

## **100.00 CODE OF STUDENT CONDUCT**

### **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 below apply to students as the term 'student' is defined in Section 14.40 of these *Policies*. They also apply to:

- a. applicants who become students, for offenses committed as part of the application process;
- b. 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
- c. former students for offenses committed while a student.

### **101.10 Jurisdiction**

**The UC Santa Cruz campus shall have jurisdiction over the conduct of students and student organizations, which occurs on university property or in connection with official university functions.**

**In addition, the campus shall have discretion to exercise jurisdiction over conduct which occurs off-campus and which would violate student conduct and discipline policies or regulations if the conduct occurred on campus when the alleged misconduct indicates the student may be a threat to the safety or security of members of the university community or university property, functions, or facilities.**

**For example, the campus may choose to exercise jurisdiction over off-campus incidents where the alleged misconduct includes, but is not limited to:**

- a. **rape or sexual assault, any other physical assault, threats of violence, or conduct that threatens the health or safety of any person;**
- b. **stalking or sexual harassment;**
- c. **possession or use of weapons, explosives, or destructive devices;**
- d. **manufacture, sale, or distribution of controlled substances;**
- e. **hate crimes;**
- f. **hazing;**
- g. **conduct which would constitute a felony, including burglary, robbery, theft, etc.; and**

- h. conduct which egregiously and/or repeatedly has negatively impacted members of the surrounding off-campus community and which violates federal, state or local laws/ordinances; or conduct which severely impacts or strains emergency response abilities in the surrounding community.**

**In determining whether or not to exercise off-campus jurisdiction in such cases, the campus may consider the seriousness of the alleged offense, the risk of harm involved, whether the victim(s) are members of the campus community and/or whether the off-campus conduct is part of a series of actions, which occurred both on, and off-campus.**

## **102.00 Grounds for Student 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;

**102.011 Cheating.** Cheating is defined as fraud, deceit, or dishonesty in an academic assignment, or using or attempting to use materials, or assisting others in using materials, which are prohibited or inappropriate in the context of the academic assignment in question. This includes, but is not limited to:

- a. providing answers to or receiving answers from others for any academic assignment. In "group assignments" and "cooperative learning" situations, it is the responsibility of the student to ascertain from the instructor to what degree the work must be done exclusively by the student or may be done in collaboration with others;**
- b. using notes, information, calculators, or other electronic devices or programs during exams or for assignments from which they have been expressly or implicitly prohibited;**
- c. improperly obtaining or using improperly obtained information about an exam or assignment in advance of its availability to other students, or assisting others in doing so;**
- d. putting one's name on another person's exam or assignment; or**
- e. altering previously graded work for purposes of seeking a grade appeal.**

**102.012 Plagiarism.** Plagiarism is defined as the use of intellectual material produced by another person without acknowledging its source. This includes, but is not limited to:

- a. copying from the writings or works of others into one's academic assignment without attribution, or submitting such works as if it were one's own;**
- b. using the views, opinions, or insights of another without acknowledgment; or**

- c. **paraphrasing the characteristic or original phraseology, metaphor, or other literary device of another without proper attribution.**

**102.013 Furnishing false information in the context of an academic assignment. This includes, but is not limited to:**

- a. **writing an exam or term paper for another person;**
- b. **soliciting another person to take an exam or write a paper for one's own class;**
- c. **submitting the same piece of work as partial fulfillment of the requirements in more than one course without permission of the instructor;**
- d. **representing oneself as another person, or failing to identify oneself forthrightly and honestly in the context of an academic obligation; or**
- e. **representing, explicitly or implicitly, that work obtained from another source was produced by oneself.**

**102.014 Creating an improper academic disadvantage to another student or an improper academic advantage to oneself. This includes, but is not limited to:**

- a. **removing, defacing, hiding or deliberately withholding library books or other materials, particularly those with short-term loan periods or on reserve for courses;**
- b. **contaminating a laboratory sample (e.g., a "mystery substance" in qualitative chemistry); or**
- c. **altering the indicators of a practical exam (e.g., moving the pin in a dissection specimen in anatomy).**

**102.015 Interference with courses of instruction. This includes but is not limited to:**

- a. **failure to comply with the instructions or directives of the course instructor; or**
- b. **disruption of classes or other academic activities.**

**102.016 Theft or damage of intellectual property. This includes, but is not limited to:**

- a. **sabotaging or stealing another person's assignment, book, paper, notes, experiment, or project; or**
- b. **improperly accessing or electronically interfering via computer or other means with the property of another person or the University.**

102.017 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.

- 102.018 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).
- 102.02 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, state, federal or other government documents, records, keys, electronic device, or identifications;
- 102.04 Theft of, conversion of, or damage to or destruction of, 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, and interference with the work of others and with the operation of computer and electronic communications facilities, systems, and services. Use of university computer and electronic communications facilities, systems, or services that violates other university policies or campus regulations;
- 102.06 Unauthorized entry to, possession of, receipt of, duplication 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 Conduct, which constitutes:
- a. physical abuse or physical assault;
  - b. threats of violence;
  - c. a threat to the health or safety of any person;
  - d. **sexual assault, sex offenses;** or
  - e. **relationship violence;**
- 102.09 Sexual harassment, as defined in university policy (*see Appendix F & N*). Unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal or physical conduct of a sexual nature constitute sexual harassment when:
- a. a student who is also an employee of the university makes submission to such conduct, either explicitly or implicitly, a term or condition of instruction, employment, or participation in other university activity over which the student has control by virtue of his or her university employment;

- b. a student who is also an employee of the university makes submission to or rejection of such conduct a basis for evaluation in making academic or personnel decisions affecting an individual, when the student has control over such decisions by virtue of his or her university employment;
- c. such conduct by any student has the purpose or effect of creating a hostile and intimidating environment sufficiently severe or pervasive to substantially impair a reasonable person's participation in university programs or activities, or use of university facilities;

In determining whether the alleged conduct constitutes sexual harassment, consideration shall be given to the record of the incident as a whole and to the totality of the circumstances, including the location of the incident and the context in which the alleged incidents occurred. **A copy of the UCSC Policy on Sexual Assault, the UC Policy on Sexual Harrassment and Procedures for Reports of Sexual Assaults and Sexual Harassment is available via the Web at <http://www2.ucsc.edu/title9-sh/>**

**102.091 Sexual assault as defined in the UCSC Sex Offense Policy and Procedures for Reports of Sexual Assault(s) and Sexual Harassment (see Appendix F);**

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;

102.11 Harassment by a student of any person. For the purposes of these *Policies*, 'harassment':

- a. is the use, display, or other demonstration of words, gestures, imagery, or physical materials, or the engagement in any form of bodily conduct, on the basis of race, color, national or ethnic origin, lineage, sex, religion, age, sexual orientation, or physical or mental disability, that has the effect of creating a hostile and intimidating environment sufficiently severe or pervasive to substantially impair a reasonable person's participation in university programs or activities, or use of university facilities;
- b. must target a specific person or persons; and
- c. must be addressed directly to that person or persons.

Prior to applying this provision of policy to any student conduct, the campus is required to consult with the Office of General Counsel regarding its proper interpretation and application in light of the specific circumstances;

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 (*See Appendix E*);

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 directions of, a university official or other public official acting in the performance of their 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 or state laws or regulations which include:
- a. opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana (**medicinal marijuana is not allowed, nor is it a defense to a violation of any university policy or campus rule**); synthetic narcotics (Demerol, methadone); and dangerous nonnarcotic drugs (barbiturates, Benzedrine); or
  - b. all other drugs not included in (102.17a);
- 102.18 Manufacture, distribution, dispensing, possession, use, or sale of, or the attempted manufacture, distribution, dispensing, or sale of alcohol which is unlawful or otherwise prohibited by, or not in compliance with, university policy or campus regulations, which include:
- a. the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; or any attempt to commit any of the foregoing violations (this list does not include drunkenness and driving under the influence); or
  - b. all other alcohol-related rules, regulations and laws not included in (102.18a);
- 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 Violation of campus regulations regarding pets and animals (copies of these regulations are available from the college offices, the Family Student Housing Office, Faculty Housing Office, and University Police);**
- 102.24 Possession or use on or in university properties or at official university functions of a firearm or other gun or weapon or explosive device, as defined within California Penal**

**Code, Part IV, Title 2, Chapters 1-6 capable of inflicting injury, including, but not limited to firearms, BB, pellet, air, spring, paint, and blow guns, except as expressly permitted by law;**

- 102.25 Possession of a knife as defined in the California Penal Code, Section 626.10(b). This section prohibits anyone from bringing or possessing a dirk, dagger, ice pick, or knife having a fixed blade longer than 2 1/2 inches on or in university properties or at official university functions, except as expressly permitted by law;**
- 102.26 Possession or use on or in university properties or at official university functions of a "less than lethal weapon" as described in California Penal Code, Part IV, Title 2, Chapter 4, Chapters 1-6 including, but not limited to stun guns, bow or crossbows designed to shoot arrows, slingshot, paint-ball guns, or tear gas weapons except as permitted by law.**
- 102.27a All open fires on university property and in the back country (wild land areas) are strictly prohibited and enforced under the Public Resources Code, Sections 4421, 4423, 4432 and 4433.**

**Campfires, portable stoves, open fires and other use of fires on developed areas on university properties are prohibited without written permission from the campus Fire Chief. Campfire is defined as a fire which is used for cooking, personal warmth, lighting, ceremonial, or aesthetic purposes, including fires contained within outdoor fireplaces and enclosed stoves with flues or chimneys, stoves using jellied, liquid, solid, or gaseous fuels, portable barbecue pits and braziers, or space heating devices which are used outside any structure, mobile home, or living accommodation mounted on a motor vehicle. Open fires means any fire, controlled or uncontrolled, including a campfire, burning outside of any structure, mobile home, or living accommodation mounted on a motor vehicle.**

- 102.27b Camping is prohibited on university owned, controlled or leased property. Camping is defined as any of the following:**
- i. the establishment of temporary or permanent living quarters in other than residence halls, apartments, or other University managed housing;**
  - ii. sleeping outdoors with or without bedding, tent, hammock, or similar protection or equipment;**
  - iii. sleeping in or under any parked vehicle; or**
  - iv. establishing or maintaining outdoors, or in or under any structure not intended for human occupancy, at any time during the day or night, a temporary or permanent place for cooking or sleeping by setting up any bedding, sleeping bag, blanket, mattress, tent, hammock or other sleeping equipment, or by setting up any cooking equipment.**
- 102.28 Blocking or impeding ingress to or egress from the campus, buildings or official university functions, including activity on non-university property;**
- 102.29 Delivering, furnishing, transferring, manufacturing, or possessing drug paraphernalia is prohibited. Drug paraphernalia is defined as all equipment, material and products intended for use or designed for use in growing, processing, harvesting, storing, concealing, injecting, ingesting, inhaling, or otherwise introducing a controlled substance into the human body. Examples of drug paraphernalia include, but are not limited to: pipes, water pipes, bongs, and hookahs.**

- 102.30 Violation of any college rule, policy or regulation.
- 102.31 Violation of any other university policy or campus regulation.
- 102.32 Conviction of any federal, state, or local law or ordinance on or in university properties or at official university functions may also subject students to campus discipline procedures (*also see Sections 70.30 and 70.31 of the Handbook*);
- 102.33 In addition to the above, all federal, state, and local laws apply on or in university properties and at official university functions. Violators shall be subject to campus discipline procedures as well as any civil or criminal action that may be taken. For information regarding the laws, contact the University Police Department.
- 102.34 Guest Responsibility. Students are responsible for policy violations committed by their student and non-student guests while on university owned, leased or controlled property, at official university functions, or at organizational events on or off campus.

### 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.

- 103.11 When a formal hearing is deemed to be appropriate, 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;

**wherever these policies and regulations require that notice be given, it may be delivered in person to the student, or shall be sent by mail to the address appearing on the student's most recently filed registration materials, or, if undeliverable at that address, to the permanent address of record;**

**for the purpose of the Code of Student Conduct, the term "working day" shall be defined as the normal business day and shall not include Saturdays, Sundays, or administrative holidays;**

- 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.

#### **104.00 Administration of Student Discipline**

- 104.10 In accordance with campus regulations on student disciplinary procedures, chancellors may impose discipline for violation 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.
- 104.21 The chancellor has delegated responsibility for the administration of the student conduct process to certain university officials described below (hereafter referred to as "responsible officials"). A complaint alleging student misconduct may be filed by a member of the faculty or staff, a student, or other aggrieved person to the appropriate responsible official:**
- 104.22 Except as specified below, allegations involving undergraduate students are the initial responsibility of the college administrative officers (CAOs) of the college with which the student is affiliated. The CAOs (or their designee) and the executive director, Residential, Family & Program Support Services also have jurisdiction over students involved in institutional exchange programs, off-campus university housing facilities and other students residing in the college, regardless of college affiliation, insofar as the alleged violation(s) occurred within university controlled residential facilities and/or university properties.**
- 104.23 Allegations of academic dishonesty involving undergraduates are the initial responsibility of the provost of the college with which the student is affiliated.**
- 104.24 Allegations of rape and sexual assault are handled pursuant to the *UCSC Policy on Sexual Assault, UC Policy on Sexual Harassment and Procedures for Reports of Sexual Assault(s) and Sexual Harassment (see Appendix F)*.**
- 104.25 Allegations of sexual harassment are handled pursuant to the *UCSC Policy on Sexual Assault, the UC Policy on Sexual Harassment and Procedures for Reports of Sexual Assault(s) and Sexual Harassment (see Appendix F)*.**
- 104.26 The following allegations are the initial responsibility of the director, Student Judicial Affairs, or designee:**
  - a. stalking;
  - b. activities of campus-wide student organizations, clubs, or athletic teams;
  - c. criminal charges which may be forwarded to the district attorney;
  - d. death threats and bomb threats;
  - e. misconduct arising from student demonstrations;

- f. **hate- or bias-motivated conduct;**
- g. **physical violence;**
- h. **non-academic misconduct that may result in suspension, dismissal or interim suspension;**
- i. **non-academic misconduct involving students enrolled in Summer Session, University Extension, Education Abroad Programs and graduate students; and**
- j. **misconduct involving students from more than one college or campus.**

**104.27** Except as specified in Sections 104.24 through 104.26, allegations of academic misconduct involving graduate students are the initial responsibility of the dean of Graduate Studies. Allegations of non-academic misconduct involving graduate students are the initial responsibility of the director, Student Judicial Affairs.

**104.28** Except as specified in Section 104.24 through 104.26, allegations involving students enrolled in University Extension courses are the initial responsibility of the director, Student Judicial Affairs or designee. Allegations involving students enrolled in Summer Session courses are the initial responsibility of the director, Student Judicial Affairs or designee. Allegations involving students enrolled in the Education Abroad Program are the initial responsibility of the director, Student Judicial Affairs.

104.30 A student, as defined in Section 14.40 of these *Policies*, enrolled 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 university-wide 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.

**104.32** In the interest of fair administration of these regulations and procedures, and consistent with law and university policy, the chancellor or designees may interpret and make reasonable adjustments to jurisdictional and other provisions.

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 the 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 of these services.
- 104.60 If as a result of an administrative appeal of disciplinary sanctions, 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 The results of any disciplinary action by the university that alleged a forcible or non-forcible sex offense, as defined in *Title 34 of the federal Code of Regulations, Section 668.46(c)(7)*, must be disclosed to both the alleged offender and the alleged victim. The scope of information to be provided under this section shall be: (1) the university's final determination with respect to the alleged sex offense; and (2) any sanction that is imposed against the alleged offender.
- 104.71 [Deleted effective October 12, 2005]
- 104.80 Admonishment:** regardless of whether or not a hearing is conducted, campuses may provide written notice to students that their alleged behavior may have violated university policy or campus regulations and that, if repeated, such behavior would be subject to discipline. 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 No Contact Directives include any and all means of contact or communication within a specified distance and may include an individual's residence, automobile, or other property. Any student, faculty or staff member or other person with a reasonable justification may request a no contact directive. No Contact Directives are not considered a sanction, but rather a lawful directive when issued by a university official. Such directives may be issued to students verbally or in writing by a university official, acting in the performance of their official duties. A No Contact Directive is appropriate when there is reason to believe that future contact will result in property damage, disruption, harassment, intimidation or threatening conduct, or physical abuse.**

### **105.00 Types of Sanctions:**

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: 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, Loss of Privileges and Exclusion from Activities, Suspension, or Dismissal.
- 105.02 Censure: [Rescinded by UC Policies May 17, 2002]
- 105.03 Disciplinary Probation: A status imposed for a specific 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 a 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 at the campus for a specified period of time with reinstatement thereafter certain, provided that the student has complied with all conditions imposed as part of the Suspension and provided that the student is otherwise qualified for reinstatement. Violation of the conditions of Suspension or of university policies or campus regulations during the period of Suspension may be cause for further disciplinary action, normally in the form of Dismissal. **When, as a result of violations of the student conduct code, a student is suspended, the fact that the discipline was imposed must be posted on the academic transcript for the duration of the Suspension (See Section 106.00). Suspension may be imposed only with the written affirmation of the vice chancellor, Student Affairs.**
- 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. **When, as a result of violations of the student conduct code, a student is dismissed, the fact that the discipline was imposed must be posted on the academic transcript for the duration of the Dismissal (See Section 106.00). Dismissal may be imposed only with the written affirmation of the vice chancellor, Student Affairs.**
- 105.061 Restriction from designated areas of the campus for a specific academic term or terms. Violation of any condition set forth in a written Notice of Restriction or violation of university policies or campus regulations during the period of the sanction may be cause for further disciplinary action.

105.062 Enhanced Sanction

**The sanctions described in Section 105.00 may be enhanced or increased in severity when it is found that the student has:**

- a. violated the lawful regulations set forth in the Code of Student Conduct, and
  - b. intentionally selected the person or persons against whom the underlying violation was committed, or selected the property which was damaged, or violated other provisions of the Code of Student Conduct because of the personal characteristic or status of that person or group of persons on the basis of age, creed, ethnicity, race, gender, gender identity, physical ability, political views, religion, sexual orientation, socio-economic status or other differences. Whether intent is present in the violation shall be determined by consideration of all the relevant 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 function, 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 **of affirmation by the vice chancellor, Student Affairs**. 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 in an employment or academic status.

**105.081 If Interim Suspension is imposed by a responsible official, he/she shall immediately inform the vice chancellor, Student Affairs (who has been delegated such cases by the chancellor), the University Police, and submit a written report on the action to the vice chancellor, Student Affairs.**

**105.082 The report shall include the student's name and, if available, address, phone number, email, and the reason for imposing the Interim Suspension. Within twenty-four hours of the imposition of the Interim Suspension, the vice chancellor, Student Affairs shall review the information provided by the responsible official. If a student is found to have been unjustifiably placed on Interim Suspension, the university is committed to a policy whereby that student shall not be disadvantaged in employment or academic status. (See Section 53.12 of the Handbook: Emergency Suspension.) If the vice chancellor, Student Affairs does not affirm the Interim Suspension by the end of the twenty-four hour period, it shall be deemed void and a reasonable effort shall be made to inform the student who was suspended that the Interim Suspension is void. Should the Interim Suspension be voided, that shall have no bearing on university 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 policies.**

**105.083 A student placed on Interim Suspension which is affirmed by the vice chancellor, Student Affairs, shall be given prompt written notice of the Interim Suspension, of the conduct which gave rise to the Interim Suspension, and of the opportunity for a prompt special hearing on the Interim Suspension. The special hearing must take place within five (5) working days of affirmation of the Interim Suspension.**

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 Other: Other disciplinary actions, such as community service, **enrolling in classes/workshops, receiving counseling, writing apologies, etc**, or holds on request for transcripts, diplomas, or other student records to be sent to third parties, as set forth in campus regulations. **In addition to the sanctions noted in this section, other sanctions may be imposed when, in the opinion of the responsible official, the best interests of the university would be served.**
- 105.11 Administrative Holds may be placed on students' registration, transcript, diploma or graduation to ensure that students respond to a disciplinary matter, and to enforce certain disciplinary sanctions. These holds may prevent a student from registering or graduating, or from receiving copies of his/her diploma or transcripts, pending the resolution of a disciplinary matter, completion of sanctions resulting from a disciplinary action or while a sanction of suspension, dismissal, or interim suspension is in force.
- 105.12 Monetary Fines as assessed as part of a resolution are not to exceed \$100.00. This limit does not apply to fines assessed for parking violations, library fines, OPERS recreation fines, student organization fines, or any other services provided by the campus where fines may be assessed.
- 105.13 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.
- 105.14 Stay of Sanction: The imposition of any sanction may be held in abeyance pending future conduct or non-compliance with disciplinary sanctions/conditions.
- 105.15 Academic Sanctions: One or more of the following sanctions may be imposed by the instructor of record for violations involving academic dishonesty (see Appendix G):
- a. no credit or reduced credit for academic work in question;
  - b. failing grade or reduced final grade for the course or "No Pass" for the course;
  - c. narrative notation or revision;
  - d. retaking of examination or resubmission of assignment;
  - e. exclusion from course; and
  - f. other academic sanctions deemed appropriate to the misconduct.
- 105.16 Student Organization Sanctions: In addition to the above (except for Section 105.15), one or more of the following sanctions may be imposed for student organization violations:
- a. revocation of the organization's registration or revocation of the organization's officers;
  - b. a registered student organization may be sanctioned when a member or members of the organization violated university rules or campus regulations with the knowledge and consent of the organization's officers, or acted in concert with other members of the organization; or

- c. temporary suspension of university and/or organizational activities, as deemed appropriate by the director, Student Judicial Affairs, pending the review of alleged misconduct on the part of the organization and/or its members. This action may occur prior to the issuance of a summons and the suspension shall be limited and reasonable given the reported allegations. This action may also be taken to enforce compliance with sanctions.

## **106.00 Posting Suspension or Dismissal on Academic Transcripts**

When, as a result of violations of the Code of Student Conduct, a student is suspended or dismissed, the fact 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.

## **107.00 INVESTIGATION AND RECOMMENDED SANCTIONS, VOLUNTARY RESOLUTION FOR NON-ACADEMIC CASES**

- 107.10 Voluntary Resolution of an alleged violation of student conduct policies and regulations by the responsible official (*see Section 104.21*) and the accused student is encouraged. Normally within three (3) working days of receiving a report of an alleged violation, the responsible official shall contact the student involved to discuss the allegations and allow the accused student the opportunity to provide his/her side of the story. The student shall be informed of the option to consult with the ombudsman as a resource for clarification of procedures and options. The responsible official will investigate the allegations further if necessary, normally within ten (10) working days after meeting with the accused student. Upon completion of the investigation, the responsible official may conclude that no further action is warranted, admonish the student (*see Section 104.80*), or may propose sanctions to the accused student. The proposed sanctions will be drawn from the defined disciplinary sanctions (*see Section 105.00*). Recommended sanctions involving allegations of acts of violence (including sexual assault or rape) or serious sexual harassment, or that call for Suspension, Interim Suspension, and Dismissal requires prior notification to the director, Student Judicial Affairs and the concurrence of the vice chancellor, Student Affairs.
- 107.20 The responsible official may designate a member of the faculty or staff to serve as an investigating officer or may constitute an investigating committee composed of students, faculty and staff. In such instances, the responsible official may delegate authority to the investigating officer or committee to: a) follow the procedures outlined in Section 107.10 to investigate and recommend sanctions to the accused student; or b) may ask for the findings by the investigating officer or committee. The responsible official will meet with the accused student to recommend sanctions of voluntary resolution. Written affirmation of the vice chancellor, Student Affairs will be obtained when necessary, as described above in Section 107.10.
- 107.30 A written record of the investigation and recommended sanctions of voluntary resolution, if any, shall be prepared by the responsible official within five (5) working days of any agreement, or last attempt at reaching agreement. A copy of this record shall be given to the accused student; a copy maintained in the student's confidential file in the college; and a copy shall also be submitted to the director of Student Judicial Affairs to be maintained in a confidential student conduct file (*see Section 109.00, "Maintenance of Disciplinary Records"*). The letter shall include the following:

- a. the specific conduct in question including a brief statement of the factual basis of the charges; the date, time, and place of the incident alleged to have occurred; and the specific university policies or campus regulations allegedly violated;
- b. a statement that the student has five (5) working days from the date of the receipt of the letter to deliver a written request for an appeal to the appellate officer or deliver a written request for a formal hearing to the director, Student Judicial Affairs; and,
- c. notification to the student that the ombudsman is available as a resource for clarification of procedures and options.

To the extent permitted by law and university policy, a complainant may be informed of the imposed sanctions.

**107.40** If the accused student signs the letter within five (5) working days indicating that he/she accepts the recommended sanctions, the matter is resolved. If the accused student declines to sign the letter and does not submit an appeal within the designated five working days, the recommended sanctions will become effective and the matter will be considered resolved. Criteria for appeals are delineated in Section 107.61.

**107.50** Notwithstanding the foregoing, in allegations of acts of violence the responsible official must inform the complainant of the recommended sanctions prior to final actions being taken by the vice chancellor, Student Affairs. Following receipt of the recommended sanctions from the responsible official, and following the conclusion of any appeal by the complainant of these recommended sanctions the vice chancellor, Student Affairs will act upon the letter of recommended sanctions.

**107.60 Appeals Process for Non-Academic Conduct**

*The Guidelines for Written Appeals* information sheet and the *Appeal Request Cover Sheet* are available on line at <http://www2.ucsc.edu/judicial/> . Students are limited to one level of appeal. The following appeal process will apply for all non-academic disciplinary action:

- a. sanctions issued by a housing officer or designee shall be appealed to the College Administrative Officer or designee. Sanctions issued by a non-college affiliated housing unit manager or designee (e.g., Family Student Housing, UTC, University Inn, Graduate Student Housing, Camper Park) shall be appealed to the executive director, Residential Family & Program Support Services or designee;
- b. sanctions issued by a College Administrative Officer or designee shall be appealed to the director, Student Judicial Affairs;
- c. sanctions issued by the director, Student Judicial Affairs or designee shall be appealed to the vice chancellor, Student Affairs or designee;
- d. sanctions issued by the vice chancellor, Student Affairs or designee shall be appealed to the chancellor.

**107.61** Criteria for non-academic appeals shall be limited to the following:

- a. whether there is substantial evidence to support the finding(s) of violation of university policies or campus regulations for which the discipline was imposed;
- b. whether there is evidence, which could not be adduced at the time of the original hearing, which is likely to change the result;
- c. whether there was not procedural fairness at the conduct of the hearing; or
- d. whether the sanction imposed was too harsh given the findings of fact.

**107.62** Upon completion of review, the appellate authority may affirm, modify, or reverse the recommended finding(s) and/or sanction(s). No sanctions shall take effect while the case is under review except as otherwise specified in these policies.

## **108.00 FORMAL HEARING FOR NON-ACADEMIC CASES**

In addition to the appeal process described above, in certain instances, described below, a student is entitled to a formal hearing prior to the imposition of sanctions.

### **108.10 CAMPUS JUDICIAL BOARD: JURISDICTION AND COMPOSITION**

- a. Formal hearing of student discipline cases has been delegated by the chancellor to the vice chancellor, Student Affairs, who will refer requests for hearing to the director, Student Judicial Affairs or to such other hearing body or officer as designated by the vice chancellor.
- b. The Campus Judicial Board is appointed by the vice chancellor, Student Affairs to serve a minimum term of nine months, commencing the first day of Fall Quarter. The board shall consist of 2 staff members and 3 students. The chair shall be designated by the vice chancellor, Student Affairs. The students shall be nominated by Student Union Assembly (SUA) and the Graduate Student Association; at least one student shall be a graduate student. A minimum of three (3) board members may constitute a hearing panel to hear a case. The panel must include at least one student member.

### **108.20 SCHEDULING A FORMAL HEARING**

**108.21** A student requesting a formal hearing must deliver a written request to the director, Student Judicial Affairs within five (5) working days of receipt of the Voluntary Resolution letter from the responsible official. The director, Student Judicial Affairs, will schedule any formal hearing.

Requests for formal hearings will be granted in those cases where (1) the sanction issued by the responsible official includes either suspension or dismissal from the university, or (2) the facts presented in the case are in dispute. Requests for a formal hearing in other circumstances will be granted or denied at the discretion of the director, Student Judicial

**Affairs. Students who fail to comply with a summons to meet with the adjudicating officer limit their rights of review to an appeal by the designated appellate officer. Students receiving the sanction of warning (with or without conditions) are limited to a review by written appeal only.**

**Typically, the hearing may be conducted within ten (10) working days, and the accused and the responsible official will be notified by telephone or other expedient means of the date, time, and place. The director, Student Judicial Affairs or designee shall provide the student with information regarding the hearing procedure and assistance with the process.**

**108.22 The student and the responsible official may resolve a case through the terms of Voluntary Resolution at any time up to the closure of the case.**

**108.23 In the interest of fairness, and for good cause shown, extensions of time limits described above may be granted by the vice chancellor, Student Affairs or designee. All parties involved shall be notified as soon as an extension has been granted.**

### **108.30 RIGHTS AND RESPONSIBILITIES**

**108.31 Due Process: The hearing shall be conducted in a manner consistent with the requirements of Procedural Due Process (*see Section 103.10*): Procedural Due Process is basic to the proper enforcement of university policies and campus regulations. 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.**

**Campus regulations shall provide the following minimum procedural standards to assure a fair hearing:**

- a. written notice to the accused student, 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, upon the request of the accused student, at which the university shall bear the burden of proof, and at which the student shall have opportunity to present documents and witnesses and to confront and cross-examine witnesses presented by the university, and at which no inference shall be drawn from the silence of the accused;**
- c. access to the hearing record; an expeditious written decision based upon the findings of fact; and**
- d. opportunity for the accused to appeal.**

**108.32 Rights and Responsibilities at all Formal Hearings: The rights and responsibilities of the student, the witnesses, the director, Student Judicial Affairs, the responsible official, Campus Judicial Board, and the vice chancellor, Student Affairs regarding a formal hearing are delineated below. In cases of violent crime, additional rights and responsibilities are delineated in Section 108.38.**

**108.33 The Accused Student:**

- a. shall be served with a written notice of the specific charges, the time and place of the hearing, as indicated in Section 108.31;
- b. may be accompanied by an adviser (who may be an attorney), if the student so chooses. If the accused student will be accompanied by an attorney as adviser, the director, Student Judicial Affairs must be notified of this fact at least five (5) working days prior to the hearing. The university reserves the right to postpone the hearing for a reasonable period of time to allow consultation with university General Counsel;
- c. shall speak for him/herself. The role of the attorney or adviser is therefore limited to assistance and support of the student in making his/her own case;
- d. is entitled to be present throughout the hearing while evidence is being presented and may remain until the board begins deliberations. If the student does not attend the hearing or voluntarily leaves during the hearing, the case may be heard in his/her absence;
- e. shall have the right to produce witnesses and evidence pertaining to the alleged violations;
- f. shall have the right to confront and cross-examine all witnesses;
- g. shall not be required to give self-incriminating evidence. The student's failure to testify shall not be used to draw an inference of guilt. If the student testifies, the university has the right to cross-examination;
- h. shall not be present during the deliberations.

**108.34 A Witness:**

- a. may exercise the privilege against self-incrimination;
- b. shall restrict testimony to that relevant to the charges specified in the written notice;
- c. shall be present at the hearing only while giving testimony and while responding to cross-examination.
- d. shall not be present during the deliberations.

**108.35 The Director, Student Judicial Affairs:**

- a. shall coordinate the appearance of witnesses and present evidence relevant to the charges;
- b. shall not be present during the deliberations;

**108.36 The Campus Judicial Board Members:**

- a. shall disqualify himself or herself if they have prior knowledge of or involvement in the case, which might bias their judgment.**
- b. shall ensure, through the chair, that discussion is restricted to the issue defined in the written notice of the charges of alleged misconduct. Shall monitor the process, through the chair, to ensure the maintenance of procedural due process;**
- c. may produce witnesses and evidence at the hearing. May cross-examine any witnesses produced by the accused or by the university;**
- d. shall receive verbal and documentary evidence of the kind which reasonable persons are accustomed to rely upon in serious matters and may exclude irrelevant or unduly repetitious evidence;**
- e. shall make findings of fact based upon the preponderance of evidence. Preponderance of the evidence is that evidence which, when fairly considered, is more convincing than the opposing evidence;**
- f. shall make all decisions of findings and recommendations by majority vote of those members present and casting a vote (abstentions are not counted as votes);**
- g. shall submit a report of their findings and recommendations to the vice chancellor, Student Affairs within five (5) working days after the conclusion of the hearing or such longer time as may be permitted by the chair. The report will include the findings of fact about the alleged misconduct and, when the facts constitute a violation of university policies or campus regulations, a recommendation regarding a sanction or sanctions to be imposed;**
- h. shall audio record the hearing to assist review of testimony. The accused student may be provided with a copy of the audio tape or transcript at his or her own expense.**

**108.37 The Vice Chancellor, Student Affairs:**

- a. shall review the report of findings and recommendations of the Campus Judicial Board;**
- b. shall notify the student, the responsible official, and the director, Student Judicial Affairs in writing of the sanction(s) imposed, if any, within five (5) working days of receipt of the report of findings and recommendations of the Campus Judicial Board;**
- c. the director, Student Judicial Affairs may approve a Voluntary Resolution plan, prior to the conclusion of the formal hearing, which differs from the initial offer of Voluntary Resolution made prior to the formal hearing, the vice chancellor shall explain in writing the rationale for this action to the Campus Judicial Board;**

- d. the vice chancellor may modify the recommended findings or sanctions received from the Campus Judicial Board;
- e. the sanction(s) imposed by the vice chancellor, Student Affairs shall become effective five (5) working days after delivery to the student of the notice of sanction(s).

**108.38 Rights and Responsibilities At Formal Hearings Involving Allegations of Acts of Violence: In such cases, the victim/survivor has the additional rights and responsibilities listed below:**

- a. may consult with and advise the responsible official but may not address the board or the accused student beyond giving testimony as a witness;
- b. may provide the Campus Judicial Board with a "victim impact statement" at the end of the proceedings and before deliberation;
- c. must maintain the confidentiality of the proceedings;
- d. may have a support person or advisor present during the formal hearing process; (Note: if the support person is also serving as a witness for the victim/survivor, s/he must give testimony and respond to cross-examination prior to being present as a support person [*see Section 108.34*].)
- e. will be allowed to submit a statement to the vice chancellor, Student Affairs concerning the final result of the hearing. This statement may include proposed sanctions that would be appropriate in the view of the victim. This statement must be submitted within three (3) working days from the date of the alleged victim/survivor's notification;
- f. to the extent as permitted by law and university policy, will be informed of the sanctions imposed by the vice chancellor, Student Affairs.

**108.40 CONDUCT OF THE HEARING**

- a. The purpose of the hearing is to establish findings of fact. Therefore, issues of constitutionality or legality of university or campus policies will not be considered.
- b. Opening Statements - After the chairperson opens the hearing and explains the manner in which the hearing will be conducted, including any time limitations, the opening statements may be presented by the responsible official and the accused student.
- c. Witnesses - Both sides may present witnesses, with the university first, and cross-examine all witnesses presented by the other side. The chair can confine the examination when the range of inquiry becomes excessive. Members of the Campus Judicial Board may ask questions when needed for clarification. The witness first undergoes examination by whom ever called the witness. The other party may then cross-examine the witness on any topic relevant to the issue, even if it was not brought up in direct examination.

- d. **Evidence - Evidence at the hearing is not subject to the same restrictions as in a court of law. The chair may exclude evidence that is marginally relevant, or repetitive, or unreliable. Both sides have the right to review all relevant documents and other evidence presented to the Campus Judicial Board. Therefore, when submitting evidence three sets should be made; one for each party and one for the committee.**
- e. **Closing Statements - the parties are entitled to brief closing summary statements, or at the discretion of the chair, written closing briefs.**
- f. **As this is not a court of law, formal court procedure does not need to be followed.**
- g. **Unless both parties and the chair agree to an open hearing, the hearing shall be closed. Should the hearing be open, the chair has the right to limit the number of spectators or exclude spectators from the hearing room at any time if deemed necessary for safety reasons or the quiet or secure conduct of the hearing or to protect the privacy of the witnesses.**

#### **108.50 APPEAL OF NON-ACADEMIC HEARING DECISION**

**Within five (5) working days of delivery of the notice of hearing decision from the vice chancellor, Student Affairs, the accused student may appeal in writing to the chancellor. An appeal filed after five (5) working days may be granted by the chancellor upon a showing of good cause for the delay and a showing that the appeal was made as soon as possible under the circumstances (*see Section 107.61 for appeals criteria*).**

**108.51 The chancellor may refer an appeal to a designated individual for review and recommendation. The report of any such designated official shall be made available to the student.**

**108.52 Upon completion of review the chancellor may affirm, modify, or reverse the recommended discipline, or return the case to the vice chancellor, Student Affairs or the Campus Judicial Board for further proceedings. No sanctions shall take effect while the case is under review except as otherwise specified in these procedures.**

**108.53 If as a result of an appeal of disciplinary sanctions, 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 instances, the record of the hearing will remain confidential to the extent permitted by law. 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 by such disciplinary action.**

## **109.00 MAINTENANCE OF DISCIPLINARY RECORDS**

- 109.10 Confidentiality.** The record of a disciplinary case and all supporting documentation shall be maintained according to university policies and applicable state and federal laws concerning maintenance and disclosure of student records, protection of a student's right of privacy, and the disclosure of personal student information. All student disciplinary files (including letters of recommended sanctions and notices of sanctions from the director, Student Judicial Affairs and the College Provosts) of undergraduates will be maintained by the college administrative officer at the college to which the student is affiliated. Non-academic disciplinary files of graduate students will be maintained by the Office of Student Judicial Affairs; academic disciplinary files will be maintained by the dean of Graduate Studies. Disciplinary files for students enrolled in University Extension courses who are not otherwise registered as students at the University of California, Santa Cruz will be maintained by the Office of Student Judicial Affairs. Disciplinary files for students enrolled in Summer Session courses or the Education Abroad Program who are not otherwise registered as students at the University of California, Santa Cruz will be maintained by the Office of Student Judicial Affairs. Responsible officials will provide copies of all letters of recommended sanctions to the director, Student Judicial Affairs, where these documents and notices of sanctions will be maintained. Records may be maintained in hard copy and/or digital image format.
- 109.20 Duration.** The disciplinary file of a student found responsible for violating campus regulations (including transcripts or recordings of the hearing) will be maintained as a disciplinary record by the responsible officials designated above for a minimum of seven years from the last effective date of sanctions imposed, unless otherwise determined by the vice chancellor, Student Affairs (e.g., holds, Suspensions, Dismissals, degree revocation).

## **110.00 POLICY ON STUDENT GRIEVANCE PROCEDURES**

- 111.00 Chancellors shall develop and submit for approval by Student Academic Services in the office of the president, and in consultation with the office of general counsel, procedures to resolve grievances that claim to have been the subject of any of the following types of university action:
- 111.10 Violation of the privacy rights accorded by the federal *Family Educational Rights and Privacy Act of 1974*, portions of the state of *California Education Code*, and the *University of California Policies Applying to the Disclosure of Information from Student Records* (see *Section 130.00*);
- 111.20 Discriminatory practices based upon sex, under Title IX of the *Education Amendments of 1972* or applicable federal or state laws, or under the *Student-Related Policy Applying to Nondiscrimination on the Basis of Sex* (see *Section 150.00 of the UC Policies*) and the *University of California Santa Cruz Sex Offense Policy* (see *Appendix F*);
- 111.30 Discriminatory practices based upon disability, under Section 504 of the *Rehabilitation Act of 1973* or the *Americans with Disabilities Act of 1990* or under the *University of California Guidelines Applying to Nondiscrimination on the Basis of Disability* (see *Section 140.00*);
- 111.40 Discriminatory practices based upon race, color, or national origin, under Title VI of the *Civil Rights Act of 1964* (see *Appendix C*); and
- 111.50 Other types of actions that may be grieved, such as discrimination on the basis of sexual orientation, age, or marital status, as specified in campus regulations.
- 112.00 Campus student grievance procedures shall be developed with student consultation, and shall at a minimum, meet the requirements of applicable federal anti-discrimination and privacy laws. Once adopted, they shall serve as the sole remedy within the university for nonacademic student grievances brought pursuant to any such law.
- 113.00 As provided in state law, civil or criminal law remedies, including injunctions, restraining or other court orders, and monetary damages also may be available to complainants.
- 114.00 Assignment of grades to students enrolled in university classes is the exclusive prerogative of university faculty. Grade-related and other academic grievances are covered under separate policies established in consultation with the Academic Senate (see *Appendix G*).

## **115.00 UCSC STUDENT GRIEVANCE PROCEDURES**

- 115.10 The Campus Judicial Board also serves as Student Grievance Board for administrative review (see Sections 115.21-28).**
- 115.11 For alleged violations of a student's privacy rights, "student" is defined to include any individual who has been admitted to and has enrolled in, or registered with, any academic program of the university.**