I. INTRODUCTION
The UC San Diego community includes students, staff, faculty, and others who have a vested interest in the University. Members of our community, part of the larger University of California community, pride themselves on academic, personal, and professional excellence and value integrity, accountability, and respect. UC San Diego’s Student Conduct Code underscores the pride and the values that define our community while providing our students a framework to guide their actions and behaviors.

UC San Diego’s Principles of Community further illustrate our expectations of all members of our community. Along with these principles, the community supports the learning and development of students.

This Code sets forth the acceptable standards of our community and provides authorization for the administration of student conduct at UC San Diego. Throughout the student conduct process, all participants involved are asked to reflect upon their role in the community and consider opportunities for personal growth and development. It is an aspiration that students involved in this process will strengthen their competencies in communication, relationships, leadership, intellect, and active citizenship.

The University of California Policy on Student Conduct and Discipline has been incorporated into this Code either by adapting or inserting verbatim the language of the policy. The complete UC policy can be found at http://www.ucop.edu/ucophome/coordev/ucpolicies/aos/uc100.html

The Code that follows provides authorization for the administration of student conduct and enumerates the acceptable standards the UC San Diego community upholds.

II. DEFINITIONS
For the purpose of this Code, the following definitions are provided:

A. “administrative review” means an individual meeting between a student respondent and Student Conduct Officer to discuss alleged violations of this Code.
B. “Advisor” means a person of the respondent or complainant’s choosing who is also a member of the University community and who is not an attorney. Advisors include A.S. Advocates.
C. “aggravated violation” means a violation which resulted in, or foreseeably could have resulted in significant damage to persons or property or which otherwise posed a substantial threat to the stability or continuance of normal University business or University-sponsored activities.
D. “business days” means weekdays, not weekends or University holidays.
E. “complainant” or “complaining witness” means any person who makes a complaint.
F. “Conduct Board Coordinator” refers to the UC San Diego staff or faculty member appointed by the relevant Dean or the Director of Student Conduct to work closely with the Presiding Officer of the respective conduct board regarding review procedures and resolution.
G. “Conduct Board Review” means an individual meeting or group with one or more student respondents and a conduct board to discuss alleged violations of this Code.
H. “Dean” means the UC San Diego staff or faculty member or his/her designee responsible for overseeing student disciplinary matters of an undergraduate college, residential area, graduate school, professional school, or for student organizations.
I. “guest” means any person to whom a student has extended an invitation to come to the University or University-sponsored activities and be permitted to be present or remain on University grounds and facilities for which the student has some control. Students are responsible for the conduct of their guests.
J. “interim action” means the temporary termination of a student or student organization’s
privileges on an interim basis before a final determination. Such actions include interim
suspensions.
K. “member of the University community” includes any person including, but not limited to
students, faculty, or staff, or other persons with a vested interest in the University.
L. “misrepresentation” means making a false or misleading statement or action with the intent to
deceive.
M. “misuse” means using a document or record in an improper unintended or unforeseen manner.
N. “Presiding Officer” means the UC San Diego staff or faculty member or student overseeing the
procedures for a conduct board review and may consult, as needed, with the Conduct Board
Coordinator.
O. “preponderance of the evidence” is the evidence standard of this Code. Preponderance of the
evidence means that is “more likely than not” that a respondent violated the Student Conduct
Code. In this context, the respondent will be found to be responsible for the alleged violations if
the Student Conduct Officer or Conduct Board concludes that such misconduct more likely than
not occurred based on careful review of all information presented.
P. “reasonable cause” means that there is sufficient evidence to allege that a student has violated
this Code.
Q. “review” means an individual meeting between one or more student respondents and a Student
Conduct Officer or Conduct Board to discuss alleged violations of this Code.
R. “respondent” means any student or student organization who has been alleged to have violated
any portion of this Code and is entitled to be present during the course of a review.
S. “student” means an individual, for whom the University maintains student records and who:
1. is enrolled in, or registered with an academic program of the University;
2. has completed the immediately preceding quarter, is not presently enrolled, and is
   eligible for re-enrollment; or
3. is on an approved educational leave or other approved leave status, or is on filing-fee
   status.
T. “Student Conduct Officer” means a University official authorized on a case-by-case basis by the
Vice Chancellor for Student Affairs or his/her designee or other appropriate University Official
(e.g. graduate and professional school matters) to conduct reviews with any student alleged to
have violated this Code and to impose sanction(s) for those students found responsible for
violating this Code.
U. “student organization” means a number of undergraduate or graduate students who are
recognized as a college student organization by the Dean or Provost of their respective college or
who have successfully registered as a student organization with the Center for Student
Involvement.
V. “University” means the University of California and includes all campuses (e.g. UC San Diego),
the Office of the President, the Division of Agriculture and Natural Resources, and each
Department of Energy Laboratory operated by the University.
W. “University grounds and facilities” means any University-owned, -operated or -maintained
property, including all University grounds and structures or such other property as shall be
designated by a campus as property subject to University policies.
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 as found in, but not limited to
this Code, the University web site, and the General Catalog.
Z. “University-sponsored activity” means any activity on- or off-campus which is initiated, aided,
funded, authorized, or supervised by the University.
AA. “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 designed to look like a weapon.
BB. “will” or “shall” are used in the imperative sense; “may” is used in the permissive sense.
III. JURISDICTION AND AUTHORITY

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. All matters of student conduct at UC San Diego will be handled in accordance with this Code, unless superseded by a special procedure by a particular school or program as stated in Section III (B).

A. Conduct prohibited by this Code 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.

B. This Code applies to the conduct of UC San Diego students and student organizations that occurs on or in University grounds and facilities, or at University-sponsored activities. It also applies to off-campus conduct that materially disrupts the functioning of UC San Diego.

C. In determining whether to exercise off-campus jurisdiction, the University will consider the totality of the circumstances, including, but not limited to, the seriousness of the alleged misconduct, the impact of the conduct on any member of the University community or the campus as a whole, whether the alleged victim (if any) is a member of the University community, the ability of the University to gather information, including the testimony of witnesses, and whether the off-campus conduct is part of a continuing course of conduct that occurred either on or off-campus.

D. A UC San Diego student accused of a violation of University policies or campus regulations on another campus of the University or at an official function of that campus, will be subject to the disciplinary procedures of either campus as agreed by designees of both campuses. The imposition of sanction recommendations for arising from such incidents must be reviewed and approved by both campuses before the sanctions are imposed.

IV. INTERPRETATION OF REGULATIONS & APPLICABILITY

This Code serves general notice of UC San Diego community standards for non-academic misconduct. It is not written as specifically or intended to be enforced in the same way as local, state, or federal law. As such, it should be viewed as a flexible framework meant to stimulate education through an accountability process.

A. This Code applies to all UC San Diego undergraduate, graduate, and professional school students as defined in Section IV (Q). Additionally, this Code also applies to:
   1. Applicants who become students, for alleged violations committed as part of the application process.
   2. Applicants who become students, for alleged violations 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 his or her official enrollment; and
   3. Former students for alleged violations committed while a student.

B. In addition to the Standards of Conduct provided for in this Code, professional schools or programs under the purview of the University may hold students accountable based on school or program specific policies. The Policy on Integrity of Scholarship governs all instances of academic misconduct.

C. This Code supersedes any and all previous versions of the Code and serves as the official reference for all student conduct matters at UC San Diego.
D. The Director of Student Conduct will facilitate periodic reviews of this Code in collaboration with the Student Conduct Standards Group in accordance with the UC San Diego Student Conduct Regulations.

V. ROLES AND RESPONSIBILITIES
A. Director of Student Conduct
1. Serve as UC San Diego’s Senior Student Conduct Officer, conduct administrative reviews, and coordinate Community Standards Board.
2. Train and advise all Student Conduct Officers, Conduct Boards, Conduct Board Coordinators, AS Advocates, and other University community members regarding student conduct processes and procedures.
3. Ensure the maintenance and storage of all non-academic student disciplinary records.
4. Submit regular statistical reports to the campus community, including, but not limited to, reporting the number of cases referred to the office, number of cases resulting in disciplinary action, and the range of sanctions imposed.
5. Conduct and facilitate a periodic review of this Code with the Student Conduct Standards Group.

B. Deans of Student Affairs, Graduate Studies, and Professional Schools (or his/her designee)
1. Determine appropriate disposition of cases referred by the Director of Student Conduct for disciplinary action, including non-disciplinary options (e.g. informal warning).
2. Meet with students at risk for separation and discuss resolution options.
3. Serve as Student Conduct Officer and conduct administrative reviews.
4. Review sanctioning recommendations made by Student Conduct Officers and Conduct Boards. Determine final sanctions and notify respondent.
5. Participate in regular training sessions facilitated by the Office of Student Conduct.

C. Student Conduct Officers
1. Conduct administrative reviews per the procedures set forth in this Code.
2. Coordinate administrative review logistics, including date, time, place of review, and provide respondent with all information (e.g. incident reports, video evidence) to be discussed during the review.
3. Upon concluding an administrative review, determine student’s responsibility in applicable incident based on preponderance of the evidence standard.
4. Determine and assign appropriate sanctions for students found responsible for violating this Code.
5. Participate in regular training sessions facilitated by the Office of Student Conduct.

D. Conduct Boards
1. Facilitate conduct board reviews per the procedures set forth in this Code.
2. Upon concluding a conduct board review, determine student’s responsibility in applicable incident based on preponderance of the evidence standard.
3. Recommend appropriate sanctions for students found responsible for violating this Code.
4. Maintain confidentiality related to all aspects of the review process.
5. Participate in regular training sessions facilitated by the Office of Student Conduct, Council of Deans and Student Legal Services.

E. Conduct Board Coordinators
1. Coordinate Conduct Board review logistics, including date, time, place of review, and provide board members and respondent with all information (e.g. incident report, video evidence) to be used during the review.
2. Serve as ex officio member of relevant Conduct Board. Advise board regarding peer review procedures, decision making process, and sanctioning options.
3. When a respondent is found responsible for alleged violations of this Code, verbally notify the Conduct Board of the respondent’s past disciplinary history.
4. Submit Formal Hearing Report to relevant Dean or his/her designee after conclusion of deliberations.
5. Participate in regular training sessions facilitated by the Office of Student Conduct.

F. Advisors and Attorneys
1. Advisors offer assistance to students during reviews and will not speak on behalf of their advisee unless permitted to do so by the Student Conduct Officer or the Presiding Officer.
2. The Associated Students (AS) Office of Student Advocacy appoints student advocates who are available to serve as Advisors for complainants and respondents. AS Advocates will be trained annually by the Office of Student Conduct and Student Legal Services.
3. All Advisors, including student advocates, will be required to affirm that they understand the role and expectations of an Advisor as specified in this Code.
4. The attorney’s role will be limited to communicating with the respondent. He or she will not interrupt, disrupt, or directly participate in the review and may be excluded by the Student Conduct Officer or Presiding Officer for failing to adhere to these rules.

VI. CONDUCT IN VIOLATION OF COMMUNITY STANDARDS
The following conduct, or attempts to engage in such conduct, violate the University’s community standards and may be subject to disciplinary action:

A. Misrepresenting information to a University official.
B. Misrepresenting or misusing any University document or record.
C. Theft or attempted theft of property or possession of stolen property.
D. Actions that result in, or can be reasonably expected to result in, damage to property.
E. Unauthorized entry to or use of University grounds, facilities, or equipment, including entry or use for an unauthorized purpose.
F. Actions that harm or can be reasonably expected to harm any person, including oneself.
G. Verbal, written, electronic, or other threats of violence or harm.
H. 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.
I. 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.
J. Actions that disrupt or interfere with the activities of others.
K. Resisting, disrupting, or obstructing University or other public officials in the performance of, or the attempt to perform their duties.
L. Using, possessing, manufacturing, or distributing drugs as prohibited by law or University policy.
M. Using, possessing, manufacturing, or distributing alcoholic beverages as prohibited by law or University policy (Refer to the Alcohol Policy 14.16).
N. Possessing or manufacturing fireworks, destructive devices, or weapons unless authorized by the UC San Diego Police.
O. 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. This provision applies whether it was the student or someone else who prepared the materials.
P. Actions meant to communicate a serious expression of an intent to terrorize or acts in reckless disregard of the risk of terrorizing one or more University students, faculty, or staff.
Q. Violating other University policies including, but not limited to, the Sex Offenses Policy, Harassment, Sexual Harassment, Policy on Speech, Advocacy and Distribution of Literature on
VI. PROCEDURAL DUE PROCESS
A. Procedural due process is basic to the proper enforcement of University policies and campus regulations. The Chancellor or his/her designee has established and published campus policies, including the Student Conduct Regulations and this Code, providing for the handling of student conduct matters in accordance with basic standards of procedural due process. Consistent with this requirement, procedures specified in these regulations will be appropriate to the nature of the case and the severity of the potential discipline.

B. When a review is deemed to be appropriate, respondents will be provided with the following minimum procedural standards to assure a fair review:
1. Written notice, including a brief statement of the factual basis of the allegation(s), the University policies or campus regulations allegedly violated, and the time and place of the review, within a reasonable time before the review;
2. The opportunity for a prompt and fair review where the University shall bear the burden of proof, and at which the student shall have the opportunity to present documents and witnesses and to confront and cross-examine witnesses presented by the University; no inference shall be drawn from the silence of the respondent;
3. A record of the review; an expeditious written decision based upon the preponderance of evidence, that shall be accompanied by a written summary of the findings of fact;
4. An appeals process.

VII. REPORTS OF ALLEGED MISCONDUCT
All reports of alleged misconduct are submitted and referred to the Director of Student Conduct for review. The Director of Student Conduct will determine whether there is reasonable cause that the respondent(s) may have violated the standards of conduct by reviewing the report(s) and if necessary, conducting an investigation into the situation. If there is not enough evidence to support potential violations of this Code, the Director of Student Conduct will not process the referral and may notify the respondent that no further action will be taken.

A. Any person may make a report of alleged misconduct by a student. Reports should be made to the Director of Student Conduct for review and possible referral to the relevant Dean or his/her designee for non-disciplinary or disciplinary action. Persons making reports of alleged misconduct are expected to provide information related to the allegation(s) and may be requested to participate in the review process as outlined in this Code.

B. Upon receipt of a report of alleged misconduct, the Director of Student Conduct may conduct an investigation or refer the matter to another appropriate office for investigation (e.g. the Office for Prevention of Harassment and Discrimination). In consultation with the relevant Dean or his/her designee, the Director of Student Conduct will determine whether or not there is reasonable cause to believe the student has committed a violation of this Code. Matters determined to have reasonable cause will be forwarded to the Dean or his/her designee for disposition as described in Section XI. Reports that are made more than one year following the alleged incident will only be referred for disciplinary action with the approval of the relevant Dean or his/her designee.

VIII. DISPOSITION OF MATTERS FOR REVIEW
Once the Director of Student Conduct determines there is reasonable cause to refer a report of alleged misconduct, the Dean or his/her designee will determine the most appropriate manner to resolve the incident. Options include referral to an Administrative Review with a Student Conduct Officer, a Board
Review with a Conduct Board, or resolution through a non-disciplinary manner, such as an informal warning or mediation.

A. The Dean or his/her designee may opt to address a matter in a non-disciplinary manner (e.g. a verbal or written informal warning, educational requirements, or mediation).

B. The relevant Dean and/or Resident Dean overseeing a college or residential area will designate a professional staff member, including him or herself, responsible for determining disposition of cases referred for potential disciplinary action.

C. Matters where the alleged violation(s) do not warrant suspension or dismissal, the Dean or his/her designee or may refer the matter to either an Administrative Review or a Conduct Board review.

D. When the Dean, in consultation with the Director of Student Conduct, determines that a matter may warrant suspension or dismissal, he or she will notify the respondent of this possibility in writing and request that the student schedule a meeting with the Dean within five business days of the date of notification. This notification will also describe how to request assistance from A.S. Advocacy and Student Legal Services.

E. During this meeting, the Dean will discuss with the respondent the process and options for resolution. The student may accept responsibility for the alleged misconduct and sanction(s) determined by the Dean. If the respondent does not accept responsibility, he/she has the right to select to have the matter resolved through with a Student Conduct Officer in an Administrative Review or a Community Standards Board review. If the student does not make a decision within the time frame established at the discretion of the Dean, the matter will be resolved in a process determined by the Dean, in consultation with the Director of Student Conduct.

F. If the resolution of any matter may be significantly delayed due to the inability to convene the Community Standards Board (e.g., during the summer or winter recess), the Dean or his/her designee may choose to avoid such a delay by referring the matter to an Administrative Review, even if the respondent previously opted not to have an Administrative Review.

IX. GENERAL PROVISIONS FOR ALL REVIEWS
The following provisions apply to all student conduct reviews:

A. All reviews will be closed to the public. Recording devices of any kind are not permitted for use by anyone except the University official responsible for creating a recording as required by these procedures.

B. If the Dean or his/her designee determines that an allegation(s) of misconduct will be resolved in a disciplinary manner, the Dean or his/her designee will notify the respondent of this decision within 20 business days of initial receipt of a report of alleged misconduct. The Dean or his/her designee will generally determine the Student Conduct Officer assigned to an Administrative Review for non-separable offenses and will consult with the Director of Student Conduct to determine the Student Conduct Officer assigned to a case which may warrant suspension or dismissal.

C. If, after proper notice, the student does not appear at the scheduled date and time, the review may be conducted without the student’s participation.

D. In determining whether or not a student is responsible for committing the alleged violation(s), the Student Conduct Officer or Conduct Board will base its fact-finding determination(s) on the preponderance of the evidence standard, with the complainant bearing the burden of proof.
E. For a matter involving more than one student alleged to have violated this Code and which depends on common facts or set of evidence and in which the Dean or his/her designee has determined that a suspension or dismissal may be appropriate, the respondents may opt for an Administrative Review or Community Standards Board review. If all respondents are not able to agree upon a single venue, the Director of Student Conduct will determine how the matter will be resolved. It is at the discretion of the Director of Student Conduct if the matter will be heard simultaneously with all respondents present.

F. For a matter involving more than one student alleged to have violated this Code and which depends on common facts or set of evidence and in which the Dean or his/her designee has determined that a suspension or dismissal is not appropriate, the Dean or his/her designee shall refer all students involved to either an Administrative Review or Peer Conduct Board Review. It is at the discretion of the Dean or his/her designee if the matter will be heard simultaneously with all respondents present.

G. Respondents and complainants are entitled to be assisted in the process by an Advisor or an attorney. During a review, an Advisor may offer assistance to the advisee and he/she shall not speak on behalf of their advisee unless permitted to do so by the Presiding Officer. Attorneys are allowed only to confer with their client and may not participate in the review.

H. Students who feel more comfortable expressing themselves in a language other than English, may be provided with a translator at the discretion of the Student Conduct Officer or Conduct Board Coordinator. Students may also bring their own translator to a review.

I. Members of the University community, including respondents and complainants, are encouraged to appear at a review as a witness if they have knowledge or information regarding the incident in question, and they have been requested to appear. Individuals who are not members of the University community will generally be permitted to appear at a review only if they have direct knowledge or information regarding the matter which necessitated disciplinary action. Character witnesses are disfavored.

J. Written witness statements will not be reviewed by the Student Conduct Officer or Conduct Board unless they are signed by the witness and witnessed by the Director of Student Conduct or designee.

K. Any requirement in this Code must be completed by 3:00 pm on the date specified.

L. A review may be conducted on a non-business day at the discretion of the Dean or his/her designee or Director of Student Conduct.

M. The Student Conduct Officer or Conduct Board Coordinator will make an audio recording of all reviews or prepare a written summary of the review. Conduct board deliberations will not be recorded. The recording or written summary will become part of the respondent’s disciplinary record.

N. Any Student Conduct Officer or member of a Conduct Board who believes that he or she is unable to conduct a fair and impartial review will disqualify him or herself.

O. A respondent or complainant may request, in writing, that a Student Conduct Officer or member be disqualified from reviewing a pending disciplinary matter. The request must be made of the Director of Student Conduct or Conduct Board Coordinator at least three business days before the scheduled review and must include an explanation as to why the person is unable to render an impartial decision in the pending matter. In addition to ruling on such requests, the Director of
Student Conduct or Conduct Board Coordinator will disqualify or exclude any Student Conduct Officer or Conduct Board member who is not able, in his/her judgment, to render an impartial decision in the case.

X. ADMINISTRATIVE REVIEWS
The Vice Chancellor – Student Affairs or his/her designee has appointed staff members to serve as Student Conduct Officers to conduct Administrative Reviews for violations of this Code. The review is an individual meeting between the Student Conduct Officer and student respondent to discuss the incident, hear and receive the student’s information and perspective, determine the student’s responsibility in the matter and if applicable, assess fair and appropriate sanctions. The following provisions apply to Administrative Reviews:

A. For both undergraduate and graduate students, the Student Conduct Officer will provide the respondent with a written notification of the allegation(s), a summary of the evidence, the time and place of the review, information regarding how to review case materials prior to the review, how to request the presence of a witness(es) during the review, and how to request assistance through Student Legal Services and the A.S. Office of Student Advocacy at least five business days prior to the day of the review. In cases which may warrant suspension or dismissal, the student will receive the notice at least ten business days prior to the day of review.

B. A respondent who cannot attend the scheduled Administrative Review must submit a written statement (email is permissible) to the Student Conduct Officer stating the reasons for the conflict and requesting a new date/time for the review. This statement must be presented to the Student Conduct Officer not less than two business days before the scheduled review. It is at the discretion of the Student Conduct Officer if the review will be rescheduled.

C. At the review, the respondent and Student Conduct Officer will discuss the alleged violations of this Code. The SCO will provide the student an opportunity to review the report, explain the student’s rights within administrative review and describe the specific standards of conduct the student has allegedly violated. The student will then have the opportunity to present his or her version of the incident. At the conclusion of the meeting, the Student Conduct Officer will determine whether the respondent is responsible for violating this Code and will explain the potential sanctions faced by the student.

D. When the Student Conduct Officer determines that the respondent is responsible for violating this Code in a matter not warranting suspension or dismissal, he/she will determine fair and appropriate sanction(s) and will notify the respondent in writing of the decision in the case within ten business days, unless circumstances warrant otherwise. In cases where the Student Conduct Officer determines that the respondent is responsible for violating this Code in a matter possibly warranting suspension or dismissal, he or she will notify the relevant Dean within five business days of the conclusion of the review of his/her findings and provide sanction recommendation(s), unless circumstances warrant otherwise.

E. In matters that would warrant suspension or dismissal, the Council of Deans of Student Affairs (undergraduates) or Dean of the graduate or professional school (graduate and professional students) will determine the final sanction(s), if any, within five business days of receiving the findings and sanction recommendation(s) from the Student Conduct Officer. The relevant Dean will notify the respondent(s) in writing of the decision in the case within five business days of the determination of the sanction(s).

F. When the Student Conduct Officer determines there is not reasonable cause to sustain all alleged violations in a matter, he or she will notify the respondent in writing of the decision within five business days that the case has been dismissed.
XI. CONDUCT BOARD REVIEW PROCEDURES

**College Peer Review Boards** are comprised of undergraduate students from the respondent’s College Judicial Board. The Board’s Presiding Officer will normally be the Chair of the full Judicial Board, selected under the guidelines set forth in the governing documents of each Judicial Board and/or governing authority of the respective college. Peer Review Boards will hear cases involving students from its respective college who are not at risk for separation from the University.

The **Community Standards Board** is comprised of undergraduate students, graduate students, faculty, and staff members and conducts board reviews for cases which may potentially result in a student’s separation from the University, those involving graduate students, and student organization appeals. The Community Standards Board will be comprised of:
- Two students from each undergraduate College’s Judicial Board appointed by the College Judicial Board chair in consultation with the College Dean of Student Affairs.
- Six graduate and/or professional school students appointed jointly by the Graduate Student Association and the Dean of Graduate Studies or her/his designee. Professional school students will be selected by the respective Dean or her/his designee.
- At least six faculty (appointed by the Academic Senate) and/or staff members (appointed by the Vice Chancellor – Student Affairs).

The following provisions apply to Conduct Board reviews:

A. Based on availability, five members, including a Presiding Officer, will be scheduled by the Conduct Board Coordinator for a review. A review may be conducted with fewer members with the consent of the respondent. However, no review may be conducted with fewer than three members.
   - For Community Standards Board reviews with an undergraduate respondent, the board will be composed of three students, including at least two undergraduate students, and two faculty and/or staff members. For matters involving graduate student respondents, the panel will be comprised of three students, including at least two graduate students, and two faculty and/or staff members.

B. The Presiding Officer for Peer Reviews will be the Chair of the respective college’s full Judicial Board. The Presiding Officer for Community Standards Board reviews will be selected by its Conduct Board Coordinator based on availability of members.

C. The Conduct Board Coordinator will attend the review and deliberations and coordinate all hearing logistics.
   - At the beginning of each academic year, the relevant Dean will select a Conduct Board Coordinator for college Peer Reviews.
   - The Director of Student Conduct or designee will serve as Conduct Board Coordinator for the Community Standards Board.

D. At least five business days prior to the day of the review, the Conduct Board Coordinator will provide the respondent with a written notification of the allegation(s), a summary of the evidence, the time and place of the review, information regarding how to review case materials prior to the review, how to request the presence of a witness(es) during the review, and how to request assistance through the Student Legal Services Office and/or the A.S. Office of Student Advocacy.
   - For cases potentially involving separation from the University, the respondent shall be notified at least ten business days prior to the review.

E. A respondent assigned to have his or her case heard with a Conduct Board Review may request to have the matter handled via an Administrative Review. Similarly, a respondent assigned to have his or her case hearing via an Administrative Review may request to have the matter
handled with a Conduct Board Review. This request may be made only once and must be submitted to the Conduct Board Coordinator at least three business days prior to the review.

F. A respondent who cannot attend the scheduled Conduct Board Review must submit a written statement (email is permissible) to the Conduct Board Coordinator stating the reasons for the conflict and requesting a new date/time for the review. This statement must be presented to the Conduct Board Coordinator not less than two business days before the scheduled review. It is at the discretion of the Conduct Board Coordinator if the review will be rescheduled.

G. Only members of the Peer Review Board, the Conduct Board Coordinator, the respondent (and his/her Advisor, if any), the complainant (and his/her Advisor, if any), and witnesses will normally be permitted to participate in the review.

H. The Board’s Presiding Officer is responsible for facilitating the review and, in consultation with the respective Conduct Board Coordinator, will make rulings regarding witnesses, evidence, and procedures. The Presiding Officer may exclude any person who disrupts the review.

I. After conducting a review, the board will deliberate privately. The determination(s) of the board will be made by a simple majority vote. The Presiding Officer will not vote unless there is a tie.

J. The board will first determine whether the respondent is responsible for the alleged violation(s) of this Code. If the respondent is found not responsible for all alleged violations, the matter will be concluded without any consequences for the respondent.

K. If the respondent is found responsible for the alleged violation(s), the board will discuss fair and appropriate sanction(s) and make sanction recommendations to the relevant Dean or Student Conduct Officer.

L. The Conduct Board Coordinator will verbally notify the board of a respondent’s previous disciplinary history, if any, during the discussion about sanction recommendations. Previous disciplinary history will be limited to student conduct cases where the student accepted responsibility or was found responsible for violating this Code, or was issued an informal warning (e.g. Notice of Inappropriate Conduct). Cases where a student was found not responsible or all charges were dismissed will not be introduced.

M. In notifying the Board of a respondent's disciplinary history, the Conduct Board Coordinator will provide the date of the incident, alleged violations, actual violations, and assessed sanctions. However, the Conduct Board Coordinator, in consultation with the Director of the Student Conduct, has the discretion to exclude information which implicates federal health privacy laws (i.e. HIPAA).

N. In cases not involving a separable offense, the Conduct Board Coordinator will notify the relevant Dean or his/her designee in writing of the board’s findings and sanction recommendations (if any) within five business days of the conclusion of the review. The relevant Dean or his/her designee will notify the respondent in writing of the decision in the case within five business days of receiving the board’s findings and recommendations.

O. In cases involving a separable offense, the Conduct Board Coordinator will notify the Council of Deans of Student Affairs in writing of the board’s findings and sanction recommendation(s), if any, within five business days of the conclusion of the review.
   a. The Council of Deans of Student Affairs will determine the final sanction(s), if any, within five business days of receiving the findings and sanction recommendation(s) from the Conduct Board Coordinator. The relevant Dean will notify the respondent in writing of the
XII. REVIEW PROCESS FOR STUDENT ORGANIZATIONS

Student organizations may be charged with violations of this Code. The Center for Student Involvement is responsible for investigating potential misconduct by student organizations and the Assistant Vice Chancellor – Student Life conducts Administrative Reviews with principal members of student organizations referred for alleged misconduct.

A. Any person may make a report of alleged misconduct by a student organization. Reports should be made to the Director of the Center for Student Involvement or his/her designee for review and possible referral for non-disciplinary or disciplinary action in consultation with the Director of Student Conduct. Persons making reports of alleged misconduct are encouraged to provide information related to the allegation(s) and may be requested to participate in the review process as outlined in this Code.

B. Upon receipt of a report of alleged misconduct, the Director of the Center for Student Involvement or his/her designee, may conduct an investigation, refer the matter to another appropriate office for investigation (e.g. the Office for Prevention of Harassment and Discrimination) and in consultation with the Director of Student Conduct, will determine whether or not there is reasonable cause to believe the student organization has committed a violation of this Code.

C. In making this determination, the Director of the Center for Student Involvement will consider, among other things:
   1. The degree of involvement of the student organization’s leaders;
   2. The use of the student organization’s resources (e.g. money, space, other resources); and
   3. The number of student organization members involved.

D. The principal members of a student organization may be directed by the Assistant Vice Chancellor – Student Life or his/her designee to take appropriate action designed to prevent or end violations of this Code by the student organization or by any persons associated with the student organization who can reasonably be said to be acting on the organization’s behalf.

E. Failure to make reasonable efforts to comply with the directive(s) of the Assistant Vice Chancellor – Student Life or his/her designee by leaders, officers, or spokespeople for the organization and by the organization collectively shall be considered a violation of Section VI of this Code.

F. Matters determined to have reasonable cause will be forwarded to the Assistant Vice Chancellor – Student Life for disposition by the Director of Student Conduct as described in Sections VIII. Reports that are made more than one year following the alleged incident will only be referred for disciplinary action with the joint approval of the Director of Student Conduct and Assistant Vice Chancellor – Student Life.

G. Principal members of the student organization, as registered with the Center for Student Involvement will be notified in writing of the alleged violation(s) of this Code within 20 business days of the initial receipt of a report of alleged misconduct, unless circumstances warrant otherwise.

H. The Assistant Vice Chancellor – Student Life will provide the principal members of the student organization with a written notification of the allegation(s), a summary of the evidence, the time and place of the review, information regarding how to review case materials prior to the review, how to request the presence of a witness(es) during the review, and how to request assistance through the Student Legal Services Office and the A.S. Office of Student Advocacy at least five business days prior to the day of the review.
I. Principal members will meet with the Assistant Vice Chancellor – Student Life in Administrative Review to discuss the matter under the procedures as outlined Section X & XI.

J. A student organization and its principal members may be collectively or individually held responsible when actions by members, officers, or spokespeople violate this Code in conjunction with activities or events, held on or off-campus, sanctioned explicitly or implicitly by the organization’s leaders, officers, or spokespeople.

K. Student organizations accepting responsibility and/or found responsible through an Administrative Review will be assigned sanction(s) by the Assistant Vice Chancellor – Student Life pursuant to Section VII of this Code. Principal members will be notified of the finding and assigned sanction(s) in writing within ten business days after the Administrative Review.

L. If the student organization is found not responsible, the matter will be concluded without any consequences for the student organization.

M. Sanctions for student organization misconduct may include suspension, revocation or denial of recognition or registration, loss of other privileges, as well as other appropriate sanction(s) pursuant with Section XIII of this Code.

N. Principal members of a student organization found responsible may appeal the decision or sanctions according to procedures as outlined in Section XV of this Code.

O. Maintenance of student organization disciplinary records will follow the same procedures as individual student disciplinary record keeping as outlined in Section XVI of this Code.

XIII. SANCTIONS AND UNIVERSITY ACTIONS

Violations of the standards set forth in Section VI may result in the assessment of sanctions based on the specific circumstances of the incident and the University’s Sanctioning Guidelines. Any sanction imposed should be appropriate to the violation and when appropriate, educational in nature.

A student’s judicial history and record is cumulative. Therefore, increased sanctions may be imposed to take into consideration the student’s overall record of violations of all types, not just those of a similar type.

Repeated or aggravated violations of any provision of this Code may also result in suspension or dismissal, or in the imposition of such lesser penalties if specific mitigating factors are present. Factors to be considered in mitigating a sanction shall include the severity of the violation, the present demeanor and past disciplinary record of the respondent, the nature of the offense, the severity of any damage, and injury or harm resulting from the matter to necessitate disciplinary action.

Additionally, violations may result in an aggravated sanction when the complainant was selected because of their membership in a protected classification (e.g., race, sexual orientation, physical or mental disability, etc.) or perceived membership in a protected classification.

When a student is found in violation of this Code, one or more of the following sanctions may be imposed:

A. Formal Warning: Formal written notice to the student that a violation of this Code has occurred and that continued or repeated violations of University policies or campus regulations may be cause for further disciplinary action.

B. Disciplinary Probation: A status imposed for a specified period of time during which a student must demonstrate conduct that conforms to University standards. 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.
C. Loss of Privileges and Exclusion from Activities: Exclusion from participation in designated privileges and activities for a specified period of time. Violation of any conditions as written, or violation of University policies or campus regulations during the period of this sanction may be cause for further disciplinary action.

D. Suspension: Termination of student status 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 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. The notation of suspension will be noted on the student’s transcript for the duration of the suspension.

E. Dismissal: Termination of student status for an indefinite period. Readmission to UC San Diego shall require the specific approval of the Chancellor or his/her designee. Readmission after dismissal may be granted only under exceptional circumstances. The notation of dismissal will be noted permanently on the student’s transcript.

F. Exclusion from Areas of the Campus or from University-Sponsored Activities: Exclusion of a student from specified areas of the campus or other University-owned, -operated, or -leased facilities, or other facilities located on University property, or from University-sponsored activities.

G. Restitution: Reimbursement for expenses incurred by the University or other parties resulting from a violation of this Code. 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, in a group, part of a student organization, or concerted activities, participates in causing the damages or costs.

H. Revocation of Awarding of Degree: 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 or his/her designee.

I. Other Sanctions: Other sanctions may be imposed instead of, or in addition to those specified in this section of this Code at the discretion of the Student Conduct Officer or Conduct Board. Other sanctions may include, but are not limited to, stay away orders, written apologies, mandated counseling assessments, hold on University transcripts, diplomas, or other student records, University Bookstore fines, or other sanctions as deemed appropriate in light of the violation(s).

J. Educational Sanctions: Educational sanctions may be imposed instead of, or in addition to those specified in this section at the discretion of the Student Conduct Officer or Conduct Board. Educational sanctions may include, but are not limited to the following: reflection papers, participation in alcohol or drug education programs, conducting research projects, or meeting with campus officials.

XIV. INTERIM ACTIONS

A. Interim sanctions, including interim suspension, may be imposed by the Dean or his/her designee (individual students), the Director of the Center for Student Involvement or his/her designee (student organizations), or Director of Student Conduct when the student or student organization’s participation in University-sponsored activities, use of University resources, or presence in specified areas of the campus is reasonably likely to lead to physical harm, threats of violence, or conduct that threatens the health or safety of any person on University grounds and facilities or at University-sponsored activities, or other disruptive activity incompatible with the orderly operation of the campus.

B. A student or principal members of a student organization placed on interim suspension shall be given prompt notice of allegation(s), the duration of the interim suspension, and the opportunity for a prompt review. Interim suspensions shall be reviewed and approved by the Vice Chancellor – Student Affairs or his/her designee (undergraduate students), Dean of Graduate Studies or applicable professional school (graduate/professional students) or Assistant Vice Chancellor – Student Life (student organizations) within 72 hours. If a student or student organization is found to have been unjustifiably placed on Interim Suspension, the University will assist students and
principal members who have been disadvantaged with respect to employment or academic status.

XV. APPEALS
A student or student organization found to have violated this Code has the right to appeal the finding or sanction(s).

A. A determination that an undergraduate student is responsible for an allegation under this Code may be appealed to the Council of Provosts. Determinations that a graduate or professional student is responsible for an allegation under this Code may be appealed to the student’s Dean or his/her designee.

B. A determination that a student organization is responsible for an allegation under this Code may be appealed to the Community Standards Board.

C. An appeal must be submitted in writing to the Director of Student Conduct within ten business days from the date of the original decision. The appeal must specify the grounds for the appeal in accordance with this section and include a statement of information in support of the appeal. The student will, upon request to the Director of Student Conduct, be given access to the record of the original review before submitting an appeal. Failure to appeal within the specified time period will render the original decision final and conclusive.

D. An appeal must be based only upon one or more of the following grounds:
   1. The procedures in this Code were not followed, resulting in significant prejudice to the student;
   2. The provision(s) that the student was found to have violated was misapplied or misinterpreted;
   3. The findings of fact were arbitrary and capricious;
   4. Significant new facts or evidence have been discovered that were not known by the student before or during the original review, and could not have been discovered with the exercise of reasonable diligence;
   5. The disciplinary sanction(s) imposed was grossly disproportionate to the violation committed.

E. Appeals will be decided based upon the record of the original review and upon the complete statement of the student stating specific reasons, evidence, and arguments for the appeal.

F. The imposition of sanctions may be deferred during the pendency of appellate proceedings, at the discretion of the Dean or his/her designee (individual students) or the Assistant Vice Chancellor – Student Life (student organizations) in consultation with the Director of Student Conduct.

G. The Council of Provosts, the graduate or professional school Dean or his/her designee, or the Community Standards Board will make one of the following actions:
   1. The finding(s) by the original Conduct Board or Student Conduct Officer is confirmed and the sanction(s) is imposed.
   2. The finding(s) by the original Conduct Board or Student Conduct Officer is confirmed and the sanction(s) is modified.
   3. The disciplinary action is referred to the original Conduct Board or Student Conduct Officer or to a new Conduct Board or Student Conduct Officer for re-review. On re-review, no indication or record of the previous review will be introduced or provided to members of the new Conduct Board or new Student Conduct Officer. The new Conduct Board or Student Conduct Officer will make one of the following actions:

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Board or Student Conduct Officer will be instructed not to repeat the specified errors that formed the basis of the appeal and re-review.

4. The original finding is dismissed. An action may be dismissed only if the finding is determined to be arbitrary and capricious.

H. The decision of the Council of Provosts, the graduate or professional school Dean or his/her designee, or the Community Standards Board will be considered final.

I. Undergraduate students will be notified in writing of the result of the appeal by the student’s College Provost. Graduate students will be notified in writing of the result of the appeal by the Dean of Graduate Studies or his/her designee. Student Organizations will be notified in writing of the result of the appeal by the Director of Student Conduct. A brief statement explaining the basis of the decision will be included with this notice.

J. If as a result of an appeal it is determined that the student was improperly disciplined, the Director of Student Conduct will, upon request by the student, seal the record of the review and remove any reference to the disciplinary process from the student’s disciplinary record. The Director of Student Conduct, in consultation with the student’s Dean of Student Affairs, may take other reasonable actions to ensure that the status of the student’s relationship with the University is not adversely affected.

XVI. DISCIPLINARY RECORDS

The referral of a disciplinary matter to the Director of Student Conduct may result in the development of a disciplinary record in the name of the accused student or student organization.

A. A student’s disciplinary record will generally contain the applicable incident report(s) and/or police report(s), meeting and decision letters, and other documents related to non-academic incidents the student has been involved in while a UC San Diego student.

B. In pending disciplinary actions that could result in a student’s suspension or expulsion, a temporary hold will normally be placed on the accused student’s records by the relevant Dean or Director of Student Conduct.

C. The disciplinary record of a student found responsible of any allegation(s) against him or her will normally be retained by the Director of Student Conduct as a disciplinary record for not longer than three years following the quarter of his or her graduation. If a student leaves UC San Diego without graduating, his or her disciplinary record will normally be retained by the Director of Student Conduct for not longer than three years following his or her last quarter of enrollment. The record of a disciplinary matter resulting in a student’s dismissal will be retained permanently.

D. Whenever any information is included by the Director of Student Conduct or any University official in a student disciplinary record, the student will be allowed to include in the record a written statement or response concerning the disciplinary action. The student may not request a change in the underlying disciplinary decision or sanction(s) through this process.

XVII. ATTRIBUTION

A. Portions of this document are attributed to the University of California Policy on Student Conduct and Discipline, the UC Irvine Student Conduct Code, the UCLA Student Conduct Code, the University of Maryland Student Code of Conduct, the Model Code of Student Conduct (Pavela, G.), Model Student Conduct Code (Stoner, E. & Lowery, J.), Brown University Student Conduct Code, Loyola Marymount University Community Standards, and the Rutgers University Code of Student Conduct.