

University of California, Riverside
ADMINISTRATION OF STANDARDS OF CONDUCT

Approved by the Campus Board of Review, February 1, 2006

1.00 GENERAL DESCRIPTION AND ADMINISTRATION

- 1.10 **Principles.** The University of California, Riverside is committed to providing its students with the best education possible. UCR strives to attract the finest faculty members, maintain excellent educational and research facilities, and support co-curricular activities that enhance students' experience at this campus. UCR also seeks to create an environment that fosters individual growth, the freedom of expression and a sense of community. The viability of this community depends on a common understanding among its members regarding their rights and responsibilities. *UC Standards of Conduct for Students* (from University of California Policies Applying to Campus Activities, Organizations and Students) lays the foundation for that understanding and governs the conduct of all University of California students. It articulates the University's expectations regarding standards of conduct, both academic, non-academic and with respect to the rights of others.
- 1.20 **Description.** These standards apply to students as individuals, as members of organizations, and to the student organizations themselves, where appropriate. Whenever possible, disciplinary matters will be handled informally with emphasis placed on the personal growth and development of the student. If formal procedures are used, this document provides a system intended to provide fair and reasonable hearings that will proceed with reasonable speed and efficiency without sacrificing fairness to either the student or the University.
- 1.30 **Actions in the Courts.** The proceedings described here are separate and distinct from criminal or civil proceedings which may arise from identical circumstances and that apply to students as citizens at large. Except under exceptional circumstances, student conduct proceedings shall not be deferred on the grounds that civil or criminal proceedings are pending, nor will they be subject to challenge on the ground that charges involving the same incident have been dismissed or the outcome determined in favor of the student.
- 1.40 **Administration.**
At the University of California, Riverside, alleged violation of policies, regulations or rules governing University Housing are normally administered through the Housing Judicial Coordinator, appointed by the Director of Housing. Alleged violations of policies, regulations or rules governing University-owned or operated housing facilities may be resolved in accordance with Housing procedures and/or referred to the Office of Student Judicial Affairs for resolution pursuant to these *Standards of Conduct*. All disciplinary action taken by the Housing Judicial Coordinator, or any hearing body or officer operates by delegation from the Chancellor through the Vice Chancellor for Administration.
- All other violations of *UC Standards of Conduct for Students* shall be administered in accordance with procedures set forth herein, either through the Office of Judicial Affairs or Student Conduct Committee. The Office of Student Judicial Affairs and Student Conduct Committee operate by delegation from the Chancellor through the Vice Chancellor for Student Affairs and through the Dean of Students.
- 1.50 **Dissemination of the Code.** All campus and system-wide policies referenced herein are listed in Appendix A. Copies of such policies are available at the Office of Student Judicial Affairs, Costo 234, the Office of the Dean of Students, Costo 145, and at the Office of the Vice Chancellor for Student Affairs, Hinderaker 2108. The Standards of Conduct are posted on the Student Affairs web site: <http://www.vcsa.ucr.edu/conduct/default.html>. The University shall disseminate the *Standards of Conduct* by publishing pertinent portions in the student newspaper each quarter. A student cannot reasonably claim innocence of a violation of the *Standards of Conduct* on the

grounds of ignorance, or because of a cultural or national tradition that may differ from these provisions. Whenever a student is not sure whether a particular action would violate the Standards of Conduct, it is the responsibility of the student to inquire of the Office of Student Judicial Affairs.

- 1.60 **Revisions to the Standards.** The Dean of Students shall consult faculty, staff and students, including representatives of student governments, through the Campus Board of Review, in the revision of the *University of California, Riverside Standards of Conduct* except when such revisions result from changes to system-wide policies or are specifically mandated by law. Any member of the campus community may submit written proposals to change the provisions of these standards to the Dean of Students at any time. Prior to the adoption of a revised *Standards of Conduct*, all proposed modifications shall be submitted to University Legal Counsel for review for consistency with system-wide policies and the law.

2.0 DEFINITIONS

- 2.10 **Student.** For the purpose of enforcing the UCR *Standards of Conduct*, the term "student" is defined as an individual who:
- is currently enrolled in or registered with an academic program of the University; *or*
 - has completed the immediately preceding term and is eligible for re-enrollment, including the recess periods between academic quarters; *or*
 - is on an approved educational leave, other approved leave status or disciplinary suspension or is on filing-fee status.

These *Standards of Conduct* also apply to:

- applicants who become students, for offenses committed as part of the application process; *or*
 - applicants who become students, for offenses committed on campus and/or while participating in University-related events or activities that take place following a student's submittal of the application through her or her official enrollment; *or*
 - former students for offenses committed while a student.
- 2.20 **Recognized campus organization and student organization.** The terms "recognized campus organization" and "student organization" mean any group or organization of students of the University of California, Riverside that has obtained formal status as a registered campus organization.
- 2.30 **Working Days.** Working days are defined as days the campus is in session based on the UCR campus' academic calendar, and shall exclude weekends, holidays, and inter-quarter recesses.

3.00 JURISDICTION

- 3.10 **Types of Cases.** Cases involving alleged misconduct under the following categories of rules governing student conduct shall be referred to the Office of Student Judicial Affairs or Student Conduct Committee:
- University of California system-wide policies (See Appendix A)
 - Campus-wide rules
 - Rules established by campus entities (such as departments, residence units, and professional schools) that are applicable to their particular students.
- 3.20 **On-Campus Jurisdiction.** These provisions govern student conduct on, or as it relates to University property, or at official University functions and University-sponsored programs

conducted away from the campus. University property is defined for purposes of these *Standards of Conduct* as all land, buildings, facilities or other grounds or structures, or any item in possession of or owned, used, maintained or controlled by the University or designated by the campus as subject to these policies. University property also includes computers and network systems owned, maintained or controlled by the University or funded by University budgets or designated by the campus as subject to these policies.

3.30 Off Campus Jurisdiction.

Student conduct that occurs off University property is subject to UCR *Standards of Conduct* where it 1) adversely affects the health, safety, or security of any member of the University community, or the mission of the University, or 2) involves academic work or any records, or documents of the University. In determining whether or not to exercise jurisdiction over such conduct, the University shall consider the seriousness of the alleged offense, the risk of harm involved, whether the victim(s) are members of the campus community and/or whether the off-campus conduct is part of a series of actions, which occurred both on and off University property. Recommendations to extend jurisdiction will be reviewed by the Assistant Vice Chancellor for Student Affairs.

The University may also exercise jurisdiction over student conduct that occurs off campus where, the conduct compromises University neighbor relations.

4.00 FILING AND REVIEW OF COMPLAINTS

4.10 Filing a Complaint. Any member of the UCR community (the UCR Police Department, residential life staff, faculty member, staff or student) may file a complaint, alleging academic or non-academic misconduct by a student or student organization with the Office of Student Judicial Affairs. Complaints must be filed in writing. Complaint report forms may be obtained from the Student Judicial Affairs office (133 Costo Hall) or the Student Judicial Affairs web site at www.conduct.ucr.edu. The report should minimally contain the following information: full names of individual(s) involved (and their contact information, if possible), location of incident(s), date and time of incident(s), complete and concise description of the incident(s), date of report, name and contact information of reporting party. The reporting should attach any relevant supporting documentation or information with the report. The Office of Student Judicial Affairs may independently follow up on information concerning student misconduct from any source, including, but not limited to police and/or press reports, even where no formal complaint has been filed. Complaints from those outside the University community may be filed through the Dean of Students.

4.20 Review of Complaints. Upon receipt of a complaint the Office of Student Judicial Affairs will review the case, determine if complaints have merit, identify alleged violations of UCR *Standards*, assign charges, and determine how the incident will be adjudicated. The Office of Judicial Affairs will determine how complaints will be adjudicated based on the nature and severity of the alleged violations of *Standards* in accordance with these guidelines:

- The Office of Student Judicial Affairs will informally addresses cases of alleged misconduct where individual student(s) admit to violating the *Standards of Conduct* as charged and formally addresses non-academic violations in which a sanction of probation or less is recommended.
- The Offices of Student Judicial Affairs and Student Life and Leadership will jointly hear cases of alleged misconduct by student organizations where a sanction of probation or less is recommended.
- The Student Conduct Committee will hear serious and chronic cases of alleged misconduct where a sanction of suspension or dismissal of student or organizational status are possible.

- 4.2.1 **Cases involving allegations of rape, sexual assault, sexual harassment and/or gender discrimination.** In cases involving alleged rape, sexual assault, sexual harassment and/or gender discrimination, the Office of Student Judicial Affairs will defer to the Title IX officer to review and investigate the complaint. The investigation shall be completed as promptly as possible and in most cases within sixty (60) working days of the date the request for formal investigation was filed. After the completion of the investigation, the Title IX Coordinator will prepare a written report within fourteen (14) working days. Help and support will be offered to the complainant and/or accused student(s) by appropriate campus advocates. If the complainant requests a change in academic, living or work arrangements as a result of the alleged offense, reasonable efforts will be made to accommodate such requests.
- 4.2.2 **Cases involving alleged misconduct by student organizations.** In cases involving alleged misconduct by student organizations, the Office of Student Judicial Affairs in collaboration with the Student Life and Leadership will conduct the review of specific allegations.
- 4.2.3 **Cases involving behavior that present a threat to the health or safety of others.** In cases involving behavior that is willfully disruptive or presents a threat to the health or safety of others, interim suspension or exclusion pursuant to California Penal Code Section 626 may be invoked in addition to or instead of the initiation of disciplinary action.

5.00 NOTIFICATION OF CHARGES

- 5.0.1 For cases to be resolved through Administrative Review, the Office of Student Judicial Affairs shall send *Notification of Charges* via U.S. mail to a student or student organization within 20 working days of the referral of the matter to the Office of Student Judicial Affairs, except under unusual circumstances as determined in consultation with the Dean of Students.
- 5.0.2 For cases to be resolved through a hearing of the Student Conduct Committee, the Chair shall send *Notification of Charges* via U.S. mail to a student or student organization within 20 working days of the referral of the matter to the Office of Student Judicial Affairs. Involved parties will be provided written notice of the date, time and place of any scheduled hearing. The accused student or student organization must be notified at least five (5) working days before the scheduled hearing. The University reserves the right to conduct hearings in absentia when proper notice has been given. Failure to appear after proper notice does not necessarily constitute grounds for an appeal.
- Requests for rescheduling a hearing must be directed in writing, to the Chair, with a statement of the grounds for the request, at least two (2) working days prior to the scheduled hearing. This request will be considered, but rescheduling is not automatic.
- 5.0.3 It shall be conclusively presumed that written notice to the student has been furnished if the notice is sent to the student by U.S. mail to the address most recently filed with the Registrar's Office, or if undeliverable at a local address, at the permanent address of record.
- 5.0.4 For the purpose of pursuing charges against a recognized student organization, notice shall be delivered to the president, principal officer, contact person or other student designated by the group to act as an agent on behalf of the group. It shall be conclusively presumed that written notice to a student organization has been furnished if the notice is sent by U.S. mail to the address most recently filed with the Registrar's Office.
- 5.0.5 The written *Notification of Charges* shall advise the student or student organization of:
- the University Policy or campus regulation that was allegedly violated;
 - the factual basis for the charges including, wherever possible, the date, time, and location of the alleged offense;

- a statement of the accused student or student organization's right to be assisted by an advisor from the student body, staff, administration or faculty or an attorney (at his or her own expense) at any stage of the disciplinary proceedings;
- the opportunity to meet with a staff member of the Office of Student Judicial Affairs to discuss resolution of the charges;
- the right to a hearing to contest the allegations; and
- the Office of Student Judicial Affairs' intent to proceed with unilateral action if the student or the student organization does not meet with Office of Student Judicial Affairs staff or Student Conduct Committee to resolve the charges.

5.0.6 Unless previously provided, the Office of Student Judicial Affairs shall provide a copy of the *Standards of Conduct* and, if applicable, other relevant University policies to the student or student organization with the *Notification of Charges*.

5.0.7 Administrative Reviews and Hearings shall be scheduled to permit the parties reasonable time to prepare, and may be held during summer sessions or academic break periods.

6.00 ADJUDICATION OF COMPLAINTS.

6.10 **Voluntary Administrative Review.** If the student or student organization admits violating the Standards of Conduct as charged, the Office of Student Judicial Affairs (and the Office of Student Life and Leadership and/or the student organization's faculty or staff advisor for student organizations) will meet with the student or student organization to discuss the administrative disposition of the case. Under voluntary administrative review, Student Judicial Affairs (and Student Life and Leadership for student organizations) may not impose sanctions without the student or student organization's consent. The student or student organization is entitled to consult an advisor of choice before giving consent.

6.20 **Summary Administrative Review.** If the student or student organization denies some or all of the facts upon which the allegations are based, the Office of Student Judicial Affairs (and Office of Student Life and Leadership for organizations) determines whether students or recognized student organizations have violated the *Standards of Conduct* and, if so, what action should be taken.

6.30 **Unilateral Disciplinary Action.** If the student or student organization has failed or refused to respond, or to participate in or cooperate with the disciplinary process, despite reasonable efforts to contact the student or organization, or the student has withdrawn or failed to re-register while discipline is pending the Office of Student Judicial Affairs (and the Office of Student Life and Leadership for organizations) may impose discipline unilaterally, without the consent of the student or a finding of violation after a formal hearing. Unilateral action may include, but are not limited to:

- Placement of holds on the student's registration, graduation, diploma, or transcripts
- Formal adjudication without the student or organization's presence

If the student has withdrawn or failed to re-register, the decision imposing sanctions shall take effect immediately upon re-admission.

6.40 **Student Conduct Committee.**

- The Student Conduct Committee determines whether students or recognized student organizations have violated the *Standards of Conduct* and, if so, what action should be taken.
- The Student Conduct Committee is drawn from a pool of sixteen to assure ready availability of hearing panels: Six undergraduate students, two graduate students, four faculty and four staff are appointed annually by the Executive Vice Chancellor. Faculty members are nominated by the Academic Senate; undergraduate members are appointed by the recognized student government; graduate students are nominated by the Graduate Student Association; and staff are nominated by the Vice Chancellor for Student Affairs. Students must have completed at least two terms at UCR before serving on the Committee. Students who have been suspended or are on academic or disciplinary probation, evicted from University Housing for reasons related to conduct, or who have a case pending before the Student Conduct Committee are not eligible to serve as committee members.
- Terms for faculty and staff are two years; students serve for one year (Spring through Spring). Student Conduct Committee members may reapply or be reappointed for additional quarters(s).
- A quorum of the committee consists of five persons, with at least one student and one faculty or staff member plus the Chair. In the absence of a quorum, the hearing will be rescheduled.

7.00 HEARING PROCEDURES

- 7.10 **ADMINISTRATIVE REVIEWS** will be informal and will be conducted according to the following guidelines:
- The Office of Student Judicial Affairs (and Office of Student Life and Leadership for organizations) will explain fully the alleged violation of the *Standards of Conduct* and share written reports describing the alleged misconduct.
 - The student shall be given the opportunity to reply to the allegations and to present her or his account of the incident.
 - Any witnesses or other individuals who may have relevant information about the incident may be asked to share this information and to respond to questions by hearing officers and the student.
 - On the basis of the information presented, the hearing officer(s) will determine whether or not it is *more likely than not* that the student is responsible for violating the *Standards of Conduct*.
 - The hearing officer(s) and student or student organization representatives will discuss: how the student or organization's conduct was judged, why the behavior is unacceptable, the impact of conduct on others in the community, causes and motives of the conduct, and alternatives for balancing personal needs with needs and expectations of the community.
 - The decision shall be forwarded in writing to the accused in a timely manner.
- 7.20 **STUDENT CONDUCT COMMITTEE HEARINGS** will be conducted according to the following guidelines:
- 7.2.1 **Pre-Hearing Conference.** All students and student organizations referred to the Student Conduct Committee will be afforded the opportunity to a pre-hearing conference with the Office of Judicial Affairs. The purpose of the conference is:
- To provide the student or student organization with an opportunity to hear the allegations against him or her and the section of the *Standards of Conduct* upon which the charge(s) are based
 - To preview how Student Conduct Committee Hearings work and to explain a student or student organization's procedural rights in disciplinary matters
- 7.2.2 **Consolidated Hearing Assignments.** Cases in which more than one student or student organization is charged with violating the same regulation(s) and which depend on common evidence may, at the discretion of the Student Conduct Committee Chair, either be considered jointly in a single consolidated hearing or be assigned to separate, individual hearings.
- 7.2.3 **Evidence**
- Accused student(s) or student organization(s) will be provided access to and/or copies of all the documentary evidence that will be presented in support of the charges at the hearing and a list of witnesses that may be called by the University at the hearing. Any such evidence will be made available for inspection as soon as practicable but in any case no later than three working days before the hearing. The release of information pursuant to this section may be subject to limitations imposed by state and federal law. (See *UCR Campus Policy Governing Disclosure of Information from Student Records* for further information.)
 - No later than three working days prior to the hearing, the accused student or student organization must provide the Chair with copies of documentary evidence to be presented at the hearing and a list of witnesses to be called.
 - Any evidence received by the accused student, student organization, or the Chair, shall be provided to the other party as soon as possible prior to the hearing. Any evidence received within three working days of the hearing shall be admissible only upon a showing of good cause, as determined by the Chair of the Student Conduct Committee.

- The privacy interests of the parties should be considered by the hearing authority in making decisions about the introduction of evidence. In cases involving allegations of rape, sexual assault, sexual harassment, or gender discrimination, testimony regarding an individual's sexual history and practices shall not normally be admitted into evidence. In those instances where the accused student or student organization believes that such testimony is directly relevant to the claims and essential to fair resolution of the matter, the student or organization must submit a narrative of that evidence and an explanation of its relevance to the case in a written statement to the Chair at least three working days prior to the hearing. The Chair shall inform the student involved either prior to or at the commencement of the hearing whether such evidence may be admitted as part of the hearing.

7.2.4 **Presence of Parties.** Hearings shall normally be closed. The student charged and the referring party are both entitled to be present throughout the hearing, but may elect not to appear. The accused student's failure to appear shall not be construed as evidence of culpability.

Witnesses will be excluded from hearings during all testimony but their own.

7.2.5 **Assistance at Hearing.** The student or organization whose behavior is in question and the complainant, if any, are entitled to assistance of an advisor at the hearing. Advisors may be chosen from among current students, faculty or staff at UCR. The accused student or student organization may retain an attorney to serve as an advisor at any stage of the proceedings, at his or her own expense. The advisor may consult with the student or organization but may not speak on behalf of the student unless he or she is directed to answer questions raised by Committee members. Any party who intends to be accompanied at a hearing by an advisor must notify the Chair as soon as possible, but no fewer than three working days prior to the hearing date.

7.2.6 **Hearing Agenda.** The hearing will normally proceed as follows:
The Chair shall rule on all questions of procedure and evidence, including but not limited to: the order of presentation of evidence, admissibility of evidence, applicability of regulations to a particular case, and relevance of testimony. If a challenge arises concerning the constitutionality or legality of an application of any such regulations or policies to a particular case, the hearing shall continue and the challenge may be submitted by the committee in writing to the Vice Chancellor for Student Affairs, who shall seek legal advice from University Legal Counsel.

An orderly hearing shall be maintained and abusive or disruptive people shall be ejected or excluded. Irrelevant and repetitious evidence may be excluded as determined by the Chair.

- A. Student Conduct Committee members will receive and review a copy of the *Notification of Charges* and documentary evidence provided by the University and the student or student organization.
- B. The Chair will ask all present at the hearing to introduce themselves for the record. The Chair will invite committee members to disqualify themselves from participation in the hearing and invite the student or student organization to request that a member be disqualified as a result of prior involvement in the case or if they believe for any reason that they cannot render a just and fair decision.
- C. *The Notification of Charges* shall be read aloud and the student or student organization shall be asked to respond to the charges by accepting responsibility, accepting responsibility and noting that there are mitigating circumstances, or denying responsibility for the alleged violations of UCR Standards of Conduct.
- D. Student Judicial Affairs shall present the University's case.
 - o The Office of Student Judicial Affairs will explain fully the alleged violation(s) of the *Standards of Conduct* and evidence that supports the allegation(s).

- Any witnesses or other individuals who may have relevant information about the incident may be asked to share this information and to respond to questions. Witnesses may be asked to affirm that their testimony is truthful and may be subject to charges of dishonesty, pursuant to UC *Standards of Conduct*.
 - Students or student organizations have the opportunity to question the University and witnesses.
 - Committee members will be given an opportunity to ask questions of the University and witnesses
- E. The accused student or organization shall have an opportunity to present his/her/its case.
- The student or student organization shall be asked to affirm that their testimony is truthful and may be subject to charges of dishonesty pursuant to UC *Standards of Conduct*.
 - The student or organization shall not be required to give self-incriminating evidence at the hearing and no inference shall be drawn from silence.
 - Any witnesses or other individuals who may have relevant information about the incident may be asked to share this information and to respond to questions. Witnesses may be asked to affirm that their testimony is truthful and may be subject to charges of dishonesty, pursuant to UC *Standards of Conduct*.
 - The University shall have the opportunity to question witnesses.
 - Committee members will be given an opportunity to ask questions.
- F. The University and the student or student organization will be invited to make closing statements.
- G. The accused student or organization will be advised of the guidelines to be employed in reaching a decision, informed that a written notification of the decision will be sent within ten days (10) of the hearing, and alerted to the right to appeal.

7.2.8 **Record of the Hearing.** Minutes of the proceedings (a written summary of the testimony) will be kept and a copy furnished to the student upon request. In addition, a tape recording of the hearing, but not the deliberations, shall be made and retained as part of the record for as long as the disciplinary record is retained, or for seven (7) years from the date of decision, whichever is shorter. The student or student organization may obtain a copy of the recording upon paying the expense of making such copy. Either party may arrange for a stenographer to make a full transcript of the proceedings. If one party has the proceedings transcribed, arrangements shall be made before the hearing as to how to apportion the cost if both parties want copies. Other than for the purpose of the official record as provided above, mechanical or electronic devices for recording or broadcasting shall be excluded from the hearing.

7.2.9 **Decisions.** The committee shall deliberate in closed session to determine whether a student or student organization is responsible or not for the violations in question. The committee shall base its determination on a preponderance of the evidence (is it more likely than not that the accused student committed the violation?), and shall be based only upon evidence received at the hearings. For cases in which the committee determines a student or organization is not responsible for violating the *Standards of Conduct* no sanctions will be assigned. For cases in which it is determined that the accused student is responsible for violating the *Standards of Conduct*, the committee will include consideration of the student's or organization's disciplinary record at the University in determining appropriate sanctions. Except in cases in which the disciplinary history of the accused student or organization is a basis of the alleged violation(s)

under review (e.g. a continuing pattern of behavior), consideration of that history will occur subsequent to the committee's determination of responsibility.

7.2.10 **Report of Student Conduct Committee Hearings.** Promptly after the conclusion of the hearing, but never later than twenty (20) business days after the hearing, the Student Conduct Committee Chair shall submit a report to the Director of Student Judicial Affairs and to the Dean of Students. The report shall include findings as to each of the specified charges, and whether the conduct as found does or does not violate the policies or regulations as alleged. Where the decision is not unanimous, a minority report may be submitted. Where appropriate, the report shall identify the sanction(s) to be imposed.

7.2.11 **Recommendations for Amendment to Policy/Regulation/Procedures.** The Student Conduct Committee, apart from its recommendation on a particular disciplinary case, may recommend to the Dean of Students the modification of any University policy and/or campus regulation (including these procedures) for stated reasons.

8.00 NOTICE OF THE DECISION.

The Office of Judicial Affairs or the Student Conduct Committee Chair will notify the accused student of the decision promptly after the conclusion of the Administrative Review or Hearing, but not later than twenty (20) days after the Review or Hearing. Notice of the decision shall be given as follows:

- To the Accused Student or Student Organization: The Office of Judicial Affairs or the Chair shall provide written notice to the student or organization of the decision in the case.
- To the Referring Party: If the referring party is a faculty member or campus official, copies of the Office of Judicial Affairs or the Student Conduct Committee's report and the decision may be provided, in accordance with legitimate educational interest criteria as articulated by the Family Education Rights and Privacy Act.
- To the Alleged Victim of a Crime of Violence: If the referral involved a violent crime, the alleged victim of the crime must be informed of the results of any disciplinary action and appeal, in accordance with law and University policy.

9.00 MAINTENANCE OF DISCIPLINARY RECORDS

The record of a disciplinary case and all supporting documentation shall be maintained according to the University policies and applicable State and Federal laws concerning maintenance and disclosure of student records, protection of a student's right of privacy, and the disclosure of personal student information.

The file of a student found in violation of campus regulations (including the transcripts or recordings of the hearing) will be maintained by the Office of Student Judicial Affairs for a period of at least seven years from the date of the letter providing notice of final disciplinary action, unless otherwise determined by the Dean of Students. When, as a result of a violation of the Standards of Conduct, a student is suspended, the fact that suspension was imposed must be posted on the academic transcript for the duration of the suspension. When a student is dismissed, the fact that dismissal was imposed must be posted on the academic transcript permanently.

10.00 **APPEAL OF STUDENT JUDICIAL AFFAIRS OR STUDENT CONDUCT COMMITTEE DECISIONS**

- Appeals of a decision by Student Judicial Affairs or the Student Conduct Committee shall be addressed to the Dean of Students. Within ten working days of receiving written notification of the decision, either the charged student or student organization (or Student Judicial Affairs, for cases heard by the Student Conduct Committee) may submit a written appeal to the Dean of Students. When such an appeal is submitted by a party, the Dean of Students must promptly send a copy of the appeal to the other party. Within five working days of receiving the copy, the other party may submit a written response to the Dean of Students.
- The filing of a timely appeal suspends the imposition of sanctions until the appeal is decided, but interim action may be taken as determined by the Dean of Students. Grades or degrees may be withheld pending conclusion of the appeal.
- An appeal must be based on newly discovered evidence that was not available at the time of the hearing, significant procedural error, or upon other evidence or arguments, which, for good cause, should be considered.
- The Dean of Students shall make the final determination of all cases appealed under these regulations. Except in cases where the appeal is based upon newly discovered evidence, the Dean of Students shall review the record of the hearing and will not consider evidence that was not part of that record, other than the student or student organization's prior discipline record, if any.
- The Dean of Students may approve, reject, or modify the decision and sanction in question, or require that the original hearing be re-opened. Where the appeal is based upon new evidence, the case may be referred back to the hearing authority for further consideration. The action taken shall be communicated in writing to the student or student organization, the Office of Student Judicial Affairs, and the Student Conduct Committee Chair within fifteen working days after receipt of the appeal and related documents.

APPENDIX A
UC SYSTEMWIDE STANDARDS OF CONDUCT FOR STUDENTS:
102.00 GROUNDS FOR DISCIPLINE

(From: University of California *Policies Applying to Campus Activities, Organizations and Students*)

Chancellors may impose discipline for the commission or attempted commission (including aiding or abetting in the commission or attempted commission) of the following types of violations by students, as well as such other violations as may be specified in campus regulations:

102.01 Academic Misconduct	All forms of academic misconduct including but not limited to cheating, fabrication, plagiarism, or facilitating academic dishonesty.
102.02 Dishonesty	Other forms of dishonesty including but not limited to fabricating information, furnishing false information, or reporting a false emergency to the University.
102.03 Forgery, alteration, or misuse	Forgery, alteration, or misuse of any University document, record, key, electronic device, or identification.
102.04 Theft, conversion, destruction, or damage to property	Theft of, conversion of, destruction of, or damage to any property of the University, or any property of others while on University premises, or possession of any property when the student had knowledge or reasonably should have had knowledge that it was stolen.
102.05 Theft or abuse of University computers and other University electronic resources	<p>Theft or abuse of University computers and other University electronic resources such as computer and electronic communications facilities, systems, and services. Abuses include (but are not limited to) unauthorized entry, use, transfer, or tampering with the communications of others; interference with the work of others and with the operation of computer and electronic communications facilities, systems, and services; or copyright infringement (for example, the illegal file-sharing of copyrighted materials).</p> <p>Use of University computer and electronic communications facilities, systems, or services that violates other University policies or campus regulations.</p> <p>Please refer to the UC Electronic Communications Policy and Digital Copyright Protection at UC for the University's position on digital copyright.</p>
102.06 Unauthorized entry to, possession of, receipt of, or use of any University services; equipment; resources; or properties	Unauthorized entry to, possession of, receipt of, or use of any University services; equipment; resources; or properties, including the University's name, insignia, or seal.
102.07 Violation of policies, governing University housing facilities	Violation of policies, regulations, or rules governing University-owned, -operated, or -leased housing facilities or other housing facilities located on University property.

102.08 Physical abuse	Physical abuse including but not limited to sexual assault, sex offenses, and other physical assault; threats of violence; or other conduct that threatens the health or safety of any person.
102.09 Sexual, racial, and other forms of harassment	<p>Harassment, defined as conduct that is so severe and/or pervasive, and objectively offensive, and that so substantially impairs a person's access to University programs or activities that the person is effectively denied equal access to the University's resources and opportunities.</p> <p>Harassment includes, but is not limited to, conduct that is motivated on the basis of a person's race, color, national or ethnic origin, citizenship, sex, religion, age, sexual orientation, gender identify, pregnancy, marital status, ancestry, service in the uniformed services, physical or mental disability, medical condition, or perceived membership in any of these classifications. Pursuant to section 104.90, sanctions may be enhanced for conduct motivated on the basis of the above classifications.</p> <p>For cases of harassment on the basis of sex, see also <i>Policy on Sexual Harassment (pdf)</i> and <i>the Procedures for Responding to Sexual Harassment (pdf)</i></p>
102.10 Stalking behavior	Stalking behavior in which a student repeatedly engages in a course of conduct directed at another person and makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her family; where the threat is reasonably determined by the University to seriously alarm, torment, or terrorize the person; and where the threat is additionally determined by the University to serve no legitimate purpose.
102.11	(deleted on October 9, 2009)
102.12 Hazing	Participation in hazing or any method of initiation or pre-initiation into a campus organization or other activity engaged in by the organization or members of the organization at any time that causes, or is likely to cause, physical injury or personal degradation or disgrace resulting in psychological harm to any student or other person.
102.13 Obstruction or disruption	Obstruction or disruption of teaching, research, administration, disciplinary procedures, or other University activities.
102.14 Disorderly or lewd conduct.	Disorderly or lewd conduct.
102.15 Disturbance of the peace or unlawful assembly	Participation in a disturbance of the peace or unlawful assembly.
102.16 Failure to comply with the directions of a University official	Failure to identify oneself to, or comply with the directions of, a University official or other public official acting in the performance of his or her duties while on University property or at official University functions; or resisting or obstructing such University or other public officials in the performance of or the attempt to perform their duties.

102.17 Controlled substances	Unlawful manufacture, distribution, dispensing, possession, use, or sale of, or the attempted manufacture, distribution, dispensing, or sale of controlled substances, identified in federal and state law or regulations.
102.18 Alcohol	Manufacture, distribution, dispensing, possession, use, or sale of, or the attempted manufacture, distribution, dispensing, or sale of alcohol that is unlawful or otherwise prohibited by, or not in compliance with, University policy or campus regulations.
102.19 Explosives, firebombs, or other destructive devices	Possession, use, storage, or manufacture of explosives, firebombs, or other destructive devices.
102.20 Firearms or other weapon	Possession, use, or manufacture of a firearm or other weapon as prohibited by campus regulations.
102.21 Violation of terms of a disciplinary action	Violation of the conditions contained in the terms of a disciplinary action imposed under these <i>Policies</i> or campus regulations.
102.22 Violation of the conditions of Emergency Suspension	Violation of the conditions contained in a written Notice of Emergency Suspension issued pursuant to <u>Section 53.00</u> of these <i>Policies</i> or violation of orders issued pursuant to <u>Section 52.00</u> of these <i>Policies</i> , during a declared state of emergency.
102.23 Selling, preparing, or distributing for any commercial purpose course lecture notes or video or audio recordings of any course	<p>Selling, preparing, or distributing for any commercial purpose course lecture notes or video or audio recordings of any course unless authorized by the University in advance and explicitly permitted by the course instructor in writing. The unauthorized sale or commercial distribution of course notes or recordings by a student is a violation of these <i>Policies</i> whether or not it was the student or someone else who prepared the notes or recordings.</p> <p>Copying for any commercial purpose handouts, readers or other course materials provided by an instructor as part of a University of California course unless authorized by the University in advance and explicitly permitted by the course instructor or the copyright holder in writing (if the instructor is not the copyright holder).</p>
102.23 Terroristic Communication or Behavior	Conduct, where the actor means to communicate a serious expression of intent to terrorize, or acts in reckless disregard of the risk of terrorizing, one or more University students, faculty, or staff. 'Terrorize' means to cause a reasonable person to fear bodily harm or death, perpetrated by the actor or those acting under his/her control. 'Reckless disregard' means consciously disregarding a substantial risk. This section applies without regard to whether the conduct is motivated by race, ethnicity, personal animosity, or other reasons. This section does not apply to conduct that constitutes the lawful defense of oneself, of another, or of property.

<p>102.23 Viewing, recording, photographing, sharing, distributing w/o consent</p>	<p>Making a video recording, audio recording, taking photographs, or streaming audio/video of any person in a location where the person has a reasonable expectation of privacy, without that person’s knowledge and express consent.</p> <p>Looking through a hole or opening, into, or otherwise viewing, by means of any instrumentality, the interior of a private location without the subject’s knowledge and express consent.</p> <p>Photographs and recordings made in private locations of sexual activity or that contain nudity, may not be posted online or otherwise shared or distributed in any manner without the knowledge and express consent of all recorded parties, even if the photograph or recording was originally made with the knowledge and express consent of those parties.</p> <p>Making a video recording, audio recording, or streaming audio/video of private, non-public conversations and/or meetings, without the knowledge and express consent of all recorded parties.</p> <p>These provisions do not extend to public events or discussions, nor to lawful official law or policy enforcement activities. These provisions may not be utilized to impinge upon the lawful exercise of constitutionally protected rights of freedom of speech or assembly.</p> <p>Definitions</p> <p>“Express consent” is clear, unmistakable and voluntary consent that may be in written, oral or nonverbal form.</p> <p>“Private locations” are settings where the person reasonably expected privacy. For example, in most cases the following are considered private locations: residential living quarters, bathrooms, locker rooms, and personal offices.</p> <p>“Nudity” means the absence of an opaque covering which covers the genitals, pubic hair, buttocks, perineum, anus or anal region of any person or any portion of the breast at or below the areola thereof of any female person.</p> <p>“Private, non-public conversations and/or meetings” include any communication carried on in circumstances that reasonably indicate that any party wants the communication to be confined to the parties, but excludes a communication made in a public gathering, or in any other circumstance in which the parties to the communication may reasonably expect that the communication may be overheard or recorded.</p>
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APPENDIX B
 UC SYSTEMWIDE STANDARDS OF CONDUCT FOR STUDENTS:
 105.00 TYPES OF STUDENT DISCIPLINARY ACTION (SANCTIONS)
 (From: University of California *Policies Applying to Campus Activities, Organizations and Students*)

When a student is found in violation of University policies or campus regulations, any of the following types of student disciplinary action may be imposed. Any sanction imposed should be appropriate to the violation, taking into consideration the context and seriousness of the violation.

105.01 Warning/Censure:	Written notice or reprimand to the student that a violation of specified University policies or campus regulations has occurred and that continued or repeated violations of University policies or campus regulations may be cause for further disciplinary action, normally in the form of Disciplinary Probation, and/or Loss of Privileges and Exclusion from Activities, Suspension, or Dismissal.
105.02	[Rescinded May 17, 2002]
105.03 Disciplinary Probation:	A status imposed for a specified period of time during which a student must demonstrate conduct that conforms to University standards of conduct. Conditions restricting the student's privileges or eligibility for activities may be imposed. Misconduct during the probationary period or violation of any conditions of the probation may result in further disciplinary action, normally in the form of Suspension or Dismissal.
105.04 Loss of Privileges and Exclusion from Activities:	<p>Exclusion from participation in designated privileges and activities for a specified period of time. Violation of any conditions in the written Notice of Loss of Privileges and Exclusion from Activities, or violation of University policies or campus regulations during the period of the sanction may be cause for further disciplinary action, normally in the form of Probation, Suspension or Dismissal.</p> <p>Specific privileges that may be revoked from student organizations include:</p> <ul style="list-style-type: none"> - financial support from the College or the student government (ASUCR) for group activities - use of College facilities for meetings or activities. - recruitment of new members. - ability to host, sponsor, co-sponsor, or participate in any social activities on or off campus - participation in any extracurricular activities, such as intramurals any and all organizational activities
105.05 Suspension:	Termination of student status at the campus for a specified period of time with reinstatement thereafter certain, provided that the student has complied with all conditions imposed as part of the suspension and provided that the student is otherwise qualified for reinstatement. Violation of the conditions of Suspension or of University policies or campus regulations during the period of Suspension may be cause for further disciplinary action, normally in the form of Dismissal.
105.06 Dismissal:	<p>Termination of student status for an indefinite period. Readmission to the University shall require the specific approval of the Chancellor of the campus to which a dismissed student has applied. Readmission after dismissal may be granted only under exceptional circumstances.</p> <p>For organizations dismissal shall defined as withdrawal of recognition by the University for a specified period of time (to include permanent withdrawal of recognition).</p>

<p>105.07 Exclusion from Areas of the Campus or from Official University Functions:</p>	<p>Exclusion of a student as part of a disciplinary sanction from specified areas of the campus or other University-owned, -operated, or -leased facilities, or other facilities located on University property, or from official University functions, when there is reasonable cause for the University to believe that the student's presence there will lead to physical abuse, threats of violence, or conduct that threatens the health or safety of any person on University property or at official University functions, or other disruptive activity incompatible with the orderly operation of the campus.</p>
<p>105.08 Interim Suspension:</p>	<p>Exclusion from classes, or from other specified activities or areas of the campus, as set forth in the Notice of Interim Suspension, before final determination of an alleged violation. A student shall be restricted only to the minimum extent necessary when there is reasonable cause to believe that the student's participation in University activities or presence at specified areas of the campus will lead to physical abuse, threats of violence, or conduct that threatens the health or safety of any person on University property or at official University functions, or other disruptive activity incompatible with the orderly operation of the campus. A student placed on Interim Suspension shall be given prompt notice of the charges, the duration of the Interim Suspension, and the opportunity for a prompt hearing on the Interim Suspension. Interim Suspension shall be reviewed by the Chancellor within twenty-four hours. If a student is found to have been unjustifiably placed on Interim Suspension, the University is committed to a policy whereby reasonable efforts are taken to assist an individual who has been disadvantaged with respect to employment or academic status.</p>
<p>105.09 Restitution:</p>	<p>A requirement for restitution in the form of reimbursement may be imposed for expenses incurred by the University or other parties resulting from a violation of these policies. Such reimbursement may take the form of monetary payment or appropriate service to repair or otherwise compensate for damages. Restitution may be imposed on any student who alone, or through group or concerted activities, participates in causing the damages or costs.</p>
<p>105.10 Revocation of Awarding of Degree:</p>	<p>Subject to the concurrence of the Academic Senate, revocation of a degree obtained by fraud. Such revocation is subject to review on appeal by the Chancellor.</p>
<p>105.11 Other:</p>	<p>Other disciplinary actions, such as monetary fines, community service, or holds on requests for transcripts, diplomas, or other student records to be sent to third parties, as set forth in campus regulations.</p>
<p>105.12 Work assignments or service:</p>	<p>Work assignments, service to the University or community or other related discretionary assignments may be assigned to make symbolic restitution to the university community or to provide educational insights related to the violation. Work assignments or community service for organizations shall not be less than one hour nor more than twenty hours per member.</p>
<p>105.14 Termination of Housing Contract:</p>	<p>Separation of the student from the residence halls for a period of time (to include permanent separation). <i>Termination does not relieve a student of his or her financial obligation for the room portion of their contract for the remainder of the academic year or until a replacement student is found.</i></p>
<p>105.15 Educational activity(ies):</p>	<p>An individual or group may be required to participate in a specific activity as a method to educate him/her/them about an issue or behavior related to the violation.</p>