

The French text of this document shall be deemed the authentic version, the English translation being intended for information purposes only.

For the sake of convenience, the masculine form is employed in this document to designate persons of either gender.

Disciplinary Rules and Regulations concerning Students of the Ecole polytechnique fédérale de Lausanne

of 15 December 2008 (Status as at 1 January 2009)

*The Direction of the Ecole polytechnique fédérale de Lausanne,
based on Art. 16 of the ordonnance sur l'EPFZ et l'EPFL of 13 November 2003¹,
hereby adopts the following:*

Section 1 General provisions

Art. 1 Sphere of application

¹ The present rules and regulations apply to students, auditors and doctoral candidates (hereinafter referred to as students) within the framework of their studies and activities in connection with the Ecole polytechnique fédérale de Lausanne (hereinafter EPFL).

² The opening of disciplinary proceedings does not exclude the opening of criminal or civil proceedings.

Art. 2 Disciplinary offences

A disciplinary offence is considered to have been committed if, within the framework defined under Art. 1, par. 1, a person:

- a. fails to obey a directive or violates a prohibition laid down in an EPFL rule or regulation;
- b. causes harm to property or persons or endangers them deliberately or through gross negligence;
- c. cheats or attempts to cheat or is a party to cheating or attempted cheating during an examination;
- d. submits a piece of work in which he presents as his own all or part of works produced by third parties (plagiarism);
- e. disrupts teaching and events organised at EPFL;

¹ RS 414.110.37

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- f. exercises constraint towards members of EPFL services or bodies, teaching staff, scientific staff or administrative staff, students or visitors;
 - g. behaves in an undignified manner inside or outside EPFL when the latter is affected, or undermines, with harmful intent, the reputation or image of EPFL;
 - h. commits an offence as defined under Swiss criminal law;
 - i. fails to comply with a measure pronounced for the implementation of Art. 4, par. 1 or Art. 5;
 - j. makes improper use of a legitimisation document or benefit conferred on him by virtue of his presence at EPFL.

Art. 3 Prescription

The disciplinary responsibility of the student lapses after a period of six months dating from the day on which the disciplinary offence was discovered, but after a maximum period of two years dating from the day on which the offence was committed.

Art. 4 Disciplinary measures

¹ The disciplinary authority may take the following disciplinary measures:

- a. reprimand;
- b. cancellation of an examination or part of an examination, allocation of the mark 0 (zero) for a test, or decision that a branch or group of branches have not been acquired (graded NA);
- c. ban on attending certain courses or all courses during a specific period of time;
- d. non-admission to a study programme;
- e. threat of suspension of studies or expulsion from EPFL;
- f. suspension of studies at EPFL for one semester or one year;
- g. expulsion from EPFL.

² The nature and extent of the measure depend particularly on the offence committed, the student's motives, his previous history, his collaboration during the enquiry and the significance of the interests or property that have been affected or endangered. The measure may be attenuated if the student exhibits remorse and repairs the damage of his own accord.

³ In cases where a disciplinary measure is inappropriate, the student may be given a warning.

⁴ EPFL reserves the right to require that the student arranges the civil repair of the damage, and presents his written apologies to the injured party.

⁵ In particularly serious cases, a suspension or expulsion for disciplinary reasons pronounced by the Swiss Federal Institute of Technology Zurich is also applicable to EPFL.

Art. 5 Provisional measures

¹ When necessary for the smooth functioning of EPFL, its President or, if the case has been submitted to it, the Disciplinary Committee, may, after having heard the student, take provisional measures that may involve the temporary suspension of studies, suspension of the student's rights of access or a ban on entering the EPFL site for the duration of the disciplinary proceedings.

² If the situation is urgent, emergency measures may be prescribed without any preliminary hearing being accorded to the student.

Section 2 **Disciplinary authorities and competences**

Art. 6 Disciplinary authorities

The disciplinary authorities are:

- a. the President of EPFL;
- b. the Disciplinary Committee.

Art. 7 Disciplinary Committee

¹ The Disciplinary Committee is made up of:

- a. a person from outside EPFL with legal training, who chairs the committee;
- b. two EPFL professors;
- c. two members of EPFL scientific staff;
- d. two EPFL students.

² The President of EPFL appoints, for a term of four years, the person referred to under par. 1, letter a, and a deputy, who must fulfil the same requirements. Their mandate may be renewed.

³ The teaching staff, scientific staff and student bodies may each appoint their representatives and their deputies for a term of two years. Their mandate may be renewed.

⁴ The committee does not hold its hearing in public. If circumstances permit, it may reach its verdict via communication channels such as post, fax or email without actually meeting.

⁵ Its deliberations and decisions are considered to be legitimate only when they involve the participation of its chairman or his deputy and at least one member of each of the bodies referred to under par. 1, letters b to d.

⁶ Decisions are made by an absolute majority of persons participating in the hearing or decision-making procedure via communication channels such as post, fax or email. In the event of a tied vote, the chairman has the casting vote.

⁷ The secretarial duties relating to the committee are carried out by an EPFL service.

Art. 8 Competences

¹ The President of EPFL makes what he considers to be the appropriate decisions on the basis of a preliminary enquiry and a decision proposal made by the internal legal committee.

² Should it become apparent, during or at the close of the enquiry, that the matter exceeds the scope of competence of the President, the case is then referred to the Disciplinary Committee.

³ The President of EPFL may pronounce the measures provided for under Art. 4, par. 1, letters a to e.

⁴ The Disciplinary Committee may pronounce the measures provided for under Art. 4, par. 1.

Section 3 **Proceedings**

Art. 9 Opening of proceedings and rules applicable

¹ Disciplinary proceedings may be opened following a complaint, a denunciation or as a matter of course.

² The competent disciplinary authority may refuse to follow up a complaint or denunciation that is obviously ill-founded. Moreover, it may decide not to pursue a disciplinary enquiry on the grounds of expediency or lack of proof.

³ Disciplinary measures may only be pronounced after the matter has been investigated and the student has exercised his right to be heard.

⁴ The student may be summoned and questioned for the purpose of the enquiry. The student's remarks are recorded in a statement that is submitted to him for his approval and signature.

⁵ The disciplinary authority may stipulate in its decision that, should an appeal be made, it will not have any suspensive effect.

⁶ If criminal proceedings have been opened based on the same charges, the disciplinary proceedings may be suspended, in which case the prescription period will be suspended until the outcome of the criminal proceedings is known.

⁷ EPFL reserves the right to denounce the offence or lodge a criminal complaint in addition to any disciplinary proceedings that may be opened.

⁸ The disciplinary proceedings are governed moreover by Art. 7 to 43 of the *loi fédérale sur la procédure administrative* of 20 December 1968 ².

Art. 10 Enquiry

¹ The internal legal committee, which is composed of a person with legal training, a representative of the Direction of Education or the deanship and a student representative, opens disciplinary proceedings and conducts the necessary enquiry.

² **RS 172.021**

² If the matter is submitted to it, the Disciplinary Committee is free to carry out further investigations, either directly or via delegation to an EPFL service.

Art. 11 Student's right to be heard

¹ After the investigation, an enquiry report is communicated to the student.

² The student is accorded a time limit within which he may consult the case material and submit a written statement concerning the charges against him and the question of his guilt.

³ The student also has the right to state his case before the Disciplinary Committee, if the latter holds a hearing.

Art. 12 Communication of disciplinary decision and legal proceedings

¹ The student is notified in writing of the disciplinary decision that comprises the exposition of motives and the legal proceedings.

² The appeal procedure is governed by the general provisions of federal administrative procedure.

Section 4 Final provisions

Art. 13 Abrogation of current law

The *ordonnance sur la discipline à l'École polytechnique fédérale de Lausanne* of 17 September 1986 ³ is hereby abrogated.

Art. 14 Coming into force

The present rules and regulations come into force on 1 January 2009.

³ [RO 1986 1694]