

Code of Student Conduct

Where applicable, descriptions of the Irvine campus implementation follow immediately after each numbered section of the [University of California Policies Applying to Campus Activities, Organizations, and Students \(PACAOS\)](#), and are identified by **boldface print** as well as corresponding section numbers. Members of the University community may propose amendments to these regulations by filing proposals with the Vice Chancellor, Student Affairs for review.

To easily access section 102.00 – Grounds for Discipline, please scroll down and click [100.00 Policy on Student Conduct and Discipline](#), which has been highlighted below.

- ▶ 10.00 Preamble and General Provisions

- ▶ 11.00 Authority

- ▶ 12.00 Applicability

- ▶ 13.00 Development and Review of Universitywide Policies and Campus Implementing Regulations

- ▶ 14.00 Definitions

- ▶ 20.00 Policy on Non-Discrimination

- ▼ 30.00 Policy on Speech and Advocacy

30.00 Policy on Speech and Advocacy

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The University is committed to assuring that all persons may exercise the constitutionally protected rights of free expression, speech, assembly, and worship.

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It is the responsibility of the Chancellor to assure an ongoing opportunity for the expression of a variety of viewpoints.

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The time, place, and manner of exercising the constitutionally protected rights of free expression, speech, assembly, and worship are subject to campus regulations that shall provide for non-interference with University functions and reasonable protection to persons against practices that would make them involuntary audiences or place them in reasonable fear, as determined by the University, for their personal safety.

The University has a special obligation to protect free inquiry and free expression. On University grounds open to the public generally, all persons may exercise the constitutionally protected rights of free expression, speech, and assembly. Such activities must not, however, interfere with the right of the University to conduct its affairs in an orderly manner and to maintain its property, nor may they interfere with the University's obligation to protect rights of all to teach, study, conduct business, and fully exchange ideas. Physical force, the threat of force, or other coercive activities used to subject anyone to a speech of any kind is expressly forbidden.

A. Time, Place, and Manner Regulations

Orderly behavior and the normal conduct of University affairs shall govern time, place, and manner of exercising free speech and advocacy. Regard for the privacy of others shall be observed, and reasonable precautions shall be taken against practices which would make persons on campus involuntary audiences. Activities that are determined to pose a risk to personal safety, university property, or facility security will be rescheduled until such time that adequate and appropriate security can be made available, as determined by the UCI Police Department. Refer to UCI Administrative Policies and Procedures Section 905.

B. Areas for Public Gatherings

Specific areas and properties available for public meetings and gathering are made possible through the UCI Student Center & Event Services or appropriate scheduling office on a first-come, first-served basis.

C. Amplification

Amplification may be used only at specified times and is prohibited at all other times and places. Guidelines for amplification and hours of use are available from Student Center & Event Services, or the appropriate scheduling office. Refer to UCI Administrative Policies & Procedures Section 900-10.

D. Non-University Speakers

Non-University persons are permitted to speak in areas of the campus open to the public without invitation; however, because such areas are limited, a reservation through Student Center & Event Services or the appropriate scheduling office is suggested.

Except as provided in Section 40.40 and subject to Section 30.00, non-University persons may address meetings in all other areas only by invitation from a Registered Campus Organization, student governments (Irvine Campus) mentioned in Appendix A, University departments, recognized academic and administrative units, and official University of California alumni organizations. Faculty members may invite non-University persons to appear in classes in accordance with the academic policy on guest lecturers. Refer to UCI Administrative Policies & Procedures Section 900-20.

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The University recognizes, supports, and shall not abridge the constitutional rights of faculty, students, or staff to participate, either as individuals or as members of a group, in the political process of supporting candidates for public office or any other political activity.

For more information about Free Speech at UCI, please view the following resources:

<https://freespeech.uci.edu>

<https://freespeech.uci.edu/free-speech-faqs/>

- ▶ 40.00 Policy on Use of University Properties
- ▶ 50.00 Policy on Campus Emergencies
- ▶ 60.00 Policy on Student Governments
- ▶ 70.00 Policy on Registered Campus Organizations
- ▶ 80.00 Policy on Compulsory Campus-Based Student Fees
- ▶ 90.00 Policy on the Campus Assessment of Voluntary Student Contributions to Student Governments and Registered Campus Organizations
- ▼ 100.00 Policy on Student Conduct and Discipline

100.00 Policy on Student Conduct and Discipline

The University of California, Irvine is a public institution responsible for providing instruction in higher education, for advancing knowledge through scholarship and research, and for providing related services to the community. As a center of learning, the University has an obligation to maintain conditions under which the work of the University can go forward freely, in accordance with the highest standards of quality, institutional integrity, and freedom of expression.

Admission to the University carries with it the expectation that students will conduct themselves as responsible members of the academic community. As a condition of enrollment, all students assume responsibility to observe standards of conduct that will contribute to the pursuit of academic goals and to the welfare of the academic community. Students who allegedly violate the University's standards of conduct will be afforded basic standards of procedural due process. The primary goal of the Office of Academic Integrity & Student Conduct is to afford students an opportunity to learn from their mistakes and to promote positive behavior and lifestyle changes that ensure academic and professional success.

101.00 – Student Conduct

Students are members of both society and the University community, with attendant rights and responsibilities. Students are expected to comply with all laws and with University policies and campus regulations.

The standards of conduct apply to students as the term 'student' is defined in Section 14.40 of these *Policies*. They also apply to: applicants who become students, for offenses committed as part of the application process; applicants who become students, for offenses committed on campus and/or while participating in University-related events or activities that take place following a student's submittal of the application through his or her official enrollment; and former students for offenses committed while a student.

If specified in implementing campus regulations, these standards of conduct may apply to conduct that occurs off campus and that would violate student conduct and discipline policies or regulations if the conduct occurred on campus.

101.00a – Off-Campus Behavior

In addition to conduct which occurs on University property or in connection with official university functions, the University has the discretion to exercise jurisdiction over off-campus behavior if it:

- 1) adversely affects the health, safety, or security of any member of the campus community or**
- 2) adversely affects the interests of the University.**

In determining whether or not to exercise off-campus jurisdiction, the University will consider the seriousness of the alleged harm, the risk of harm involved, whether the victim(s) are members of the campus community or whether the off-campus conduct is part of a series of actions which occurred both on and off campus. The discretion to exercise off-campus jurisdiction includes but is not limited to the following behavior:

Sec. 102.08 – Physical abuse including but not limited to physical assault; threats of violence; or other conduct that threatens the health or safety of any person.

Sec. 102.09 – Harassment, defined as conduct that is so severe and/or pervasive, and objectively offensive, and that so substantially impairs a person’s access to University programs or activities that the person is effectively denied equal access to the University’s resources and opportunities.

Sec. 102.10 – 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.

Sec. 102.12 – 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.

Sec. 102.26 – Violation of the University of California Policy on Sexual Violence and Sexual Harassment.

Sec. 102.27 – Violation of the University of California Anti-Discrimination Policy.

102.00 – Grounds for Discipline

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

102.01

All forms of academic misconduct including but not limited to cheating, fabrication, plagiarism, or facilitating academic dishonesty.

Refer to [UCI Academic Senate Policy on Academic Integrity](#).

102.02

Other forms of dishonesty including but not limited to fabricating information, furnishing false information, or reporting a false emergency to the University.

102.03

Forgery, alteration, or misuse of any University document, record, key, electronic device, or identification.

102.04

Theft of, conversion of, destruction of, or damage to any property of the University, or any property of others while on University premises, or possession of any property when the student had knowledge or reasonably should have had knowledge that it was stolen.

102.05

Theft or abuse of University computers and other University electronic resources such as computer and electronic communications facilities, systems, and services. Abuses include (but are not limited to) unauthorized entry, use, transfer, or tampering with the communications of others; interference with the work of others and with the operation of computer and electronic communications facilities, systems, and services; or copyright infringement (for example, the illegal file-sharing of copyrighted materials).

Use of University computer and electronic communications facilities, systems, or services that violates other University policies or campus regulations.

Please refer to the [UC Electronic Communications Policy](#) and [Digital Copyright Protection at UC](#) for the University's position on digital copyright.

(Refer to the UCI Administrative Policies & Procedures Sections [714-18](#) and [800-16](#).)

102.06

Unauthorized entry to, possession of, receipt of, or use of any University services; equipment; resources; or properties, including the University's name, insignia, or seal.

102.07

Violation of policies, regulations, or rules governing University-owned, -operated, or -leased housing facilities or other housing facilities located on University property.

102.08

Physical abuse including but not limited to physical assault; threats of violence; or other conduct that threatens the health or safety of any person.

Sexual Violence (including Sexual Assault – Penetration, Sexual Assault – Contact and Relationship Violence) is defined by the University of California [Policy on Sexual Violence and Sexual Harassment](#). Please refer to 102.26.

102.09

Harassment, defined as conduct that is so severe and/or pervasive, and objectively offensive, and that so substantially impairs a person's access to University programs or activities that the person is effectively denied equal access to the University's resources and opportunities.

Harassment based on a protected category is defined by the University of California Anti-Discrimination Policy. Pursuant to section 104.90, sanctions may be enhanced for conduct motivated on the basis of the protected categories defined in the [University of California Anti-Discrimination Policy](#). Please refer to 102.27.

Sexual Harassment is defined by the University of California [Policy on Sexual Violence and Sexual Harassment](#). Please refer to 102.26.

102.10

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.

Stalking of a sex-based nature is defined by the University of California [Policy on Sexual Violence and Sexual Harassment](#). Please refer to 102.26.

102.11

(deleted on October 9, 2009)

102.12

Participation in hazing or any method of initiation or pre-initiation into a campus organization or other activity engaged in by the organization or members of the organization at any time that causes, or is likely to cause, physical injury or personal degradation or disgrace resulting in psychological harm to any student or other person.

102.13

Obstruction or disruption of teaching, research, administration, disciplinary procedures, or other University activities.

102.14

Disorderly or lewd conduct.

102.15

Participation in a disturbance of the peace or unlawful assembly.

102.16

Failure to identify oneself to, or comply with the directions of, a University official or other public official acting in the performance of his or her duties while on University property or at official University functions; or resisting or obstructing such University or other public officials in the performance of or the attempt to perform their duties.

102.17

Unlawful manufacture, distribution, dispensing, possession, use, or sale of, or the attempted manufacture, distribution, dispensing, or sale of controlled substances, identified in federal and state law or regulations.

102.18

Manufacture, distribution, dispensing, possession, use, or sale of, or the attempted manufacture, distribution, dispensing, or sale of alcohol that is unlawful or otherwise prohibited by, or not in compliance with, University policy or campus regulations.

See Section [900-13](#) of the UCI Administrative Policies & Procedures.

102.19

Possession, use, storage, or manufacture of explosives, firebombs, or other destructive devices.

102.20

Possession, use, or manufacture of a firearm or other weapon as prohibited by campus regulations.

102.21

Violation of the conditions contained in the terms of a disciplinary action imposed under these Policies or campus regulations.

102.22

Violation of the conditions contained in a written Notice of Emergency Suspension issued pursuant to Section 53.00 of these Policies or violation of orders issued pursuant to Section 52.00 of these Policies, during a declared state of emergency.

102.23

Selling, preparing, or distributing for any commercial purpose course lecture notes or video or audio recordings of any course unless authorized by the University in advance and explicitly permitted by the course instructor in writing. The unauthorized sale or commercial distribution of course notes or recordings by a student is a violation of these Policies whether or not it was the student or someone else who prepared the notes or recordings.

Copying for any commercial purpose handouts, readers or other course materials provided by an instructor as part of a University of California course unless authorized by the University in advance and explicitly permitted by the course instructor or the copyright holder in writing (if the instructor is not the copyright holder).

102.24

Conduct, where the actor means to communicate a serious expression of intent to terrorize, or acts in reckless disregard of the risk of terrorizing, one or more University students, faculty, or staff. 'Terrorize' means to cause a reasonable person to fear bodily harm or death, perpetrated by the actor or those acting under his/her control. 'Reckless disregard' means consciously disregarding a substantial risk. This section applies without regard to whether the conduct is motivated by race, ethnicity, personal animosity, or other reasons. This section does not apply to conduct that constitutes the lawful defense of oneself, of another, or of property.

102.25

Making a video recording, audio recording, taking photographs, or streaming audio/video of any person in a location where the person has a reasonable expectation of privacy, without that person's knowledge and express consent.

Looking through a hole or opening, into, or otherwise viewing, by means of any instrumentality, the interior of a private location without the subject's knowledge and express consent.

Making a video recording, audio recording, or streaming audio/video of private, non-public conversations and/or meetings, without the knowledge and express consent of all recorded parties.

These provisions do not extend to public events or discussions, nor to lawful official law or policy enforcement activities.

These provisions may not be utilized to impinge upon the lawful exercise of constitutionally protected rights of freedom of speech or assembly.

Definitions

"Express consent" is clear, unmistakable and voluntary consent that may be in written, oral or nonverbal form.

"Private locations" are settings where the person reasonably expected privacy. For example, in most cases the following are considered private locations: residential living quarters, bathrooms, locker rooms, and personal offices.

"Private, non-public conversations and/or meetings" include any communication carried on in circumstances that reasonably indicate that any party wants the communication to be confined to the parties, but excludes a communication made in a public gathering, or in any other circumstance in which the parties to the communication may reasonably expect that the communication may be overheard or recorded.

Invasions of Sexual Privacy are defined by the University of California [Policy on Sexual Violence and Sexual Harassment](#). Please refer to 102.26.

102.26

Violation of the University of California [Policy on Sexual Violence and Sexual Harassment](#).

102.27

Violation of the [University of California Anti-Discrimination Policy](#).

102.28

Violation of campus regulations regarding pets and animals on campus.

102.29

Violation of local, state, or federal laws otherwise not covered under these standards of conduct.

103.00 – Student Discipline Procedures

103.10 – Procedural Due Process

Procedural due process is basic to the proper enforcement of University policies and campus regulations. Chancellors shall establish and publish campus regulations providing for the handling of student conduct cases in accordance with basic standards of procedural due process. Consistent with this requirement, procedures specified in such regulations shall be appropriate to the nature of the case and the severity of the potential discipline.

Basic standards of due process include the following:

- a. Notice to the accused of the charges and evidence.**
- b. Opportunity of the accused to respond to the evidence.**

103.10 – Campus Disciplinary Procedures for Students and Registered Campus Organizations

Unless otherwise noted, these procedures shall similarly apply to individual students as well as Registered Campus Organizations. If, as part of the activities of a Registered Campus Organization, individual students violate the standards of conduct, the organization as a whole may be subject to disciplinary action.

Allegations of academic dishonesty will be handled in accordance with the [UCI Academic Senate Policy on Academic Integrity](#).

Unless otherwise noted, violations of campus housing policies by undergraduate residents will be handled in accordance with the “Housing Conduct Process” as set forth in the “Undergraduate Housing Handbook.” Cases of housing violations may be referred to and reviewed by the Office of Academic Integrity & Student Conduct for potential imposition of additional disciplinary sanctions.

A. Definitions

1. The term “student” means an individual for whom the University maintains student records and who: (a) is enrolled in or registered with an academic program of the University; (b) has completed the immediately preceding term, is not presently enrolled, and is eligible for re-enrollment; or (c) is on an approved educational leave or other approved leave status, or is on filing-fee status.

2. Registered Campus Organization: Refer to 14.30

3. Notice: Wherever notice is required to be given to any student, it shall be conclusively presumed that the student has been given such notice if it has been sent to the student by mail to the address appearing on either the student’s UCI email address or current local address or permanent address on record. Students are expected to maintain their current contact information with the Office of the Registrar.

4. Days: The term “days” shall be defined as the normal business day and shall not include Saturdays, Sundays, legal holidays, or University administrative holidays.

B. Notification of Alleged Violation(s) to Student

Cases involving alleged misconduct of students shall be referred to the Office of Academic Integrity & Student Conduct. The Office of Academic Integrity & Student Conduct will inform the student in writing of the following:

- 1. The University policies or campus regulations that the student has allegedly violated,**
- 2. That the student has twelve (12) days from the date appearing on the letter of notification to schedule an Administrative Meeting with the Office of Academic Integrity & Student Conduct.**
- 3. That failure to schedule the Administrative Meeting within twelve (12) days may result in an administrative hold being placed on the student’s records and disciplinary action may be taken in the student’s absence.**

4. That prior to the Administrative Meeting, the student may seek assistance from the Office of the Ombuds.

C. Administrative Holds

Holds may be placed on students' records at any point in the disciplinary process to ensure compliance with any Administrative Sanctions and/or disciplinary conditions, pending the final resolution of a disciplinary matter. When the terms and conditions of any Administrative Sanctions and/or disciplinary conditions have been satisfied and/or pending disciplinary matters have been resolved, holds may be removed.

No student shall be awarded a degree while an allegation of a policy violation is pending against that student or until any assigned Administrative Sanctions or student disciplinary conditions have been fully resolved. An Administrative Hold may be placed on a student's records to prevent the (a) processing of transcripts, registration and/or enrollment materials, and grade posting; (b) accessing certain campus services; (c) student from graduating or being conferred a diploma or degree; and/or (d) student from receiving copies of diplomas or transcripts, while a conduct matter is pending or while a sanction of suspension, dismissal, revocation of degree, or delay of graduation is in force.

Except as provided for in the following paragraph, a student will be notified if a hold is placed. A student may submit a written request to the Office of Academic Integrity & Student Conduct to have a hold that was placed pursuant to this section removed. The Director of the Office of Academic Integrity & Student Conduct, or their designee, shall decide whether to grant, grant in part, or deny a written request to remove a hold and their decision shall be final.

If the student does not contact the Office of Academic Integrity & Student Conduct by the deadline in the notice, a hold may be placed on the student's records. If a hold is placed on this basis alone, no separate notice will be given to the student. The hold may be removed upon contacting the Office of Academic Integrity & Student Conduct.

D. Notification of Alleged Violation(s) to Registered Campus Organizations

When cases involving alleged misconduct by students as part of the activities of a Registered Campus Organization are referred to the Office of Academic Integrity & Student Conduct, the Office of Academic Integrity & Student Conduct shall inform the organizational representative(s) in writing of the following:

1. The University policies or campus regulations that the Registered Campus Organization has allegedly violated, and
2. That two official representatives have twelve (12) days from the date appearing on the letter of notification to schedule an Administrative Meeting with the Office of Academic Integrity & Student Conduct.
3. Based on the serious nature of the allegations, the Office of Academic Integrity & Student Conduct may suspend the organization's recognition pending conclusion of the investigation. (Refer to Interim Suspension Process Section 105.08a)
4. That, failure to schedule the Administrative Meeting within twelve (12) days may result in an administrative hold being placed on the official representative's records and disciplinary action may be taken in their absence.
5. That prior to the Administrative Meeting, the official representative may seek assistance from the Office of the Ombuds.

E. Administrative Meeting

The Administrative Meeting is an attempt to give the accused student an opportunity to respond to the charges, and implement sanctions if a violation is found. Other than the accused student and Academic Integrity & Student Conduct Specialist, other parties, including legal counsel retained by the student, if any, may be excluded from participating in the Administrative Meeting.

At the Administrative Meeting, the Academic Integrity & Student Conduct Specialist shall:

1. Inform the student of the specific allegations made against the student and the student conduct process;
2. Indicate the applicable University policy(ies) or campus regulations alleged to have been violated;
3. Make a reasonable effort, as permissible under federal and state law, to comply with requests by the student for access of documents relevant to the case; and
4. Give the student the opportunity to respond to the charges and evidence against them.

At the conclusion of the Administrative Meeting(s), the Academic Integrity & Student Conduct Specialist may conclude that no violation has occurred and therefore, that no further action is warranted. If, however, the Academic Integrity & Student Conduct Specialist believes that a violation has occurred based on the preponderance of the evidence, the case will be disposed of either informally or through formal hearing depending upon the potential sanction(s). Students subject to sanction(s) less than suspension or dismissal will have their case disposed of informally. Students subject to suspension or dismissal are entitled to a formal hearing before the Student Conduct Review Board. Students may waive their right to a formal hearing and accept as final and binding the proposed suspension or dismissal by signing a waiver.

F. Registered Campus Organizations

Cases of alleged misconduct by a Registered Campus Organization will be resolved through an Administrative Meeting. As a result of the meeting, one or more of the following sanctions may be imposed on the Registered Campus Organization:

1. Warning (Refer to Section 105.01)
2. Disciplinary Probation (Refer to Section 105.03)
3. Restitution (Refer to Section 105.09)
4. Suspension (Refer to Section 105.05)
5. Revocation of Recognition

Registered Campus Organizations subject to revocation of recognition are entitled to a hearing before the Student Conduct Review Board. Organizations subject to such sanctions less than suspension or revocation of recognition will have their case disposed of through an Administrative Meeting.

In cases of alleged misconduct by a Registered Campus Organization, if the organization is not found responsible for the alleged violation(s), this does not preclude the initiation of disciplinary action against an individual student for their misconduct.

Before a Registered Campus Organization residing in undergraduate student housing is subject to sanction(s) pursuant to the housing conduct process, the Director of the housing complex (or designee) will consult with a designated representative from the Office of Academic Integrity & Student Conduct to determine appropriate sanction(s) for minor infractions. In cases of more serious infractions (e.g. physical abuse, destruction of university property, etc) that would potentially lead to more severe discipline, the Director of the housing complex will consult with the following individuals or their designee: Associate Director, Residential Life, Residence Life Coordinator, Associate Dean of Students and if applicable, Director of Greek Life.

G. Disposition of the Case and Notification of Sanction(s)

If after the Administrative Meeting, the Academic Integrity & Student Conduct Specialist believes a violation has occurred, the Academic Integrity & Student Conduct Specialist may unilaterally impose one or more of the sanctions listed in Section 105.00 (except 105.05, Suspension and 105.06, Dismissal, which require opportunity for a hearing before the Student Conduct Review Board) and shall notify the student, in writing, of the sanction(s) to be imposed and of their right to appeal the sanctions(s) within the stated period of time.

H. Appeal of Sanction(s) After Disposition

1. After receiving written notice of the sanction(s) to be imposed, the student may appeal the decision to the Dean of Students (or designee) only if all of the following requirements are met: (a) the appeal is in writing, (b) the appeal is expressly based upon one of the grounds specified in Section (I) below, and (c) the appeal is received by the Dean of Students (or designee) by the stated deadline. The deadline shall not be more than seven (7) days from the date appearing on the notice of sanction.

2. A meeting to discuss the appeal will be held by the Dean of Students (or designee) attended by the student and the Academic Integrity & Student Conduct Specialist. All matters considered at this meeting will pertain only to the stated basis for the appeal.

3. Appeals of sanctions for housing violations by Registered Campus Organizations will be directed to the Vice Chancellor, Student Affairs. That appeal must: (a) be in writing from the organizational representative, (b) be expressly based upon one of the grounds specified in Section (I) below, and (c) be received by the Vice Chancellor, Student Affairs within seven (7) days from the date appearing on the notice of sanction.

I. The Appeal will be Accepted or Denied based on:

1. Whether there is new evidence which could not be adduced at the time of the Administrative Meeting which is likely to change the result;
2. Whether there was a violation of due process;
3. Whether the imposed sanction was too harsh given the finding of fact.

Upon completion of the review by the Dean of Students (or their designee), they may affirm, modify, or reverse the sanction(s). The decision of the Dean of Students (or their designee) is final. Sanction(s) may not become effective until completion of this appeal process unless otherwise indicated.

For appeals of sanctions for housing violations by Registered Campus Organizations, the Vice Chancellor, Student Affairs may affirm, modify, or reverse the sanction(s). The decision of the Vice Chancellor, Student Affairs is final. Sanction(s) may not become effective until completion of this appeal process unless otherwise indicated.

J. Disposition if Student Withdraws from the University

If a student withdraws from the University before allegations or charges are made, no disciplinary action can be taken since these Procedures apply to students as defined in Section 103.10. The University may initiate campus disciplinary procedures if the former student enrolls in the University at some future time.

If a student withdraws from the University

- (a) during an investigation
- (b) while subject to pending disciplinary action, or
- (c) before resolution of allegations or charges are made,

the Academic Integrity & Student Conduct Specialist may proceed to disposition without the student's presence or participation in the campus disciplinary procedures. An effort will be made to notify the student of the campus disciplinary procedures and any action taken against the student.

103.11

When a formal hearing is deemed to be appropriate for fact finding, campus implementing regulations shall provide the following minimum procedural standards to assure the accused student a fair hearing:

- a. Written notice, including a brief statement of the factual basis of the charges, the University policies or campus regulations allegedly violated, and the time and place of the hearing, within a reasonable time before the hearing;
- b. The opportunity for a prompt and fair hearing 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 accused;
- c. A record of the hearing; an expeditious written decision based upon the preponderance of evidence, that shall be accompanied by a written summary of the findings of fact; and
- d. An appeals process.

103.11 – Disposition by the Student Conduct Review Board

A. Initiation of Hearing Process

In cases of proposed suspension or dismissal where the student has not waived the right to a hearing before the Student Conduct Review Board, a representative designated by the Dean of Students will make the necessary arrangements for convening the Student Conduct Review Board and shall notify the student in writing of the date, time, and place of the hearing. Refer to the Student Conduct Review Board Protocols and Procedures.

The designated representative may advise the student concerning the protocol or procedures to be followed in the hearing and/or may refer the student to the Office of the Ombuds for assistance. The student may also consult with representatives, or their own legal counsel. The designated representative will advise the Board on the protocol or procedures to be followed in the hearing as well as forward all necessary documents relevant to the hearing. The designated representative will not be involved in the hearing process other than as administrative support to the Student Conduct Review Board.

B. Jurisdiction of the Student Conduct Review Board

The Student Conduct Review Board shall hear all cases referred to it under these procedures. The Student Conduct Review Board will make a *de novo* finding of fact to determine whether the student violated University policies or regulations as alleged, and make a recommendation to the Dean of Students (or designee) regarding disposition of the case.

C. Composition of the Standing Pool for the Student Conduct Review Board

Members of the Board shall be selected by the Dean of Students (or designee) from a standing pool comprised of students and faculty/staff.

Undergraduate student members of this pool must be registered students at UCI making normal academic progress and be in good academic standing during each quarter of service on the Student Conduct Review Board except summer quarter.

Graduate student members must be registered UCI students making normal academic progress during every academic term of service on the Student Conduct Review Board except summer quarter.

D. Composition of the Student Conduct Review Board

The Dean of Students (or designee) shall select the members of the Board who shall be drawn from the standing pool of undergraduate and graduate students and faculty/staff as described above. Three students and two faculty/staff persons chosen from the standing pool shall comprise the Board.

The Dean of Students (or designee) shall appoint one of the faculty/staff members as chair.

E. Hearings

It is the responsibility of the designated representative to promptly schedule a hearing of the case before the Board. Written notice must be given to the accused student, or if applicable, the designated representative of a Registered Campus Organization, (collectively referred to as the "student" or "accused student"), regarding the date, time, and place of the hearing.

1. Hearings shall be held in accordance with generally accepted standards of procedural due process, the opportunity to present evidence in an orderly manner, and the right to examine and cross-examine witnesses. The accused student must present their own case and may be accompanied by an attorney or advisor. During the hearing, the attorney or advisor may act as a consultant for the student, but may not speak on the student's behalf. The student shall pay all fees, costs and expenses for the retention of an attorney. If the student chooses to be accompanied by an attorney, the Office of the Dean of Students must be notified of this fact at least ten (10) days prior to the hearing. In the interests of expediency, hearings shall not be delayed due to the unavailability of an advisor or attorney.

2. The Chair of the Student Conduct Review Board shall rule on all questions of procedure, the admission or exclusion of evidence, and the relevance of testimony. Evidence may be received of the sort upon which responsible persons are accustomed to rely in the conduct of serious affairs and is not restricted to evidence admissible under the strict rules of evidence of a court of law. No inference shall be drawn from the silence of the accused. Findings shall be based on a preponderance of the evidence.

3. An audio recording shall be made of the hearing. The accused student may make an audio recording and may have the hearing recorded by a court reporter at the student's expense. Rulings shall not be based on precedents; it is contemplated that rulings may vary from case to case in accord with differences among types and the circumstances surrounding individual cases.

4. The hearing shall be closed unless the parties involved agree to an open hearing. Witnesses, if any, may be excluded from the hearing except for the time they are testifying or responding to cross-examination. The accused student may be present throughout the hearing while evidence is being presented. The referring party(ies) may also be present throughout the hearing while evidence is being presented.

If the hearing is open, the chair, unless overruled by a majority of the Student Conduct Review Board, has a right to exclude spectators from the viewing room if deemed necessary for the orderly, quiet, or secure conduct of the hearing.

F. Responsibility for Presentation of Cases

The Academic Integrity & Student Conduct Specialist shall present the University's case of alleged student misconduct. The accused student shall present their defense.

G. Continuing Resolution

Until the Student Conduct Review Board makes its report to the Dean of Students (or designee), the accused student and the Academic Integrity & Student Conduct Specialist may enter into a binding, written agreement as to the disposition of the matter. This written agreement shall explicitly state that the accused student is waiving their right to a Student Conduct hearing and appeal pursuant to these procedures.

H. Disposition if the Student Withdraws from the University

If a student has withdrawn from the University while subject to pending disciplinary action and/or does not appear at the hearing after being notified of the same, the Board may proceed to disposition without the student's participation. If a student files an appeal, but fails to participate, the proceedings will end, the appeal will be dismissed, and the recommended discipline will be instituted.

I. Report of the Student Conduct Review Board to the Dean of Students

After the hearing, the Student Conduct Review Board shall submit written findings of fact together with a recommendation of sanction(s). The Student Conduct Review Board's finding that a violation has occurred must be supported by a preponderance of the evidence. A minority report may be submitted by any member or members of the Student Conduct Review Board. Sanctions recommended by the Student Conduct Review Board may include but are not limited to restitution, warning, probation, loss of privileges, exclusion from activities, suspension, or dismissal (Refer to Section 105.00). Other than its written findings of fact and recommendation of sanctions to the accused, deliberations of the Student Conduct Review Board are confidential.

J. Decision of the Dean of Students

The Dean of Students (or designee) shall notify the student in writing of their decision regarding the sanction(s) to be imposed, if any. A copy of the Student Conduct Review Board's findings of fact may be enclosed with the response.

If the Dean of Students chooses to take the case under review and imposes greater sanctions than those recommended by the Student Conduct Review Board, the student may meet with them to discuss the case.

K. Appeal to the Vice Chancellor, Student Affairs

If sanction(s) are upheld or imposed by the Dean of Students (or designee), a student may file a written appeal to the Vice Chancellor, Student Affairs within seven (7) days of the date appearing on the notice of sanction. A student who files an appeal after the deadline may be granted an appeal upon showing good cause for the delay and showing that the appeal was made as soon as possible under the circumstances.

Appeals shall be limited to the following:

1. Whether the Student Conduct Review Board's findings of fact sufficiently support the finding of violation of University policies or campus regulations for which the discipline was imposed;
2. Whether there is new evidence which could not be adduced at the time of the original hearing which is likely to change the result;
3. Whether there was a violation of due process at the hearing;
4. Whether the sanction imposed was too harsh given the finding of fact.

Upon completion of the review by the Vice Chancellor, Student Affairs (or designee), they may affirm, modify, or reverse the sanction(s). Sanction(s) may not become effective until completion of this appeal process unless otherwise indicated. The Vice Chancellor's (or designee's) decision is final and binding.

103.12

When a formal investigation is deemed appropriate for cases involving reports of Sexual Violence, Sexual Harassment or other prohibited conduct by the UC Policy on Sexual Violence and Sexual Harassment, campuses shall implement the procedures set forth in PACAOS Appendix E: Sexual Violence and Sexual Harassment Student Adjudication Framework for Non-DOE-Covered Conduct or PACAOS Appendix F: Sexual Violence and Sexual Harassment Student Adjudication for DOE-Covered Conduct.

103.13

For cases involving harassment or other prohibited conduct by the University of California Anti-Discrimination Policy, campuses shall implement the procedures set forth in the University of California Anti-Discrimination Policy.

104.00 – Administration of Student Discipline

104.10

Chancellors may impose discipline for violations of University policies or campus regulations whether or not such violations are also violations of law, and whether or not proceedings are or have been pending in the courts involving the same acts.

104.20

Each Chancellor may appoint faculty, student, or other advisory committees, or hearing officers, as specified in campus regulations, but the final authority for administration of student discipline rests with the Chancellor.

104.30

A student, as defined in Section 14.40 of these *Policies*, at one campus of the University, who is accused of violation of University policies or campus regulations on another campus of the University or at an official function of that campus, shall be subject to the disciplinary procedures of either the former or the latter campus as an outcome of conferral between designees of both campuses. The imposition of any recommendations for disciplinary sanctions arising from these procedures must be reviewed and approved by both campuses before the sanctions are imposed.

104.31

If an alleged violation of University policies occurs in connection with an official Universitywide function not on a campus, the student accused of the violation shall be subject to the disciplinary procedures of the campus at which the individual is a student, except in those cases in which the President directs otherwise.

104.40

The loss of University employment shall not be a form of discipline under these *Policies*. However, when student status is a condition of employment, the loss of student status will result in termination of the student's employment. This section is not intended to preclude the disclosure to other appropriate University officials of information relating to any student's judicial records if that information may be reasonably construed to have bearing on the student's suitability for a specific employment situation. This section is also not intended to preclude an employer from terminating a student's employment outside the disciplinary process.

104.50

In imposing discipline other than Suspension or Dismissal, access to housing and health services shall not be restricted unless the act that occasioned the discipline is appropriately related to the restriction.

104.60

If as a result of an official campus appeal it is determined that the student was improperly disciplined, the Chancellor shall, if requested by the student, have the record of the hearing sealed, and have any reference to the disciplinary process removed from the student's record. In such case, the record of the hearing may be used only in connection with legal proceedings. The Chancellor also may take other reasonable actions to ensure that the status of the student's relationship to the University shall not be adversely affected.

104.70 [Rescinded January 1, 2015]

104.71 [Rescinded October 13, 2005]

104.80

Whether or not a hearing is conducted, campuses may provide written notice to a student that his or her alleged behavior may have violated University policy or campus regulations and that, if repeated, such behavior will be subject to the disciplinary process. Evidence of the prior alleged behavior as detailed in the written notice may be introduced in a subsequent disciplinary action in order to enhance the penalty.

104.81

Campuses may set forth in campus implementing regulations, policies for placing holds on requests for transcripts, diplomas, or other student records. Such holds may be placed when a student fails to respond to a campuses' written notice of charges or to prevent a student from transferring or having their degree conferred until all allegations against a student or any assigned sanctions and student disciplinary

conditions have been fully resolved. Such campus implementing regulations will include processes for notifying the student of the hold, the conditions in which a hold will be removed, and the process for allowing the student to request the removal of the hold.

104.90

Sanctions [for any violations of Section 102.00, Grounds for Discipline] may be enhanced where an individual was selected because of the individual's membership or perceived membership in any of the protected categories defined by the University of California Anti-Discrimination Policy.

105.00 – Types of Student Disciplinary Action

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

105.01 – Warning/Censure:

Written notice or reprimand to the student that a violation of specified University policies or campus regulations has occurred and that continued or repeated violations of University policies or campus regulations may be cause for further disciplinary action, normally in the form of Disciplinary Probation, and/or Loss of Privileges and Exclusion from Activities, Suspension, or Dismissal.

105.02 [Rescinded May 17, 2002]

105.03 – Disciplinary Probation:

A status imposed for a specified period of time during which a student must demonstrate conduct that conforms to University standards of conduct.

Conditions restricting the student's privileges or eligibility for activities may be imposed. Misconduct during the probationary period or violation of any conditions of the probation may result in further disciplinary action, normally in the form of Suspension or Dismissal.

105.04 – Loss of Privileges and Exclusion from Activities:

Exclusion from participation in designated privileges and activities for a specified period of time. Violation of any conditions in the written Notice of Loss of Privileges and Exclusion from Activities, or violation of University policies or campus regulations during the period of the sanction may be cause for further disciplinary action, normally in the form of Probation, Suspension or Dismissal.

105.05 – 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 provided that the student is otherwise qualified for reinstatement. Violation of the conditions of Suspension or of University policies or campus regulations during the period of Suspension may be cause for further disciplinary action, normally in the form of Dismissal.

A student may not transfer or register for courses at another campus or location of the University of California during the period of Suspension.

105.06 – Dismissal:

Termination of student status for an indefinite period. Readmission to the University shall require the specific approval of the Chancellor of the campus to which a dismissed student has applied. Readmission after dismissal may be granted only under exceptional circumstances.

105.07 – Exclusion from Areas of the Campus or from Official University Functions:

Exclusion of a student as part of a disciplinary sanction from specified areas of the campus or other University-owned, -operated, or -leased facilities, or other facilities located on University property, or from official University functions, when there is reasonable cause for the University to believe that the student's presence there will lead to physical abuse, threats of violence, or conduct that threatens the health or safety of any person on University property or at official University functions, or other disruptive activity incompatible with the orderly operation of the campus.

105.08 – Interim Suspension:

Exclusion from classes, or from other specified activities or areas of the campus, as set forth in the Notice of Interim Suspension, before final determination of an alleged violation. A student shall be restricted only to the minimum extent necessary when there is reasonable cause to believe that the student's participation in University activities or presence at specified areas of the campus will lead to physical abuse, threats of violence, or conduct that threatens the health or safety of any person on University property or at official University functions, or other disruptive activity incompatible with the orderly operation of the campus. A student placed on Interim Suspension shall be given prompt notice of the charges, the duration of the Interim Suspension, and the opportunity for a prompt hearing on the Interim Suspension. Interim Suspension shall be reviewed by the Chancellor within twenty-four hours. If a student is found to have been unjustifiably placed on Interim Suspension, the University is committed to a policy whereby reasonable efforts are taken to assist an individual who has been disadvantaged with respect to employment or academic status.

105.08a

If an interim suspension is imposed, the Dean of Students (or designee), shall immediately inform the Vice Chancellor, Student Affairs (or designee). The notification to the Vice Chancellor, Student Affairs (or designee) shall include the student's name, the reasons for imposing the interim suspension, and, if available, the student's address and phone number. Within twenty-four hours of the imposition of the interim suspension (not including weekends or holidays, the Vice Chancellor, Student Affairs (or designee) shall review the information provided by the Dean of Students (or designee).

If the Vice Chancellor, Student Affairs (or designee) does not affirm the interim suspension by the end of the twenty-four hours, it shall be deemed void and a reasonable effort shall be made to inform the student that the interim suspension is void. Should the interim suspension be voided, such a decision shall have no bearing on the University's disciplinary proceedings arising from the conduct which gave rise to the interim suspension. Any such disciplinary proceedings shall be conducted under the normal procedures provided in these procedures.

A student placed on interim suspension which is also affirmed by the Vice Chancellor, Student Affairs (or designee) shall be given prompt written notice that the interim suspension was upheld and that the student may request, in writing, a meeting with the Vice Chancellor, Student Affairs (or designee) to challenge the interim suspension. The written request must be submitted within ten (10) days of the date that appears on the Notification of Interim Suspension. Upon receipt of the request, the student will immediately receive notice of the time, place, and date of the meeting. The Vice Chancellor, Student Affairs (or designee) shall convene this meeting within seven (7) days from the date of receipt of the request.

Convening the meeting shall not restrict the University's right to initiate disciplinary proceedings for the conduct which gave rise to the interim suspension. Any such disciplinary proceedings shall be conducted under the normal procedures provided for in these policies.

105.09 – Restitution:

A requirement for restitution in the form of reimbursement may be imposed for expenses incurred by the University or other parties resulting from a violation of these policies. Such reimbursement may take the form of monetary payment or appropriate service to repair or otherwise compensate for damages. Restitution may be imposed on any student who alone, or through group or concerted activities, participates in causing the damages or costs.

105.10 – 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.

105.11 – Other:

Other disciplinary actions, such as monetary fines, community service, or holds on requests for transcripts, diplomas, or other student records to be sent to third parties, as set forth in campus regulations.

105.11

Other Disciplinary Actions May Include:

- a. Requiring participation as a volunteer in activities that serve the University.
- b. Specifying requirements relating to expectations of behavior in a contract.
- c. Revoking the registration of a Registered Campus Organization.
- d. Other actions as set forth in campus regulations.

106.00 – Posting Suspension or Dismissal on Academic Transcripts

When, as a result of violations of the Policy on Student Conduct and Discipline, a student is suspended or dismissed, a notation that the discipline was imposed must be posted on the academic transcript for the duration of the suspension or dismissal. Thereafter, notations of Suspension or Dismissal reflected on a student's transcript may be removed as set forth in campus regulations.

- ▶ 110.00 Policy on Student Grievance Procedures
- ▶ 120.00 Policy on Student Participation in Governance
- ▶ 130.00 Policies Applying to the Disclosure of Information from Student Records
- ▶ 140.00 Guidelines Applying to Nondiscrimination on the Basis of Disability
- ▶ 150.00 Student-Related Policy Applying to Nondiscrimination on the Basis of Sex
- ▶ 160.00 [Rescinded January 1, 2016]

- ▶ 170.00 Policy on University Obligations and Student Rights

- ▶ Appendix A: Authorized Student Governments

- ▶ Appendix B: Use of the University's Name

- ▶ Appendix C: Nondiscrimination Policy Statement for University of California Publications Regarding Student-Related Matters

- ▶ Appendix D: University of California Policy and Supplemental Guidelines on the Marketing of Credit Cards to Students

- ▶ Appendix E: Sexual Violence and Sexual Harassment Student Investigation and Adjudication Framework for Non-DOE-Covered Conduct

- ▶ Appendix F: Sexual Violence and Sexual Harassment Student Investigation and Adjudication Framework for DOE-Covered Conduct

- ▶ **Appendix 1: Anti-Hazing Compliance**

- ▶ **Appendix 2: Campus Policy on Dances Sponsored by Registered Campus Organizations**

- ▶ **Appendix 3: UCI Guidelines for Reporting and Responding to Reports of Sex Offenses and UC Policy on Sexual Harassment and Sexual Violence**

- ▶ **Appendix 4: [Deleted on October 9, 2009]**

- ▶ **Appendix 5: Policy on Unauthorized Use of Course Materials for Commercial Purposes (Reference to Section 102.23)**

- ▶ **Appendix 6: Policy for Student Fee Funded Facilities**

- ▶ **Appendix 7: Firearms on Campus**



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