

University of California, Riverside
INTERIM STUDENT CONDUCT PROCEDURES
Modified pursuant to University of California PACAOS Appendix H January 1, 2026

1.00 GENERAL DESCRIPTION AND ADMINISTRATION

1.10 Principles

The University of California, Riverside (“UCR”) is committed to providing its students with the best education possible. UCR strives to attract the finest faculty members, maintain excellent educational and research facilities, and support co-curricular activities that enhance students' experience at this campus. UCR also seeks to create an environment that fosters individual growth, the freedom of expression and a sense of community. The viability of this community depends on a common understanding among its members regarding their rights and responsibilities. Adapted from the interim *University of California Policies Applying to Campus Activities, Organizations, and Students (PACAOS)*, Section 100- Policy on Student Conduct and Discipline and *PACAOS Appendix H: Student Conduct Investigation and Resolution Framework*, the UCR Standards of Conduct (“the *Standards*”), lays the foundation for that understanding and governs the conduct of all UCR students. It articulates the University's expectations regarding standards of conduct, both academic and non-academic, and with respect to the rights of others.

1.20 Description

This document, The Student Conduct Procedures, (“the *Procedures*”) provides a system intended to provide a fair and reasonable process that will proceed with reasonable speed and efficiency without sacrificing fairness to either the student or the University. The *Standards* and *Procedures* apply to students as individuals, as members of organizations, and to the student organizations themselves, where appropriate.

1.30 Actions in the Courts

The *Procedures* and *Standards* described here are intended as a general notice of our community standards and should therefore be viewed as a framework to educate through an accountability process. They are separate and distinct from criminal or civil proceedings which may arise from identical circumstances and that apply to students as citizens at large. Student Conduct may proceed with the investigation and resolution process even if the student is subject to concurrent University processes, criminal or civil proceedings nor will they be subject to challenge on the ground that charges involving the same incident have been dismissed or the outcome determined in favor of the student.

1.40 Administration

The Office of Student Conduct & Academic Integrity Programs (SCAIP) operates by delegation from the Chancellor through the Vice Chancellor for Student Affairs and through the Dean of Students, and for academic misconduct, through the UCR Academic Senate. Academic misconduct involving graduate students is administered by the Graduate Division. SCAIP administers student conduct policies and procedures for academic (behavior that allegedly violates *Standards* 102.01 *All Forms of Academic Misconduct*) and non-academic, e.g. social, behavioral, misconduct. Alleged violations of the *Standards* pertaining to non-academic misconduct shall be administered in accordance with the procedures set forth herein. Incidents of alleged academic misconduct will be addressed under the procedures set forth in [Academic Integrity for Students at the University of California, Riverside](#). SCAIP may utilize UCR students,

faculty, and staff to hear cases, determine sanctions, and review appeals as described in these procedures.

Alleged violation of policies, regulations or rules (e.g., *Housing Resident Conduct Policies*) governing University Housing by residential students are normally administered by Residential Life staff. Alleged violations of policies, regulations or rules governing University-owned or operated housing facilities may be resolved in accordance with Housing procedures and/or referred to SCAIP for resolution pursuant to these *Procedures*, as violations of *Standards* 102.07 Violation of Policies Governing University Housing Facilities. All disciplinary action taken by any Housing hearing body or administrator operates by delegation from the Chancellor through the Vice Chancellor for Planning, Budget, & Administration.

Where students are alleged to have violated the University's policy on Sexual Violence and Sexual Harassment, the UC Policy on Sexual Violence and Sexual Harassment outlines the procedures and associated PACAOS appendices which are used in lieu of these *Procedures*. Where students are alleged to have violated the University's Anti-Discrimination Policy, the UC Policy on Anti-Discrimination outlines the procedures and the associated PACAOS appendix which is used in lieu of these *Procedures*.

In the interest of fair administration of the *Procedures* and *Standards*, and consistent with law and University policy, the Dean of Students or their designee may interpret, determine, and make reasonable adjustments to procedures and other provisions herein.

Where timeframes are described in this document, the Dean of Students or their designee may extend processing timeframes for good cause. The actual time required for administration depends on the specific circumstances, including the complexity of the matter and the severity and extent of the alleged conduct. The Respondent will be notified in writing of any extension.

1.50 Availability of the Policies

Copies of all campus and system-wide policies referenced herein are available at SCAIP. The *Standards* and *Procedures* are posted on the SCAIP website: <https://conduct.ucr.edu/policies/standards-of-conduct>, and the *Standards* are published in each year's General Catalog. A student cannot reasonably claim innocence of a violation of the *Standards* on the grounds of ignorance, or cultural or national tradition that may differ from those *Standards*. Whenever a student is not sure whether a particular action would violate the *Standards*, it is the responsibility of the student to inquire of SCAIP.

1.60 Revisions to the Standards and the Procedures

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

1.70 Procedural Due Process

All substantive modifications to these *Procedures* shall be submitted to the Office of the President for review, in consultation with the Office of the General Counsel, for consistency with PACAOS and the law. (See also Section 13.40 of PACAOS.)

PACAOS 103.10 Procedural Due Process states: 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 and the procedures specified below. 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.

Procedural requirements are described in PACAOS-Appendix H: Student Conduct Investigation and Resolution Framework.

2.0 DEFINITIONS

For the purposes of these *Procedures*, the following definitions apply:

2.0.1 Administrative Resolution

A review process where information is gathered by a Student Conduct Officer regarding alleged violation(s) of the *Standards*. The process can include a meeting(s) with the Respondent and others with information about the alleged misconduct. The review will result in a determination regarding responsibility, and, if applicable, assignment of sanctions, or referral to another hearing body, such as the Student Conduct Committee.

2.0.2 Advisor

At all stages of this process, the student has the right to an Advisor. A student may select an Advisor of their choosing or request the University to provide them one. The Advisor may be any person (including an advocate, attorney, friend, or parent), except a person with information relevant to the alleged policy violation.

The Advisor's primary role is to provide guidance to the student throughout the process. The Advisor may not speak on behalf of the student at any time in the conduct process. Advisors may not disrupt any meetings or the process in any manner. At all stages of the process, Advisors must comply with the expectations within these procedures for participants in this process. The University reserves the right to exclude an Advisor who does not abide by these procedures.

All communication with Student Conduct must come from the student; an Advisor cannot communicate with Student Conduct on the student's behalf.

In the interest of expediency, the student conduct process may not be delayed due to the unavailability of an Advisor.

The Advisor selected by the student or provided by the campus will have access to training provided by the campus regarding its procedures for student conduct investigation and resolution.

A student may give written permission for the Advisor to be copied on Student Conduct's communications to the student during the investigation and resolution process.

2.0.3 Campus

A University of California campus. The term also applies to the Office of the President, the Division of Agriculture and Natural Resources, and each Department of Energy Laboratory operated by the University.

2.0.4 Chair

The UCR student, staff, or faculty member responsible for facilitating the procedures of a Student Conduct Committee Hearing.

2.0.5 Reporting person

Any person who submits a report of alleged violations of the *Standards* or other University policies.

2.0.6 Dean of Students

The Associate Vice Chancellor/Dean of Students for Student Affairs, or (if that position is vacant) a person designated by the VCSA to act as Dean of Students.

2.0.7 Held In Abeyance

To temporarily suspend the student conduct investigation, review, or sanctions by SCAIP while another University administrative action is in process.

2.0.8 Interim Actions

Consistent with PACAOS 107.00, the University may take Interim Actions before a final determination of an alleged violation.

2.0.9 Preponderance of the Evidence

The standard used by the University when determining whether a Respondent violated the *Standards*. This means that it is “more likely than not” the Respondent violated the *Standards*.

2.0.10 Reasonable Cause

Sufficient information alleging that a Respondent has violated the *Standards*, and the conduct process should begin. Information is sufficient if a reasonable person evaluating the information concludes that if true, the allegations would constitute a violation of University policy.

2.0.11 Recognized Campus Organization and Student Organization

Any group or organization of students of UCR that has obtained recognition as a registered campus organization through Student Life.

2.0.12 Respondent

A student or student organization alleged to have violated the *Standards*.

2.0.13 Standards of Conduct

The University’s Grounds for Discipline as described in PACAOS Section 102.00 and these *Procedures*; “the *Standards*.”

2.0.14 Student

For the purpose of enforcing the *Standards*, an individual as described in PACAOS 14-40:

- o For whom the University maintains student records and who:
- o is currently enrolled in or registered with an academic program of the University; or

- o has completed the immediately preceding term, is not presently enrolled, and is eligible for re-enrollment, including the recess periods between academic quarters; or
- o is on an approved educational leave, other approved leave status or disciplinary suspension or is on filing-fee status.

The *Standards* also apply to:

- applicants who become students, for offenses committed as part of the application process; or
- applicants who become students, for offenses committed on campus and/or while participating in University-related events or activities that take place following a student's submittal of the application through (their) official enrollment; or
- former students for offenses committed while a student; or
- students enrolled concurrently through University Extension.

2.0.15 Student Conduct Committee

A group of students, staff, and faculty appointed to resolve alleged violations of the *Standards*.

2.0.16 Student Conduct Committee Advisor

The Director of SCAIP or a designee not directly involved in the case who assists the Chair of the Student Conduct Committee with procedural matters.

2.0.17 Student Conduct Committee Hearing

A formal hearing with the Student Conduct Committee and one or more Respondents to resolve alleged violations of the *Standards*. Sanctions may be issued as a result.

2.0.18 Student Conduct Administrator

A University Official who has been authorized by the Vice Chancellor of Student Affairs or a designee to manage cases of alleged violations of the *Standards*. The Student Conduct Officer is responsible for conducting Administrative Resolutions and/or presenting information at Student Conduct Committee Hearings regarding alleged violations of the *Standards* and to impose sanctions or recommend sanction(s) to a hearing body.

2.0.19 University

The University of California including all campuses, the Office of the President, the Division of Agriculture and Natural Resources, and each Department of Energy Laboratory operated by the University.

2.0.20 University Official

Any person employed by the University performing administrative, professional, research, teaching, or paraprofessional responsibilities.

2.0.21 University Policy

Any written policy of the University, including, but not limited to these *Procedures*, and the *Standards*.

2.0.22 University Property

Any University-owned, -operated or -leased property, including all grounds and structures or such other property as shall be designated by the campus as property subject to the *Standards*. University property also includes computers and network systems owned, maintained or

controlled by the University or funded by University budgets or designated by the campus as subject to the *Standards*.

3.00 JURISDICTION

3.10 Types of Cases

Cases involving alleged misconduct by Students and/or Student Organizations under the following categories may be referred to SCAIP:

- UCR Standards of Conduct (The *Standards*-See Appendix A)
- University of California system-wide policies
- UCR Policies established by campus entities (such as the Chancellor, departments, Housing, and professional schools).

3.20 On-Campus Jurisdiction

The *Standards* govern student conduct on, or as it relates to University property as defined in **2.0.22 University Property**, or at official University functions and University-sponsored programs conducted away from the campus.

3.30 Off-Campus Jurisdiction

SCAIP will consider the below factors when determining whether to exercise off-campus jurisdiction over student conduct that occurs outside University property, or that does not involve University programs. Off-campus student conduct that has an impact on the University environment may be subject to the *Standards* where it:

- 1) adversely affects the health, safety, or security of any member of the University community (including but not limited to conduct such as aggravated assault, assault with a deadly weapon, murder), or the mission of the University, and/or
- 2) Involves sexual violence or sexual assault;
- 3) Has a significant disruptive impact on the ability of the University to fulfill its mission;
- 4) Involves academic work or any records, or documents of the University;
- 5) Involved activities of a registered student organization;
- 6) Impairs the ability of another student(s) to participate in or have equal access to University facilities, programs, or activities;
- 7) Egregiously and/or repeatedly has negatively impacted or constitutes a nuisance to members of the surrounding off-campus community, which may also constitute a violation of federal, state or local laws/ordinances; or
- 8) Severely impacts or strains emergency response abilities in the surrounding community.

The above list is not exhaustive. In determining whether to exercise jurisdiction over such conduct, the University shall consider the seriousness of the alleged offense, the risk of harm to the campus community or University property, whether the victim(s) are members of the campus community and/or whether the off-campus conduct is part of a series of actions that occurred both on and off University property. Recommendations by SCAIP to extend jurisdiction will be reviewed by the Dean of Students or their designee.

3.40 Online Jurisdiction

SCAIP may review reports of online behavior by students to evaluate whether it violates the *Standards* and whether to extend jurisdiction over such conduct. SCAIP will exercise online jurisdiction consistent with PACAOS Policy on Speech and Advocacy.

3.50 Procedures and Timelines

Each case is handled individually and, while due process is always provided, every procedure outlined in the *Standards* may not be used in a particular case. All deadlines and time requirements in this document may be extended for good cause as determined by the Dean of Students or designee, or upon the agreement of SCAIP and the Respondent. Requests for extensions of deadlines must be made in writing to the Dean of Students and the Dean of Students or designee will notify appropriate parties whether the extension is granted, and if an extension is granted, the specific date of the new deadline or event.

4.00 FILING AND REVIEW OF COMPLAINTS

4.10 Filing a Complaint

Any person may file a report alleging academic or non-academic misconduct by a student or student organization with SCAIP. Reports must be filed in writing through an online report form at the SCAIP website at www.conduct.ucr.edu or in person at the SCAIP office. SCAIP may independently follow up on information concerning student misconduct from any source, including, but not limited to police and/or press reports, even where no formal report has been filed. Alleged academic misconduct by Graduate Students may be reported to the Graduate Division in accordance with the procedures set forth in Academic Integrity for Students at the University of California, Riverside.

4.20 Initial Assessment

As soon as practicable after receiving a report alleging student misconduct, and typically within 30 business days from receipt of all necessary information, Student Conduct shall conduct a preliminary assessment to determine whether the report falls within the scope of these procedures and whether the allegations, if true, may constitute a policy violation.

If applicable, SCAIP will assign charges, and determine how the incident will be adjudicated. SCAIP will determine how complaints will be adjudicated based on the nature and severity of the alleged violations of the *Standards*. Most alleged violations will be investigated and adjudicated through the Administrative Resolution process. When the Administrative Resolution includes suspension or dismissal, the student may elect to contest Student Conduct's determination of responsibility by proceeding to a formal hearing by the Student Conduct Committee.

4.2.1 Cases involving behavior that presents a threat to the health or safety of others

In cases where there is reasonable cause to believe that the student's participation in University activities or presence at specific areas of the campus will lead to physical abuse, threats of violence, or conduct that threatens the health and safety of any person on University property or at official university functions, or that the student would engage in other disruptive activity incompatible with the orderly operational campus, interim actions and/or exclusion pursuant to California Penal Code Section 626 may be invoked in addition to the initiation of disciplinary action.

5.00 NOTICE OF ALLEGATIONS

5.0.1 SCAIP shall send Notice of Allegations to the Respondent's UCR email account or, in cases involving a student organization, the UCR email account of the principal officer on record with Student Life. The Notice shall be sent typically within thirty (30) business days from the

receipt of all necessary information related to the report. The Respondent will have ten (10) business days from the Notice date to meet with a Student Conduct Officer.

The University may bring charges against a former student, for offenses committed while a student, within six months after termination of student status. This limitation does not apply to cases that involve academic dishonesty or fraud affecting the acquisition of a degree, over which the University maintains indefinite jurisdiction.

5.0.2 Method of Notice

It shall be conclusively presumed that written notice to the Respondent has been furnished if the notice was sent according to the provisions described in section 5.0.1 above.

5.0.3 Notice Content

The written *Notice of Allegations* shall contain:

- A summary of the allegations and potential policy violations;
- A statement that the findings regarding whether there has been a violation of University policy will be based on a preponderance of the evidence standard;
- A link to the policy to be used in adjudication of the case;
- A summary of the process, including the expected timeline;
- A statement; that a student may select an Advisor of their choosing or request the University to provide them one. The Advisor may be any person (including an advocate, attorney, friend, or parent), except a person with information relevant to the alleged policy violation;
- A statement of the Respondent's right to review the information submitted that is directly related to whether a policy violation has occurred.
- A statement that the Respondent has the opportunity to meet with a Student Conduct Officer to discuss resolution of the charges and/or to contest the allegations;
- A statement that SCAIP will proceed with unilateral action if the Respondent does not meet with a Student Conduct Officer or Student Conduct Committee to resolve the charges.

5.0.4 Break Periods

Administrative Resolutions and Student Conduct Committee Hearings may be held during summer sessions or academic break periods.

5.0.5 Holds

Holds may be placed on registration, requests for transcripts, diplomas, or other student records. Such holds may be placed in circumstances including, but not limited to:

- When a student fails to respond to a written notice from SCAIP;
- 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;
- When a student fails to comply with the terms of a disciplinary sanction.

In the *Notice of Allegations*, or any Notice involving a hold, the student will be informed of the hold, the conditions under which a hold will be removed, and the process for allowing the student to request the removal of the hold. A student may submit a written request to SCAIP for the removal of administrative holds. SCAIP has discretion whether to release administrative holds and the conditions under which they may be released. SCAIP will notify the student in writing of the decision, and their decision is final.

5.0.6 Participation and Unilateral Disciplinary Action

If the Respondent has failed or refused to respond, or to participate in or cooperate with the disciplinary process, despite reasonable efforts to contact the Respondent, or the Respondent has withdrawn or failed to re-register while discipline is pending, SCAIP may proceed unilaterally, without a formal hearing, to determine if a violation exists, and impose discipline if a violation is found. Unilateral action may include, but is not limited to: placement of holds in accordance with 5.0.5 above and/or formal adjudication without the Respondent's presence.

The University will not draw any adverse inferences from a student's decision not to participate or to remain silent during the process.

When a student selectively participates in the process – such as choosing to answer some but not all questions posed, or choosing to provide a statement only after reviewing the other information gathered in the investigation – Student Conduct or the SCC may consider the selective participation in evaluating the student's credibility. In doing so, they should try to discern reasonable non-adverse explanations for the selective participation, including from the student's own explanations, and determine whether the information available supports those explanations.

5.0.7 Disability Accommodations

At any stage in the process, Respondents, witnesses, and parties whose participation in the process is requested by SCAIP may request disability accommodations by contacting SCAIP at the time of notification. SCAIP determines if there will be a reasonable delay to the procedures in order to provide accommodations, and may request the party follow interactive processes as outlined by the Student Disability Resource Center (SDRC).

5.0.8 Language Interpretation. Student Conduct will consider requests from the student and witnesses for language interpretation.

6.00 ADJUDICATION OPTIONS AND PROCEDURES

6.10 Alternative Resolution

At any point during the process, Student Conduct may offer an Alternative Resolution option (e.g., mediated dialogue, restorative justice, educational agreement), subject to the following conditions:

1. The student does not dispute the facts relevant to whether the policy violation occurred, and/or acknowledges responsibility;
2. All involved parties who are willing to participate in any process, including any impacted individuals, consent in writing to participate. The Student Conduct Administrator will determine who is an "involved party."

Not all allegations are eligible for Alternative Resolution. The Student Conduct Administrator or designee is responsible for making the final decision regarding whether or not Alternative Resolution is appropriate and may change their determination if additional information is received.

Upon acceptance of the Alternative Resolution Agreement, the student waives the right to a hearing and appeal. The Agreement will be in writing and likely include educational or restorative components. Records of Alternative Resolution will be maintained as a

non-disciplinary record (unless otherwise agreed to within the resolution plan), but failure to accept the Agreement or to comply with the terms of the Agreement may lead to a cancellation of the Alternative Resolution Agreement and a return to the investigation and/or resolution process.

Student Conduct will complete the Alternative Resolution process typically within 30 to 60 business days of notifying the student in writing of the beginning of the process. However, Student Conduct may extend past 60 business days for good cause.

6.20 Advisory Notice

As an alternative to resolving alleged policy violations of the *Standards*, Student Conduct may issue a written notification to a student that the student's alleged behavior, if it occurred, would have violated University policy, and could have been subject to the conduct process. The Advisory is not a determination that the allegations are true, does not result in a conduct record, and therefore is not appealable. However, the alleged behavior as detailed in the Advisory may be introduced in a subsequent conduct process for the purpose of establishing that the student was advised that such behavior violates University policy. Student Conduct may issue an Advisory Notice in cases where alleged misconduct suggests a violation, but information is limited or may be inconclusive or incomplete. Normally the issuing of an Advisory Notice will close the matter, however, should additional relevant information be discovered in the future the matter may be reopened.

6.3 Administrative Resolution

A Student Conduct Administrator will offer a meeting with the Respondent to explain the alleged violation(s), and where appropriate, discuss information that was received to support the allegation(s), and shall provide the Respondent an opportunity to respond to the allegation(s) and present any information that may assist in investigation and resolution of the case. In reviewing all the facts and information available, the Student Conduct Administrator shall determine whether the Respondent has *more likely than not* violated the *Standards* and, if so, what sanctions or informal action should be taken. Mechanical or electronic devices for recording or broadcasting shall be excluded from the Administrative Resolution meetings, except when provided as an accommodation pursuant to Section 5.0.7 of this policy.

If the student accepts the Administrative Resolution, the outcome is final, and no hearing or appeal will follow. If the student does not accept the Administrative Resolution and:

- a. The Administrative Resolution does not include suspension or dismissal, the student may elect to appeal the Administrative Resolution finding(s) and/or sanction(s) within 10 business days of the issuance of the Administrative Resolution as described in section 9.0 Appeals;
- b. The Administrative Resolution includes suspension or dismissal, the student may elect to contest Student Conduct's determination of responsibility by proceeding to a Student Conduct Committee . Within 5 business days of the issuance of the Administrative Resolution, the student must indicate via written communication to Student Conduct or their designee if they wish to contest Student Conduct's determination of responsibility.

If the Administrative Resolution includes suspension or dismissal, and the student accepts responsibility for the policy violation, but wishes to appeal the sanction (suspension or

dismissal), they may submit a written appeal on only one ground, that the proposed sanction is disproportionate given the findings of fact. Within 5 business days of the issuance of the Administrative Resolution, the student must indicate via written communication to Student Conduct or their designee if they wish to accept responsibility for the policy violation, but appeal the sanction. The student will have an additional 5 business days to submit their written appeal to the Dean of Students or their designee, identifying the reason(s) why the student is challenging the proposed sanction.

6.40 Student Conduct Committee Hearings

Student Conduct Committees (SCC) are comprised of up to five committee members and a Chair drawn from a pool of pre-selected and trained students, faculty, and staff to ensure ready availability. A quorum of the SCC consists of three committee members, of which there must be at least one student and one faculty or staff member. The Chair must also be present for the quorum. In the absence of a quorum, the Hearing must be rescheduled.

Undergraduate student committee members are approved by the recognized student government; graduate student committee members are approved by the Graduate Student Association; staff committee members are appointed by the Vice Chancellor for Student Affairs; and faculty committee members are appointed by the Academic Senate. Students must have completed at least two quarters at UCR before serving as a committee member. Students who have been suspended or are on academic or disciplinary probation, evicted from University Housing for reasons related to conduct, or who have a case pending before the SCC are not eligible to serve as committee members.

6.4.1 Referral to SCC Hearing

For cases to be resolved through an SCC Hearing, SCAIP shall send a *Referral to Committee Notice* to the student's UCR email account or in cases involving a student organization, the UCR email account of the principal officer on record with Student Life. The Referral will include the date, time, and place of the scheduled SCC Hearing. The Respondent must be notified at least 10 business days before the scheduled hearing. The University reserves the right to conduct hearings in the Respondent's absence when proper notice has been given. Failure to appear after proper notice does not constitute grounds for an appeal.

6.4.2 Requests to Reschedule a Hearing

All requests for rescheduling an SCC Hearing must be directed in writing to the Director of SCAIP with a statement of the grounds for the request, at least five (5) business days prior to the scheduled hearing. Requests are considered, but rescheduling is not automatic, and SCAIP's decision is final.

6.4.3 Consolidated Hearing Assignments

Cases in which more than one Respondent is charged with violating the same regulation(s) and which depend on common evidence may, at the discretion of SCAIP, either be considered jointly in a single consolidated SCC Hearing or be assigned to separate hearings.

6.4.4 Evidence in SCC Hearings

Respondent(s) will be provided access to and/or copies of all the documentary information that will be presented in support of the charges at the SCC Hearing and a list of witnesses, if any, that may be called by the University. Any such evidence will be made available for inspection as soon as practicable but in any case, no later than seven (7) business days before the hearing. The release of information pursuant to this section may be subject to limitations imposed by

state and federal law. (See University of California, Riverside Policies Applying to the Disclosure of Information from Student Records for further information.)

No later than 3 business days prior to the hearing, the Respondent must provide SCAIP with copies of documentary evidence to be presented at the SCC Hearing and a list of witnesses they would like to call. Evidence submitted by the Respondent after less than 3 business days before the hearing shall be excluded absent a showing of good cause for failure to produce the evidence by the deadline, as determined by the Chair of the hearing. The Chair will rule on the admissibility of all proposed witness testimony and submitted evidence, based on the relevance of such testimony/evidence.

The privacy interests of the parties should be considered by the Chair in making decisions about the introduction of evidence.

Formal rules of evidence or court procedures are not used and do not apply in the student disciplinary process. Student discipline hearings are not court proceedings; the procedures used in civil or criminal trials, motions, or other proceedings before a court or administrative agency do not apply.

6.4.5 Presence of Parties

SCC Hearings are closed to the public. The Respondent is entitled to be present throughout the SCC Hearing, excluding the deliberation phase, but may elect not to appear. The Respondent's failure to appear shall not be construed as evidence of responsibility for violating policy. Witnesses will be excluded from SCC Hearings during all testimony but their own.

6.4.6 Procedure and Evidence

The Chair shall rule on all questions of procedure and evidence, including but not limited to, the order of presentation of evidence, admissibility of evidence, applicability of regulations to a particular case, and relevance of testimony. 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 at the hearing.

6.4.7 Record of the SCC Hearing

A recording of the SCC Hearing, but not the deliberations, shall be made and retained as part of the record for as long as the disciplinary record is retained, according to local and UC retention policies. Respondent(s) may obtain a copy of the recording upon paying the expense of making such copy, and it will be provided in a reasonable amount of time at the discretion of SCAIP, provided that the hearing decision has been issued. Either party may arrange for a transcriptionist to make a full transcript of the proceedings at their own expense. SCAIP must be notified at least three (3) business days prior to the Hearing if a transcriptionist will be present. Other than for the purpose of the official record as provided above, mechanical or electronic devices for recording or broadcasting shall be excluded from the Hearings. (Note: Exceptions may be provided on a case-by-case basis for Respondent(s) requiring ADA/504 accommodations.)

6.4.8 Decisions

The SCC shall deliberate in closed session to determine whether a Respondent is responsible or not for the violation(s) in question. The determination shall be based on a preponderance of the evidence and shall be based only upon evidence received and deemed admissible at the committee hearing. For cases in which the Committee determines a Respondent is not responsible for violating the *Standards*, no sanctions will be recommended. For cases in which it

is determined that the Respondent is responsible for violating the *Standards*, the Committee will include consideration of the Respondent's disciplinary record at the University. Except in cases in which the disciplinary history of the Respondent is a basis of the alleged violation(s) under review (e.g., a continuing pattern of behavior), consideration of that history will occur subsequent to the Committee's determination of responsibility.

The SCC findings and recommendations shall be forwarded to the Director of SCAIP (*Director*) or their designee not previously associated with the case, within seven (7) business days after the conclusion of the hearing, which may be extended for good cause. The report may be written by the Chair and shall include the Committee's findings of fact about the alleged misconduct, recommendations for determination of responsibility for policy violations and, when a policy violation has occurred, a recommendation regarding a sanction or sanctions to be imposed.

The Director shall review the report of findings and recommendations of the Student Conduct Committee and may modify the recommended finding on policy violations, and/or sanctions received from the Student Conduct Committee.

The sanction(s) imposed by the Director shall become effective if the appeal period ends without an appeal being filed.

6.4.9 Recommendations for Amendment to Policy/Regulation/Procedures

The SCC, apart from its finding on a particular disciplinary case, may recommend to the Dean of Students the modification of any University policy and/or campus regulation (including these *Procedures*) for stated reasons in a letter separate from the findings.

7.00 NOTICE OF THE DECISION

SCAIP or the SCC Chair will notify the Respondent and University Representative of the decision promptly after the conclusion of the Administrative Resolution or SCC Hearing, typically within 60 to 90 business days of issuing a Notice of Allegations and not later than twenty (20) business days after the SCC Hearing, absent good cause for an extension. Notice of the decision shall be given as follows:

- To the Respondent: SCAIP or the Chair shall provide written notice to the Respondent of the decision in the case. A copy of the notice will be forwarded to SCAIP, the Dean of Students and others consistent with the Family Educational Rights and Privacy Act (FERPA). The notice shall include findings as to each of the specified charges, and whether the conduct as found does or does not violate the policies or regulations as alleged. Where appropriate, the notice shall identify the sanction(s) to be imposed. The notice of the decision will contain a summary of the information upon which the decision relied. The notice of decision will include information on the appeal process.
- To the alleged victim of a crime of violence: If the referral involved a violent crime, the alleged victim of the crime must be informed of the results of any disciplinary action and appeal, in accordance with law and University policy.

8.00 MAINTENANCE OF DISCIPLINARY RECORDS

The record of a disciplinary case and all supporting documentation shall be maintained according to the University policies and applicable State and Federal laws concerning

maintenance and disclosure of student records, protection of a student's right of privacy, and the disclosure of personal student information.

The file of a student found in violation of campus regulations (including the transcripts or recordings of the hearing) will be maintained by SCAIP for a period of at least seven years from the date of the letter providing notice of final disciplinary action, unless otherwise determined by the Dean of Students.

Reports and other information about conduct cases, including outcomes and sanctions, may be shared with other University officials, in accordance with FERPA and University policy.

8.10 Notations on Transcripts

When, as a result of a violation of the *Standards*, a student is suspended, the fact that suspension was imposed must be posted on the academic transcript for the duration of the suspension. When a student is dismissed, the fact that dismissal was imposed must be posted on the academic transcript permanently.

9.00 APPEAL OF SCAIP OR STUDENT CONDUCT COMMITTEE DECISIONS

9.10 Appeal Submission

Appeals of a decision by SCAIP or the SCC shall be addressed to the Dean of Students. Within ten (10) business days of receiving written notification of the decision, the Respondent may submit a written appeal to the Dean of Students. When an appeal is submitted by the Respondent, the Dean of Students or their designee ("Appeal Officer") must promptly send a copy of the appeal to SCAIP. Within seven (7) business days of receiving the copy, SCAIP may submit a written response to the Appeal Officer.

9.20 Sanctions During Appeal

The filing of a timely appeal suspends the imposition of sanctions until the appeal is decided, but Interim Action (see section 2.0.8) may be taken as determined by the Dean of Students. Grades or degrees may be withheld pending conclusion of the appeal.

9.30 Grounds for Appeal

An appeal must be based on one or more of the following: a. new information not available at the time of the hearing, the absence of which can be shown to have materially affected the outcome; b. there was procedural error in the process that materially affected the outcome; c. the proposed sanction is disproportionate given the findings of fact.

9.40 Appeal Decisions

The Appeal Officer shall make the final determination of all cases appealed under these policies. Except in cases where the appeal is based upon newly discovered evidence, the Appeal Officer shall review the record of the hearing and will not consider evidence that was not part of that record, other than the Respondent's prior discipline record, if any. The Appeal Officer may uphold, overturn, or modify the decision and sanction in question. The action taken shall be communicated in writing to the Respondent, SCAIP, and other appropriate officials within twenty (20) business days after receipt of the appeal and related documents.