and demonstrate self-discipline. In that sense, the disciplinary regulations should be seen as a last resort when all other means fail. It should be emphasised that a student retains the right of free expression and to a critical opinion.

### Disciplinary measures

#### Article 3

§ Teachers shall be responsible for order and discipline in their teaching and examination activities. They have the right to restore order by imposing appropriate sanctions on a student who treats them disrespectfully or causes a disturbance (including ordering them to leave the classroom).

§ In order to safeguard order and safety on campus, disciplinary measures may be taken by the Rector, Vice-Rectors, Deans, Vice-deans and heads of department.

## **Acts liable to give rise to disciplinary sanctions**

Article 4:

§ 1. A student may be subject to disciplinary proceedings in, among others, the following cases:

a. committing an act that qualifies as an offence, for example:

- the use of violence (in any form) against members of the university community or intentionally damaging their property;
- intentionally damaging university buildings or property;
- theft or wrongful use of tangible or intangible university property;
- the use of false certificates, attestations or diplomas;

b. carrying out acts which are prejudicial to the dignity of another person or compromising the fulfilment of the mission of the university, as provided for in the Organic Statute;

c. disrupting the good order within the university community;

d. damaging university buildings or property as a result of gross negligence.

§ 2. If a student is charged with more than one offence, the disciplinary body may decide that due to correlation between the acts, they will give rise to only one disciplinary procedure.

§ If the disciplinary body decides that a number of cases are correlated, it may decide to merge them. Such a decision does not imply that the students involved will have the same sanctions imposed.

## **Sanctions**

Article 5:

§ The following disciplinary sanctions, or a combination of such sanctions, may be imposed:

1. warning;
2. termination of the tenancy agreement of the student tenant in VUB student rooms;
3. disciplinary suspension from using certain student facilities (library, learning platform, restaurant, tutoring, ...);
4. disciplinary suspension for taking one or more course units or certain educational activities;
5. disciplinary suspension from all educational activities and all student facilities;
6. disciplinary suspension from all educational activities and all student facilities including one or more exam period;
7. expulsion.

§ 2. A disciplinary suspension from taking one or more course units and/or participation in course activities and/or the use of student facilities, whether or not including examination period(s), may be imposed for a maximum period of one year;

§ 3. Expulsion may only be imposed for offences where intent was demonstrated and it implies the immediate loss of student status. The person concerned may only be re-enrolled after a period of at least two calendar years and after being admitted by the Vice-Rector for Education and Student Affairs.

The period of two calendar years shall commence on the day following notification of the decision.

§ 4. The expiry of the duration of the disciplinary sanction shall mean that such sanction may no longer be taken into account, except in the case of recidivism as far as determining the level of the penalty is concerned.

## **Disciplinary bodies**

### Article 6

The disciplinary bodies are:

- the Vice-Rector for Education and Student Affairs (referred to her as the Vice-Rector):  
They may delegate their powers under these regulations to one of the members of the independent academic staff appointed for this purpose by the Executive Board on the recommendation of the Vice-Rector.
- the disciplinary committee:  
The latter shall take a decision in accordance with Article 17.
- the disciplinary committee of appeal:  
Disciplinary committee within the Executive Board. The latter shall take a decision in accordance with Article 20 § 1.

## **Research**

### Article 7

Once a report or complaint has been lodged with the Vice-Rector, the investigation will be led by them.

The Vice-Rector may be assisted by a member of the independent academic staff or, in the case of the Secretariat, by a member of the administrative technical staff who is not an interested party.

Anyone lodging a complaint or making a report must clearly identify themselves at least to the Vice-Rector, but may request discretion.

### Article 8

§The disciplinary case file shall be investigated within a reasonable period of time.

§ At the request of one of those involved or on their own initiative, the Vice-Rector may invite the persons concerned to an interview with a view to reconciliation and/or repair of the damage. If agreements are reached during this meeting, the time period in which above-mentioned actions should take place shall also be determined. The investigation of disciplinary case files will be suspended pending the implementation of these agreements.

## **Safeguarding measure**

### Article 9

The Vice-Rector may take a safeguarding measure in the interests of the good order and safety of the university. The measure and its duration shall be substantiated. The student shall be invited to be heard no later than within seven calendar days after the imposition of the safeguarding measure.

## **Closing the investigation**

### Article 10

At the end of the disciplinary investigation, the Vice-Chancellor shall decide:

- a. dismissal
- b. warning
- c. referral to the disciplinary committee.

## Article 11

§ 1. A copy of the Vice-Rector's decision shall be sent to the student.

§ 2. If a disciplinary sanction is contemplated (cf. Article 10 b. or 10 c.) , the student shall be informed in writing of the alleged offence and of the nature of the decision being considered against him. The student is entitled to the assistance of a person of his choice and to have access to the file.

## Article 12

Any safeguarding measure shall automatically lapse in the event of a decision by the Vice-Rector to dismiss or reprimand.

## Article 13

When the Vice-Rector takes a decision to admonish a student, the student may lodge an appeal within 14 calendar days after notification, by registered letter addressed to the Chair of the Disciplinary Committee. The student may request to be heard in a written appeal stating their reasons. The appeal does not suspend implementation.

## **Disciplinary committee**

### Article 14

§ The Disciplinary Committee consists of the Rector (or their delegate) who acts as Chair of the Disciplinary Committee, three members of the academic staff and three students.

§ The members of the academic staff sitting on the Disciplinary Committee shall be appointed by the Executive Board.

The Rector's delegate shall, if necessary, be nominated by the Rector and appointed by the Executive Board.

The student members are appointed by the Student Council.

§ The members of the Disciplinary Committee shall be bound to confidentiality in their capacity as such.

§ The secretariat of the Disciplinary Committee shall be observed by a lawyer.

### Article 15

In case of referral to the Disciplinary Committee, the student shall be summoned by the Chair of the Disciplinary Committee at least 14 calendar days before the hearing. At the hearing, the student may present their defence.

### Article 16

The hearing of the Disciplinary Committee shall take place behind closed doors.

The Disciplinary Committee may take any measure of inquiry it deems necessary, including the examination of witnesses.

### Article 17

After hearing the student, the Disciplinary Committee, by a simple majority of votes, shall decide either to dismiss or to impose a disciplinary sanction or combination of sanctions as provided for in Article 5 § 1. In the case of a tied vote, the decision shall be made in favour of the student. Any safeguarding measure shall expire after the decision.

## **Appeal**

### Article 18

§ 1. The student has a period of 14 calendar days after written notification of the sanction to lodge an appeal.

§ The objection and reasons for it must be sent by registered letter to the Chair of the Executive Board.

§ 3. In the written objection, the student may request to be heard, stating their reasons.

§ 4. The appeal shall not suspend the implementation of the decision.

#### Article 19

No member of the Disciplinary Committee may be a member of the Disciplinary Committee in an appeal hearing.

#### Article 20

§ After taking all investigative measures deemed necessary, the Disciplinary Committee shall decide on the appeal by a simple majority. A tied vote must, where appropriate, be interpreted in favour of the student.

§ 2. The student concerned must be notified of the decision by registered letter within 14 calendar days of its enforceability.