

# Disciplinary regulations for students of the Vrije Universiteit Brussel

These Disciplinary Regulations have various objectives:

Firstly, they are an instrument for preserving order and maintaining discipline both on the campus and during the educational process. Secondly, the Disciplinary Regulations provide those concerned with information about the disciplinary procedures and help to prevent arbitrary sanctions. Students also derive rights from these regulations, such as the right to appeal and the right to be assisted in appeal proceedings.

Students who form part of the university community are expected to behave responsibly and with respect for those around them, and therefore show self-discipline. In this regard, the Disciplinary Regulations must be seen as a last resort that is applied when all other options have failed. It must also be emphasised that students have freedom of expression and critical debate, at all times.

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## Order and discipline during educational activities

### Article 1.

Lecturers are responsible for order and discipline in their lectures. If a student treats them with disrespect or is disruptive, lecturers may impose appropriate measures aimed at restoring order (including ordering the student to leave the room).

## Acts that may result in disciplinary sanctions

### Article 2.

1. Disciplinary proceedings may be taken against a student in the following cases, among others:

- the commission of acts qualifying as indictable offences;
- the use of violence against members of the university community or intentional damage to their property;
- wilful misconduct or gross negligence resulting in damage to university buildings or property;
- theft of tangible or intangible university property or unlawful use thereof;
- the commission of acts that impinge on a person's dignity or pose a threat to the realisation of the University's mission statement, as given in the Statute concerning the general organisation of the University;
- acts disturbing the peace within the university community.

2. If a student stands accused of more than one act, this shall only give rise to a single disciplinary procedure.

3. If the disciplinary body considers that a number of cases are connected, it may decide that they should be joined.

## Investigation

### Article 3.

1. The investigation of disciplinary matters is conducted by the Vice-Rector for Educational and Student Affairs<sup>1</sup>. The Vice-Rector may be assisted in this task by the Dean of the faculty concerned or by a member of the academic staff who is not an interested party. Anonymous complaints or reports are not considered.

2. The students concerned must be informed in writing of the acts of which they stand accused. If the student is a minor, the legal representative must also be informed.

### Article 4.

1. The investigation of the disciplinary case must be undertaken within a reasonable time of the events concerned and result either in the charges being dropped or the case being referred to the Disciplinary Committee.

2. The student concerned must be informed in writing of the decision referred to in point 1.

## Disciplinary Committee

### Article 5.

1. The Disciplinary Committee shall consist of the Rector, who will act as the Chairman of the Disciplinary Committee, 3 members of the academic staff and 3 students.

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<sup>1</sup> If the positions of Vice-Rector for Educational Affairs and Vice-Rector for Student Affairs are two separate posts, the powers conferred under these Regulations shall be exercised by the Vice-Rector for Student Affairs.

2. Members of the academic staff on the Disciplinary Committee shall be appointed annually by the competent governing body.

If need be, an alternate for the Rector will be appointed by the competent governing body, on recommendation by the Rector.

Student members shall be appointed by the Students Council.

3. In their capacity as members of the Disciplinary Committee, members are bound by a duty of secrecy.

4. The secretariat duties of the Disciplinary Committee shall be performed by the Legal Department.

## Procedure

Article 6.

If a case is referred to the Disciplinary Committee, the person concerned must be summoned by the Chairman of the Disciplinary Committee, by recorded-delivery letter, at least 10 working days before the hearing.

Article 7.

A student who is the subject of disciplinary proceedings has the right, at all times:

- to access the full file;
- to be assisted by a person of his or her choice, and, if he or she so chooses, to also ask that a Students Council representative also be present at the hearing.

Article 8.

1. The hearing(s) of the Disciplinary Committee shall take place behind closed doors.
2. The Disciplinary Committee may take all measures necessary for investigation, including hearing witnesses.
3. Once the persons concerned have been heard, the Disciplinary Committee shall take a decision by simple majority of votes. Where the votes are divided equally, the decision taken shall be in the student's favour.
4. A copy of the reasoned decision shall be provided to the persons concerned by recorded-delivery letter.

## Appeal

Article 9.

1. Any appeal by the person concerned must be lodged with the competent governing body within ten working days of the date on which he or she receives written notification of the decision, in accordance with the provisions of Art. 8.4 hereof.
2. The reasoned application to appeal must be sent to the Chairman of the aforementioned body by recorded-delivery letter.
3. In the reasoned application, the person concerned may ask to be heard.
4. An appeal shall not suspend implementation of the decision being contested.

Article 10.

1. The reasoned application to appeal shall be decided at the next meeting of the competent governing body.
2. Any member of the competent governing body who is also a member of the Disciplinary Committee must leave the meeting before that agenda item is dealt with.

Article 11.

1. After all the measures deemed necessary to investigate the case concerned have been taken, the competent governing body shall reach a decision by simple majority of votes. Where the votes are divided equally, the decision taken shall be in the student's favour.
2. The decision shall be notified to the person concerned by recorded-delivery letter within 10 working days of coming into effect.

## Sanctions

### Article 12.

1. The following disciplinary sanctions can imposed:

1. a warning;
2. termination of the lease of a student living in VUB student accommodation;
3. disciplinary suspension of the use of certain services and/or of the possibility of attending certain lectures;
4. disciplinary suspension, including suspension from examinations;
5. exclusion.

2. Disciplinary suspension of the use of certain services and/or the possibility of attending certain lectures, and disciplinary suspension, including suspension from examinations, may be imposed for a maximum of one year.

3. Exclusion may only imposed for acts which can be shown to have been intentional, and will result in immediate loss of status as a student. The person concerned may only re-enrol after a period of at least three years has elapsed and on the basis of a reasoned decision, or with the permission of the Vice-Rector for Educational and Student Affairs on exceptional grounds.

4. The lapse of the period of the disciplinary sanction shall mean that the sanction concerned is no longer be taken into account, except in the event of a repeat offence, when it will be considered in determining the scale of any sanction.