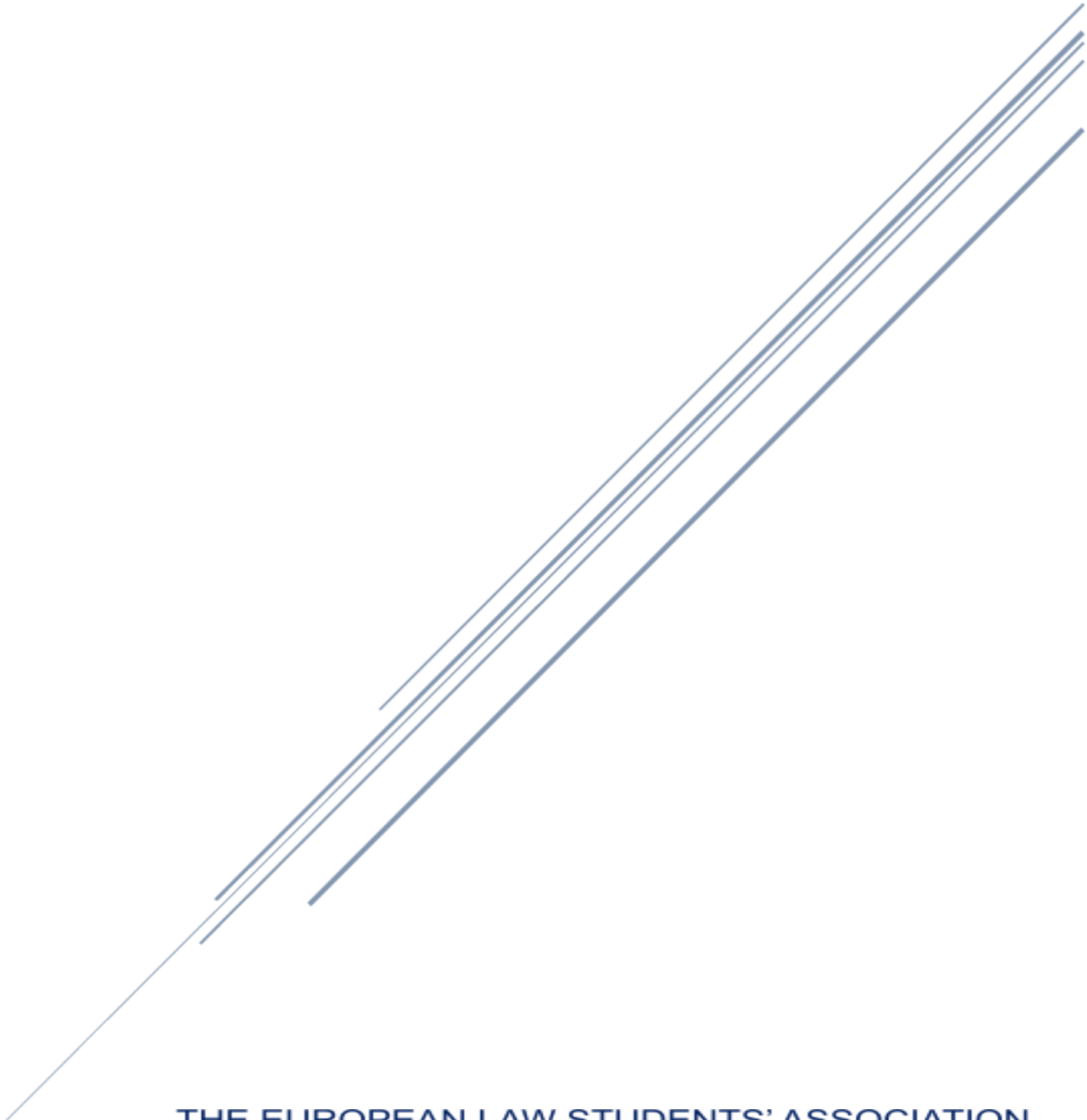


CODE OF CONDUCT

2024 Ratification



**THE EUROPEAN LAW STUDENTS' ASSOCIATION
IE LAW SCHOOL CHAPTER**

LETTER FROM THE FOUNDING PRESIDENT

Dearest Member,

Thank you for one year of excellence here at the European Law Students' Association at IE Law School. Since the founding of this organization in November of 2022, we have grown exponentially, becoming one of the premier student organizations at IE Law School, and standing out as one of the top ELSA branches both nationally and internationally.

To continue to foster excellence, we have established this guidebook, which serves as the official code of conduct, ethics, and academics that we hold here at the European Law Students' Association at IE Law School.

In this global school, it is imperative that we emphasize our commitment to integrity, respect, and excellence, and this code will assist in ensuring that an equal interpretation of these goals is applied to each and every one of us.

In addition to the rules set out in both the international and national charter documents of ELSA, this document will serve as a binding and governing document for membership at ELSA IE. As always, the process for review, investigation, and action from a violation of these rules are vested in the power of the local board of the European Law Students' Association at IE Law School, and any sanctions can be appealed to the general assembly and the national board, respectively.

Please read through this document thoroughly. If you become aware of a breach of these rules, please report it immediately by sending an email to ethics.ieuniversity@es.elsa.org or secgen.ieuniversity@es.elsa.org. All reports will remain confidential.

Thank you again for your cooperation.

Regards,

A handwritten signature in black ink, appearing to read 'Jacob D. Chilton', written in a cursive style.

JACOB D. CHILTON
Founding President

Article I. General Principles

Section I.01 Respect

The European Law Students' Association at IE Law School (hereby ELSA IE) is committed to maintaining an atmosphere of respect. Respect is defined as that not only for others as individuals, but for cultures, orientation, ethnicity, religion, political beliefs, sex, age, gender, or other protected category. Additionally, respect of physical property, venues, or ideas are protected in this section.

While 'disrespect' is a broad term, a general disrespect towards another professor, member, officer, or associate of ELSA IE is considered a breach of these guidelines. Disrespect is not only verbal but can be written or implied.

ELSA IE has a zero-tolerance policy for disrespect, especially when it involves disrespecting one of the core values of our association: our diversity.

Section I.02 Integrity

ELSA IE is an honors program, attracting the best and brightest students from across the law school. Academic Integrity is a vital component of ensuring that our reputation is maintained, and that all members can enjoy the benefits of the association.

Integrity violations are serious, and can include obvious violations such as cheating, or less common violations such as major GPA dips or unethical academic conduct.

Section I.03 Responsibility

ELSA IE members are expected to uphold responsibility, which includes reporting infractions or violations of this code, as well as the responsibility to contribute to the organization, community, and school.

Violations of responsibility may include not paying membership dues, or failing to report a serious infraction after witnessing one.

Article II. Classes of Infractions

Section II.01 Infractions

Violations of this code are listed as "Infractions." Infractions are divided into Classes. Some serious infractions result in a suspension while the investigation is pending.

Fines may be two times the cost of the annual membership fee. Members can opt to be suspended for one academic semester in lieu of the fine. A temporary suspension is one that is private and lasts for one semester or less. A full suspension lasts for at least one year and is publicly announced. Expulsions are permanent.

See below for the reference chart:

CLASS	MINIMUM CONSEQUENCE RANGE	SUSPENSION PENDING
CLASS A	Immediate Expulsion and/or Referral to Authorities	YES
CLASS B	Full Suspension of Entitlements & Membership	YES
CLASS C	Conditional Suspension or Written Reprimand or Fine	YES
CLASS D	Written Reprimand or Fine	NO
CLASS E	Warning	NO

Section II.02 Application

Members are always bound to this code of ethics, regardless of location or the nature of the event or activity. Violations can occur at the university, online, or otherwise.

Article III. Code of Academics

Section III.01 Grade Point Average

- (a) ELSA IE requires that all members maintain a minimum required grade point average of a 5.0, however, membership in ELSA IE is also contingent on being in Good Standing with the university.
 - (i) **Good Standing** is defined as not having any final grades in the academic year below a five. If you fail a course, you must self-suspend your membership until you retake the examination and obtain a pass. You do not need to report a failed class to the association unless you fail the second call. Failing to report is a **Class C** infraction.
- (b) ELSA IE reserves the right to request an updated copy of your unofficial transcript for review. Upon request, you have fifteen calendar days to provide an updated copy. You *do not have* to provide this transcript, but you may be suspended from the organization until verification of your GPA can be completed.

Section III.02 Cheating and Plagiarism

- (a) **Cheating** is defined as any act or omission thereof which violates (a) the academic policies of IE University or (b) this document. Cheating is a **Class B** infraction.
- (b) **Plagiarism** is considered cheating. Unintentional plagiarism is a **Class E** offense, while intentional or grossly negligent plagiarism is a **Class C** offense. Plagiarism can also be the illicit or disallowed use of generative AI in a competition, exam, or other assigned work.

Section III.03 Other Academic Violations

- (a) **Academic Dishonesty** is the intentional misrepresentation of your current academic status. This could include falsification of your resume, GPA, or other academic-oriented documentation. This is considered a **Class C** infraction.
- (b) **Severe Academic Infractions** include the hacking or unlawful entry into a professor's computer for the purposes of changing grades or otherwise, as well as the hiring of external services to complete papers, assignments, or activities. This is a **Class A** infraction.
- (c) **General Academic Violations** include any action which the ELSA IE Board of Directors determines as unrepresentative of ELSA IE as an organization. This will be treated as a **Class E** infraction.

Section III.04 University Sanction

- (a) You must report yourself or other members to the appropriate ELSA IE authority if you or the member in question is referred to the university's ethics procedure. ELSA IE will not act until the decision of the university is handed down.
- (b) If a member is suspended or expelled from the university, they will automatically revoke their title of membership without right to appeal.
- (c) If a member changes degree, transfers university, or is no longer a student of a law program at IE Law School, they must notify the appropriate ELSA IE authority to determine the next action for their membership.

Article IV. Code of Ethics

Section IV.01 In General

- (a) Members must always uphold the principles laid out in the bylaws and charter of ELSA IE. Violations of these core principles are treated as a **Class E** infraction unless otherwise stated in this document.
- (b) Members must maintain an apolitical nature when representing ELSA IE in any capacity. Members who express their political opinions, views, or stances on social media should remove any mention or representation of ELSA IE. Violating this requirement is a **Class D** infraction.
- (c) Members who witness or suspect a violation of this section should report it to the Director for Ethics and Standards immediately. Failure to report a witnessed infraction by a member is a **Class E** infraction.

Section IV.02 Physical and Verbal Conduct

- (a) **Discrimination** is considered a severe violation of the ELSA IE code of ethics. Discrimination can be in the form of physical, verbal, or emotional abuse, as well as crude or hateful 'jokes.' Any comment, action, or otherwise discriminatory act that targets someone based on age, sex, religion, sexual orientation, gender, race, ethnicity, or other EU protected category is not tolerated.
 - (i) *Violence based on discrimination is considered a **Class A** offense.*
 - (ii) *Verbal abuse based on discrimination is considered a **Class B** offense.*
 - (iii) *Other forms of discrimination and hate speech are considered **Class C** offenses.*
- (b) **Violence or the threat of violence** are strictly prohibited. This can include any assault, battery, or threat thereof. This is a **Class A** offense.
- (c) **Sexual Assault** by a member is strictly prohibited. All reports of sexual assault are referred to the appropriate university body, and the accused person will be placed on an administrative suspension until resolved under a **Class A** offense protocol.

Section IV.03 Representation

- (a) **Unfavorable Representation of ELSA IE** is any act by a member which is deemed unfavorable or unrepresentative of the core tenets of the bylaws and codes of ELSA IE. Infractions of this nature are **Class D**.
- (b) **Undermining the Operations of ELSA IE** is any act or threat thereof by a member which attempts to undermine the elections, procedures, or operations of ELSA IE and is considered a **Class C** offense.

Section IV.04 Finances and Obligations

- (a) Members are expected to pay their membership dues on time. Membership fees, and other participation fees, are covered by this section. A payment is considered overdue fourteen days after the due date. A payment which is in collection is any fee or fine which is not paid after the fourteen-day period and is a **Class C** infraction.
 - 1) Members may voluntarily forfeit their membership in place of disciplinary action for this section.
- (b) Commitment or the signing of a commitment to an activity or event of ELSA IE is considered binding, and failure to honor that commitment may be considered a **Class E** offense and will be evaluated based on the context and severity.
- (c) **Misuse of Funds** is a **Class B** offense which encompasses the use of ELSA IE accounts, finances, funds, costs, dues, or other money which is used for purposes which are not approved by the board of directors and authorized by the president.

Section IV.05 Obligations of the Members of the Board of Directors

- (a) This section is only applicable to the Members of the Board of Directors of ELSA IE University, and shall apply to the following positions:
 - (i) *The President;*
 - (ii) *The Secretary-General;*
 - (iii) *The Treasurer;*
 - (iv) *Any Vice-President Position;*
 - (v) *Any Directorship Position.*

- (b) Any Member of the Board of Directors shall be covered by the Confidentiality Agreement signed upon the appointment to the respective position. The content of the Confidentiality Agreement shall be approved by the Board of Directors once, upon which the same Confidentiality Agreement shall be used. The Confidentiality Agreements shall be stored electronically by the Secretary-General.
- (c) The Members of the Board of Directors agree to respect and adhere to the internal deadlines imposed by the Board as a whole, or by President or Secretary-General, and perform the work allocated diligently, according to the deadlines.
- (d) Failure to adhere to the deadlines, on at least 3 occasions, as well as consistent non-performance of the duties of the Position to which a Member is appointed, will result in termination of the Member from their Board Position, upon a simple majority vote of the Board of Directors. For the purposes of this provision, the extension of the deadlines approved by either the President or Secretary-General, will not count towards the failure to adhere to the deadlines.
- (e) This Section shall apply without prejudice to any other duty, obligation or rule applicable to the Members of the Board of Directors, as outlined in the bylaws of ELSA IE University, and specifically the rules of attendance of the Ordinary Board of Directors Meetings.

Article V. Procedure and Application

Section V.01 Initiation Procedure

- (a) All Members are obliged to report any infraction, whether witnessed or that they became aware of, to the Director of Ethics, Standards & Audit, at the following email ethics.ieuniversity@es.elsa.org. The Member reporting shall explain in the report made to the Director of Ethics, the nature of the reported infraction, providing as many details as possible. All reports will be treated in a strictly confidential manner.
- (b) Intentional misrepresentation of facts or reporting an intentionally falsified infraction that regards another Member is strictly prohibited and is a **Class C** offense.
- (c) Upon the receipt of the report, the Director of Ethics will report the information regarding the alleged infraction to the Secretary-General, and the latter will communicate the necessary information to the President.

- (d) The President may decide to hold an Extraordinary Board Meeting, for the purposes of deciding whether the alleged report requires an investigation. The President may decide to hold a preliminary vote on the aforementioned matter, however the effective decision regarding an investigation is within full discretion of the President with consultation of the Secretary-General.
- (e) In case the investigation has not been opened by the President, the Secretary-General with collaboration of the Director of Ethics, shall draft a report detailing the reasons for the decision taken and shall communicate this report to the reporting Member.

Section V.02 Investigation and Hearing Procedure

- (a) In case the investigation has been initiated by the President, the Secretary-General aided by the Director of Ethics, shall diligently investigate the matter at hand, which can involve but is not limited to a) Interviewing the parties involved, b) interviewing possible witnesses.
- (b) Following the opening of the investigation, the Secretary-General, with collaboration of the Director of Ethics shall draft an official letter to the accused Member, notifying the latter of the opened investigation against them. The aforementioned letter shall include full explanation of the pending procedure and must include a possibility for the exercise of the right to be heard by the accused at the Ethical Hearing.
- (c) The default composition of the Ethical Hearing is in front of the Board of Directors, at the first Ordinary Board Meeting after the allegations were made. Nevertheless, the accused may request a closed Ethical Hearing, composed of the following: Secretary-General, Vice-President of Human Resources, Director of Membership and Director of Ethics, Standards and Audit.
- (d) The accused always must have an opportunity to be presented with the charges against them, as well as given the opportunity to defend themselves, the latter limited to fifteen (15) minutes, or five (5) pages in the written form, in case of the latter limit, excluding any evidence provided.

- (e) At no point of time, the identity of the reporting Member shall be disclosed to the accused or to the Members of the Board of Directors, unless they are directly involved in the procedure. The disclosure of the identity may be mandated by the decision of the Secretary-General and the President acting together, after careful examination of the circumstances and the weight of the accusations, as to give the accused the opportunity to confront the accuser.

Section V.03 Final Decision Stage

- (a) After the conclusion of the investigation, and the hearing, if applicable, the Secretary-General, with collaboration of the Director of Ethics, shall draft a report using only the necessary details of the situation at hand, along with a recommendation on the appropriate measures to be taken.
- (b) At the first Ordinary Board Meeting taking place immediately after the conclusion of the investigation procedure, the Board of Directors shall enter the following procedure:
 - (i) *The Secretary-General shall present to the Board the report of the infraction, along with the recommendations regarding the measures to be taken. The Secretary-General shall act in the capacity of the Prosecutor.*
 - (ii) *The President shall act in the capacity of the mediator and shall express their opinion regarding the recommendations and the situation at hand.*
 - (iii) *After the Secretary-General and the President have finished their reports, any Board Member may express their own opinion regarding the matter discussed.*
 - (iv) *Upon the conclusion of the discussion, the Board of Directors shall take a binding vote, according to the following voting rules: For the offenses of **Class A** and **B**, the Board of Directors shall vote with absolute majority; For the offenses of **Class C, D** and **E**, the Board of Directors shall vote with simple majority.*
 - (v) *Whenever the measure proposed concerning offenses of **Class A** or **B** fails, it can be lowered to that of **Class C**, by way of motion of one of the Members of the Board and shall be voted upon by way of simple majority.*
- (c) Upon the conclusion of the vote, the results of the latter shall be communicated to the accused and the accuser within two (2) working days, in a written form, by the Secretary-General.
- (d) The decision of the Board of Directors shall be binding effective immediately and shall enter into force upon the notification of the accused.

- (e) The aforementioned decision can be appealed to the Board of Directors of ELSA Spain, according to the procedure outlined in the bylaws of ELSA IE University.

THEREFORE,

ON THIS DAY

The 30th April 2024,

THE MEMBERS OF ELSA IE HEREBY ESTABLISH THE CODE OF CONDUCT OF THE IE EUROPEAN LAW STUDENTS' ASSOCIATION;

A handwritten signature in black ink, appearing to read 'J. Toledano', with a large, stylized initial 'J'.

JADE MARIA TOLEDANO, *Chairwoman President*

A handwritten signature in black ink, appearing to read 'M. Kudinov', with a large, stylized initial 'M'.

MAKSIM KUDINOV, *Secretary-General*