



# UC San Diego

## Policy & Procedure Manual

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### STUDENT MATTERS (GENERAL & UNDERGRADUATE)

#### Section: 160 - 10

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### May 2019 Proposed Revisions STUDENT CONDUCT PROCEDURES

#### SCOPE

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The *Student Conduct Procedures* apply to the non-academic conduct of all UC San Diego undergraduate, graduate, professional school, and Extension students, and Student Organizations.

#### POLICY SUMMARY

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The University of California *Policies Applying to Campus Activities, Organizations, and Students* (PACAOS) are a compendium of University-wide policies relating to student life. Section 100.00 describes the University's policy on student conduct and discipline. The UC San Diego *Student Conduct Procedures* serves as UC San Diego's implementing regulations for PACAOS Section 100.00. These *Procedures* describe UC San Diego procedure and requirements for addressing non-academic student conduct incidents.

The governing policy is the [University of California Policies Applying to Campus Activities, Organizations and Students](#).

#### DEFINITIONS

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For the purpose of these *Procedures*, the definitions in PACAOS 14.00 and those listed in the section below apply:

- A. **“Administrative Resolution”** means a meeting between a Respondent and a Student Conduct Officer to resolve alleged violations of the Standards of Conduct without a Student Conduct Review.
- B. **“Advisor”** means a person chosen by the Respondent or Complainant to assist with an Administrative Resolution meeting or Student Conduct Review. Advisors include UC San Diego students, faculty, or staff, Associated Students (A.S.) or Graduate Student Association (GSA) Student Advocates, and attorneys.
- C. **“Business days”** means weekdays but excludes weekends, University holidays, and days when the Chancellor has determined that the campus will be closed for business.

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- D. “**Chair**” means the UC San Diego staff or faculty member responsible for facilitating the procedures of a Student Conduct Review.
- E. “**Community Standards Board**” (Board) means the group of students, faculty, and staff authorized to determine violations of the Standards of Conduct through a Student Conduct Review.
- F. “**Complainant**” means any person who submits a report of alleged violations of the Standards of Conduct.
- G. “**Dean**” means the UC San Diego staff or faculty member or their designee responsible for overseeing student conduct matters of an undergraduate college, residential area, the Graduate Division, the School of Medicine, the Skaggs School of Pharmacy, or UC San Diego Extension.
- H. “**Guest**” means a person to whom a Student has extended an invitation to come to University Property or to University-Supported Activities.
- I. “**Interim Action**” means the temporary suspension or termination of a Respondent’s privileges on an interim basis before a final determination. Such actions include Interim Suspensions, separation of parties, and changing of class schedules.
- J. “**Member of the University Community**” means students, faculty, or staff, or other persons affiliated with the University.
- K. “**Multi-Area Incident**” means an incident where all Respondents are not residents and/or registrants of the same residential area or college.
- L. “**Policy and Procedure Manual**” means the set of operating policies and procedures applying to academic, administrative, research, and service units at UC San Diego (See <http://rmp.ucsd.edu/policy-records/ppm.html>).
- M. “**Preponderance of the Evidence**” is the evidence standard of these *Procedures*. Preponderance of the Evidence means that, after weighing all of the evidence, a fact is more likely to be true than not true (e.g. “more likely than not”). In this context, the Respondent will be found to be responsible for the alleged violations if the Student Conduct Officer, Review Officer, or Community Standards Board concludes that the University has shown that such conduct more likely than not occurred based on careful review of all information presented.
- N. “**Reasonable Cause**” means that there is sufficient evidence to allege that a Respondent has violated the Standards of Conduct. Evidence is sufficient if a reasonable person would believe that further inquiry into whether a violation occurred is warranted.
- O. “**Respondent**” means any Student or Student Organization who has been alleged to have violated any portion of the Standards of Conduct. For cases involving Student Organizations, the Student Organization’s Principal Members will respond on behalf of the organization.
- P. “**Review Advisor**” refers to the UC San Diego staff or faculty member who assists the Chair of the Community Standards Board or Review Officer with Review procedures. The Director of Student Conduct or their designee typically serves in this role.
- Q. “**Review Officer**” means a University Official authorized on a case-by-case basis by the Office of Student Conduct to determine violations of Standards of Conduct through a Student Conduct Review.
- R. “**Standards of Conduct**” means the University’s Grounds for Discipline as described in PACAOS 102.02 – 102.25 and these *Procedures*.
- S. “**Student**” means an individual for whom the University maintains student records as defined in PACAOS 14.40 and PACAOS 101.00.

- T. **“Student Conduct Officer”** means a University Official authorized on a continuing basis by the Dean or their designee or the Office of Student Conduct to conduct Administrative Resolution meetings with a Respondent alleged to have violated the Standards of Conduct and to assign or recommend sanction(s). Student Conduct Officers typically include Deans, Assistant Deans, Directors of Residence Life, Assistant Directors of Residence Life, and Office of Student Conduct staff.
- U. **“Student Conduct Review”** (Review) means a formal review with one or more Respondents and the Community Standards Board or Review Officer to resolve alleged violations of the Standards of Conduct.
- V. **“Student Conduct Standards Group”** means the group of students, faculty and staff entrusted with considering revisions and changes to these *Procedures*.
- W. **“Student Organization”** means a group of undergraduate and/or graduate students who are recognized as a college student organization by the Dean or Provost of their respective college, who have successfully registered as a student organization with the Center for Student Involvement, or who comprise Intercollegiate Athletic and club sport teams.
- X. **“University Official”** includes any person employed by the University performing administrative, professional, research, teaching, or para-professional responsibilities.
- Y. **“University Policy”** means the written regulations of the University, including, but not limited to, the PACAOS, the *Policy and Procedure Manual*, and other published University Policies.
- Z. **“University Representative”** means a UC San Diego staff member authorized by the Office of Student Conduct to present information and question witnesses on behalf of the University at Student Conduct Reviews.
- AA. **“University-Supported Activity”** means any activity on, or off-campus which is initiated, funded, authorized, or supervised by the University.
- BB. **“Weapon”** means any object or substance designed to inflict a wound, cause injury, or incapacitate including, but not limited to, firearms, projectiles, pellet guns, chemicals, and knives. This definition also includes any harmless instrument that could reasonably appear to a reasonable person as being a weapon. The term “knives” refers to any and all knives that California or Federal law prohibit from being carried or possessed on a University of California campus.
- CC. The term **“will”** is used in the imperative sense; **“may”** is used in the permissive sense.

## POLICY STATEMENT

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### A. JURISDICTION

These *Procedures* apply to the non-academic student conduct of UC San Diego Students and Student Organizations that occurs on University Property, or at University-Supported Activities. It also applies to off-campus conduct that occurs in the context of an education program or activity, or adversely affects the UC San Diego Community and/or the pursuit of the University’s objectives as determined by the Vice Chancellor – Student Affairs. These *Procedures* apply to a Student’s conduct even if the Student withdraws from the University after the conduct allegedly occurred.

1. These *Procedures* apply to all UC San Diego Students, including undergraduate, graduate, professional school, and Extension students, as defined in PACAOS 101.00.
2. The University will not routinely invoke the processes described in these *Procedures* over non-academic student conduct that occurs off-campus except in connection with an official University-Supported Activity. However, under limited circumstances, the University has the discretion to

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exercise jurisdiction over off-campus conduct that would violate the Standards of Conduct or other University Policies if it occurred on-campus.

3. These *Procedures* also apply to alleged incidents of hazing regardless of the location(s) of the alleged hazing. Additionally, jurisdiction may be exercised over off-campus conduct, following evaluation using the criteria described in Section A(5) below, where the alleged off-campus conduct includes, but is not necessarily limited to, alleged conduct such as:
  - a. Physical assault, threats of violence, or other conduct that threatens the health or safety of any person;
  - b. University of California *Sexual Violence and Sexual Harassment Policy* violations, including, but not limited to, sexual assault, relationship violence, stalking, sexual harassment, and invasions of sexual privacy.
  - c. Harassment;
  - d. Illegal possession or use of weapons, explosives, or destructive devices;
  - e. Illegal manufacture, sale, or distribution of controlled substances; or
  - f. Hate crimes as defined by California law.
4. All requests to exercise off-campus jurisdiction will be submitted by the Director of Student Conduct or their designee to the Vice Chancellor – Student Affairs or their designee, who will have the exclusive authority to extend jurisdiction under these *Procedures*. The decision by the Vice Chancellor – Student Affairs or their designee is final and not subject to appeal.
5. In determining whether or not to exercise jurisdiction over off-campus student conduct, the Vice Chancellor – Student Affairs or their designee will consider the totality of the circumstances, including the following factors:
  - a. The seriousness of the alleged conduct;
  - b. The impact of the conduct on any member of the University community or the campus as a whole;
  - c. Whether the alleged victim is a member of the University community;
  - d. The ability of the University to gather information, including the testimony of witnesses;
  - e. Whether the off-campus conduct is part of a continuing course of conduct that occurred either on- or off-campus;
  - f. Whether the alleged conduct occurs within the context of an education program or activity; and
  - g. Whether the alleged conduct adversely affects the UC San Diego Community and/or the pursuit of the University's objectives.
6. The University of California Police Department may share information with the Office of Student Conduct regarding on- or off-campus student conduct that may violate the Standards of Conduct.

**B. INTERPRETATION OF REGULATIONS & APPLICABILITY**

These *Procedures* serve as a general notice of our community standards. It is not written as specifically or practiced in the same way as local, state, or federal law. As such, it should be viewed as a framework to educate through an accountability process. Additionally, conduct prohibited by the Standards of Conduct may or may not violate local, state, or federal law, and the University may address such conduct independent of and/or concurrently with other legal proceedings.

1. These *Procedures* supersede any and all previous versions of the UC San Diego Student Conduct Code and these *Procedures*. PACAOS 100.00 and these *Procedures*, it serve as the official reference for all non-academic student conduct matters at UC San Diego. All matters of non-academic student conduct at UC San Diego will be handled in accordance with these *Procedures*, unless superseded by a specific procedure of a professional school or program under the purview of the University. In such instances, professional schools or programs may hold students accountable based on school or program-specific policies.
2. The *Policy on Integrity of Scholarship* (<http://senate.ucsd.edu/Operating-Procedures/Senate-Manual/Appendices/2>) governs all instances of academic misconduct. However, these *Procedures* apply to non-academic student conduct (e.g. falsifying documents, furnishing false information) discovered as part of an academic misconduct incident.
3. Reports of alleged violations where the incident occurred prior to the adoption of the most recent version of these *Procedures* will be resolved using the version in effect when the incident occurred.
4. If any portion of these *Procedures* are invalidated or deemed to be unenforceable, the remainder of these *Procedures* will remain in effect.

### **C. STANDARDS OF CONDUCT**

Violations of the Standards of Conduct described in PACAOS 102.02 – 102.25 and in this section, including attempts to engage in or aid in such conduct, violate the University's community standards and may be subject to action under the processes outlined in these *Procedures*. These standards will not be used to restrict the lawful exercise of constitutionally protected rights of freedom of speech or assembly.

1. Disorderly or lewd conduct, as described by PACAOS 102.14 includes, but is not limited to, public urination, indecent exposure, loud and unreasonable noise serving no legitimate purpose, or unauthorized gambling.
2. Unlawful assembly, as described in PACAOS 102.15, includes two or more people assembling together to commit an unlawful act, or a lawful act in a violent, boisterous, or tumultuous manner, as defined by state law.
3. PACAOS 102.17 includes the misuse of any prescribed medication, over the counter drugs and/or other controlled substances, as prohibited by federal law, state law, or University Policy. Controlled substances include any drugs regulated by the local, state, or federal government. This includes medicinal marijuana.
4. The following are additional Standards of Conduct as specified by these *Procedures*:
  - a. 102.26 - Physical, verbal, written, face-to-face, telephonic, electronic or other means of contact that a Student knows or should know is unwanted, is communicated directly to one or more specific Students, faculty, or staff, constitutes severe and/or pervasive, and objectively offensive conduct; and does not constitute speech protected by the First Amendment of the United States Constitution (e.g. speech in a public forum on a matter of public concern).
  - b. 102.27 - Instituting a complaint in bad faith and/or attempting to discourage an individual's proper participation in, or use of, the student conduct process.
  - c. 102.28 - Violating other University Policies including, but not limited to, the University of California *Policy on Sexual Violence and Sexual Harassment*, UC San Diego *Policy on Speech, Advocacy and Distribution of Literature on University Grounds* (Policy and Procedure Manual, Section 510-1 IX & XII), and the UC San Diego *Smoke and Tobacco Free Policy*.

- d. 102.29 - Violations of federal, state, or local law not covered by the standards described above.

#### **D. REPORTS OF ALLEGED VIOLATIONS**

All reports of alleged violations of the Standards of Conduct are submitted and referred to the Office of Student Conduct for review. The Office of Student Conduct will then determine whether there is reasonable cause to process the report and forward it to the Dean or their designee for resolution.

1. Any person may make a report of alleged violations of the Standards of Conduct by a Student or Student Organization. Reports should be made to the Office of Student Conduct for review and possible referral to the relevant Dean or their designee or other appropriate office for resolution, including use of alternative resolution options (e.g. mediation, restorative justice). Persons making reports of alleged violations are expected to provide information related to the alleged violations and may be requested to participate in the Administrative Resolution and/or Student Conduct Review processes as outlined in these *Procedures*.
2. Except as noted in Section D(6) below, upon receipt of a report of alleged violations of this *Code*, the Office of Student Conduct will determine whether or not there is reasonable cause to believe the Student or Student Organization has committed a violation of the Standards of Conduct. To make this determination, the Office of Student Conduct may conduct an investigation or, if appropriate, refer the report to another appropriate office for investigation.
3. In determining whether there is reasonable cause to believe a Student Organization has violated the Standards of Conduct, the Office of Student Conduct will consider, among other things:
  - a. The degree of knowledge and/or involvement of the Student Organization's principal members, officers and/or members;
  - b. The use of the Student Organization's resources (e.g. money, space, other resources); and
  - c. The proportion of the Student Organization's members involved.
4. If, after reviewing the report and/or conducting an investigation, there is enough evidence to establish reasonable cause, the report will be forwarded to the Dean or their designee for resolution as described in Section E below. If there is not enough evidence to establish reasonable cause, the Office of Student Conduct will not forward the report to the Dean or their designee and may notify the Respondent and/or the Complainant that no further action will be taken.
5. A Student Organization and its principal members may be collectively or individually charged and/or held responsible when actions by its principal members, leaders, officers, or members violate the Standards of Conduct in conjunction with activities or events, held on- or off-campus, sanctioned explicitly or implicitly by the organization's principal members, leaders, officers, or members.
6. All reports involving alleged violations of sexual violence and sexual harassment (e.g. sexual assault, sexual misconduct, domestic violence, dating violence, stalking of a sexual or romantic nature), harassment related to a protected class referenced by University policy, and/or discrimination related to a protected class referenced by University policy will be referred to the Office for the Prevention of Harassment and Discrimination (OPHD).
7. Review and resolution of sexual violence and sexual harassment allegations will be handled in accordance with the University of California *Sexual Violence and Sexual Harassment Policy* and the UC San Diego *Implementing Procedures for the University of California Student Adjudication Model for Sexual Violence & Sexual Harassment Cases ("Implementing Procedures")*. If the Director of OPHD and Director of Student Conduct agree, the *Implementing Procedures* will be used to adjudicate other Student Conduct Code violations alleged to have occurred in connection with sexual violence and sexual harassment allegations.

8. Review and resolution of harassment and discrimination reports involving protected classes will be handled through these *Procedures*.
9. In pending student conduct actions that may result in a Respondent's suspension or dismissal, a temporary hold will normally be placed on the Respondent's student account and conduct record by the relevant Dean or the Office of Student Conduct. In addition, if a Respondent becomes eligible for a degree before the completion of the student conduct process, the Executive Vice Chancellor may direct that the degree not be awarded until the process is completed.
10. When a hold is placed on a Respondent's student account and conduct record, the Office of Student Conduct will notify the Respondent via email that a hold has been placed on their account, the reason for the hold, and how to request removal of the hold.
11. Reports that are made more than one year following the alleged incident will only be referred for resolution with the joint approval of the relevant Dean or their designee and the Director of Student Conduct or their designee.

#### **E. RESOLUTION OPTIONS FOR REPORTS OF ALLEGED VIOLATIONS**

If the Office of Student Conduct finds reasonable cause to refer a report of alleged violations, the Dean or their designee will use an appropriate method of resolution. Options include resolution through the student conduct process with an Administrative Resolution meeting or through an alternative resolution option, such as mediation or restorative justice. Alleged violations not resolved through these options will be referred to a Student Conduct Review.

1. The relevant Dean overseeing an undergraduate college or residential area will designate professional staff members, which may be themselves, to resolve referred reports of alleged violations. In the case of non-undergraduate Students or Student Organizations, the referral and resolution of reports will be handled in the following manner:
  - a. Reports of incidents occurring in graduate and professional student on-campus housing facilities will typically be referred to the Office of Graduate and Family Housing. All other reports involving graduate Students will be referred to the Assistant Dean of Graduate Student Affairs. .
  - b. Reports involving medical Students will be referred to the Associate Dean of Admissions and Student Affairs, School of Medicine.
  - c. Reports involving pharmacy Students will be referred to the Director of Student Affairs and Admissions for the Skaggs School of Pharmacy.
  - d. Reports involving Extension Students will be referred to the Student Affairs Manager of UC San Diego Extension.
  - e. Reports involving Registered Student Organizations will be referred to the Executive Director of the Center for Student Involvement or their designee. Reports involving college-based Student Organizations will typically be handled by the relevant Dean, in consultation the Office of Student Conduct. Incidents involving Intercollegiate Athletic or club sports teams will be handled by the Office of Student Conduct.
2. If the report of alleged violations will be resolved through the student conduct process, the report will normally be assigned by the Office of Student Conduct to a Dean or designee for an Administrative Resolution meeting within 20 business days of receipt of a report.
3. For reports of alleged violations arising from a Multi-Area Incident, the Office of Student Conduct will either resolve the incident or forward it to a Dean or designee for resolution. Normally, all Respondents will be referred by the Office of Student Conduct to meet with the same Student Conduct Officer in separate Administrative Resolution meetings.

4. If an incident report is not resolved through an Administrative Resolution meeting or a Student Conduct Review, the Office of Student Conduct or the Dean or their designee may issue a written notification to a Student or Student Organization when their alleged behavior may have violated the Standards of Conduct. If a Student or Student Organization receives such notice they will be given the opportunity to submit a brief written response, which will be retained in their student conduct record. The written notice and the Student's or Student Organization's response may be used in subsequent proceedings to determine applicable sanctions.
5. The Office of Student Conduct may determine that an alternative resolution option may be appropriate. These include, but are not limited to, mediation, restorative justice, or other alternative resolution options. If the Respondent and other involved parties agree to participate in an alternative resolution option, any alleged violations of the Standards of Conduct may be resolved through the mutually agreed upon option.
6. Alleged violations not resolved through the Administrative Resolution process or through alternative resolution options will be referred to a Student Conduct Review.

#### **F. ADMINISTRATIVE RESOLUTION**

The respective Deans or their designees and the Director of Student Conduct or their designee have appointed staff members to serve as Student Conduct Officers to facilitate resolution of alleged violations of the Standards of Conduct. An Administrative Resolution is a meeting between a Student Conduct Officer and the Respondent to discuss the incident, hear and receive the Respondent's information and perspective, meet with applicable witnesses, discuss the Respondent's responsibility for the alleged violations, and if the Respondent accepts responsibility, assign fair and appropriate sanctions.

1. The Student Conduct Officer will provide the Respondent with the following information in writing prior to the Administrative Resolution meeting:
  - a. Notification of the alleged violations of the Standards of Conduct;
  - b. Summary of the evidence relating to the alleged violations of the Standards of Conduct;
  - c. Notice that the Respondent has five business days from the date of the notice to contact the Student Conduct Officer to schedule an Administrative Resolution meeting;
  - d. Electronic or hard copy versions of case materials to be reviewed at the meeting (e.g. incident report, police report, etc.);
  - e. Information about how to request the presence of witnesses; and
  - f. Information about how to request assistance from the A.S. Office of Student Advocacy, the Office of the Ombuds, and the Office of Student Legal Services.
2. A Respondent who cannot attend a scheduled Administrative Resolution meeting must contact the Student Conduct Officer to request a new date and/or time at least two business days prior to the meeting. It is at the discretion of the Student Conduct Officer if the meeting will be rescheduled and a Respondent may only request one change to the date and/or time of the meeting.
3. If the Respondent does not schedule an Administrative Resolution meeting within five business days from the date of the notice, the Student Conduct Officer will provide the Respondent, via email, a second opportunity to schedule a meeting within an additional five business days from the date of the second notice. If the Respondent does not schedule an Administrative Resolution meeting after both notices have been sent, the Student Conduct Officer will determine the Respondent's responsibility for the alleged violations of the Standards of Conduct and assign sanctions (if any) based on the information in their possession without the Respondent's participation.



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4. Administrative Resolution meetings will be closed to the public. Recording devices (audio and/or video) of any kind are not permitted for use by the Respondent, Complainant, witnesses, or Advisors.
5. Respondents and Complainants are entitled to be assisted by an Advisor during an Administrative Resolution meeting. Students electing to be accompanied by an Advisor must notify the Student Conduct Officer at least business days prior to the meeting and must provide a copy of a signed "Consent to Release Student Records" form that allows the student conduct case and records information to be shared with the Advisor.
6. A Respondent or Complainant may request, in writing, that a Student Conduct Officer be disqualified from facilitating an Administrative Resolution. The request must be made to the Office of Student Conduct at least two business days before the scheduled meeting and must include an explanation as to why they believe the Student Conduct Officer is unable to make an impartial decision. The Director of Student Conduct or their designee will disqualify or exclude any Student Conduct Officer who is not able, in their judgment, to make an impartial decision in the case. If the request is granted, the Director of Student Conduct or their designee will select another Student Conduct Officer to facilitate the Administrative Resolution.
7. At the meeting, the Student Conduct Officer will explain the Administrative Resolution process to the Respondent. The Student Conduct Officer explain the Respondent's rights and describe the alleged violations of the Standards of Conduct. The Respondent will then have the opportunity to present their perspective of the incident, including providing witnesses for the Student Conduct Officer to meet with. At the conclusion of the meeting, the Respondent will decide whether to accept responsibility for the alleged violations and the Student Conduct Officer will explain the potential sanctions.
8. If the Respondent accepts responsibility for violating the Standards of Conduct and is not subject to suspension or dismissal, the Student Conduct Officer will notify the Respondent in writing with a brief summary of the meeting and assigned sanctions within 10 business days, unless circumstances warrant otherwise.
9. If an undergraduate Respondent accepts responsibility for violating the Standards of Conduct and is subject to suspension or dismissal, the Student Conduct Officer will consult with the Council of Deans of Student Affairs within five business days of conclusion of the Administrative Resolution meeting of the resolution, unless circumstances warrant otherwise. The Council of Deans of Student Affairs will make a final determination of the sanction(s). Thereafter, the Student Conduct Officer will notify the Respondent in writing with a brief summary of the Administrative Resolution meeting and assigned sanctions within 10 business days of the final determination of sanctions, unless circumstances warrant otherwise.
10. If a graduate Student, medical or pharmacy Student, Extension Student, or Student Organization accepts responsibility for violating this Code and is subject to suspension or dismissal, the Student Conduct Officer will notify the Respondent in writing with a brief summary of the meeting and assigned sanctions within 10 business days of the Administrative Resolution meeting, unless circumstances warrant otherwise.
11. If the Respondent does not accept responsibility for one or more alleged violations and the Student Conduct Officer believes there is a Preponderance of the Evidence to sustain those alleged violations, the Student Conduct Officer will refer the matter to the Office of Student Conduct for a Student Conduct Review within five business days of the meeting, unless circumstances warrant otherwise.
12. If the Student Conduct Officer determines there is not a Preponderance of the Evidence to sustain all alleged violation(s) of the Standards of Conduct and the matter is not forwarded to a Student Conduct Review, the Respondent will be notified in writing, within 10 business days, that the alleged violation(s) have been dismissed, unless circumstances warrant otherwise.

## **G. STUDENT CONDUCT REVIEWS**

If a Respondent does not accept responsibility at the Administrative Resolution meeting, they have the right to a Student Conduct Review. A Student Conduct Review provides an opportunity for the Community Standards Board or Review Officer to hear and receive the Respondent's information, witnesses, and perspective about the incident, and to determine the Respondent's responsibility for the alleged violations.

1. All cases referred to a Student Conduct Review will be assigned to the Community Standards Board. However, in the case of professional school Respondents whose schools have established school-specific resolution procedures, those procedures may be utilized, at the sole discretion of the University, in place of the ones provided for in these *Procedures*.
2. The Community Standards Board (Board) will be comprised of:
  - a. No fewer than 12 undergraduate Students (two from each undergraduate College) appointed by the Vice Chancellor – Student Affairs or their designee, in consultation with the College Deans of Student Affairs or their designees and respective College Councils.
  - b. No fewer than six graduate or professional school Students appointed by the Vice Chancellor – Student Affairs or their designee.
    - i. Graduate Students will be appointed in consultation with the Graduate Student Association and the Dean of the Graduate Division or their designee.
    - ii. Medical Students will be appointed in consultation with the Student Government of the School of Medicine and the Associate Dean of Admissions and Student Affairs, School of Medicine or their designee.
    - iii. Pharmacy Students will be appointed in consultation with the Skaggs School of Pharmacy Associated Students and the Dean of the Skaggs School of Pharmacy or their designee.
  - c. No fewer than six staff and/or faculty members.
    - i. Staff members will be appointed by the Vice Chancellor – Student Affairs or their designee.
    - ii. Faculty members will be appointed by the Academic Senate.
  - d. Community Standards Board members will be appointed to a minimum term of one year and may be re-appointed for additional terms.
3. A Student Conduct Officer or Respondent may request to have the Review conducted by a Review Officer rather than the Community Standards Board. All requests must be made in writing to the Office of Student Conduct prior to scheduling the Review. If the Director of Student Conduct or their designee grants the request, they will select a Review Officer and notify the Respondent and Student Conduct Officer prior to the Review.
4. Student Conduct Reviews may be held during Summer Sessions. The Director of Student Conduct or their designee may make temporary appointees from the groups listed in Section G (2) above, if there are not enough regular appointees available to comprise the Community Standards Board for a Review. All temporary appointees will participate in training session(s) conducted by the Office of Student Conduct prior to serving on a Review.
5. Based on availability, five members, including a Chair, will be selected and scheduled by the Office of Student Conduct for a Review conducted by the Community Standards Board. A Review facilitated by the Board may be held with fewer members with the consent of the Respondent. However, no Board Review may be scheduled or conducted with fewer than three members.

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- a. When the Community Standards Board is assigned a Student Conduct Review, five members of the Board (including the Chair) will be selected to conduct the Review under the procedures set forth in these *Procedures*.
  - b. For Board Reviews with an undergraduate Respondent, the Board will be composed of three Students, including at least one undergraduate Student, and two faculty and/or staff members. For Community Standards Board Reviews involving Respondents from a graduate program, professional school, or UC San Diego Extension, the Board will be comprised of three Students, including at least one graduate program or professional school Student, and two faculty and/or staff members. These composition requirements do not apply to Boards with less than five members.
  - c. The Chair for Community Standards Board Reviews will be selected by the Office of Student Conduct based on availability of members.
  - d. A Review Officer will be selected by the Office of Student Conduct for a Review not facilitated by the Community Standards Board.
6. The Director of Student Conduct or their designee will serve as the Review Advisor and will attend the Review and subsequent deliberations. However, the Review Advisor will not vote in determining whether the Respondent is responsible for violating the Standards of Conduct.
  7. The Office of Student Conduct will select a University Representative for the Review. The role of the University Representative will be to present information supporting the alleged violations. The University Representative will also coordinate the appearance of witnesses supporting the alleged violations and ask questions of the Respondent and witnesses.
  8. The Respondent (and Complainant, if applicable) will have the opportunity to meet with a staff member from the Office of Student Conduct individually prior to scheduling the review. The purpose of the meeting is for the staff member to explain the Review process, key deadlines, and answer any relevant questions. If the Respondent (or Complainant, if applicable), after proper notice, does not schedule and/or attend the meeting, the Review will be scheduled without their input. The staff member will also notify the Respondent whether the Review will be forwarded to an individual or group Review.
  9. Multiple Respondents may be scheduled to participate in a group Student Conduct Review at the discretion of the Office of Student Conduct when the alleged violations result from the same underlying incident. Group Student Conduct Reviews will follow the format described in Section G (25) below.
    - a. A Respondent assigned to a group Student Conduct Review may request to have their Review handled separately from the other Respondents. All requests must be made in writing to the Office of Student Conduct three business days prior to scheduling the Review.
    - b. In considering a Respondent's request, the Director of Student Conduct or their designee will determine whether separate Reviews are appropriate and will base their decision on the basis for the request and the practicality of conducting multiple separate Reviews. If the Director of Student Conduct or their designee grants the request, they will notify the Respondent and Review Advisor prior to scheduling the Review.
    - c. Should a Respondent's request to have an individual Student Conduct Review be granted, the Office of Student Conduct may schedule a supplemental Review to enable all witnesses to provide their information to the Board or Review Officer, the University Representative, and all Respondents at one time. Supplemental Reviews involving witnesses may be held prior to or after the individual Reviews, depending upon the scheduling considerations present in the matter.
    - d. If there are three or more Respondents, the request for a separate Review will apply only to the Respondent(s) requesting the separate Review.

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10. Until the actual start of the Review, the Respondent may accept responsibility for the alleged violations with the original Student Conduct Officer or the Office of Student Conduct. This decision is binding on the Respondent and cancels the scheduled Review. The original Student Conduct Officer will assign sanctions as described in Section (F) above.
11. At least 10 business days prior to the Review, the Office of Student Conduct will provide the Respondent in writing with the following information:
  - a. Notification of the alleged violations of the Standards of Conduct;
  - b. Summary of the evidence relating to the alleged violations of the Standards of Conduct;
  - c. The date, time and place of the Review;
  - d. The name(s) of the Board members or Review Officer, the Review Advisor, and the University Representative;
  - e. Electronic or hard copy versions of case materials to be reviewed at the Review (e.g. incident report, police report, etc.);
  - f. Information about how to request the presence of witnesses during the Review; and
  - g. Information about how to request assistance from the A.S. Office of Student Advocacy, the Office of the Ombuds, and the Office of Student Legal Services.
12. A Respondent who cannot attend the scheduled Review must contact the Office of Student Conduct to request a new date and/or time for the Review at least three business days prior to the Review. It is at the discretion of the Director of Student Conduct or their designee if the Review will be rescheduled and a Respondent may only request one change to the date and/or time of the Review.
13. If, after proper notice, the Respondent does not appear at the Review at the scheduled date and/or time, the Board or Review Officer may conduct the Review without the Respondent's participation and determine the Respondent's responsibility for the alleged violations of the Standards of Conduct.
14. A Review may be conducted on a non-business day at the discretion of the Director of Student Conduct or their designee with the agreement of all involved participants.
15. All Reviews will be closed to the public. Only members of the Board, the Review Officer, the Review Advisor, the University Representative, the Respondent (and their Advisor, if any), the Complainant (and their Advisor, if any), and witnesses will typically be permitted to participate in the Review.
16. The Review Advisor will facilitate an audio recording of the Review. Recording devices of any kind are not permitted for use by anyone except the Review Advisor. The recording will become part of the Respondent's student conduct record. Board deliberations will not be recorded.
17. Respondents and Complainants are entitled to be assisted by an Advisor during the Review. Participants electing to be accompanied by an Advisor must notify the Office of Student Conduct in writing at least three business days prior to the Review.
18. Members of the University Community are encouraged to appear at a Review as witnesses if they have knowledge or information regarding the incident in question and if they have been requested to appear. Individuals who are not Members of the University Community will generally be permitted to appear at a Review as a witness if they have direct knowledge or information regarding the incident in question. Character witnesses are generally not allowed to appear without the permission of the Director of Student Conduct or their designee upon a showing of good cause.

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19. Written witness statements will not be reviewed by the Board or Review Officer unless they are signed by the witness and witnessed by a professional staff member from the Office of Student Conduct or a certified notary public.
20. All documents and names of witnesses to be presented at the Review by the University Representative and the Respondent must be submitted to the Office of Student Conduct at least three business days prior to the Review. The Office of Student Conduct will provide copies of submitted documents and witness lists to the University Representative, Respondent, and Board or Review Officer at least two business days prior to the Review. Any documents or names of witnesses submitted and/or discovered less than three business days prior to the Review (including the Review itself) may only be considered at the discretion of the Chair or Review Officer in consultation with the Review Advisor.
21. A Respondent or Complainant may request, in writing, that a Board member be disqualified from participating in a Review. The request must be made to the Office of Student Conduct at least three business days before the scheduled Review and must include an explanation as to why the person is unable to make an impartial decision. In addition to determining such requests, the Director of Student Conduct or their designee will disqualify any Board member who is not able, in their judgment, to make an impartial decision. If the Director of Student Conduct or their designee grants a disqualification request, they will select another Board member to replace the disqualified Board member and notify the Respondent, University Representative, and Complainant prior to the Review.
22. A Respondent or Complainant may request, in writing, that the Review Advisor or Review Officer be disqualified from participating in a Review. The request must be made to the Office of Student Conduct at least three business days before the scheduled Review and must include an explanation as to why the person is unable to make an impartial decision. In addition to determining such requests, the Director of Student Conduct or their designee will disqualify any Review Advisor or Review Officer who they believe is not able, in their judgment, to impartially serve in that role. If the Director of Student Conduct or their designee grants a disqualification request, they will select another Review Advisor or Review Officer to replace the disqualified staff member and notify the Respondent, University Representative, and Complainant prior to the Review.
23. Any member of the Board, the Review Advisor, or a Review Officer who believes that they are unable to conduct a fair and impartial Review and/or has identified a conflict of interest will disqualify themselves from participating in the Review. Such decision must be communicated in writing to the Office of Student Conduct at least three business days prior to the start of the Review. The Director of Student Conduct or their designee will select another Board member, Review Advisor, or Review Officer to replace the disqualified person and notify the Respondent, University Representative, and Complainant prior to the Review.
24. The Chair or Review Officer is responsible for facilitating the Review and, in consultation with the Review Advisor, will make decisions regarding witnesses, evidence, and procedures.
  - a. The Chair or Review Officer may exclude any person who disrupts the Review.
  - b. The Chair or Review Officer may institute reasonable time or other restrictions on the delivery of participant and witness information in order to complete the Review in a reasonable amount of time.
25. At the Review, the Chair or Review Officer will explain the Review process to the Respondent, University Representative, and other participants. The Board or Review Officer will hear and receive information and witnesses presented by the University Representative supporting the alleged violations. The Board or Review Officer and Respondent may also ask questions of the witnesses presented by the University Representative. The Board will then hear and receive the Respondent's information, witnesses, and perspective about the incident, review the applicable report(s) and other evidence, and ask questions of the Respondent and witnesses presented by the Respondent. The University Representative will also have the opportunity to ask questions of

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the Respondent and the witnesses presented by the Respondent. The Chair or Review Officer will conclude the Review by explaining the next steps in the process.

26. After conducting a Review, the Board or Review Officer will deliberate privately. The determination(s) of the Board will be made by majority vote. The Chair will not vote unless there is a tie.
  - a. The Board or Review Officer will determine whether the Respondent is responsible for the alleged violation(s) of the Standards of Conduct. If the Respondent is found not responsible for all alleged violations, the matter will be dismissed and concluded without any further proceedings for the Respondent.
  - b. In determining whether or not a Respondent is responsible for violating the Standards of Conduct, the Board or Review Officer will base its fact-finding determination(s) on the Preponderance of the Evidence standard, with the University bearing the burden of proof.
27. After the conclusion of deliberations, the Board's Chair or Review Officer will submit a Student Conduct Review Report to the Office of Student Conduct summarizing the information presented at the Review and the Board's or Review Officer's findings as to the alleged violations of the Standards of Conduct.
  - a. The Office of Student Conduct will forward the Student Conduct Review Report to the original Student Conduct Officer within five business days of the conclusion of the Review.
    - i. If the Respondent is found responsible for violating the Standards of Conduct, and except as set forth below, the original Student Conduct Officer will assign sanctions. In assigning sanctions, the Student Conduct Officer should consider the findings in the Student Conduct Review Report, the University's Sanctioning Guidelines, and the Respondent's student conduct record.
    - ii. If the Student Conduct Officer does not assign suspension or dismissal as a sanction, the Office of Student Conduct will provide the Respondent in writing with the Student Conduct Review Report and assigned sanctions within five business days of receiving the report, unless circumstances warrant otherwise.
    - iii. If the Student Conduct Officer determines that a suspension or dismissal is warranted as a sanction for an undergraduate Student, they will consult with the Council of Deans of Student Affairs. The Council of Deans of Student Affairs will make the final determination of the sanctions. Thereafter, the Office of Student Conduct will provide the Respondent in writing with the Student Conduct Review Report and assigned sanctions within five business days of the final determination of sanctions, unless circumstances warrant otherwise.
    - iv. If the Student Conduct Officer determines that a suspension or dismissal is warranted as a sanction for a graduate Student, Extension Student or Student Organization, the Office of Student Conduct will provide the Respondent in writing with the Student Conduct Review Report and assigned sanctions within five business days of receiving the report, unless circumstances warrant otherwise.
28. If a medical or pharmacy Student is found responsible for violating the Standards of Conduct, the Office of Student Conduct will forward the Student Conduct Review Report in writing to the Respondent and the relevant Standing and Promotions Committee (School of Medicine) or Academic Oversight Committee (Skaggs School of Pharmacy) within five business days of the conclusion of the Review.
  - a. The relevant committee will meet with the Respondent to discuss sanctions. In assigning sanctions, the relevant committee should consider the findings in the Student Conduct Review Report, relevant sanctioning guidelines (if any), and the Respondent's student conduct record.

- b. The relevant committee will notify the Respondent in writing with the assigned sanctions upon conclusion of its proceedings. The relevant committee will notify the Office of Student Conduct of the sanctions assigned to the Respondent.

29. If the Board or Review Officer finds the Respondent not responsible for all alleged violations of the Standards of Conduct, the Office of Student Conduct will forward the Student Conduct Review Report to the Student Conduct Officer for review within five business days of the conclusion of the Review. The Office of Student Conduct will then provide the Respondent with the Student Conduct Review Report and notification that all alleged violations of the Standards of Conduct have been dismissed in writing within five business days of receiving the report.

## **H. SANCTIONS AND UNIVERSITY ACTIONS**

Violations of any of the Standards of Conduct may result in the assignment of sanctions based on the specific circumstances of the incident, the Respondent's student conduct record, and applicable University Sanctioning Guidelines. Any sanction assigned should be appropriate to the violation and, when appropriate, educational in nature.

1. A Respondent's student conduct record is cumulative. Therefore, increased sanctions may be assigned to take into consideration the Respondent's overall record of violations of all types, not just those of a similar type. Violations of the Standards of Conduct or other University Policies during the period of an active sanction may be cause for further action.
2. Repeated violations of any provision of the Standards of Conduct may also result in suspension or dismissal. Lesser sanctions may be assigned if specific factors are present. Factors to be considered in increasing or mitigating a sanction may include:
  - a. The severity of the violation;
  - b. The student conduct record of the Respondent;
  - c. The nature of the offense;
  - d. The severity of any damage; and
  - e. Any injury or harm resulting from the matter to necessitate student conduct action.
3. When a Respondent accepts responsibility for violating the Standards of Conduct or is found responsible for violating this *Code*, one or more of the sanctions from PACAOS 105.00 and this section may be assigned:
  - a. **Restitution:** Students may be responsible for the restitution of damage(s) caused by their guests.
  - b. **Other Sanctions:** Other sanctions may be assigned instead of, or in addition to those specified in PACAOS 105.00 at the discretion of the Student Conduct Officer or Council of Deans of Student Affairs. Other sanctions may include, but are not limited to, stay away orders, written apologies, mandated assessments, placement of a hold on University transcripts, diplomas, or other student records, University Bookstore fines, and/or other sanctions as deemed appropriate in light of the violation(s).
  - c. **Educational Sanctions:** Educational sanctions may be assigned instead of, or in addition to those specified in in PACAOS 105.00 at the discretion of the Student Conduct Officer or Council of Deans of Student Affairs. Educational sanctions may include, but are not limited to, reflection papers, participation in alcohol or drug education programs, conducting research projects, or meeting with University Officials.

**I. INTERIM ACTIONS**

1. Any sanction authorized by PACAOS 105.00 or these *Procedures* may be assigned on an interim basis by the Director of Student Conduct or their designee in consultation with the Dean or their designee or the Director of the Center for Student Involvement or their designee. In imposing such interim action, the Director of Student Conduct or their designee will attempt to ensure that a Student or Student Organization will only be restricted to the minimum extent necessary when their participation in University-Supported Activities, use of University resources, or presence on University Grounds and Facilities is reasonably likely to lead to:
  - a. Physical harm to any person or property;
  - b. Threats of violence;
  - c. Conduct that threatens the health or safety of any person; or
  - d. Other disruptive activity incompatible with the orderly operation of the campus. This includes conduct creating an immediate and/or continuing disruption to the health and safety of members of the University community, teaching, research, administration, disciplinary procedures, or other University-Supported Activities, or access and/or use of University Grounds and Facilities. (see UC San Diego *Policy on Speech, Advocacy and Distribution of Literature on University Grounds* (Policy and Procedure Manual, Section 510-1 IX & XII) for guidelines related to expressive activity on University Grounds and Facilities).
2. Interim suspensions must be submitted by the Director of Student Conduct or their designee to the Chancellor or their designee, who will review the Interim Suspension prior to its issuance. If the Chancellor or their designee does not approve the Interim Suspension, it will be considered void and will not be issued to the Student or Student Organization. Interim Suspensions will be re-reviewed by the Chancellor or their designee within 24 hours.
3. A Student or Student Organization suspended on an interim basis will be given an opportunity to appear personally for an Interim Suspension hearing before the Director of Student Conduct or their designee. The Office of Student Conduct will provide the Respondent in writing with the following information at least three business days prior to the hearing:
  - a. Summary of the evidence supporting the interim suspension;
  - b. The date, time and place of the hearing;
  - c. Electronic or hard copy versions of case materials to be reviewed at the hearing (e.g. incident report, police report, etc.);
  - d. Information about how to request the participation of witnesses; and
  - e. Information about how to request assistance from the A.S. Office of Student Advocacy, Office of the Ombuds and the Office of Student Legal Services.
4. During the hearing, the Student or Student Organization may present information to support discontinuing the Interim Suspension in accordance with Section I (5) below. The Director of Student Conduct or their designee may meet separately with applicable witnesses (if any). The Student or Student Organization may also be accompanied to the hearing by an Advisor. All provisions in these *Procedures* pertaining to Advisors apply during an Interim Suspension hearing.
5. After the Interim Suspension hearing and meetings with applicable witnesses (if any), the Director of Student Conduct or their designee will determine whether the Interim Suspension should continue until a final determination on the merits of the alleged violations of the Standards of Conduct. If the Director of Student Conduct or their designee determines that the conduct and surrounding circumstances reasonably indicate that the continued presence of the Student or Student Organization on campus pending the hearing on the merits is reasonably likely to lead to



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any of the prohibited conduct as referenced in Section (I) (1) above, they may continue the Interim Suspension through the conclusion of all appeals related to alleged violation(s). Administrative Resolution meetings and Student Conduct Reviews involving Students or Student Organizations on a continued Interim Suspension will have scheduling priority.

6. If, after proper notice, the Respondent does not appear at the hearing at the scheduled date, time, and/or place, the Director of Student Conduct or their designee may determine whether to continue the Interim Suspension until a final determination on the merits of the alleged violations of the Standards of Conduct.
7. The Director of Student Conduct or their designee will notify the Respondent in writing with a summary of the hearing, including witness statements (if applicable) and a determination whether the Interim Suspension will continue within 5 business days, unless circumstances warrant otherwise.
8. The Director of Student Conduct or their designee, in consultation with the Dean or their designee or the Director of the Center for Student Involvement or their designee, may direct a Student or Student Organization to act or refrain from engaging in a specified manner pending student conduct proceedings. These directions may include directing Students or Student Organizations not to intentionally contact others specifically named for a specified period of time. These directions will not terminate the Student's or Student Organization status as a Student or Student Organization and will not be construed as a finding or acceptance of responsibility on the part of any Student or Student Organization. However, failure to comply with these directions may be a violation of the Standards of Conduct.
9. The Director of Student Conduct or their designee, in consultation with the Dean or their designee or the Director of the Center for Student Involvement or their designee may take further protective action that they deem appropriate concerning the interaction of the parties throughout the process, including directing appropriate University officials to alter the Students' academic, University housing, and/or University employment arrangements.

**J. APPEALS AND SANCTION REDUCTION REQUESTS**

A Student or Student Organization found to have violated the Standards of Conduct in a Student Conduct Review has the right to appeal the decision and/or request a reduction of the assigned sanction(s). A Student or Student Organization accepting responsibility in an Administrative Resolution meeting may only request a reduction of any sanctions assigned by the Student Conduct Officer.

1. Appeals and sanction reduction requests must be submitted in writing to the Office of Student Conduct within 10 business days from the date of the notice of the original decision was sent by the Student Conduct Officer. The submission must specify the grounds for review in accordance with Section (J) (3) or (4) below and include all the supporting reasons, evidence, arguments, and documents. The Respondent will, upon request to the Office of Student Conduct, be given access to the record (*e.g.* written decision and/or audio recording) of the original meeting or Review before submitting an appeal or sanction reduction request. Failure to appeal or request a reduction in sanctions within the specified time period will make the original decision final and conclusive. Requests will be reviewed in the following manner:
  - a. Appeals and sanction reduction requests submitted by an undergraduate Student will be reviewed by the Council of Provosts.
  - b. Appeals and sanction reduction requests submitted by a graduate Student will be reviewed by the Dean of the Graduate Division.
  - c. Appeals and sanction reduction requests submitted by a medical or pharmacy Student will be reviewed by the respective Dean of their school.
  - d. Appeals and sanction reduction requests submitted by an Extension Student will be reviewed by the Dean of UC San Diego Extension.

- e. Appeals and sanction reduction requests submitted by a Student Organization will be reviewed by the Assistant Vice Chancellor – Student Life.
2. If a Respondent submits a timely appeal or sanction reduction request, the group or individual reviewing the submission may direct the Office of Student Conduct to provide a copy to the Complainant and/or relevant University Official and request a written response. If a written response is submitted, a copy of this response will be provided by the Office of Student Conduct to the Respondent, who may respond in writing.
3. Appeals must be based upon one or more of the following grounds:
  - a. The determinations of responsibility for the violations are not supported by the findings;
  - b. There was unfairness in the proceedings that prejudiced the result (e.g. the denial of due process); or
  - c. There is newly discovered evidence not known at the time of the Review that would have affected the result.
4. Sanction reduction requests must be based on the ground that the sanction(s) assigned was grossly disproportionate in light of the violation committed, the student's conduct record, and the University's Sanctioning Guidelines.
5. Appeals and sanction reduction requests will be decided upon the record of the original Administrative Resolution meeting or Student Conduct Review, the complete statement of the Respondent setting forth specific reasons, evidence, and arguments for the submission, and any written statement or response by the Complainant, Respondent, or relevant University Official.
6. The implementation of sanctions will typically be deferred during this process, unless otherwise decided at the discretion of the Student Conduct Officer (individual Students) or the Director of the Center for Student Involvement (Student Organizations), in consultation with the Director of Student Conduct or their designee.
7. The group or person reviewing an appeal of a decision made by the Community Standards Board or Review Officer and/or a sanction reduction request will take one or more of the following actions:
  - a. The decision by the Board or Review Officer is affirmed in whole or in part.
  - b. The case, in whole or in part, is referred back to the Office of Student Conduct for re-review by a new Board or Review Officer. On re-review, the results of the previous Review will not be provided to the new Board or Review Officer. The new Board or Review Officer will be reminded of applicable procedures to ensure proper handling of the Review;
  - c. The decision is dismissed;
  - d. The assigned sanction(s) is affirmed;
  - e. The assigned sanction(s) is modified (e.g. increased or decreased); or
  - f. The assigned sanction(s) is dismissed.
8. Respondents will generally be notified in writing of the result of the appeal or sanction reduction request by the Office of Student Conduct within 10 business days of the date when the request was forwarded to the group or person listed in Section J (1) above. A brief statement explaining the basis of the decision by the group or individual reviewing the request will be included with this notice. The result of the appeal or sanction reduction request is final.

**K. STUDENT CONDUCT RECORDS**

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1. The referral of a report of alleged violations to the Office of Student Conduct may result in the development of a student conduct record for the Respondent.
2. A Respondent's student conduct record will generally contain the applicable incident report(s) and/or police report(s), meeting and decision letters, and other documents related to student conduct incidents the Respondent has been involved in while a UC San Diego Student or while registered as a Student Organization.
3. The student conduct record of a Respondent will normally be retained by the Office of Student Conduct for no less than seven years from the end of the academic year the incident is resolved or as otherwise required by law (whichever is longer). Once a Respondent receives their degree from UC San Diego or their expected date of graduation has been reached (students leaving UC San Diego without graduating), the Office of Student Conduct will maintain such records as non-disciplinary, administrative compliance records for the remainder of the record keeping period.
4. The record of a student conduct matter resulting in a Student or Student Organization's suspension from the University will normally be retained as a reportable student conduct record for no less than seven years after the end of the academic year the incident is resolved or as otherwise required by law (whichever is longer).
5. The record of a student conduct matter resulting in a Student or Student Organization's dismissal and accompanying transcript notations will normally be retained as a reportable student conduct record for no less than 50 years after the end of the academic year in which the incident is resolved.
6. Student conduct records of a Respondent found not responsible for all violations of this *Code* will not be considered while determining sanctions in a subsequent case.
7. Whenever any information is included by the Office of Student Conduct or any University Official in a student conduct record, the Respondent will be allowed to include in the record a brief written statement or response concerning the student conduct action. The Respondent may not request a change in the underlying decision or sanction(s) through this process.

## RESPONSIBILITIES

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The Regents of the University of California and the University of California Office of the President delegate the authority to administer the student conduct process to the Chancellor of each University of California campus. As the Chancellor's campus representative, the Vice Chancellor - Student Affairs administers and has oversight of campus student conduct policies, except where specifically delegated to other functional areas.

Questions concerning the application and/or interpretation of this policy and these procedures may be directed to the Director, Office of Student Conduct.

It is the responsibility of the Office of Student Conduct to facilitate campus-wide notification to students, staff and faculty about the most current version of this policy and these procedures available in the campus Policy and Procedure Manual (PPM) (insert weblink for page).

Except when revisions are specifically mandated by the University of California Office of the President, and/or applicable laws or policy, Students, including student governments, faculty, and staff should be consulted about the development and revision of this policy and these procedures, which will typically be accomplished by consulting with the UC San Diego Student Conduct Standards Group.

Students, staff, and faculty take active roles in the student conduct process as described below.

1. The duties and responsibilities of the **Director of Student Conduct** generally include:
  - a. Serves as UC San Diego's Senior Student Conduct Officer, facilitates Administrative Resolutions, imposes interim actions, and oversees the Student Conduct Review process.

- b. Oversees training and advising of all Student Conduct Officers, the Community Standards Board, Review Officers, Review Advisors, A.S. Student Advocates (in collaboration with the Office of Student Legal Services), and any others who are routinely involved the student conduct process.
  - c. Serves as an information resource for Members of the University Community regarding student conduct processes and procedures.
  - d. Oversees the maintenance, storage, and disposition of non-academic student conduct records.
  - e. Submits regular statistical reports to the campus community, including, but not limited to, reporting the number of cases referred to the office, the number of cases resulting in sanctions, and the range of sanctions assigned.
  - f. Conducts and facilitates a periodic review of these *Procedures* with the Student Conduct Standards Group.
2. The duties and responsibilities of the **Deans of Student Affairs, Graduate Division, and Professional Schools (or their designees)** generally include:
- a. Resolves reports of alleged violations referred by the Office of Student Conduct for action, including use of alternative resolution options (*e.g.* mediation, restorative justice, written warning notices).
  - b. Consults with the Director of Student Conduct on the imposition of interim actions, including Interim Suspension.
  - c. Serves as a Student Conduct Officer and facilitates Administrative Resolutions.
  - d. Reviews sanctioning recommendations to promote consistency and fairness when required by these *Procedures* (*e.g.* Council of Deans of Student Affairs).
  - e. Participates in training sessions facilitated by the Office of Student Conduct.
3. The duties and responsibilities of **Student Conduct Officers** generally include:
- a. Facilitates Administrative Resolutions per the procedures set forth in these *Procedures*.
  - b. Coordinates Administrative Resolution logistics, including the date, time, and place of meeting, and provides the Respondent with information (*e.g.* incident reports, video evidence) to be discussed during the meeting.
  - c. Upon concluding an Administrative Resolution meeting, determines whether the Respondent has accepted responsibility for violating the Standards of Conduct and refers the matter to a Student Conduct Review if the Respondent does not accept responsibility.
  - d. Assigns fair and appropriate sanctions to Respondents accepting responsibility for violating the Standards of Conduct.
  - e. Participates in training sessions facilitated by the Office of Student Conduct.
4. The duties and responsibilities of **the Community Standards Board and Review Officers** generally include:
- a. Facilitates Student Conduct Reviews per the procedures set forth in these *Procedures*.

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- b. Upon concluding a Student Conduct Review, determines whether the Respondent has violated the Standards of Conduct based on a Preponderance of the Evidence.
  - c. Maintains confidentiality related to all aspects of the Student Conduct Review process.
  - d. Participates in training sessions facilitated by the Office of Student Conduct.
5. The duties and responsibilities of **Review Advisors** generally include:
- a. Serves as *ex officio* member of the Community Standards Board.
  - b. Acts as consultant to the Board or Review Officer regarding Review procedures and decision making processes.
  - c. Reviews the Chair or Review Officer's Student Conduct Review Report after conclusion of deliberations.
  - d. Participates in training sessions facilitated by the Office of Student Conduct.
6. The duties and responsibilities of **University Representatives** generally include:
- a. Presents relevant information (e.g. incident reports and other relevant documents) and witnesses on behalf of the University at Student Conduct Reviews.
  - b. Coordinates the appearance of witnesses supporting the alleged violations at Student Conduct Reviews.
  - c. Asks questions of the Respondent and witnesses at Student Conduct Reviews.
  - d. Maintains confidentiality related to all aspects of the Student Conduct Review process.
  - e. Participates in training sessions facilitated by the Office of Student Conduct.
7. The duties and responsibilities of **Advisors** generally include:
- a. Advisors offer assistance to Students during Administrative Resolution meetings and Student Conduct Reviews.
  - b. The Associated Students (A.S.) Office of Student Advocacy and the Graduate Student Association (GSA) appoints Student Advocates who are available to serve as Advisors. Student Advocates will be jointly trained by the Office of Student Conduct and Office of Student Legal Services.
  - c. Because Reviews under these *Procedures* are part of the University's overall educational process, it is not expected that Students will require the assistance of attorneys. However, Students are free to engage attorneys to provide them with legal advice and/or have them serve as an Advisor.
  - d. Student Advocates may speak on behalf of their advisee so long as all procedural requirements are followed. Other Advisors (including, students, faculty, staff, and attorneys) will be limited to communicating with their advisee and will not interrupt, disrupt, or directly participate in the Administrative Resolution meeting or Student Conduct Review.
  - e. All Advisors will be required to abide by the roles and expectations of an Advisor as specified in these *Procedures*. Advisors may be excluded by the Student Conduct Officer, Review Officer, or Community Standards Board Chair for failing to adhere to these rules.

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**PROCEDURES**

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See Policy Statement section above.

All deadlines and time requirements, even absent an explicit request, in these *Procedures* may be extended for good cause by the Director of Student Conduct or their designee. Requests for extensions of deadlines must be made in writing to the Director of Student Conduct or their designee, who will determine, based on the totality of circumstances, whether or not the extension is granted. If an extension is granted, the Director of Student Conduct or their designee will specify the date of the new deadline or event.

Suspensions will normally take effect in the academic quarter immediately following the sending of the notice of final sanctions to the Respondent, unless the incident involves harm to self or others, threats of violence, or other circumstances warranting an immediate suspension.

### FORMS

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Appeal/Sanction Reduction Request Form:

<https://students.ucsd.edu/sponsor/student-conduct/reduction-request.html>

Incident Report Form:

<https://students.ucsd.edu/sponsor/student-conduct/incident-report.html>

### RELATED INFORMATION

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See also University of California Policies Applying to Campus Activities, Organizations, and Students sections:

100.00 Policy on Student Conduct and Discipline

<https://policy.ucop.edu/doc/2710530/PACAOS-100>

### FREQUENTLY ASKED QUESTIONS (FAQ'S)

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Please see <https://students.ucsd.edu/sponsor/student-conduct/faq.html> for a list of Frequently Asked Questions about the student conduct process.

### REVISION HISTORY

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2019-XX-XX This policy was transferred to the PPM in its current format. Previously, it was constituted as Section 22 of the UC San Diego *Student Conduct Regulations*. It has been revised by the Office of Student Conduct and reviewed by the Student Conduct Standards Group, campus community, and UC Office of the President regularly since 2012.