



University of California, Santa Cruz  
Student Policies and Regulations Handbook

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## PREFACE

*The Student Policies and Regulations Handbook* (“*Handbook*”) integrates the *University of California Policies Applying to Campus Activities, Organizations, and Students* (“*Policies*”) available on the Web at <http://www.ucop.edu/ucophome/uwnews/aospol/toc.html> and Santa Cruz campus implementing regulations applying to campus activities, organizations, and students. To distinguish between the **UC Policies and University of California Santa Cruz Regulations (“Regulations”)**, **University of California Santa Cruz Regulations are printed in bold type**. Effective June 29, 2016, this publication incorporates revisions made during the last academic year, and supersedes all documents of the same title published previously.

Members of the university community may propose amendments to these *Policies and Regulations* by submitting proposals to the Office of Conduct and Community Standards or referral to the chancellor's advisory committee on campus regulations. The committee makes periodic recommendations to the President or the Chancellor. (*See Sections 13.30, 13.31 and 13.40.*) Proposals may be sent via email to [conduct@ucsc.edu](mailto:conduct@ucsc.edu) or by mail to Conduct and Community Standards Office, 245 Hahn Student Services, 1156 High Street, Santa Cruz, CA 95064. Updates to the *Handbook* prior to its next publication date will be posted on the Student Conduct and Community Standards website.

The *Handbook* is prepared by the Office of Student Conduct and Community Standards and is available on the Web at the address <http://deanofstudents.ucsc.edu/student-conduct/> It is available in alternate formats such as enlarged print or braille. For alternate formats contact (831) 459-1738 or [conduct@ucsc.edu](mailto:conduct@ucsc.edu).

### **Campus Security, Crime Awareness, and Alcohol and Drug Abuse Prevention**

The security of all members of the campus community is of vital concern to the University of California, Santa Cruz. Every fall the campus publishes a report containing the following: crime prevention advice; law enforcement authority of the University of California Police; policies concerning the reporting of crimes and emergencies which may occur on the campus or campus properties; policies concerning security and access to campus facilities; descriptions of programs designed to inform students and employees about campus security procedures and practices; a statement of policy regarding the possession, use and sale of alcoholic beverages and enforcement of state drinking, drug and weapons laws; and crime statistics for the most recent 3-year period.

A copy of this report may be requested from the University Police, 1156 High Street, Santa Cruz, CA 95064 (831) 459-2231. Information may also be viewed on their website: <http://police.ucsc.edu/crime-prevention/clery.html>

# UNIVERSITY OF CALIFORNIA, SANTA CRUZ POLICIES AND REGULATIONS

## APPLYING TO

## CAMPUS ACTIVITIES, ORGANIZATIONS, AND STUDENTS

2014-2016

### **10.00 PREAMBLE**

In carrying out its teaching, research, and public service, the University has an obligation to maintain conditions under which the work of its members - the faculty, students and staff - can go forward freely, in accordance with the highest standards of excellence, institutional integrity, and freedom of expression, and with full recognition by all concerned of the rights, privileges, and responsibilities of those who comprise the university community.

10.10 These *Policies* address the rights and responsibilities of members of the university community as well as others while on university property. These *Policies* also address the responsibilities of students as defined herein and provide university wide standards for campus implementing regulations as a means of sustaining this community.

Each member of the University shares in the responsibility for maintaining this unique community so that the University's mission of teaching, research, and public service can be achieved.

These *Policies* and their campus implementing regulations are designed to protect and promote the rights of members of the university, prevent interference with university functions or activities, and assure compliance with all pertinent laws and other applicable university policies.

### **11.00 AUTHORITY**

The Regents of the University of California is a corporation that derives its authority from the California Constitution, Article IX, Section 9, which prescribes its powers of organization and governance. These *Policies* are issued under this authority, and supersede all previous versions issued by the Office of the President as the *University of California Policies Applying to Campus Activities, Organizations, and Students*. (Revised July 28, 2004)

## **12.00 APPLICABILITY**

These *Policies* and the campus regulations implementing them apply to all campuses and properties of the University and to functions administered by the university, unless in special circumstances the President directs otherwise. Campuses implementing regulations for these *Policies* may extend their application to cover student conduct that occurs off- campus as provided in *Section 100.00* of these *Policies*.

12.10 These *Policies* do not apply where inconsistent with the Higher Education Employer-Employee Relations Act (HEERA) or applicable collective bargaining agreements.

12.20 For all pertinent activities involving university students, employees, and properties, these *Policies* apply to the Division of Agriculture and Natural Resources and to Department of Energy Laboratories operated by the University of California, subject to laboratory implementing regulations and contractual obligations between the Regents and the Department of Energy. Any provision of these *Policies* that covers such activities also applies to the laboratories when it refers to the campuses, and to the laboratory directors when it refers to the chancellors.

## **13.00 DEVELOPMENTS AND REVIEW OF UNIVERSITY WIDE POLICIES AND CAMPUS IMPLEMENTING REGULATIONS**

13.10 The President shall consult as appropriate with chancellors, vice chancellors, the Office of the General Counsel, and university wide advisory committees, prior to amending these *Policies*. Chancellors shall consult with faculty, students, and staff prior to submitting to the president any campus recommendations related to proposed amendments to these *Policies*. Amendments that are specifically mandated by law, however, do not require consultation with campus representatives or university wide advisory committees to the extent that legal requirements do not permit such consultation.

13.20 Chancellors shall adopt campus implementing regulations consistent with these *Policies*. The university shall publish these *Policies* and make them widely available, and chancellors shall do the same with respect to the implementing regulations for their campuses. This requirement may be satisfied through on-line publication of these *Policies* and their respective campus implementing regulations.

13.21 *The Handbook* is available on the Web at:  
[deanofstudents.ucsc.edu/student-conduct](http://deanofstudents.ucsc.edu/student-conduct)

13.30 Chancellors shall consult with students (including student governments), faculty, and staff in the development or revision of campus implementing regulations, except when the development or revision of such regulations results from changes to these *Policies* that have

been specifically mandated by law. Campuses shall specify procedure including consultation processes, by which campus-implementing regulations may be developed or revised.

**13.31 Campus regulations shall be reviewed every two years or more frequently if need be, by a committee appointed by the Associate Vice Chancellor, Dean of Students. The committee will be composed of undergraduate and graduate students, nominated by Student Committee on Committees (SCOC) and the Graduate Student Association (GSA), respectively, a representative of the college administrative officers (CAOs), a representative of the Student Union Assembly (SUA), and staff and faculty. Recommendations for changes shall be submitted to the chancellor or designee for approval prior to the end of the spring quarter every two years.**

13.40 Prior to their adoption, all proposed campus implementing regulations, including all substantive modifications to existing such regulations, shall be submitted to the Office of the President for review, in consultation with the Office of General Counsel, for consistency with these *Policies* and the law.

## **14.00 Definitions**

**For the purposes of these *Policies* and the campus implementing regulations adopted pursuant to them, the following definitions are provided:**

### **14.10 Campus**

**The term “campus” means a University of California campus. The term “campus” 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.**

### **14.20 Property**

**The term “property” means any University- owned, -operated or –leased property including all University grounds and structures or such other property shall be designated by a campus as property subject to these Policies.**

### **14.30 Registered Campus Organization**

**The term “Registered Campus Organization” means an organization whose membership predominantly comprises students, faculty and staff at a particular University campus, and**

that attains recognition as a Registered Campus Organization by complying with the requirements and procedures set forth in Section 70.10 of these Policies in the campus implementing regulations.

#### **14.40 Student**

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

#### **14.50 University**

The term “University” means the University of California and includes all campuses, the Office of the President, the Division of Agriculture and Natural Resources, and each Department of Energy Laboratory operated by the University.

### **20.00 POLICY ON NONDISCRIMINATION**

The university is committed to a policy against legally impermissible, arbitrary, or unreasonable discriminatory practices. All groups operating under the authority of the Regents, including administration, faculty, student governments, university-owned residence halls, and programs sponsored by the university or any campus, are governed by this policy of nondiscrimination. The intent of the university's policy on nondiscrimination is to reflect fully the spirit of the law. In carrying out this *Policy*, the university also shall be sensitive to the existence of past and continuing societal discrimination. (*See also Appendix C [Nondiscrimination Policy Statement for the University of California Publications Regarding Student Related Matters]; Section 140.00; Section 150.00; and Section 160.00.*)

### **30.00 POLICY ON SPEECH AND ADVOCACY**

#### **Free Speech Statement**

Freedom of thought, inquiry, speech and lawful assembly are fundamental rights of all persons. These rights include the freedom to express opinions; to hear, express and debate various views, no matter how unpopular; and to voice criticism. Free speech is uniquely important to the University as it brings about a free interchange of ideas integral to the

**University's fundamental mission of teaching, research and public service. All sworn personnel are bound by law to protect the Constitutional rights of all persons including the rights of free speech and assembly.**

**Protests and civil disobedience have played an historic role on the University campuses and in bringing important and beneficial changes within society and in the development of our democracy. However, civil disobedience is not protected speech under the US or California Constitutions. The Constitution does not guarantee any right to engage in civil disobedience – which, by its very definition, involves the violation of laws or regulations – without incurring consequences. Civil disobedience may have a negative effect on the protected interests of others and may interfere with University business or threaten public safety, or University assets, in ways that require the University to act to protect those other interests.**

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

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

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

**30.31 Time, Place and Manner: UC may regulate the time, place, and manner of speech. In public forums the regulations must be content neutral, narrowly tailored to serve a significant interest and leave open ample alternative channels of communication (e.g., time of day restrictions, location limits, preservation of access or traffic flow, limits on amplified sound).**

**30.32 Forums: The right to use particular locations at UC campuses for speech activities is largely a function of the character and/or location of the property where the speech occurs. The broadest rights are in areas that are open to the public, traditionally used for or intentionally opened to expressive activities, and not limited to use for specific purposes or topics ("public" or "traditional" forums). Rights are much narrower in other locations such as but not limited to lecture halls, classrooms or business offices ("non-public forums")**

**30.33 Disruptive Behavior: The Student Code of Conduct sections 102.13-102.16 govern the university response to disruptive behaviors.**

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

**30.41 Advocacy Activities In Residential Facilities.**

**For security purposes, residential facilities are not considered public areas. They are not accessible to members of the general public unless invited as guests with the express consent of a residential facility resident, as outlined in the Terms and Conditions of Housing (Housing Contract).**

**Neither commercial solicitation nor commercial literature distribution is permitted by residents or non-residents in any residential unit. For a definition of commercial versus non-commercial activity please see Section 42.32.**

**Only current residents of a particular hall (i.e., residence halls in Cowell, Crown, Merrill, Oakes, Porter, Stevenson, Colleges Eight, Nine and Ten, the University Town Center and the Village), may distribute non-commercial literature or solicit for non-commercial purposes—including religious or political materials—to other residents of their own residence hall, except voter registration activities which are covered separately under Section 42.50.**

**30.42. Solicitation or Distribution includes but is not limited to notices placed outside of or slipped under individual rooms, or "door hanger" announcements slipped over door handles. Solicitation or Distribution does not include affixing notices to individual room doors or other areas of the residence hall except for designated posting locations. The clips for affixing materials located next to the doors at Family Student Housing are for official university postings only.**

**With respect to apartments such as those at Family Student Housing and Graduate Student Housing and the units at the Camper Park, Cowell, Stevenson, Crown-Merrill, College 9/10, Porter, Kresge, Oakes and College 8 which are accessible directly by members of the general public, noncommercial solicitation and distribution of literature is permitted in the forms indicated above. Public access to the general campus is outlined in section 42.12.**

**30.43 All campus regulations regarding speech and advocacy shall be consistent with Section 40.00 of these Policies.**

**40.00 POLICY ON USE OF UNIVERSITY PROPERTIES**

**40.10 University properties shall be used only in accordance with federal, state, and local laws and shall not be used for the purpose of organizing or carrying out unlawful activity.**



**40.11 University properties shall be used in accordance with university policies and campus regulations, and consistent with the procedures which implement these policies and regulations.**

**40.12 After 12:00 a.m. and before 5:00 a.m., university properties, including buildings and real property, are not open to the public generally, except for members of the public who are attending events open to the public during those hours, or who are invited guests of university students, faculty, or staff.**

40.20 All persons on university property are required to abide by university policies and campus regulations and shall identify themselves upon request to university officials acting in the performance of their duties. Violation of university policies or campus regulations may subject a person to possible legal penalties; if the person is a student, faculty member, or staff member of the university, that person may also be subject to disciplinary action in accordance with university policies and campus implementing regulations.

**40.21 Alcoholic beverages may be served on university properties only in accordance with campus policies and regulations regarding the purpose, serving, and consumption of alcoholic beverages. (See Appendix E.)**

40.30 All use of university properties and services must conform to applicable campus time, place, and manner regulations.

40.40 On university grounds open to the public generally, as may be described in campus regulations, all persons may exercise the constitutionally protected rights of free expression, speech, assembly, and worship (including the distribution or sale of noncommercial literature incidental to the exercise of these freedoms). Such activities shall not interfere with the orderly operation of the campus and must be conducted in accordance with campus time, place, and manner regulations.

**40.41 For the purpose of these regulations, "grounds open to the public generally" are defined as the outdoor areas of the campus (e.g., lawns, patios, plazas) that are at least 10 feet from the entrances/exits of campus buildings and parking lots, and that are also a safe distance from the curbing of campus roads. Outdoor recreational areas (e.g., playing fields, courts, swimming pools) and grounds adjacent to designated "private residences" (e.g., Faculty/Staff Housing, residences of the chancellor and college provosts) are excluded from this definition. All activity in open areas must be conducted in such a way that vehicular and pedestrian traffic is not impeded and normal instructional, research, and administrative activities are not disrupted. Tables (*excludes commercial activity Section 42.32*) may not be placed in areas where direct passage to or through any entrances, exits, sidewalks, or walkways are blocked. Tables may be no larger than three feet by six feet and accessories may not extend beyond three feet of the perimeter of the table. (Additional safety restrictions may pertain to activities at or near the Quarry Plaza parking lot or campus entries).**

**40.42 Areas Designated as Public Fora.** While the campus does not limit public expression to designated areas, the following properties are open to the public generally for expressive activity, but may be reserved by campus groups and are subject to time, manner and place restrictions as set forth in the Code of Conduct:

**a. The upper quarry amphitheater (if re-opened) may be used at any time, subject to reasonable restrictions imposed by the Dean of Students Office when it has not been reserved. Reserved events will have priority over spontaneous uses of the area. Reservations of this area must be approved by the Dean of Students Office.**

**b. College "quadrangles," may be used at any time (if they have not been reserved), subject to reasonable restrictions imposed by the college administrative officer after consultation with the college student government. Reservation of these areas must be approved by the college administrative officer.**

**c. The large grassy area between the University of California sign and the Granary and Stone House buildings near the intersection of High Street and Coolidge Drive may be used at any time (if it has not be reserved), subject to reasonable restrictions imposed by the Associate Vice Chancellor, Dean of Students. Reservations of this area must be approved by the Associate Vice Chancellor, Dean of Students.**

**Outdoor displays including signs, banners, or temporary outdoor exhibits may not be placed on, draped over, or obstruct the University of California sign. Banners and signs may not be left unattended or posted as free standing in this area.**

**d. The quarry plaza may be used at any time, subject to reasonable restrictions imposed by the Quarry Area Council, when it has not been reserved. Reservations of this area must be approved by Quarry Area Council. Reservation requests are to be submitted to the Quarry Plaza special events coordinator.**

**e. Also see Section 40.40 regarding grounds open to the public generally.**

**g. Signs, posters, banners, and picket signs may not be hung or placed on University property without prior written approval. All signage removal is the responsibility of the sponsoring organization and is to be removed immediately after the event. Temporary structures may not be constructed or placed on university property without the prior written approval of the Associate Vice Chancellor, Dean of Students or designee.**

**h. No sound amplification device may be used in any outdoor area without prior written authorization from the college administrative officer for college areas, the**

executive director, Student Activities for OPERS facilities, Quarry Plaza special events coordinator for the Quarry Plaza, or the Associate Vice Chancellor, Dean of Students for all other areas.

**40.43 Registered Campus Organizations** are encouraged to schedule outside events on the grounds open to the public generally (*see Section 30.31*) to minimize the possibility of interference with traffic and normal instructional, research, and administrative activities.

**40.44 Use of University Properties by Campus Units and Registered Campus Organizations.** Campus units, other official university units, registered campus organizations (students, faculty and/or staff) may use university properties in accordance with the following:

a. Reservations for the property must be made in advance with the officer responsible for the property (e.g., registrar or departments for most classrooms and lecture halls, college administrative officers for college facilities, etc.). Room and space assignments normally shall be on a first-come, first-serve basis. Any expenses incurred for use of properties, including damages and security or police (assigned on a content neutral basis), will be charged to the sponsoring organization or unit;

b. Use of properties shall be arranged as follows: (i) by the Student Organization Advising and Resources/Student Media/ Cultural Arts and Diversity (“SOMeCA”) for registered student organizations and print and broadcast student organizations; (ii) by the Office of Physical Education, Recreation and Sports (“OPERS”) for sports and recreational clubs; and (iii) by the college administrative officer or designee for college organizations. During the period before action on an application for registration, a student or college-affiliated organization may use available university properties for a maximum of two meetings;

c. Approval of the use of major campus properties (such as a field house, college dining hall, upper quarry amphitheater [if re-opened], Student Union facilities, playing fields, and other outdoor areas) is contingent upon the fulfillment of specific regulations and/or procedures governing the use of these properties, and may require advance payment of estimated fees for use of the property and equipment (*See Section 30.00, Speech and Advocacy*).

d. University properties may not be used for personal financial gain or business profit except as defined in the [Campus Commercial Activities Policy](#) (*See Sections 42.31 and 42.32*).

**e. In order to secure properties and ensure the safety of students and others, evening events on campus must end no later than 11:00 p.m. Sunday through Thursday and 1:00 a.m. on Fridays and Saturdays. Exceptions to this policy must be approved in advance by the appropriate facility manager.**

**40.45 Use of University Properties by Non-University Organizations. Events involving use of university properties by organizations other than campus units or registered campus organizations must be officially sponsored by a campus unit or registered campus organization, in accordance with the provisions of university policies and campus regulations and procedures.**

**a. The sponsor relationship between a campus unit or a registered campus organization and a non-affiliated organization or person must be approved in advance by the appropriate senior administrative officer, such as: the executive vice chancellor; the vice chancellor, Business and Administrative Services; the Associate Vice Chancellor/Dean of Students; the vice chancellor, Planning and Budget; vice chancellor, University Relations; deans; or the associate chancellor.**

**b. The responsible senior administrative officer shall consult with the Office of Risk Management regarding potential liability and financial implications if the proposed use of university properties is for business-related or commercial purposes.**

**c. Campus arrangements (e.g., campus calendar clearance, space reservations, food service, audio-visual equipment, parking, security, etc.) for the approved sponsored event must be made by the sponsoring campus unit or registered campus organization. Expenses associated with the use of a university property or university service, including damages and security or police (assessed on an objective basis), shall be charged to the sponsoring campus unit or sponsoring registered campus organization.**

**d. Sponsoring campus units or sponsoring registered campus organizations may engage the professional services of Conference Services to carry out some aspects of a planned event. Use of university properties during the summer months (i.e., between the end of the spring term and the beginning of the fall term) must be managed by Conference Services. Contact Conference Services for the appropriate policies, permits, and/or forms for campus facilities usage. Copies of these forms are also available on the Conference Services web site at <http://www2.ucsc.edu/conference/>**

**e. Promotional literature and other forms of publicity must clearly state the name of the sponsoring campus unit or sponsoring registered campus organization.**

**40.46 Use of the areas open for expressive activity is subject to the following time, manner and place restrictions, which may be imposed by any university principal officer or designee, including those officials with responsibility for the functions described below:**

- a. Reasonable conditions to minimize interference with other university or lawful activities in the vicinity;**
- b. Adequate safety precautions as prescribed by the Fire Department, University Police, Environmental Health & Safety, Physical Plant, and other impacted units deemed necessary by the Quarry Plaza special events coordinator or college administrative officer, or Associate Vice Chancellor, Dean of Students;**
- c. Displays may be maintained for a period of no longer than seven calendar days;**
- d. For a sponsored event, the name of the sponsor must be clearly displayed;**
- e. Temporary structures, including those a person can enter, may be subject to additional safety and staffing requirements, including camping regulations (*See Section 102.27*).**

**40.47 Priority of Use: Non-university speakers may engage in expressive activities in the areas open to the public generally, as described above, without prior approval subject to the following time, manner and place restrictions:**

- a. If the area has been previously reserved for use by a campus organization or university unit, the university shall honor such use and may limit or exclude non-university speakers from the area accordingly.;**
- b. No form of amplification is being used; and**
- c. There is no interference with university business.**

**40.48 Outdoor Displays. Outdoor displays, including signs, banners, and exhibits must be sponsored by a registered campus organization, a student, or a faculty or staff member. The following locations are designated areas for outdoor displays:**

- a. Specific areas adjacent to the Quarry Plaza designated by the Quarry Plaza Area Council. Contact the Quarry Plaza special events coordinator;**
- b. Locations within the boundaries of each of the colleges as designated by the college administrative officer at each college.**

**Requests for exception to this policy may be submitted in writing to the Associate Vice Chancellor, Dean of Students.**

#### **41.00 UNIVERSITY SUPPORT, SPONSORSHIP OR ENDORSEMENT**

All individuals or organizations using university properties and services must avoid any unauthorized implication that they are sponsored, endorsed, or favored by the university.

##### **41.10 University Neutrality on Religious and Political Matters**

As a state instrumentality, the university must remain neutral on religious and political matters. The university cannot sponsor or fund religious or political activities except when authorized for university purposes by the Regents or the president or their designees. See Sections 60.00, 70.00, and 80.00 of these *Policies* for the special conditions that apply to the sponsoring or funding of such activities by student governments and registered campus organizations from compulsory campus-based student fees.

41.11 Religious, political, and ideological registered campus organizations and other campus organizations shall have access to university properties on the same basis as all other campus organizations, according to guidelines set forth in campus implementing regulations.

41.12 In personal and other non-official correspondence, statements, or other material represented in a variety of media, including but not limited to printed matter, the Internet, and film or television relating to commercial, religious, or political activities or issues, the university title of a faculty or staff member or the title of a student government official shall be used only for identification. If such identification might reasonably be construed as implying the support, endorsement, or opposition of the university with regard to any commercial, religious or political activity or issue, the identification shall be accompanied by a disclaimer: an explicit statement that the individual is speaking for themselves and not as a representative of the university or any of its offices or units. Similarly, such correspondence, statements, or other material issued by a registered campus organization shall be accompanied by a disclaimer to the same effect if it might reasonably be construed as implying the support, endorsement, or opposition of the university

##### **41.20 Use of University Name, Insignia, Seal, or Address**

The name, insignia, seal, or address (including the electronic address) of the university or any of its offices or units shall not be used for or in connection with religious, political, business, or other purposes or activities except as consistent with university policy, campus implementing regulations, and applicable laws (including but not limited to *“Use of the University’s Name,”*

*State of California Education Code, Section 92000). (See also the Presidential Policy to Permit Use of the University's Name. In addition, see Section 70.40 of these Policies for further guidance on the use of the University's name by registered campus organizations.).*

## **42.00 Campus Implementing Regulations**

Chancellors shall develop campus implementing regulations that provide procedures and criteria for the use of university properties by student governments and registered campus organizations. Such regulations may provide procedures and criteria, based upon benefit to the university, permitting the use of university properties by other persons or organizations and shall specify the conditions under which university property may be used by non-university persons or organizations.

### **42.05 Definition of Registered Student Organizations**

#### **Registered Student Organizations**

**A campus wide organization, whose membership is composed entirely of UCSC students and has at least four members, the organization must be registered with Student Organization Advising and Resources/Student Media/ Cultural Arts and Diversity (SOMeCA), or Office of Physical Education, Recreation and Sports (OPERS) for sports and recreation organizations. (See Section 60.00)**

#### **College Organization**

**An approved organization specific to a college and/or using the name of a college. Each college has its own approval process. Contact the college administrative officer at the specific college to get information about the college's approval process.**

### **42.10 Denial of Requests for Use**

A request for use of university properties may be denied if the request is not in accordance with campus regulations implementing these *Policies*. The applicant shall be accorded a review of any denial of a request for use of University properties. A request for use of university properties shall be denied if circumstances are such that the event will present a clear and present danger to the orderly operation of the campus. The applicant shall be accorded a prompt appeal to the chancellor, who shall recognize the university's heavy burden in justifying such a denial. The review processes shall be set out in campus regulations.

**42.11 Registered student or collegiate organizations may be denied use of university properties by Student Organization Advising and Resources/Student Media/ Cultural Arts and Diversity (SOMeCA), Office of Physical Education, Recreation and Sports (OPERS), Dean of Students or Designee, or the college administrative officer (see Section 42.10).**

**42.12 Any registered student organization (*see Section 40.19g*) denied use of a university property may file a written appeal for reconsideration with the Associate Vice Chancellor, Dean of Students. (a) failure by the administration to follow the policies and procedures set herein; (b) arbitrary or capricious justification for the decision to deny use; or (c) the absence of a clear and present danger.**

#### **42.20 Posting of Noncommercial Materials**

Campus implementing regulations shall permit university students, faculty, staff, registered campus organizations, and university units to post and exhibit noncommercial materials at locations designated in campus regulations for that purpose. Posting and exhibiting of noncommercial materials by others also may be permitted by campus regulations. All such materials shall clearly indicate the name of the sponsoring campus, individual, registered campus organization, university unit, or other individuals or organizations permitted to post and exhibit pursuant to campus regulations.

**42.21 For the purpose of these Regulations, commercial literature is defined as any material published primarily to generate income for individuals or businesses. Lee: should be placed before first reference of commercial literature.**

**42.22 Literature incidental to the exercise of the freedom of expression, speech, assembly, or worship may be distributed on university grounds open to the public generally, as long as such activities do not interfere with the orderly operation of the campus.**

**42.23 Non-university organizations and individuals may post and distribute materials only on bulletin boards designated for public use, outdoor kiosks, and the interior of bus shelters. These areas will be cleared of all materials on a regular basis.**

**42.24 Commercial and non-commercial posters and announcements may be placed on public access bulletin boards not designated for specific use.**

**a. Distribution and posting in each college is controlled by the college administrative officer and must be in accordance with guidelines established by the college administrative officers (*See Section 30.41*);**

**b. Distribution and posting on non-college bulletin boards, including designated public access bulletin boards, is controlled by the campus unit responsible for the bulletin board and must be in accordance with the guidelines established by the unit for the use of the bulletin board;**

**c. Where posting is permitted, each individual or group is limited to one poster per board, kiosk, or bus shelter, and there may be no posting over announcements that are current;**



**d. All posted materials must clearly indicate the name of the person(s), group(s), university unit(s), or campus organization(s) responsible for posting them and the day by which they are to be removed. Posters shall not exceed 17" X 22" (or equivalent area);**

**e. Commercial or non-commercial literature may not be placed on cars.**

**42.25 The damage, destruction or removal of signs, flyers, banners or any other type of authorized posting (other than by authorized university personnel) is prohibited.**

**42.30 Noncommercial Fund Raising.**

Noncommercial fundraising by student governments and by registered campus organizations shall be permitted pursuant to university policies and campus implementing regulations. Noncommercial fund raising by individuals or by other groups also may be permitted under regulations developed by the campus, consistent with university policy. Provisions must be made in such regulations governing the collection of donations, sale of materials, admission charges, and financial accountability.

**42.31 University properties may not be used for income-producing activities that are commercial in nature or for the purpose of realizing personal financial gain except for approved educational or training programs, or as defined by the *Campus Commercial Activities Policy*, or as required by law.**

**42.32 For the purpose of these regulations, a commercial activity is defined as the sale of any object or the sponsorship of any program conducted primarily to generate income for individuals or businesses. This category of activity is not intended to include the hiring of speakers or performers by the university.**

Copies of the [Campus Commercial Activities Policy](http://deanofstudents.ucsc.edu/pdf/commercial-activities-policy.pdf) may be obtained from the executive director, Bay Tree Bookstore at 459-4544 or via the Web at <http://deanofstudents.ucsc.edu/pdf/commercial-activities-policy.pdf>.

**42.33 Student governments may raise funds on campus in accordance with the following definitions and regulations.**

**a. Fundraising is defined as the collection of money by means of sales, contributions, donations and/or admission charges to events or meetings on a regular or occasional basis.**

**b. All fundraising events and activities by registered campus organizations must be scheduled through and approved by SOMeCA/SOAR, OPERS, Student Media, the college, or the Dean of Students Office.**

c. The purpose for which funds are raised must be described clearly and be consistent with the stated purpose of the sponsoring organization.

d. Financial and in-kind support of student programs and activities or campus organizations by for-profit organizations is not considered a commercial activity under these guidelines and therefore may be permitted, provided that the primary purpose of such support is to underwrite a program or activity, as opposed to the promotion or endorsement of a commercial product or service. Examples might include the financial underwriting of a crafts fair, a lecture or a sports event. A registered campus organization may publicly acknowledge such support but shall not endorse any commercial products or services including not providing advertising on university web sites. Prior to any solicitation, all plans for business for-profit support involving registered campus organizations must receive prior approval from Student Organization Advising and Resources/Student Media/ Cultural Arts and Diversity (SOMeCA), or Office of Physical Education, Recreation and Sports (OPERS). SOMeCA/OPERS will consult with Risk Management and University Relations to ensure consistency with the university's solicitation policy.

e. Advertising for any on-campus event program for which a donation is requested must make it clear that such a donation is not required as a condition of admission, nor may a specific amount of donation be indicated.

f. Raffles are illegal under the California Penal Code 330. A raffle is the sale of a chance at a prize. Prize drawings are permitted only when tickets/chances are given away. The fact that the tickets are available free of-charge must be disclosed on the ticket and on any advertising. Voluntary donations may be accepted but cannot be "required" in order to have a chance at a prize.

g. Campus units/organizations may raise funds on campus with the approval of the Associate Vice Chancellor, Dean of Students, dean, or college administrative officer in accordance with these policies and regulations, and in consultation with Risk Management and University Advancement.

**42.34 Registered Student Organizations (*see Section 42.05*) must be financially accountable and operate within the following guidelines:**

a. All of the regulations governing the allocation and expenditure of university funds relating to student governance also apply to registered campus organizations, with the exception of Section 62.04a-d;

b. Standard *Performance Agreement* forms required by purchasing (available from the campus sponsor) must be used when entering into agreements with off-campus

entertainment groups or agencies, and the sponsoring organization must make clear that the university is not a contracting party, and is in no way responsible for the acts or omissions of the campus organization;

c. All ticket sales to events in the Performing Arts complex must be coordinated through the Campus Ticket office. Campus units/organizations sponsoring events in the Performing Arts complex will be required to hire cashiers employed by that office. Campus organizations that need to sell tickets to events not held in Performing Arts must arrange for a cash box through SOMeCA/SOAR, OPERS, or the colleges;

d. All funds raised on campus must be expended in accordance with the original fundraising purposes after all expenses incurred during the event have been paid. Funds collected must be placed in accounts approved by the university, to which the university has access, and processed pursuant to university fiscal policies. This does not include the collection of initiation or membership fees;

e. The university reserves the right to audit the financial records of a registered campus organization that has been allowed to raise funds on campus to determine if the funds were used for the purpose for which they were raised.

#### **42.40 Use of University Property for Commercial Purposes**

Campus implementing regulations may adopt restrictions, consistent with existing law and university policy, on the use of university properties for commercial purposes and personal financial gain. (See the [\*University of California Policy and Supplemental Guidelines on the On-campus Marketing of Credit Cards to Students\*](#) for the special conditions controlling the on-campus marketing of credit cards to students by banks and other commercial entities.)

#### **42.50 Student Voter Registration Activities**

Consistent with the requirement under federal law that the University make a “good faith effort” to distribute voter registration forms to students, and the requirement under State law that the university “do all in its power to ensure that students are provided the opportunity and means to register to vote” (*Student Voter Registration Act of 2003*), campus implementing regulations may authorize non-partisan student voter registration activities that are carried out either directly by, or under the direct supervision of and on behalf of, a campus student government or other official unit of the university on university grounds that are not open to the public generally, including campus residence halls and dining commons, subject to specified conditions to be established by each campus. Such activities shall not be considered to be commercial or noncommercial solicitation, since there is no offer of either goods or services, nor any solicitation of funds or other assistance from students.

## **50.00 POLICY ON CAMPUS EMERGENCIES**

### **51.00 State of Emergency**

See the Declaration of a State of Emergency section within the Policy on Safeguards, Security and Emergency Management located at:

<http://policy.ucop.edu/doc/3500507/SafeSecEmergMngmt>

### **52.00 Emergency Regulations and Procedures**

Chancellors shall adopt campus emergency regulations and procedures, consistent with the provisions of Section 13.30 of these *Policies*.

**52.10 The policies and procedures for campus management in times of emergency are covered in the University of California, Santa Cruz Emergency Operations Plan. The Emergency Operations Plan delegates the chancellor's authority for the maintenance of safety and order to specific campus personnel, and describes the tasks and responsibilities these individuals have during periods of emergency. The campus emergency plans may be accessed at:**

<http://emergency.ucsc.edu/emergencymanagement/plans/index.html>.

### **53.00 Emergency Suspension**

53.10 During a state of emergency, Chancellors or their designated representatives are empowered to impose Emergency Suspension on any student, faculty member, or employee where such suspension would be authorized under *California Penal Code Sections 626.4 and 626.6*, as interpreted by the Supreme Court of California in *Braxton v Municipal Court (1973) 10 Cal.3d 138*.

- a. The Chancellor has delegated his/her authority to impose Emergency Suspension to the Associate Vice Chancellor, Dean of Students, the Associate Vice Chancellor of CHES or designee in the case of students.**

53.11 If Emergency Suspension is imposed by a designated representative of the Chancellor, such representative shall immediately inform the chancellor and shall submit a written report on the action to the Chancellor as soon as is reasonably possible. The report shall contain a description of the person suspended, including the person's name and, if available, address and phone number, and a statement of the facts giving rise to the suspension. If the Chancellor does not affirm the action of the designated representative within twenty-four hours after being informed that the suspension has been imposed, the suspension shall be deemed void and a reasonable effort shall be made to inform the person who was suspended that the suspension is void.

- a. **Student emergency suspensions shall be reported to the Community Standards and Conduct Office.**

53.12 Any individual placed on Emergency Suspension shall be given written confirmation of the suspension, either by delivering it to the individual personally or by e-mailing it to the individual's last known e-mail address of record. The confirmation shall inform the individual of the procedures by which the validity of the Emergency Suspension can be appealed, including the opportunity to obtain a special hearing on the Emergency Suspension in accordance with applicable campus procedures. If an individual is found to have been unjustifiably placed on Emergency Suspension, the university is committed to making reasonable efforts to assist any individual who has been disadvantaged in employment or academic status by that action.

- a. **An Emergency Suspension may be appealed. If the Emergency Suspension is imposed by a designated representative of the chancellor, and is not voided pursuant to the provisions of Section 53.12 above, the suspended party may choose to have a special hearing by a hearing officer, selected from a panel of hearing officers appointed by the chancellor for such purposes, on the necessity of the Emergency Suspension in accordance with the procedures set forth in Section 53.00. Such a hearing shall have scheduling priority. The appellant may present evidence in support of the contention that the suspension is unnecessary. The hearing officer shall investigate the facts, which gave rise to the suspension. Within three (3) working days of the conclusion of the hearing, the hearing officer shall report his or her findings and recommendations to the chancellor or designee. If the chancellor or designee determines that the suspension is unnecessary, they are authorized to revoke the suspension.**

53.121 The outcome of the appeal shall have no bearing on any university disciplinary proceedings arising from the conduct that gave rise to the Emergency Suspension.

53.13 Any individual placed under Emergency Suspension shall not, during the period of suspension, enter upon specified areas of the campus or engage in specified activities, as set forth in the written Notice of Emergency Suspension. The exclusion or restriction shall be limited to the minimum extent necessary to protect the health and safety of persons or property, or to maintain the orderly operation of the campus.

53.14 Violation of any condition set forth in the Notice of Emergency Suspension shall subject the individual to disciplinary proceedings based upon such violation.

## **60.00 POLICY ON STUDENT GOVERNMENTS**

### **61.00 Status**

Chancellors have authority to authorize or discontinue recognition of student governmental entities as official student governments, consistent with the status of such governments as

official units of the University of California ([see \*The Regents' Policy on the Status of Associated Students\*](#)). Such governments are responsible for representing student constituencies comprising either the student body as a whole or particular segments of it. Chancellors may also assign to such governments specified powers and other responsibilities concerning student affairs.

#### **61.10 Authority, Responsibility, and Purposes**

Student governments shall have authority and responsibility over matters that are consistent with their enabling documents such as constitutions and by-laws, and with the university's purposes for such governments as defined by these *Policies* and implementing regulations. It shall be the responsibility of student governments, in consultation with the chancellor or the chancellor's designee, to ensure that their enabling documents, as well as all their programs and activities, are consistent with the status of such governments as official units of the university, and with the university's purposes for such governments as set forth in *Section 61.10-15* of these *Policies*, as well as with all other provisions of these *Policies* and with implementing campus regulations.

#### **Consistent with the provisions of these Policies, the university's purposes for student governments are:**

61.11 To provide students with the educational benefits of participation in student government;

61.12 To provide a forum for the discussion of issues and ideas of interest, importance, and/or of concern to students;

61.13 To provide financial and other tangible support for student activities and organizations on a viewpoint-neutral basis, consistent with the provisions of *Section 86.00* of these *Policies*, in order to foster a sense of community and to further discussion among students of the broadest range of ideas;

61.14 To communicate student views to audiences, including external governmental offices and agencies, consistent with the provisions of *Sections 63.00* and *64.00* of these *Policies*; and

61.15 To provide such additional services to students as may be determined by the chancellor or chancellor's designee to be consistent with the status of student governments as official units of the university and with the other provisions of these *Policies*.

## **62.00 Support**

Student governments may be supported by compulsory campus-based student fees as specified in *Section 81.00* of these *Policies* and/or by voluntary student contributions as specified in *Section 90.10-14* and *90.20* of these *Policies*.

## **63.00 Right to Take Positions on Public Issues**

Student governments shall have the right to address and take positions on public issues as consideration of such matters serves the university's purposes for such governments as set forth in *Sections 61.10-15* of these *Policies*. Positions on issues taken by student governments shall not be represented as or deemed to be positions of any entity of the university other than the student government.

## **64.00 Lobbying and Other Public Policy-Oriented Activities**

Consistent with the university's purposes for student governments as set forth in *Section 61.10-15* of these *Policies*, student governments may undertake lobbying and other public policy-oriented activities on student-related matters, as defined in *Section 64.01* and *64.02* of these *policies*, supported by compulsory campus-based student fees and/or voluntary student contributions.

The lobbying and other public policy-oriented activities of student governments serve the university's purposes for such governments when such activities provide students with educational experiences in developing, discussing, and resolving positions on student-related matters, and articulating these positions through public and private discussions, meetings, and other forms of communication.

In furtherance of the university's purposes for student governments, the educational benefit provided to students by such activities must outweigh any purpose of furthering a particular ideological or political viewpoint. Consistent with this requirement, all such activities must be established by and under the direct and exclusive control of student governments and their democratic processes, and offer opportunities for participation by University of California students in meaningful learning experiences.

### **64.01 Definition of Lobbying Activities**

The term "lobbying activities" as used in these *Policies* means the funding or sponsorship by student governments of any program or activity of such governments that involves direct contact (whether face-to-face, by telephone, or in writing) with non-university legislative or other governmental officials in order to communicate a student government position (including the supporting rationale for that position) on a student-related matter.

## **64.02 Definition of Public Policy-Oriented Activities Other Than Lobbying**

The term “other public policy-oriented activities” as used in these *Policies* means the funding or sponsorship by student governments of any program or activity of such governments (other than “lobbying activities” as defined in *Section 64.01* of these *Policies*) that involves the communication to a university audience of a student government position (including the supporting rationale for that position) on a student- related matter.

## **64.10 System wide Pro Rata Refund Requirement for Lobbying Activities**

Any student objecting to a particular lobbying activity of student government (as defined in *Section 64.01* of these *Policies*) supported by compulsory campus-based student fees is entitled to a pro rata refund of that portion of their fees that went to support the activity. Criteria and procedures for particular campus-based refund mechanisms shall be developed by campuses in consultation with their student governments, and with the Office of the President and the Office of the General Counsel as required, to ensure the compliance of such mechanisms with both these *Policies* and the law. Such criteria and procedures must provide that the availability of pro rata refunds be widely and frequently publicized among students, and that all requests for such refunds by objecting students be processed equitably and expeditiously. (See also *Sections 70.83* and *86.13* of these *Policies*.)

## **64.20 Pro Rata Refunds for Public Policy-Oriented Activities of Student Governments Other than Lobbying**

In consultation with its student government or governments, a campus may at its discretion establish and administer a mechanism providing for a pro rata refund to any student of that portion of his or her compulsory campus-based student fees that has been allocated to support a particular public policy-oriented activity of student government other than lobbying (as defined in *Section 64.02* of these *Policies*). Campuses are encouraged but not required to consult with the Office of the President and with the Office of General Counsel in the development of criteria and procedures for any such refund mechanism. Such criteria and procedures should provide that the availability of Pro-rata refunds are widely and frequently publicized among students, and that all requests for such refunds by objecting students are processed equitably and expeditiously. Establishment of such a refund mechanism for the public policy-oriented activities of student governments other than lobbying is not required either as a matter of university policy or the law. (See also *Section 86.13* of these *Policies*.)

## **65.00 Sponsorship of Speakers**

Compulsory campus-based student fees allocated to student governments and/or voluntary contributions made to student governments may be expended to support speakers sponsored by those governments. The purpose of such support must be to



stimulate on-campus discussion and debate on a wide range of issues. Student governments may bring in speakers as part of their policy oriented activities consistent with sections 63.00 and 64.00 of these policies. In the event that an allocation is made by a student government to sponsor a forum with speakers advocating for or against a candidate for a non-student-government office, or for or against an off-campus ballot proposition, the student government must make a good faith effort to invite a representative of the opposing campaign or campaigns to appear at the same time or, if this opportunity is declined, to appear at another time. (*See also Sections 66.00 and 86.34 of these Policies.*)

### **66.00 Participation in Non-University Political Campaigns**

Consistent with *Section 41.10* of these Policies and with the university's *Legal Guidelines for UC Participating in Ballot Campaigns*, student governments may not use university resources to support or oppose a particular candidate or ballot proposition in a non-university political campaign. This is not intended to preclude the use of such resources by student governments for legitimate educational purposes related to such non-university campaigns, in which information about competing candidates for government office and/or information about competing viewpoints with respect to particular ballot propositions is provided in a fair and balanced way. (*See also Sections 65.00 and 86.34 of these Policies.*)

### **67.00 Fiscal Soundness and Fiscal Accountability**

Chancellors are responsible for the fiscal soundness of student governments, and are responsible in addition for maintaining fiscal accountability over compulsory campus- based student fees and voluntary contributions collected from students to support student governments under the university's authority. The allocation and expenditure of all such funds by student governments shall be in accordance with all applicable university policies.

In the discharge of these responsibilities, chancellors may conduct audits of the finances of student governments, exercise control over expenditures of their funds when and to the extent necessary to maintain the fiscal solvency of student governments, and where required may take action to ensure that any financial or business activity under the control of student governments is operated in accordance with sound business practices and is consistent with legal requirements and university policies and procedures.

### **67.10 Transfer of Compulsory Campus-Based Student Fees to Non-University Entities**

Compulsory campus-based student fees may be expended by a student government to cover the expenses of direct participation by university students in a particular non- university-sponsored educational program or activity. Such fees may also be expended in payment of applicable dues necessary to sustain student government membership in national and other regional non-university associations at the basic level established by such associations, so long as the

level of any student assessment is in line with what is assessed by similar student organizations at other institutions comparable in size and nature to the university as a requirement of basic membership.. Except as provided immediately below, memberships at a preferential level that require the payment of higher periodic dues that what is required to sustain basic membership, or the assessment by such non-university associations of supplemental contributions from their members as an expectation but not a requirement of continued membership, may not be supported from compulsory campus- based student fees.

Other than for considerations of basic membership as set forth above, additional transfers of funds from compulsory campus-based fees by a student government to such non- university associations may be made only when they can be justified, in advance of the transfer, to the chancellor (or other campus official designated by the Chancellor with administrative oversight over student government) as providing a direct educational benefit to University of California students commensurate with the proposed expenditure.

Compulsory campus-based fees may not otherwise be expended by a student government in support of, or be otherwise transferred to, a non-university organization, program, or activity, except in payment for goods and services directly necessary to the operation of that student government, its programs or activities.

The referendum process set forth in *Section 82.00* of these *Policies* shall not be available either to establish a new compulsory campus-based student fee, or to lock in an increase to an existing such fee, that is earmarked for the purpose of providing direct support to any non-university organization, program, or activity. (*See also Sections 70.90 and 87.00 of these Policies.*)

## **70.00 POLICY ON REGISTERED CAMPUS ORGANIZATIONS**

### **70.10 Definitions: Registration and Membership Requirements**

A registered campus organization is an organization whose membership predominantly comprises students, faculty, and/or staff of a particular university campus, and that attains recognition as a registered campus organization by complying with the requirements and procedures set forth in campus implementing regulations. Such regulations shall require that the organization furnish a written statement of its name and its purposes, signed by its officers or other authorized representatives, and that includes as well such other pertinent information as the campus may specify. Membership in a registered campus organization shall be open to any student, consistent with [\*the Nondiscrimination Policy Statement for University of California Publications Regarding Student-Related Matters\*](#); with the exception that membership in an officially recognized sorority or fraternity may be limited by gender. Membership in a registered campus organization may be extended to individuals other than students, faculty, and staff, under conditions specified in campus implementing regulations. **Membership in a registered student organization is limited entirely to UCSC students (See Section 42.05).** An authorized student government of a campus shall not be eligible for registration also as a registered campus organization of that campus.

**70.11 A student organization as defined in Section 42.05 may become a registered campus organization by submitting an application to Student Organization Advising and Resources/Student Media/ Cultural Arts and Diversity (SOMeCA)**

**. Sports and recreation clubs register as campus organizations by submitting an application to Office of Physical Education, Recreation and Sports (OPERS). Print and broadcast organizations register by submitting an application to Student Media. College organizations may register by submitting an application to their college. Applications are available in the offices of SOMeCA/SOAR, colleges, or OPERS**

**70.12 A student organization seeking recognition as a registered campus organization, including sports and recreation clubs, and college clubs, shall furnish a document that includes:**

- a. **Its name;**
- b. **Its purpose;**
- c. **A statement of any affiliation with an international, national, regional, or local non-university organization;**
- d. **Its requirements for membership, including fees;**
- e. **An affirmation that its policies and practices are not legally impermissible, arbitrary, or unreasonably discriminatory (*see Section 20.00*), and that it will abide by the provisions of the anti-hazing statutes in the California Education Code or Penal Code (*as amended by SB 1454, effective January 1, 2007*)**
- f. **Registered student organizations must be open to any student regardless of gender, ethnicity, religion, etc. with the exception of incorporated sororities and fraternities, which may be limited by gender;**
- g. **An affirmation that its membership is limited to students of the Santa Cruz campus (*see Section 14.30*);**
- h. **Qualification for holding office or becoming authorized representatives and method of selecting and replacing officers or authorized representatives, and the names of at least four (4) officers or authorized representatives;**
- i. **The name of the faculty or staff adviser;**
- j. **Acceptance of responsibility for compliance with university policies and campus regulations;**

- k. **A statement that the organization's authorized representatives accept individual and collective responsibility for all debts and obligations to the university incurred by the organization; and**
- l. **An agreement to update and correct any of the above information during the period of registration should changes occur. Corrections should be submitted to the college administrative officer or designee in the case of college organizations, Office of Physical Education, Recreation and Sports (OPERS) for sports and recreational clubs, for print and broadcast organizations, and Student Organization Advising and Resources/Student Media/ Cultural Arts and Diversity (SOMeCA) for campus-wide student organizations.**

**70.13 New student organizations may register with Student Organization Advising and Resources/Student Media/ Cultural Arts and Diversity (SOMeCA), Office of Physical Education, Recreation and Sports (OPERS), or a college at any time after the first day of orientation in fall quarter until the last day of Fall Quarter.**

**70.14 All registered campus organizations must follow all campus time, place, and manner regulations, as well as requirements regarding use of property. An officer or authorized representative whose name appears on the application for registration of a student organization must file an Event Approval form or equivalent form with Student Organization Advising and Resources/Student Media/ Cultural Arts and Diversity (SOMeCA), Office of Physical Education, Recreation and Sports (OPERS), or the college for all activities of the organization. Events may be denied or canceled by SOMeCA/SOAR, OPERS, or the college if they do not conform with campus time, place, manner, and use of property regulations (*See Section 42.12 regarding the appeal process*).**

**70.15 Registered campus organizations must adhere to financial guidelines and accounting procedures as set forth in university policy and campus regulations (*See Section 42.34*). Chancellors may establish procedures to allow any registered student to seek a refund of that portion of their compulsory fees, which he or she believes has been used to support political or religious organizations or activities. Students may request a refund via their college office (for college organization sponsored events) or SOMeCA/SOAR, OPERS (for registered student organization sponsored events). Sponsoring organizations will be held financially responsible for any refund costs (*See Section 64.10*).**

#### **70.20 Requirements for Funding from Compulsory Campus-based Student Fees**

A registered campus organization that is predominantly or exclusively funded by a student government or other campus entity from compulsory campus-based student fees shall primarily have University of California students as its members. Particular programs and activities of a registered campus organization funded from compulsory campus-based student fees shall be open to participation by the entire campus community. In addition, all expenditures relating to

particular programs and activities of a registered campus organization (whether the program or activity takes place on- or off-campus) that are funded from such fees must be under the direct control of University of California students. (*See also Section 86.11 of these Policies.*)

### **70.30 Conduct and Discipline**

A registered campus organization is required to comply with university policies and campus regulations as well as applicable laws or it will be subject to revocation of registration, loss of privileges, or other sanctions. In denying or revoking registration or applying sanctions, campus regulations shall provide an opportunity for a hearing with basic standards of procedural due process.

**Student Organizations are subject to disciplinary action as stated in section 100 of this handbook.**

**70.31 Registered campus organizations are responsible for the conduct of members and guests at sponsored activities. The organization's officers or authorized representatives are responsible for the planning and event implementation in accordance with all university policies and campus regulations.**

### **70.40 Use of University Name**

A registered campus organization shall not use the name of the University of California or abbreviations thereof as a part of its own name except in accordance with applicable law and university policy (including, but not limited to, *State of California Education Code, Section 92000*, and the *Presidential Policy to Permit Use of the University's Name*) as well as campus implementing regulations.

**70.41 Permission to use the name of the University of California, Santa Cruz or any abbreviation thereof as part of a registered student or campus organization's name may be granted only by the Chancellor or designee. Registered campus organizations may not use the name of a college.**

**70.42 The geographical designation "at UC Santa Cruz" may be used by any registered campus organization as part of its name without obtaining special approval. In the same way, the designation "at (name) college" may be used by any registered college organization.**

**70.43 Except as provided in Section 70.42, permission to use the name of a college or any abbreviation thereof as part of a registered college organization's name may be granted only by the college administrative officer. Registered college organizations may not use the name of the University of California, Santa Cruz or any abbreviation thereof, as part of their name.**

**70.44** The name, insignia, seal, or address of the university, the campus, or a college may not be used in any manner, political or otherwise, which implies that the university, campus, or college supports or endorses the activities, positions, purposes, or goals of campus organizations.

**70.45** Permission to use the name of the university, the campus, or a college, when granted, does not imply endorsement or sponsorship, and may be withdrawn at any time.

#### **70.50 Use of University Properties**

Any use of university properties and services by a registered campus organization must conform to *Section 40.00* of these *Policies* and applicable campus time, place, and manner regulations.

#### **70.60 Fiscal Accountability**

Chancellors may investigate, through audits or other means, and take action to ensure that fiscal activities of a registered campus organization comply with legal requirements and university policies and procedures.

#### **70.70 University Sponsorship**

As provided in *Section 41.00* of these *Policies*, a registered campus organization that uses university property, services, or other resources must avoid any unauthorized implication that it is sponsored, endorsed, or favored by the university.

#### **70.80 Support**

A registered campus organization or registered campus organization-related program or activity may be supported from compulsory campus-based student fees and/or from voluntary contributions under conditions set forth in *Sections 86.00* and *90.00* respectively of these *Policies*.

**70.81** The referendum process set forth in *Section 82.00* of these *Policies* shall not be accessible to a registered campus organization or any student group other than a student government. The foregoing is not intended to preclude access to the referendum process by any administrative unit or the university, subject to appropriate student consultations. Support for a registered campus organization or any student group other than a student government from compulsory campus-based student fees must be in the form of a reallocation from student government or other appropriate campus entity to the registered campus organization or other student group.

All such reallocations must be made consistent with the requirements for viewpoint-neutral funding set forth in *Sections 70.82, 86.20, and 86.30* of these *Policies*. (See also *Section 86.12* of these *Policies*.)

70.82 Any process adopted by a student government or other campus entity to provide support to a registered campus organization or registered campus organization-related program or activity from compulsory campus-based student fees must employ solely viewpoint- neutral criteria as set forth in *Section 86.30* of these *Policies*.

70.83 A student government in consultation with the campus, or a campus with the concurrence of the student government, may, at its discretion establish and administer a mechanism providing for a pro rata refund to any student of that portion of their compulsory campus-based fees that are allocated by a student government or other campus entity to support a particular registered campus organization or registered campus organization-related program or activity. Establishment of such a refund mechanism is not required either as a matter of university policy or the law. (See also *Section 86.13* of these *Policies*.)

#### **70.90 Transfer of Compulsory Campus-Based Student Fees to Non-University Entities**

Compulsory campus-based student fees may be expended by a registered campus organization to cover the expenses of direct participation by university students in a particular non-university-sponsored educational program or activity. Such fees may also be expended for the payment of applicable dues necessary to sustain membership by a registered campus organization in national and other regional non-university associations at the basic level established by such associations, so long as the level of any such assessment is in line with what is assessed similar student organizations at other institutions of comparable size and nature to the university as a requirement of basic membership. Except as provided immediately below, membership at a preferential level that require the payment of higher periodic dues than what is required to sustain basic membership, or the assessment by such non-university associations of supplemental contributions from their members as an expectation but not a requirement of continued membership, may not be supported from compulsory campus-based student fees.

Other than for considerations of basic membership as set forth above, additional transfers of funds from compulsory campus-based student fees by a registered campus organization to such non-university associations may be made only when they can be justified, in advance of the transfer, to the chancellor (or other campus official designated by the chancellor with administrative oversight over registered campus organizations) as providing a direct educational benefit to University of California students commensurate with the proposed expenditure.

Compulsory campus-based fees may not otherwise be expended by a registered campus organization in support of, or be otherwise transferred to, a non-university organization,

program, or activity, except in payment for goods and services directly necessary to the operation of the registered campus organization, its programs or activities.

The referendum process set forth in *Section 82.00* of these *Policies* shall not be available either to establish a new compulsory campus-based student fee, or to lock in an increase to an existing such fee, for the purpose of supporting any non-university organization, program, or activity. (*See also Sections 67.10 and 87.00 of these Policies.*)

## **80.00 POLICY ON COMPULSORY CAMPUS-BASED STUDENT FEES**

The Regents have authority to impose fees for any university purpose. All campus-based student fees at a campus must be approved by the chancellor of that campus, except that no compulsory campus-based fees shall be effective until also approved either by the Regents or by the president under the president's delegated authority, as appropriate.

### **81.00 Compulsory Campus-Based Student Fees: Definitions and Exclusions; Provisions for Return-to-Aid**

#### **81.10 Definition and Exclusions**

Compulsory campus-based student fees are fees levied at individual campuses that must be paid by all registered students to whom the fee applies. Such fees may be used to fund: (1) student-related services and programs, including, but not limited to, referenda-based student health insurance programs; (2) construction and renovation of student facilities such as student centers and recreation facilities; and (3) authorized buildings and other (as defined in section 61.00 of the Policy Student Governments, registered campus organizations, and student government- and registered campus organization-related programs, events and other activities.

This *Policy* does not apply to university wide fees, to campus-based health insurance fees that may be assessed to meet a non-academic condition of enrollment established by either the Regents or the President, to fees related to instruction, or to campus-based miscellaneous fees that require either the Chancellor's or the President's approval.

#### **81.20 Provision for Return-to-Aid**

Effective from the date of final issuance of this Policy as revised on April 14, 2006, any Compulsory campus-based student fee approved as either a new fee or an increase to an existing fee shall provide for fee revenue for local need-based financial aid ("return- to- aid") to be set aside in an amount equal to at least 25% of the total new fee or fee increase as appropriate. The return to aid generated by undergraduate students shall be revised for undergraduate student financial support and the return –to aid generated by graduate and professional students shall be reserved for graduate and professional student financial support.



Campuses also are strongly encouraged to seek future student approval, through the referendum process, of either separate new fees or increases to existing fees that would provide financial aid to cover the need associated with all existing compulsory campus-based student fees that do not already include return-to-aid, as the date of financial issuance of this Policy as revised on April 14, 2006, and that are thus exempt from the new return-to-aid requirement.

Any campus-based fee (whether referendum-based or non-referendum-based) that is charged to a student, as a premium to purchase health insurance for that student shall to be exempt from any return-to-aid requirement. This exemption shall not extend to campus-based fees that have been approved by students through the referendum process for the purpose of providing direct support to campus student health centers.

### **82.00 Referendum Requirement for Establishing, Increasing, or renewing Compulsory Campus-Based Student Fees**

Compulsory campus-based student fees may only be established, increased or renewed following a referendum in which students vote in favor of the compulsory fees, except as provided in *Section 83.00* of these *Policies*.

### **83.00 Exceptions to the Referendum Requirement**

83.10 A new compulsory campus-based student fees or the increase to or renewal of an existing such fee may be approved either by the Regents subject to the president under the president's the chancellor's recommendation, and does not require a student referendum, under any of the following circumstances:

83.11 When a student referendum was not specifically required for increases in a compulsory campus-based student fee, as established in the original ballot measure language approved by students in a student election.

83.12 When the chancellor determines that a new fee or an increase to or a renewal of an existing fee, is necessary for the health and safety of students, such as for the maintenance of the safety of a building or facility that is funded wholly or significant part (as determined by the chancellor with the concurrence of the office of the President, such as those that relate to the risk of fire the presence of asbestos, or the existence of seismic or other structural deficits.) by student fees. Safety issues are those that are potentially dangerous consistent with the standards that are set forth in the University Policy in Seismic Safety and the University on Management of Health, Safety, and the Environment, as determined by the chancellor with the concurrence of the office of the President, such as those that relate to the risk of fire the presence of asbestos, or the existence of seismic or other structural deficit. For buildings or other facilities with multiple uses, whenever possible the costs to students for funding safety-related or health-related maintenance should be based on the proportion of current non-academic student use of the building or other facility.

83.13 When a new fee, or an increase to or renewal of an existing fee, is necessary to meet legal requirements (such as new code requirements) or contractual obligations (such as income projections) specified in the funding covenants of a building or other facility that is funded wholly or in significant part by student fees. For buildings or other facilities with multiple uses, whenever possible the costs to students for such increases should be based on the proportion of current non-academic student use of the building or other facility.

#### **84.00 PROCEDURES AND REQUIRED APPROVALS FOR ESTABLISHING OR INCREASING A COMPULSORY CAMPUS-BASED STUDENT FEE**

84.10

Except as provided in *Section 83.00* of these *Policies*, to establish or increase a compulsory campus-based student fee chancellors shall establish in campus implementing regulations, prior to any student referendum, procedures that meet at least the following minimum system wide standards for such referenda.

84.11

Procedures for student consultation including consultation with student governments and campus student fee committees and, in the case of compulsory campus-based-student-fee funded buildings or other facilities, procedures for continuing student consultation once the building or other facility is constructed.

84.12

A requirement for a minimum voting pool of at least 20% of all students eligible to vote in a particular student election, subject to the following:

- a. Chancellor may, in exceptional circumstances and on a case-by-case review basis, petition the President in advance of a particular student election for approval and a lower minimum voting pool requirement for that election;
- b. For any ballot measure in support of a non-capitol- project-related campus program, where voter eligibility is limited to graduate and/or professional students, a Chancellor may set the minimum voting pool, for that ballot measure only, at a lower (based on historical graduate and professional student voter turnout rates for the campus), without petitioning the President in advance for approval;

84.13

A requirement for at least a majority-voter approval by students voting on a particular ballot measure, for that ballot measure to be successful;

84.14

A requirement that each proposed new compulsory campus-based fee, or proposed increase to or renewal of any existing such fee, (except as specified in Section 83.00 of this Policy above), be voted on by students as a separate ballot measure in a student election, except that multiple such proposed fees or fee increases or renewals may be aggregated into a single ballot measure where the proposed fees or fee increases or renewals strongly and clearly support a common student life, student services, or other programmatically related goal;

84.15

A requirement that the actual language of any ballot measure in a student election that is intended to fund either construction of a new building or other facility, or major renovation of an existing building or other facility, explicitly state;

1. Whether the fee will be continued following retirement of the original debt on the new construction or major renovation, and
2. If the fee is to be continued, the purpose or purposes for which the fee will be used, as well as the mechanism that will be used to determine the level at which the fee will be set, following retirement of the original debt (please note that, as a general principle, campuses are encouraged to continue such fees at approximately adjusted level following retirement of the original debt, to provide for the actual costs associated with long-term building or other facility maintenance needs);

84.16 A requirement that payment by students of compulsory campus-based student fees to support student- referendum-funded construction of new buildings or other facilities, or major renovation of existing buildings or other facilities, be initiated only from the time that the students can actually benefit from and use the new or renovated building or other facility, except as specified immediately below.

Notwithstanding this requirement, a campus may assess students a pro rata percentage of any such fee in advance of completion of the new or renovated building or other facility for the purpose of supporting the design and planning costs associated with construction or renovation of the building or other facility, provided that both the purpose and level of this assessment are approved by students as part of the original ballot measures for the new or renovated building or other facility.

84.20 All student referendum results are advisory to the chancellor and, conditional on the chancellor's recommendation, are subject to final approval by the President under the authority delegated to the President by the Regents.

## **85.00 Requirements for Reducing or Eliminating a Compulsory Campus-Based Student Fee**

Chancellors shall establish in campus regulations procedures for reducing or eliminating a compulsory campus-based student fee.

**86.00 Support for Registered Campus Organizations and Related Programs and Activities from Compulsory Campus-Based Student Fees [replaces the University of California Guidelines for Funding Registered Campus Organizations and Related Programmatic Activities by Compulsory Student Fees, as revised October 26, 1999]**

**86.10 Conditions for Support**

Compulsory campus-based student fees allocated to student government may be reallocated to support registered campus organizations and registered campus organization-related programs and activities consistent with the university's educational purposes in providing such support, as set forth in *Section 86.20* or these *Policies*. The process for making such reallocations must be based solely on viewpoint-neutral criteria, as set forth in *Section 86.30* of these *Policies*.

**86.11** A registered campus organization that is predominantly or exclusively funded by a student government or other campus entity from compulsory campus-based student fees shall primarily have University of California students as its members. Particular programs and activities of a registered campus organization funded from compulsory campus-based student fees shall be open to participation by the entire campus community. In addition, all expenditures relating to particular programs and activities of a registered campus organization (whether the program or activity takes place on- or off-campus) that are funded from such fees must be under the direct control of University of California students (See also *Section 70.20* of these *Policies*).

**86.12** The referendum process set forth in *Section 82.00* of these *Policies* shall not be accessible to a registered campus organization or any student group other than a student government. The foregoing is not intended to preclude access to the referendum process by any administrative unit of the university, subject to appropriate student consultation. Support for a registered campus organization or any student group other than a student government from compulsory campus-based student fees must be in the form of a reallocation from student government or other appropriate campus entity to the registered campus organization or other student group. All such reallocations must be made consistent with the requirements for viewpoint-neutral funding set forth in *Sections 86.20* and *86.30* of these *Policies*. (See also *Section 70.81* of these *Policies*.)

**86.13** A student government in consultation with the campus, or a campus with the concurrence of the student government, may at its discretion establish and administer a mechanism providing for a pro rata refund to any student of that portion of their student government fees that are allocated by a student government or other campus entity to support a particular registered campus organization or registered campus organization-related program or activity. Establishment of such a refund mechanism is not required either as a matter of university policy or the law. (See also *Section 70.83* of these *Policies*.)

## **86.20 The University's Educational Purposes**

The university's educational purposes are served when reallocations by a student government or other campus entity of compulsory campus-based student fees to support registered campus organizations and registered campus organization-related programs and activities are made: (1) to provide opportunities for the educational benefits and personal and social enrichment that derive from participation in extracurricular program and activities; and (2) to stimulate on-campus discussion and debate on a wide range of issues from a variety of viewpoints.

Consistent with the above purposes, such reallocations shall only be made to support either the general organizational expenses of registered campus organizations and registered campus organization-related programs and activities or their associated communicative purposes.

In addition, allocation decisions to provide such support must be made without regard to the viewpoint of a particular registered campus organization or registered campus organization-related program or activity, and must be balanced in relation to the support provided to other registered campus organizations or registered campus organization-related programs and activities in similar circumstances.

## **86.30 Campus Procedures and Criteria to Assure Viewpoint Neutrality**

In fulfilling these purposes consistent with applicable law and *Section 86.20* of these Policies, campuses shall have responsibility for ensuring that student governments and, as applicable, other campus reallocation entities, maintain procedures and criteria for making specific reallocation decisions for the support of registered campus organizations and registered campus organization-related programs and activities from compulsory campus-based student fees. Such procedures and criteria must be viewpoint-neutral in their nature; that is, they must be based upon considerations, which do not include approval or disapproval of the viewpoint of the registered campus organization or any of its related programs or activities.

**86.31** Criteria appropriate to be given balanced consideration in the making of viewpoint-neutral reallocation decisions might include, but are not limited to: the objectively documented organizational needs of the registered campus organization based on membership size; its office or equipment requirements; the extent of financial support the registered campus organization receives from other sources; or the production costs associated with a particular event or series of events the registered campus organization typically sponsors. Such sponsored events supported in whole or in part by compulsory campus-based student fees need not avoid controversial political, religious, or ideological content, subject to the understanding that under current university policy (see *Section 30.20* of the *Policy on Speech and Advocacy*) campuses have a responsibility to assure an ongoing opportunity for the expansion of a variety of viewpoints.

**86.32** Campus procedures and criteria shall provide: (a) that student governments or other campus entities responsible for reallocating compulsory campus-based student fees must

publicize widely and regularly to registered campus organizations the availability of such funds to support registered campus organizations on a viewpoint-neutral basis, as well as the viewpoint-neutral criteria on the basis of which such funds will be reallocated; and (b) that communications to registered campus organizations on the availability of such funds must be made in a timely fashion, and be reiterated periodically during the year as long as such funds remain available, to ensure sufficient time for the preparation of funding proposals in advance of funding decisions.

**86.33** Campus criteria and procedures shall also provide for: (a) documentation of all funding processes available to registered campus organizations, including notice of the opportunity to apply for funding and the criteria upon which funding requests will be judged, consistent with *Section 86.32* of these *Policies*; (b) documentation of all funding requests by registered campus organizations and actions taken by the student government or other campus entity with reference to the published funding criteria in response to such requests; and (c) a formal process that allows registered campus organizations or individual students to appeal, in a reasonable and timely manner, funding decisions regarding particular registered campus organizations or registered campus organization- related programs and activities made by the student government or other campus reallocating programs and activities made by the student government or other campus reallocating entity. (See also *Section 62.06*)

**86.34** Compulsory campus-based student fees may be reallocated to pay for speakers sponsored by registered campus organizations. Over time, such events should stimulate on-campus discussion and debate from a wide range of viewpoints on a variety of issues.

#### **86.40 Legal Review of Campus Procedures and Criteria**

Campus procedures and criteria for reallocation of compulsory campus-based student fees to support registered campus organizations and registered campus organization- related programs and activities on a viewpoint-neutral basis must be reviewed by the Office of General Counsel to ensure that the procedures and criteria are consistent with the law and these *Policies*. In addition, campuses are advised to consult with the Office of General Counsel should a question arise about whether a particular reallocation is viewpoint-neutral in nature and meets the university's educational purposes as specified in *Section 86.20* of these *Policies*.

#### **87.00 Transfer of Compulsory Campus-Based Student Fees to Non-University Entities**

Compulsory campus-based student fees may be expended by a student government, registered campus organization, or other campus entity to cover the expenses of direct participation by university students in a particular non-university-sponsored educational program or activity. Such fees may also be expended in payment of applicable dues necessary to sustain membership by a student government or registered campus organization in national and other regional non-university associations at the basic level established by such associations, so long

as the level of any such assessment is in line with what is assessed similar student organizations at other institutions comparable in size and nature to the university as a requirement of basic membership. Except as provided immediately below, memberships at a preferential level that require the payment of higher periodic dues than what is required to sustain basic membership, or the assessment by such non-university associations of supplemental contributions from their members as an expectation but not a requirement of continued membership, may not be supported from compulsory campus-based student fees.

Other than for considerations of basic membership as set forth above, additional transfers of funds from compulsory campus-based fees by a student government, registered campus organization, or other campus entity to such non-university associations may be made only when they can be justified, in advance of the transfer, to the chancellor (or other campus official designated by the chancellor with administrative oversight over the student government, registered campus organization, or other campus entity) as providing a direct educational benefit to University of California students commensurate with the proposed expenditure.

Compulsory campus-based student fees may not otherwise be expended by a student government, registered campus organization, or other campus entity in support of, or be otherwise transferred to, a non-university organization, program, or activity, except in payment for goods and services directly necessary to the operation of that student government, registered campus organization, or other campus entity, its programs or activities.

The referendum process set forth in *Section 82.00* of these *Policies* shall not be available either to establish a new compulsory campus-based student fee, or to lock in an increase to an existing such fee, for the purpose of supporting any non-university organization, program, or activity. (See also *Sections 67.10* and *70.90* of these *Policies*.)

## **90.00 POLICY ON THE CAMPUS ASSESSMENT OF VOLUNTARY STUDENT CONTRIBUTIONS TO STUDENT GOVERNMENTS AND REGISTERED CAMPUS ORGANIZATIONS**

### **90.10 Campus Procedures**

In furtherance of the university's stated goal of actively encouraging voluntary student support for the programs and activities of student governments and registered campus organizations, and consistent with the *University of California Guidelines for Implementing a Voluntary Student Fee Pledge System*, chancellors may establish procedures permitting the use of the student registration process or other formal campus assessment process to collect voluntary contributions from students in support of student governments and their related programs and activities when they serve the interests of students enrolled at the university. No program or activity of a student government or a registered campus organization may be supported by voluntary contributions collected through a formal campus assessment process unless that program or activity is also in compliance with all other applicable university policies and the law.

Campuses shall consult broadly with representatives of student government in the development of such assessment and collection procedures. Such procedures:

**90.11** Shall require that any voluntary contribution assessed through the student registration process or other formal campus assessment process be collected only from those students who have affirmatively elected by means of a positive check-off mechanism to authorize such an assessment

**90.12** Shall require either a student referendum (conducted under the same criteria as for compulsory campus-based student fees as set forth in *Section 84.00* of these *Policies*) or, subject to the concurrence of the chancellor or chancellor's designee, a duly adopted resolution of student government, to authorize use (consistent with the *University of California Guidelines for Implementing a Voluntary Student Fee Pledge System*) of the student registration process or other formal campus assessment process for the collection of voluntary contributions;

**90.13** Shall require that the actual costs (as defined in *Section 8* of the *University of California Guidelines for Implementing a Voluntary Student Fee Pledge System*) of the collection of voluntary contributions to benefit a registered campus organization be borne by the registered campus organization (at the discretion of the chancellor or chancellor's designee, all or a part of the actual costs of collection of voluntary contributions to benefit a student government may or may not be required to be borne by the student government); and

**90.14** Shall require that a written disclaimer be incorporated into the ballot measure language (or the duly adopted resolution of student government) at the time of authorization, and into the student registration or other formal campus assessment process at the time of collection. This disclaimer shall state that the collection of such voluntary contribution through the university's agency for support of the programs and activities of student governments or registered campus organizations does not constitute sponsorship or endorsement by the university (or, in the case of the programs and activities of student governments, does not constitute sponsorship or endorsement by any entity of the university other than the student government).

## **90.20** Applicability

These *Policies* shall apply only to voluntary contributions collected from students as part of the student registration process or other formal campus assessment process and shall not apply to voluntary contribution solicited from students as part of the more general fund-raising activities of any university or university-affiliated entity. Student governments and registered campus organizations engaged in more general fund-raising activities are subject to all other applicable university policies relating to the fund-raising activities of university and university-affiliated entities.



## 100.00 CODE OF STUDENT CONDUCT

**The UC Santa Cruz community includes students, staff, faculty, and others who have a vested interest in the University. As members of an academic community, integrity, accountability and mutual respect are vital pillars of being part of this community. The Principles of Community further illustrate the values and expectations set forth for being a part of this community.**

**This Code sets forth the applicable standards of our community and authorizes the administration of student conduct at UC Santa Cruz. All participants involved with the student conduct process are encouraged to reflect upon their role in the community and seek out opportunities for personal growth and development. It is an aspiration that students involved in this process will strengthen their competencies in communication, relationships, leadership, critical thinking, and active citizenship.**

Except for Sections 101.00 (Student Conduct), 104.00 (Administration of Student Discipline), 105.00 (Types of Student Disciplinary Action), and 106.00 (Posting Suspension or Dismissal on Academic Transcripts) the Policy on Student Conduct and Discipline does not apply to student conduct violations involving sexual violence and sexual harassment (including sexual assault, domestic violence, dating violence, and stalking of a sexual nature, etc.). All such violations and the applicable student discipline procedures for responding to such conduct are instead addressed by the University of California Policy on Sexual Violence and Sexual Harassment and PACAOS Appendix E: Sexual Violence and Sexual Harassment Student Adjudication Framework. Campuses under local procedures may also apply PACAOS Appendix E to adjudicate student conduct violations that occur in connection with violations of sexual violence and sexual harassment. **The UCSC Local Policy and Procedure for the Adjudication of Violations of the UC Policy on Sexual Violence and Sexual Harassment is located in Appendix W of the University of California, Santa Cruz Student Policies and Regulations Handbook.**

### 101.00 Student Conduct

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

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

- 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.

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

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

- a) **Any violations of the UC Policy on Sexual Violence and Sexual Harassment.**
- b) **Physical assault, threats of violence, or conduct that threatens the health or safety of any person;**
- c) **Possession or use of weapons, explosives, or destructive devices;**
- d) **Manufacture, sale, or distribution of controlled substances (as defined by the Drug Enforcement Administration);**
- e) **Hate crimes (as defined by local, state or federal law);**
- 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 or constitutes a nuisance to members of the surrounding off-campus community, 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;

### **102.11 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.**

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

102.03 Forgery, alteration, or misuse of any University document, record, key, electronic device, or identifications;

102.04 (a) Theft of, or conversion 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;

**102.04 (b) Damage to, or destruction of, any property of the University, or any property of others on University premises.**

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; or Copyright Infringement (for example, the illegal file-sharing of copyrighted material).

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

Please refer to the UC Electronic Communications Policy (<http://www.ucop.edu/ucophome/policies/ec/>) and Digital Copyright Protection at UC (<http://www.ucop.edu/irc/policy/copyright.html>) for the University position on digital copyright.

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

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

**102.08 Conduct, which constitutes:**

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

## **102.09 Harassment**

Harassment, defined as conduct that is so severe and/or pervasive, and objectively offensive, and that so substantially impairs a person's access to University programs or activities that the person is effectively denied equal access to the University's resources and opportunities. Harassment includes, but is not limited to, conduct that is motivated on the basis of a person's race, color, national or ethnic origin, citizenship, sex, religion, age, sexual orientation, **gender, gender expression**, gender identity, pregnancy, marital status, ancestry, service in the uniformed services, physical or mental disability, medical condition, **genetic information**, or perceived membership in any of these classifications. Pursuant to section 104.90, sanctions may be enhanced for conduct motivated on the basis of the above classifications.

### **102.091**

**Any violation of the UC Policy on Sexual Violence and Sexual Harassment.**

*For more information on these policies, please see Appendix G*

**When employed by the University of California, and acting within the course and scope of that employment, students are subject to the [University of California Policy on Sexual Harassment](#). Otherwise, Section 102.09, above, is the applicable standard for harassment by students. For both student and/or employee sexual harassment, please refer to the University of California [Procedures for Responding to Reports of Sexual Harassment](#).**

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 their 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 Other Harassment: Physical, verbal, written, face-to-face, telephonic, electronic or other direct means of contact that a student knows or should know is unwelcome, is communicated directly to one or more specific students, faculty, or staff, and constitutes severe, pervasive, or objectively offensive conduct; and does not constitute speech protected by the First Amendment of the United States Constitution.**

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 also Appendix F*);

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. **This includes student employees when performing in the course of their assigned duties.**

102.17 Unlawful manufacture, distribution, dispensing, possession, use, **transport, transfer**, or sale of, or the attempted manufacture, distribution, dispensing, or sale of controlled substances, identified in federal or state laws or regulations **which includes, but is not limited to:**

**a. All Drug Enforcement Administration (DEA) classified narcotics under schedules 1 through 5, such as: 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 non-narcotic drugs (barbiturates, Benzedrine); or all illegally obtained prescription drugs.**

**b. All other drugs not included in (102.17a) such as: designer or synthetic drugs, hallucinogens/or psychotropic herbs.**

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

**a. The illegal purchase of alcohol regardless of age, possession or use of alcohol by persons under 21 years of age and other violations of Federal or State law mentioned above.**

**b. Being drunk and disorderly, illegally intoxicated regardless of age or driving under the influence.**

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

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

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

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

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

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

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

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

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

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

- c. These provisions do not extend to public events or discussions, or to lawful official law or policy enforcement activities. These provisions may not be utilized to impinge upon the lawful exercise of constitutionally protected rights of freedom of speech or assembly.

102.26 **Violation of campus regulations regarding pets and animals (copies of these regulations are available from the college housing offices, the Family Student Housing Office, Faculty Housing Office, and University Police);**

102.27 **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;**

**102.28 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;**

**102.29 Other Weapons**

**a. California Penal code 626(I) possession on University properties or at official University functions of a "less than lethal weapon" including, but not limited to stun guns, Tasers, bow or crossbows designed to shoot arrows, slingshot, paint-ball guns, pepper spray or tear gas weapons are prohibited. Weapons allowed by the California Penal Code for training purposes, such as swords, nunchucks or sais for a martial arts class are not allowed in University owned or leased housing under any conditions. Martial arts weapons are not to be openly displayed on campus outside of an OPERS martial arts class and if not stored in a locker at OPERS these weapons must be locked in a container while traveling to and from class and locked in the trunk of a car while not in use.**

**b. Possession or use of a facsimile or replica weapon is prohibited.**

**c. The use of an object as a weapon to inflict injury on another person or to threaten to inflict injury on another person.**

**102.30 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.**

**102.31 Camping is prohibited on University owned, controlled or leased property. Camping is defined as any of the following:**

- 1. The establishment of temporary or permanent living quarters in other than residence halls, apartments, or other University-managed housing;**
- 2. Sleeping outdoors with or without bedding, tent, hammock, or similar protection or equipment;**
- 3. Sleeping in or under any parked vehicle; or**
- 4. 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.**

**102.32 Blocking or impeding ingress to or egress from the campus, buildings or official University functions, including activity on non-University property;**

**102.33 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 an illegal controlled substance into the human body. Examples of drug paraphernalia include, but are not limited to: pipes, water pipes, bongs, and hookahs.**

**102.34 In order to protect the safety of UCSC community members, and to comply with noise policies, the use of skateboards, rollerblades, or roller skates anywhere on-campus is strictly prohibited.**

**102.35 Violation of any other University policy or campus regulation.**

**102.36 Commission of a public offense under any federal, state, or local law or ordinance on or in University properties or at official University functions may subject students to campus discipline procedures.**

**102.37 Commission of a public offense under any federal, state, and local laws occurring off campus may subject violators to campus discipline procedures as well as any civil or criminal action that may be taken.**

**102.38 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.**

**102.39 Any person who willfully tampers, covers, restricts, or breaks any public or private fire alarm apparatus or any firefighting equipment or gives, transmits, or sounds any false alarm of fire.**

**102.40 Smoking Policy: smoking and all other tobacco use is not permitted at UC Santa Cruz and on any UCSC controlled property. All smoking, use of smokeless tobacco products and the use of unregulated nicotine products is prohibited. The use of marijuana is prohibited under federal regulations. The sale, advertising, promotion, or distribution of tobacco products is also prohibited.**

**This policy applies to all members of the UC Santa Cruz and anyone on University controlled properties. The smoke & tobacco free policy also covers all University parking lots and residential space. The policy is also applicable to all vehicles when on University property and to University controlled vehicles wherever in use. *Tobacco Product* means any form of tobacco, including but not limited to cigarettes, cigars, pipes, water pipes (hookahs, bongs), and all forms of smokeless tobacco products including but not limited to chew, snus, snuff, sticks, strips, orbs and unregulated nicotine products (e.g., “e-cigarettes”). For further information on the Tobacco Free initiative please see the full [UC Santa Cruz Smoke & Tobacco-Free Policy](#).**

#### Definitions

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

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

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

### **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. These procedures apply to both students and registered student organizations that are charged with violating the Code of Student Conduct.

**Wherever these policies and regulations require that notice be given, it may be delivered via the student's e-mail account on file with the University or 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 campus administrative holidays.**

103.11 When a formal hearing is deemed to be appropriate, campus-implementing regulations shall provide the following minimum procedural standards to assure the responding student a fair hearing:

- a. Written notice, including a brief statement of the factual basis of the charges; the University policies or campus regulations allegedly violated; and the time and place of the hearing, within a reasonable time before the hearing;
- b. The opportunity for a prompt and fair hearing where the University shall bear the burden of proof, and at which the student shall have the opportunity to present documents and witnesses and to confront and cross-examine witnesses presented by the University—no inference shall be drawn from the silence of the accused;
- c. A record of the hearing; an expeditious written decision based upon the preponderance of evidence, that shall be accompanied by a written summary of the findings of fact; and
- d. An appeals process.

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

104.10 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) 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.**

**104.27 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 Conduct and Community Standards Office.**

**104.28 Allegations involving students enrolled in University Extension courses are the initial responsibility of the Office of Conduct and Community Standards or designee. Allegations involving students enrolled in the Education Abroad Program are the initial responsibility of the Office of Conduct and Community Standards.**

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

104.70 [Rescinded - January 1, 2016]

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

**104.81 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 (including use of cellular technology or social media platforms). 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.**

104.90 **Enhanced Sanctions:** Sanctions [for any violations of Section 102.00, Grounds for Discipline] may be enhanced where an individual was selected because of the individual's race, color, national or ethnic origin, citizenship, sex, religion, age, sexual orientation, **gender, gender expression**, gender identity pregnancy, marital status, ancestry, service in the uniformed services, physical or mental disability, medical condition, **genetic information**, or perceived membership in any of these classifications.

## 105.00 Types of Sanctions:

*See also sections 105.10 and 105.11 in the University Policies Applying to Campus Activities, Organizations, and Students Handbook for specifics on sanctions and University actions.*

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.

**Any timeline established in this section may be extended or modified in the interests of fairness and upon good cause in the discretion of the Associate Vice Chancellor or designee. If a deadline is so extended, all reasonable efforts shall be made to complete the action required as soon as is practicable after the original timeline or deadline.**

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

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 the written Notice of Loss of Privileges and Exclusion from Activities, or violation of University policies or campus regulations during the period of the sanction may be cause for further disciplinary action, normally in the form of Probation, Suspension or Dismissal.

105.05 Suspension: Termination of student status 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 Associate Vice Chancellor for non- academic cases involving graduate and undergraduate students, the Vice**

**Provost/Dean of Undergraduate Education for Academic Integrity cases involving undergraduate students, and the Dean of Graduates Studies for Academic Integrity involving graduate students.**

**105.05(b) Stayed (Deferred) Suspension: The imposition of Suspension (see Section 105.05) is deferred pending adherence to, or fulfillment of, specified conditions. Failure to comply fully with all conditions of Stayed Suspension may result in the imposition of Suspension.**

**105.06 Dismissal:** Termination of student status from the University of California 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 Associate Vice Chancellor for non-academic cases and the Vice Provost/Dean of Undergraduate Education for academic cases.**

**105.07 Stayed (Deferred) Dismissal: The imposition of Dismissal (See Section 105.06) is deferred pending adherence to, or fulfillment of, specified conditions. Failure to comply fully with all conditions of Stayed Dismissal may result in the imposition of Dismissal.**

**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.

**105.07 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 (Interim Action):** 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 or designee within twenty-four hours **of affirmation by the Associate Vice Chancellor and if no further action is taken, the interim suspension shall be deemed to be upheld.** If a student is found to have been unjustifiably placed on Interim Suspension, however, the University is committed to a policy whereby reasonable efforts are taken to assist an individual who has been disadvantaged with respect to employment or academic status.

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

**105.082 The report shall include the student's name and, if available, address, phone number, e-mail address, and the reason for imposing the Interim Suspension. Within twenty- four hours of the imposition of the Interim Suspension, the Associate Vice Chancellor 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 Associate Vice Chancellor 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 Associate Vice Chancellor 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 the student's request for a special hearing.**

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

105.10 Revocation of Awarding of Degree: Subject to the concurrence of the Academic Senate, revocation of a degree obtained by fraud. Such revocation is subject to review on appeal by the Chancellor.

105.11 Other: Other disciplinary actions, such as monetary fines, community service, **enrolling in classes/workshops, receiving counseling, writing letters of apology, etc.**, or holds on requests 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, if reasonably concluded to be in the best interests of the University or University community.**

105.12 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 their 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 active.

105.13 Monetary Fines 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, Office of Physical Education, Recreation and Sports (OPERS) recreation fines, student organization fines, or any other services provided by the campus where fines may be assessed. Monetary fines are not restitution (see Section 105.09).

105.14 Stay of Sanction: The imposition of any sanction may be held in abeyance (deferred) 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 removal 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. **Interim suspension of University and/or organizational activities, as deemed appropriate by the Officer of Conduct and Community Standards Office pending the review of alleged misconduct on the part of the organization and/or its members. A student organization may be placed on Interim Suspension and shall be given prompt notice of the charges, 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 Associate Vice Chancellor, Dean of Students. This action may occur prior to the issuance of a summons and the temporary 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, a notation that the discipline was imposed must be posted on the academic transcript for the duration of the Suspension or Dismissal. Thereafter, notations of Suspension or Dismissal reflected on a student's transcript may be removed as set forth in campus regulations. (See also 105.05 (Suspension) and 105.06 (Dismissal)).

#### **107.00 Administrative Hearing: Investigation and Recommended Sanctions for Non-Academic Cases**

**107.10 Resolving an alleged violation of the Code of Student Conduct through the administrative hearing process is the preferred method of resolution at UC Santa Cruz. This process concludes with a Conduct Resolution by the responsible official or designee outlined in Section 104. Within ten (10) 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 responding student the opportunity to provide their side of the story. The responsible official will investigate the allegations further if necessary and work toward a prompt resolution. There are three possible outcomes to an Administrative**

Hearing as determined by the designated official. (1) The responsible official may propose sanctions to the responding student based upon the incident. (2) If the responsible official determines no further action is warranted the matter may be admonished (*see Section 104.80*) or (3) dropped. The proposed sanctions will be drawn from the defined disciplinary sanctions (*see Section 105.00*).

**107.20** To the extent permitted by law and University policy, the Complainant (as defined in Section 104.21) will be given notice of any conduct resolution and the opportunity to provide comment on any recommended sanction as directly related to the Complainant.

**107.30** A written or electronic record of the investigation and the recommended sanctions of the Conduct Resolution Agreement, 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 responding student; a copy maintained in the student's confidential 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 alleged incident; 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 request an appeal to the appellate officer. In cases of suspension or dismissal the student may also request a formal hearing.

**107.40** If the responding student fails to file an appeal or request a hearing if applicable within five (5) working days of receipt this will constitute acceptance of the sanctions in the Conduct Resolution Agreement, and the matter is resolved. Criteria for appeals are delineated in Section 107.61.

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

Students wishing to appeal findings or sanctions related to a student conduct case can access the electronic appeals process via a live internet link listed in their Conduct Resolution. *For additional resources please see:*

<http://deanofstudents.ucsc.edu/pdf/appeal-guide.pdf>. Students are limited to one level of review (electronic appeal (*see Section 107.30 (b)*) or in certain instances a formal hearing, (*see Section 108.00*). Typically appeals will be heard by the supervisor of the Conduct Officer that issued the sanctions, for example:

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,

**Graduate Student Housing, and Camper Park) shall be appealed to the Director, Housing Services or designee;**

**b. Sanctions issued by a College Administrative Officer shall be appealed to the Associate Vice Chancellor of Colleges, Housing and Educational Services or designee;**

**c. Sanctions issued by the Conduct and Community Standards Office that reach the level of Suspension or Dismissal shall be appealed to the Associate Vice Chancellor of Colleges, Housing and Educational Services. All other cases involving undergraduate students shall be appealed to the student's College Administrative Officer.**

**d. Sanctions issued by the Assistant Director of Student Conduct, Colleges, Housing and Educational Services that reach the level of Suspension or Dismissal shall be appealed to the Associate Vice Chancellor, Dean of Students. All other cases involving undergraduate students shall be appealed to the student's College Administrative Officer.**

**e. Sanctions issued by the Associate Vice Chancellor, Dean of Students or designee shall be appealed to the Executive Vice Chancellor.**

**f. Cases involving graduate students that do not result in suspension or dismissal shall be appealed to the Associate Vice Chancellor, Dean of Students or designee.**

**g. Cases involving registered student organizations shall be appealed to the Associate Vice Chancellor, Dean of Students or designee.**

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

**a. Whether there was a preponderance of evidence to support the finding(s) of violation of University policies or campus regulations for which the discipline was imposed. For more information on the standard of preponderance please see the FAQ on the Community Standards and Conduct website (<http://deanofstudents.ucsc.edu/student-conduct/index.html>).**

**b. Whether there is new evidence, which was not available at the time of the administrative hearing and which is likely to change the finding(s). New evidence does not include information that was available through the exercise of reasonable diligence at the time of the administrative hearing. If the student did not participate in the administrative hearing, offering to participate on appeal does not qualify as new evidence.**

**c. Whether there was a lack of procedural fairness in the administration of the conduct process. Please review section 107 for guidelines on the administrative hearing process.**

**d. The sanctions assigned in the Conduct Resolution are substantially disproportionate to, and therefore inconsistent with, standard University practice based on the violation(s).**

**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 certain instances, described below, a student is entitled to a formal hearing upon request.**

**Requests for formal hearings will be granted in those cases where the sanction issued by the responsible official to include Suspension, Stayed Dismissal or Dismissal from the University. Students who fail to comply with a summons to meet with the conduct officer waive their right to a formal hearing. Therefore, their right of review is limited to a written appeal to the designated appellate officer.**

**Registered Student Organizations are limited to one level of administrative review and a written appeal as provided in Section 70.30.**

#### **108.10 Campus Conduct Board: Jurisdiction and Composition**

**a. The formal hearing of student discipline cases has been delegated by the Chancellor to the Associate Vice Chancellor, Dean of Students.**

**b. The Campus Conduct Board is appointed by the Associate Vice Chancellor, Dean of Students to serve a minimum term of twelve (12) months, commencing the first day of Fall Quarter. The board shall consist of a chairperson, (1) staff member, (2) undergraduate students and (1) graduate student who may be pulled from a pool of trained board members. The chair shall be designated by the Associate Vice Chancellor, Dean of Students and the students shall be nominated by Student Union Assembly (SUA) and the Graduate Student Association. 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.**

**c. All members of the Campus Conduct Board will be trained on applicable University policies prohibiting discrimination, including elements of the violation and burdens of proof.**

#### **108.20 Scheduling a Formal Hearing**

**A student requesting a formal hearing must deliver a request to the Conduct and Community Standards Office within five (5) working days of receipt of the Conduct Resolution letter from the responsible official. The Conduct and Community Standards Office will schedule any formal hearing.**

**Typically, the formal hearings are conducted within twenty (20) working days, and the respondent and the responsible official will be notified of the date, time, and place. The Conduct and Community Standards Office shall provide the student with information regarding the hearing procedure and assistance with the process, though the responding student shall be responsible for securing evidence and testimony of supporting witnesses in their defense.**

**108.21 The student and the responsible official may resolve a case through the terms of Conduct Resolution at any time up to the closure of the case. To the extent permitted by law and University policy, the complainant will be given notice of any Conduct Resolution and the opportunity to provide comment on any recommended sanction as directly related to the complainant.**

**108.22 In the interest of fairness, and for good cause shown, extensions of time limits described above may be granted by the Associate Vice Chancellor or designee. All parties involved shall be notified as soon as an extension has been granted.**

#### **108.30 Rights and Responsibilities**

**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 responding 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 responding student, at which the University shall bear the burden of proof. At the time of the hearing, the student shall have an opportunity to present documents and witnesses and/or to respond to written statements or witness testimony, and the respondent student shall bear responsibility for securing evidence and testimony of witnesses, if applicable, in their defense; and at which no inference shall be drawn from the silence of the accused;**

**c. access to the hearing record;**

**d. a prompt written decision based upon the findings of fact; and**

**e. opportunity for the responding student to appeal.**

**108.31 Rights and Responsibilities at all Formal Hearings: The rights and responsibilities of the responding student, the witnesses, Conduct and Community Standards Office, the responsible official, Campus Conduct Board, and the Associate Vice Chancellor regarding a formal hearing are delineated below.**

**108.32 The Responding Student:**

**a. shall be served with 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 responding student will be accompanied by an attorney as adviser, Conduct and Community Standards Office 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;**

**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 their 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 their absence;**

**e. shall have the right to produce witnesses and evidence pertaining to the alleged violations, and the responsibility for securing witnesses to testify at the hearing belongs to the respondent student;**

**f. shall have the right to respond to written statements or witness testimony;**



**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.**

**108.33 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.**

**108.34 The Conduct Officer:**

**a. shall coordinate the appearance of University witnesses and present evidence relevant to the charges;**

**b. shall not be present during the deliberations;**

**108.35 The Campus Conduct Board Members:**

**a. shall disqualify themselves 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 respondent 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 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 Associate Vice Chancellor within ten (10) 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 hearing to assist review of testimony. The responding student may be provided with a digital recording of the hearing at their own expense.**

**108.36 The Associate Vice Chancellor:**

**a. shall review the report of findings and recommendations of the Campus Conduct Board;**

**b. shall notify the respondent, the responsible official, and the Office of Conduct and Community Standards in writing of the sanction(s) imposed, if any, within ten (10) working days of receipt of the report of findings and recommendations of the Campus Conduct Board, which may be extended for good cause or in the interests of fairness in the discretion of the Associate Vice Chancellor;**

**c. the Office of Conduct and Community Standards may approve a Conduct Resolution plan, prior to the initiation of the formal hearing, which differs from the initial offer of Conduct Resolution; the Office of Conduct and Community Standards shall explain in writing the rationale for this action to the Campus Conduct Board;**

**d. the Associate Vice Chancellor (or designee) may modify the recommended findings or sanctions received from the Campus Conduct Board;**

**e. the sanction(s) imposed by the Associate Vice Chancellor shall become effective if the appeal period ends without an appeal being filed.**

#### **108.40 Conduct of 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 responding student.**
- c. Witnesses - Both sides may present and question witnesses. The Chair can limit the questioning of witnesses when the questions become excessive or out-of-context. Members of the Campus Conduct Board may ask questions when needed for clarification purposes. At the discretion of the Chair, questioning may be suspended and both parties may be required to ask their questions through and provide responses to the Chair directly. If witnesses are not present, a written statement from a witness may be submitted and will be considered as evidence.**
- 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 Conduct 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. The University conduct process is not a legal proceeding, and therefore, formal court procedures and evidentiary rules do not apply.**
- 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 attendees or exclude attendees 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 designated Associate Vice Chancellor, the responding student may appeal to the designated appeal officer. An appeal filed after five (5) working days may be granted by the designated appeal officer upon a showing of good cause for the delay and a**

showing that the appeal was made as soon as possible under the circumstances.  
Please see section 104.

The following appeal guidelines will apply to appeals of the hearing decision:

- a. Whether there was a preponderance of evidence to support the finding(s) of violation of University policies or campus regulations for which the discipline was imposed. For more information on the standard of preponderance please see the FAQ on the Student Conduct and Community Standards website. (<http://deanofstudents.ucsc.edu/student-conduct/index.html>).
- b. Whether there is new evidence, which was not available at the time of the administrative hearing and which is likely to change the finding(s). New evidence does not include information that was available through the exercise of reasonable diligence at the time of the administrative hearing. If the student did not participate in the administrative hearing, offering to participate on appeal does not qualify as new evidence.
- c. Whether there was a lack of procedural fairness in the administration of the conduct process. Please review section 107 for guidelines on the administrative hearing process.
- d. The sanctions assigned in the Conduct Resolution are substantially disproportionate to, and therefore inconsistent with, standard University practice based on the violation(s).

**108.51** The designated appeal officer may refer an appeal to another designated individual for review and recommendation for cases of conflict of interest. The report of any such designated official shall be made available to the respondent and complainant and Student Conduct and Community Standards.

**108.52** Upon completion of review the designated appeal officer may affirm, modify, or reverse the recommended discipline, or return the case to the Associate Vice Chancellor or the Campus Conduct 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 Executive Vice 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 Executive Vice 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.

**108.54** Cases where the sanction of Suspension or Dismissal was initially issued by the Conduct and Community Standards office shall be appealed to the Associate Vice Chancellor of Colleges, Housing and Educational Services. Cases where the sanction of Suspension or Dismissal was initially issued by the Assistant Director, Student Conduct of Colleges, Housing and Educational Services or designated housing officer shall be appealed to the Associate Vice Chancellor, Dean of Students.

## **109.00 Maintenance of Disciplinary Records**

**109.10 Privacy.** 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. Non-academic disciplinary files of undergraduate and graduate students will be maintained by the Office of Conduct and Community Standards. Academic disciplinary files of undergraduate student are maintained by the college Provost. Academic disciplinary files of graduate students 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 Conduct and Community Standards.

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 may be maintained by the Office of Conduct and Community Standards. Responsible officials will provide copies of all letters of recommended sanctions to the Office of Conduct and Community Standards, where these documents and notices of sanctions will be maintained.

**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 (7) years from the last effective date of sanctions imposed, unless otherwise determined by the Dean of Students or Designee, the Vice Provost and Dean of Undergraduate Education, or the Dean of Graduate Studies as appropriate. (e.g., administrative holds, Suspensions). Cases that result in dismissals or degree revocation will be retained for fifty (50) years after the end of the academic year in which the student no longer attends the University.

## **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 *UCSC Policy and Procedures for Reports of Sexual Harassment, or the UCSC Policy and Procedures for Reports of Sexual Assault, Dating Violence, Domestic Violence, and Stalking*;

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 H).

## **115.00 UCSC STUDENT GRIEVANCE PROCEDURES**

115.01 Students may file a grievance based on alleged violations of university policy or campus regulations regarding student privacy rights; or discrimination based on race, color, national origin, religion, sex, gender, gender expression, gender identity, pregnancy, physical or mental disability, medical

condition (cancer-related or genetic characteristics), genetic information (including family medical history), ancestry, marital status, age, sexual orientation, citizenship, or service in the uniformed services, or other discrimination as specified in campus regulations. The complained of actions must have resulted in injury to the student.

**Complaints of sexual harassment or assault should be filed under the *UCSC Policy and Procedures for Reports of Sexual Harassment*, or the *UCSC Policy and Procedures for Reports of Sexual Assault, Dating Violence, Domestic Violence and Stalking*. (see Appendix G).**

**115.05 Student grievances may be based on the conduct of the University, its employees, or third parties. Allegations of student misconduct in alleged violation of the Student Code of Conduct fall outside the scope of this grievance process. Allegations of student misconduct, including discrimination by another student, should be brought to the attention of the Assistant Dean of Students who oversees the student discipline process.**

## **115.11 DEFINITIONS**

**Complaint Resolution Officer (CRO):** The person designated to receive, investigate, mediate, and resolve complaints brought under this procedure.

**Americans with Disabilities Act (ADA) Compliance Officer:** The person designated with the ultimate responsibility and authority to resolve any student allegation of discrimination based on disability.

**Title IX Officer:** The person designated with the ultimate responsibility and authority to investigate any student allegation of discrimination based on sex, gender, gender identity or gender expression.

**Student (for alleged violations of a student's privacy rights):** Any individual who has been admitted to and is enrolled in, or registered with, any academic program of the University.

**Student (for alleged violations of university policy and campus regulation):** Any individual for whom the University maintains student records and who:

- a. is enrolled in or registered with an academic program of the University; or
- b. has completed the immediately preceding term and is eligible for re-enrollment, including recess periods between academic terms; or

c. is on an approved education leave or other approved leave status, or on filing fee status.

**Respondent:** The person designated to answer or respond to the grievance. Generally the respondent will be the head of the unit or department in which the violation allegedly occurred.

**Notification:** Notification takes place two days after the date of (1) posting of any document in the United States mail (properly addressed) or (2) sending via properly addressed email ([conduct@ucsc.edu](mailto:conduct@ucsc.edu)). Written communications from the university to a student are properly addressed when sent to the U.S. postal or email address given in the grievance or the last address given since the filing of the grievance.

**Days:** All time periods referred to in this procedure refer to calendar days, excluding summer term, campus closure and inter-semester recesses. If the designated time period ends on a Saturday, Sunday or campus holiday, the time period will be extended to the following working day.

**115.13 OFFICE OF RECORD:** The Office of Conduct and Community Standards shall serve as the office of record. All written submissions for student grievances related to this procedure shall be mailed, emailed, or delivered to the Assistant Dean of Students.

#### **115.14 RESOURCES AND INFORMAL RESOLUTION**

If a student believes that the Santa Cruz campus, any campus subdivision or employee thereof, or a third party has violated university policy or campus regulations, the student may initiate the formal grievance process, including an investigation. However, the student may also attempt to resolve the matter informally. Attempts at informal resolution are not required and students alleging discrimination need not participate directly in informal resolution with the person alleged to have taken the discriminatory action, the head of the person's unit, or the person's supervisor.

a. For assistance with general complaints or concerns related to alleged discrimination, students may contact any of the following individuals: the Assistant Dean of Students, Conflict Resolution Program, College Administrative Officers, , the Vice Provost and Dean of Undergraduate Education, or the Vice Provost and Dean of Graduate Studies (*for contact information, see Appendix Q*).

b. For complaints alleging sex or gender discrimination, sexual harassment, sexual assault, dating violence, domestic violence, or stalking, students are strongly encouraged to consult the Title IX/Sexual Harassment Officer for advice and/or recommendations on engaging an informal



resolution process; in certain types of cases, an informal resolution process may be inappropriate and may be prohibited. The Title IX reporting and response procedures are described in the *UCSC Policy and Procedures for Reports of Sexual Harassment, or the UCSC Policy and Procedures for Reports of Sexual Assault, Dating Violence, Domestic Violence, and Stalking* (see Appendix G).

c. For disability-related complaints or concerns about accommodations, students are strongly encouraged to consult with the campus ADA Access Coordinators. If the student has sought informal resolution with the assistance of the ADA Access Coordinators and the matter remains unresolved, the student is strongly encouraged to contact the ADA Compliance Officer. The ADA Compliance Officer has ultimate responsibility and authority to resolve the concerns and offer a reasonable accommodation.

If the matter remains unresolved to the student's satisfaction, the ADA Compliance Officer will provide the student with information on (1) filing a formal grievance (including the campus Policy on Student Grievance Procedures) and (2) filing a complaint with the U.S. Department of Education, Office for Civil Rights.

For contact information for ADA Compliance Officer and ADA Access Coordinators, see *Appendix Q*.

d. All resource persons listed in *Appendices G and Q* shall provide a student with the campus Policy on Student Grievance Procedures and University policy/campus regulation applicable to the alleged violation.

Attempts to resolve a matter informally must be completed within sixty (60) days from the time at which the student knew or could reasonably be expected to have known of the alleged violation. If a student wishes to file a formal grievance, he or she must do so within the sixty (60) day limit, regardless of the progress of the informal resolution process. Requesting an informal resolution will not extend the 60-day time limit for the filing of a formal grievance. The filing of a formal grievance ends the informal resolution process.

## 115.16 FILING A FORMAL GRIEVANCE

If an informal resolution is unsuccessful or, if at any time during the informal process, the student does not want to pursue an informal resolution, the student may file a formal grievance with the Assistant Dean of Students at 459-1676 (voice), 459-3188 (fax), [larojas@ucsc.edu](mailto:larojas@ucsc.edu), 245 Hahn.

When a formal grievance is filed, the Assistant Dean of Students will assign a Complaint Resolution Officer (CRO), which may include University faculty members, administrators, or other staff. The

**Assistant Dean of Students will ensure that individuals acting as CRO's have training in appropriate investigative methods, University policy and regulations, and legal standards for determining whether discrimination occurred.**

**The formal grievance must be filed within sixty (60) days of the time at which the student knew or should be reasonably expected to have known of the alleged violation. When the violation occurs at the end of an academic quarter, a formal grievance may be filed within sixty (60) days of the beginning of the next academic quarter.**

**Student grievances must be in writing and signed by the student (or sent from the student's email address). Grievances must contain the student's postal address, email address, and telephone number (to the extent available), a detailed statement of the specific action being grieved, the approximate date when the action took place, the resulting injury or harm, a description of the facts supporting the grievance, whether informal resolution was attempted and completed, and the remedy or relief requested. It is the responsibility of the student grievant to update the CRO as to the appropriate address to use throughout the grievance process.**

**Students who have filed a grievance regarding discrimination in campus activities or programs may also have civil law remedies available to them, including but not limited to, injunctions, restraining orders, complaints with federal or state agencies, or civil litigation.**

#### **115.17 INITIAL REVIEW OF A FORMAL GRIEVANCE**

**The Complaint Resolution Officer (CRO) will review the grievance and make an initial determination regarding whether the grievance is complete, timely, within the jurisdiction of the Policy on Student Grievance Procedure, and alleges facts which, if true, would constitute a violation of University policy or campus regulation. The CRO shall complete the initial review of the grievance and notify the student in writing as to whether an investigation will begin, whether the grievance is incomplete, or whether the grievance will be dismissed within twenty (20) days of the receipt of the grievance in the Dean of Students Office.**

**If the CRO determines that the grievance is incomplete, the student grievant will have ten (10) days from the date of the written notice to make the grievance complete. If the student grievant fails to make the grievance complete, the grievance will be dismissed. If the CRO determines that the grievance is untimely, outside the jurisdiction, or does not allege facts describing a violation of University policy or regulation, the grievance will be dismissed. If the grievance raises multiple issues, the CRO will make a determination described above with regard to each issue. The CRO may investigate some issues and dismiss others pursuant to this initial review.**

**If a grievance is dismissed, the CRO will provide the student grievant with a written explanation of the basis for the dismissal. The student grievant will have ten (10) days from the date of the written notice to request an appeal of the dismissal from the Campus Provost/Executive Vice Chancellor or designee. The request for appeal must be in writing and explain why the student believes the**

dismissal was in error. The Campus Provost/Executive Vice Chancellor will respond in writing within twenty (20) days of the notice of appeal. If the dismissal is upheld, the decision is final. If the decision to dismiss is overturned on appeal, the grievance will be returned to the CRO for investigation per the procedures outlined below.

#### **115.18 INVESTIGATION & RESOLUTION**

The CRO will inform the respondent of the nature of the allegations and those factual details necessary to respond to the grievance. The CRO will protect the confidentiality of the student grievant and others to the maximum extent possible consistent with the law and University policy, while according due process to any person alleged to have behaved in violation of University policy or campus regulation.

The respondent must file a written response within fifteen (15) days of the receipt of the formal grievance. The response to the allegations shall (1) confirm or deny each fact alleged in the grievance; (2) indicate the extent to which the grievance has merit; and (3) indicate acceptance or rejection of any remedy requested by the grievant or outline an alternative remedial proposal. The response to allegations shall be filed with the CRO, who will notify the student grievant in writing of the response.

The CRO will interview the grievant, the respondent, and any other individuals with knowledge or information relevant to the grievance. The CRO will also examine relevant documents, correspondence, and other evidence deemed necessary to investigate the complaint fully. Disclosure of facts to the student grievant, the respondent, and witnesses shall be limited to what is reasonably necessary to conduct a fair and thorough investigation.

If the student grievant or respondent will be assisted in the review by an advisor or support person, he or she must (1) provide the advisor's or support person's name and (2) sign a release authorizing the advisor or support person to view relevant materials and to accompany the grievance or respondent to pertinent meetings

At any time during the investigation, if necessary, the CRO will provide the student grievant with interim protections or remedies adequate to eliminate, prevent the occurrence of, and address the effects of discrimination. Failure to comply with the terms of interim protections may be considered a separate violation of the *Policy on Student Grievances*.

#### **115.20 FINDINGS**

The CRO's findings from the investigation shall be reported in writing to the Campus Provost/Executive Vice Chancellor or designee no later than forty-five (45) days from the receipt by the CRO of the original formal grievance. The report shall contain findings of fact based on a preponderance of the evidence and shall include whether a University policy or campus regulation was violated, the factual basis for the determination, a recommended outcome of the grievance, a proposed make-whole remedy for the student grievant (if any), and/or final remedies to eliminate, prevent the recurrence of, and address the effects of discrimination (if any) or privacy violations for

consideration by the Campus Provost/Executive Vice Chancellor or designee, and proposed sanctions for the respondent (if any).

The Campus Provost/Executive Vice Chancellor or designee shall be responsible for making a determination on the outcome of the grievance and taking corrective action. Within fifteen (15) days of receipt of the findings, the Campus Provost/Executive Vice Chancellor or designee will notify the student grievant and the respondent in writing with a synopsis of the report of findings. The synopsis shall contain a summary of the issues presented by the grievance, a statement of the applicable University policy or campus regulation, a summary of the factual findings reached in the investigation, a determination based on a preponderance of the evidence for each allegation of whether any University policy or campus regulation was violated, including whether discrimination or a privacy violation occurred, the remedies that will be provided to the student grievant (if any), other final remedies to eliminate, prevent the recurrence of, and address the effects of discrimination (if any), including recommendation for referral to any disciplinary action or other steps concerning the respondent.

Both the student grievant and the respondent may request an appointment with the Assistant Dean of Students or designee, to review the entire report of findings. The report of findings shall be redacted as appropriate to comply with University policy, campus regulation, and state and federal laws.

For disciplinary action against any University employee or student, the matter shall be referred to the appropriate University disciplinary procedure.

#### **115.21 ADMINISTRATIVE REVIEW OF FINDINGS**

A student grievant may seek an Administrative Review of the findings and/or remedies by the Campus Conduct Board by filing a written request for review with the Campus Provost/Executive Vice Chancellor or designee within five (5) days from receipt of the report of the findings.

#### **115.22 ADMINISTRATIVE REVIEW OF FINDINGS: SCOPE AND AUTHORITY**

The Administrative Review shall be based on written submissions only. The scope of the Administrative Review is limited to

- a. matters raised in the original written formal grievance; and
- b. a review of the process (fact finding, resolution and remedy) of the CRO.

#### **115.23 NOTICE OF ADMINISTRATIVE REVIEW**

The Campus Provost/Executive Vice Chancellor or designee shall arrange for an Administrative

**Review by the Campus Conduct Board within thirty (30) working days of the student grievant request. Administrative Reviews are convened only during the fall, winter, and spring quarters.**

#### **115.24 AVAILABILITY OF INFORMAL RESOLUTION DURING ADMINISTRATIVE REVIEW**

**The student grievant may request that the Assistant Dean of Students arrange a an informal settlement of the formal grievance at any stage in the Administrative Review process. Requesting an informal resolution will not toll the time for the pending Administrative Review.**

#### **115.25 CAMPUS JUDICIAL BOARD**

**The Associate Vice Chancellor, Dean of Students shall appoint a Campus Conduct Board (*see Section 108.10 of the Student Policies and Regulations Handbook* for the membership of this Board). Any Conduct Board hearing a matter involving discrimination, including sexual harassment or assault, will have training regarding applicable University policy and regulations, legal standards and standards of proof for determining whether discrimination occurred.**

#### **115.26 RETENTION OF RECORDS**

**The University shall retain all records pertaining to the investigation, findings, and any Administrative Review for a period of seven (7) years. Student records may be kept longer at the discretion of the Assistant Dean of Students.**

**Explanations placed in the student records by an individual seeking to correct a record shall be retained as long as the contested portion of the record is retained.**

#### **115.27 THE BOARD'S REPORT OF FINDINGS & RECOMMENDATION**

**The Administrative Review conducted by the Campus Conduct Board shall be based on written submissions and may include written inquiries and requests for additional information. Within five (5) days of the completion of the review, the Chair of the Campus Conduct Board shall report the written findings of the Administrative Review to the Campus Provost/Executive Vice Chancellor. The Administrative Review will determine whether the grievant has provided information showing that the findings were based upon incomplete factual information, an incorrect analysis of the facts, misapplication of University policies or regulations, or procedural error. The errors must be significant in a way that would change the determination in the case.**

## **115.28 CAMPUS PROVOST/EXECUTIVE VICE CHANCELLOR'S DETERMINATION**

The Campus Provost/Executive Vice Chancellor shall make a final determination on the report of finding(s) and recommendation within ten (10) days of the receipt of the report from the Chair of the Campus Conduct Board. The Campus Provost/Executive Vice Chancellor will notify in writing the student grievant, advisor or support person to the student grievant (if any), the respondent, and the Assistant Dean of Students of the determination within five (5) days of making a decision. The written notice shall explain the basis for adopting, modifying, or overturning the findings and recommendation of the Campus Conduct Boarding, including, as applicable, whether a University policy or campus regulation was violated, the factual basis for the determination, a proposed make-whole remedy for the student grievant (if any), final remedies to eliminate, prevent the recurrence of, and address the effects of discrimination (if any), and notification of the right to file an appeal with the Chancellor.

For disciplinary action against any University employee or student, the matter shall be referred to the appropriate University disciplinary procedure.

## **115. 29 APPEAL TO CHANCELLOR OR DESIGNEE**

Within five (5) days of notification of the determination, the student grievant may file an appeal of the Campus Provost/Executive Vice Chancellor's determination with the Chancellor or designee. The appeal must be based on at least one of the following grounds:

- a. new evidence has been brought to light which was not available at the time of the Administrative Review; or
- b. established procedures, as described above, were not followed and the failure to follow procedures resulted in a decision adverse to the student grievant.

The Chancellor or designee shall respond within fifteen (15) days of receipt of an appeal, and this decision is final and binding.

## **115.30 TIME LIMIT EXTENSION**

The Campus Provost/Executive Vice Chancellor or designee may extend any of the time limits described in the above grievance procedures in the interest of fairness and for good cause. All parties involved shall be notified in writing as soon as an extension of time is granted.

## **Resources for Resolution**

*For disability-related formal grievances and informal resolution:*

**Ashish Sahni, Associate Chancellor and ADA Compliance Officer, 459-4380 (voice), 459-2098 (fax), ashish@ucsc.edu**

*For student classroom; educational and program accommodation; and access- related formal grievances and informal resolution:*

**Rick Gubash, Director of Disability Resource Center and ADA Program Access Coordinator for Student Program Access, 459-2089 (voice), 459-5064 (fax), rgubash@ucsc.edu, 146 Hahn**

*For disability-related computer access and IT-related reasonable accommodation:*

**Jim Phillips, Director of Learning Technologies and ADA IT Accessibility Coordinator, 459-2410 (voice), jphilli1@ucsc.edu**

*For facility, program, and event access; accommodations; formal grievances and informal resolution:*

**Susan Willats, ADA Facilities Access Coordinator, 459-3759 (voice), 459-2759 (fax), willats@ucsc.edu**

*For employment-related reasonable accommodation:*

**Kelly Roberts, Disability Management Coordinator, 459-4602 (voice), 459-3683 (fax), roberts@ucsc.edu**

*For employment-related disability discrimination issues:*

**Ciel Benedetto, Assistant Director for EEO, Office for Diversity, Equity, and Inclusion 459-3676 (voice), 459-2670 (fax), cbene@ucsc.edu,**

*For formal grievances and informal resolution based on alleged discrimination relating to race, color, national origin, religion, ancestry, marital status, age, or service in the uniformed services:*

**Lucy Rojas, Assistant Dean of Students, 459-1676 (voice), 459-3188 (fax), larojas@ucsc.edu, 245 Hahn**

*For formal grievances and informal resolution based on alleged sex or gender discrimination, sexual harassment, or sexual assault:*

**Tracey Tsugawa, Title IX/Sexual Harassment Officer, 459-2462, [ttsugawa@ucsc.edu](mailto:ttsugawa@ucsc.edu)**

*For questions about or alleged violations of University policy related to privacy of student records:*

**Tchad Sanger, University Registrar, 459-[5604](tel:459-5604), [cpsanger@ucsc.edu](mailto:cpsanger@ucsc.edu)**

*For conflict resolution assistance:*

**Nancy Heischman, Director of Conflict Resolution Services, 459-2290, [nheischm@ucsc.edu](mailto:nheischm@ucsc.edu)**

*Additional Resources*

**Richard Hughey, Vice Provost and Dean of Undergraduate Education, 459-4908 (voice), [vpdue@ucsc.edu](mailto:vpdue@ucsc.edu)**

**Tyrus Miller, Vice Provost and Dean of Graduate Studies, 459-5079 (voice), 459-5079 (fax), [vpdgs@ucsc.edu](mailto:vpdgs@ucsc.edu)**

**College Administrative Officers:**

**Alex Belisario, Crown College and Merrill College, 459-2452, [aabelisa@ucsc.edu](mailto:aabelisa@ucsc.edu)**

**Carolyn Golz, Cowell College & Stevenson College, 459-2638, [cgolz@ucsc.edu](mailto:cgolz@ucsc.edu)**

**Deana Slater, College Nine & College Ten, 459-3122, [dslater@ucsc.edu](mailto:dslater@ucsc.edu)**

**Susan Welte, College Eight and Oakes College, 459-2922, [swelte@ucsc.edu](mailto:swelte@ucsc.edu)**

**Michael Yamauchi-Gleason, Porter College and Kresge College, 459-5015, [myg@ucsc.edu](mailto:myg@ucsc.edu)**



## **120.00 POLICY ON STUDENT PARTICIPATION IN GOVERNANCE**

As members of the campus community, students have a substantial interest in the governance of the university. Their participation has increased significantly in the last decades, and the university has benefited from it. It is the intent of this *Policy* to reaffirm the university's commitment to the principle of student involvement in governance in both administrative and academic areas and to state the primary purposes and goals of that involvement.

This commitment is based on the premise that student participation is vital to a vigorous intellectual exchange and the furtherance of the objectives of the university education and research. Appropriate, effective, and productive student involvement, consistent with the development of policies that reflect the total needs of the university, is the goal.

The governance of the university involves more than the process of making decisions. The process of governance provides a forum for group interaction, expression of concerns, exploration of feasible solutions, and reconciliation of diverse viewpoints. Within this context, student participation serves several functions.

First, it is important to the sound development of policy. Student views and advice, often from special perspectives, provide for more informed university decision making. Participation should be encouraged and strengthened through the involvement of all levels of student participation.

Second, there is recognition that students have a vital interest in decisions directly related to policies and programs affecting their academic and non-academic experience at the university. Clear procedures are required to ensure that students are afforded access to needed information, an opportunity to share ideas, and encouragement to express concerns, both formally and informally.

Finally, student participation is crucial to ensure that student viewpoints are considered on issues of importance to the university community. This communication provides opportunities for testing assumptions, for understanding the attitudes of others, for sharing information, and for developing understanding and mutual trust among constituencies. The special nature of the university requires a sense of community. While every decision may not be wholly satisfactory to all parties, the governance process should provide a forum for candid discussion.

Efforts should continue to be directed toward improving not only the extent but also the quality and effectiveness of student involvement. To these ends, the university must work to achieve several goals.

First, the processes central to student involvement, including the selection, training, and continuity of student participants, need to be clearly understood by all members of the campus community and periodically reexamined. Care should be taken, in particular, that the process of reaching decisions in campus governance is openly communicated and well understood.

Second, building on existing mechanisms, means for student participation in administrative and academic areas should be developed and implemented on the campuses and in the Office of the President; it is important that a variety of ways be provided to ensure that the university gains full benefit from student participation in those areas. Third, areas where students are not now participating need to be examined. In this regard, ways should be sought to enhance student involvement in academic departments, where important decisions that affect students are made.

In order to achieve the goals of this Policy, each campus has developed a plan for student participation. Essential to the success of such plans is a periodic review of the procedures used by campus academic and administrative departments, student governments and other student organizations, and an evaluation of progress toward implementation of the plan. This review process should involve broad consultation with the campus community, including formal consultation with student governments and the Academic Senate. Campus plans for student participation in institutional governance should be made readily available for review. Matters which have been delegated by the Regents to the Academic Senate are beyond the scope of these campus plans, but direct discussions between students and the Academic Senate on student participation in the deliberations of the senate should continue. Plans for student participation in institutional governance should be widely disseminated.

### **130.00 POLICIES APPLYING TO THE DISCLOSURE OF INFORMATION FROM STUDENT RECORDS**

*Please refer to Section 130.00 of the Policies Applying to Campus Activities, Organizations and Students (PACAOS): <http://policy.ucop.edu/doc/2710533/PACAOS-130>*

### **140.00 GUIDELINES APPLYING TO NONDISCRIMINATION ON THE BASIS OF DISABILITY**

*Please refer to Section 140.00 of the Policies Applying to Campus Activities, Organizations and Students (PACAOS): <http://policy.ucop.edu/doc/2710534/PACAOS-140>*

### **150.00 TYPES OF SANCTIONS**

*Please refer to Section 150.00 of the Policies Applying to Campus Activities, Organizations and Students (PACAOS): <http://policy.ucop.edu/doc/2710535/PACAOS-150>*

### **160.00 POSTING SUSPENSION OR DISMISSAL ON ACADEMIC TRANSCRIPTS**

*Please refer to Section 160.00 of the Policies Applying to Campus Activities, Organizations and Students (PACAOS): <http://policy.ucop.edu/doc/2710536/PACAOS-160>*

## **170.00 POLICY ON UNIVERSITY OBLIGATIONS AND STUDENT RIGHTS**

*Please refer to Section 170.00 of the Policies Applying to Campus Activities, Organizations and Students (PACAOS):*

<http://policy.ucop.edu/doc/2710537/PACAOS-170>

## **Student Policies and Regulations Handbook Appendix**

Appendix A University of California Authorized Student Governments

Office of Origin: University of California Office of the President (UCOP)

Website: <http://policy.ucop.edu/doc/2710538/PACAOS-Appendix-A>

Appendix B University of California: Use of the University's Name, State of California

Education Code, Section 92000

Office of Origin: University of California Office of the President (UCOP)

Website: <http://policy.ucop.edu/doc/2710539/PACAOS-Appendix-B>

Appendix C Non-Discrimination Policy, Statement for University of California

Publications Regarding Student-Related Matters

Office of Origin: UC Office of the President UCOP-Student Affairs

Website: <http://policy.ucop.edu/doc/2710540/PACAOS-Appendix-C>

Appendix D University of California Policy and Supplemental Guidelines on the

Marketing of Credit Cards to Students

Office of Origin: UC Office of the president UCOP-Student Affairs

Website: <http://policy.ucop.edu/doc/2710541/PACAOS-Appendix-D>

Appendix E UCSC Campus Alcoholic Beverage Policy for UCSC Sponsored Events

Office of Origin: Office of the Campus Provost and Executive Vice Chancellor

Website: <http://policy.ucsc.edu/policies/purchasing-and-material-management/evc001.html>

Appendix F University of California, Santa Cruz Anti-Hazing Policy

Office of Origin: Conduct and Community Standards

Website: <http://deanofstudents.ucsc.edu/pdf/appendix-F-Anti-Hazing-Policy.pdf>

Appendix G UC Policy on Sexual Assault, Dating Violence, Domestic Violence and

Stalking and UC Policy on Sexual Harassment

Office of Origin: Title IX/Sexual Harassment

Website: <http://www2.ucsc.edu/title9-sh/>

Appendix H UCSC Academic Dishonesty Policy: Procedures for Dealing with

Undergraduate Academic Dishonesty

Office of Origin: Vice Provost and Dean of Undergraduate Education (VPDUE)

Website: [http://www.ue.ucsc.edu/academic\\_misconduct](http://www.ue.ucsc.edu/academic_misconduct)

Appendix I UCSC Policy on Sexual Orientation Harassment/Discrimination

Office of Origin: Conduct and Community Standards

Website:

<http://deanofstudents.ucsc.edu/pdf/Appendix-I-Sexual-Orientation-Harrassment-Discrimination.pdf>

Appendix J UCSC Guidelines for Speakers and Public Events: For Students and Campus Organizations

Office of Origin: Conduct and Community Standards

Website: <http://deanofstudents.ucsc.edu/pdf/Appendix-J-Speakers-Public-Events.pdf>

Appendix K Policy for Acceptable Use of UCSC Electronic Information Resources (Acceptable Use Policy)

Office of Origin: Vice Chancellor, Information Technology

Website: <http://policy.ucsc.edu/policies/its/it0003.html>

Appendix L UC Santa Cruz Smoke & Tobacco-Free Policy

Office of Origin: Environmental Health and Safety

Website: <http://policy.ucsc.edu/policies/health-and-safety/ehs0016.html>

Appendix M Public Nudity and Sexually Offensive Conduct Policy

Office of Origin: Title IX Sexual Harassment Office

Website: <http://deanofstudents.ucsc.edu/pdf/Appendix-M-Nudity-Policy.pdf>

Appendix N UCSC Bias Incidents/Hate Policy & Procedures

Office of Origin: Associate Vice Chancellor for Campus Life and Dean of Students

Website: <http://reportheate.ucsc.edu/policies/report-hate-policy.pdf>

Appendix O UCSC Procedures for Ensuring Adequate Protection from Retaliation or Intimidation for Complainant(s), Witness(es), and other Individuals

Office of Origin: Community Standards and Conduct

Website: <http://deanofstudents.ucsc.edu/pdf/Appendix-O-Retaliation-Policy.pdf>

Appendix P Official University Policy on Academic Integrity for Graduate Students

Office of Origin: Vice Provost and Dean of Graduate Studies

Website: <http://www.ucsc.edu/academics/academic-integrity/graduate-students/index.html>

Appendix Q Resources for Informal Resolution of Complaints or Grievances

Office of Origin: Community Standards and Conduct

Website: <http://deanofstudents.ucsc.edu/pdf/Appendix-Q-Complaints-Grievances.pdf>

Appendix R Regulations Governing Conduct of Non-Affiliates in the Buildings and on the Grounds of the University of California

Office of Origin: University of California Office of the President (UCOP)

Website: <http://policy.ucop.edu/doc/3000127/NonAffiliateRegs>

Appendix S Missing Persons

Office of Origin: UC Police Department (UCPD)

Website: [http://police.ucsc.edu/images/MISSING\\_PERSONS.pdf](http://police.ucsc.edu/images/MISSING_PERSONS.pdf)

Appendix T Sex Offender Registry

Office of Origin: UC Police Department (UCPD)

Website: <http://police.ucsc.edu/images/Sex%20Offender%20Registry.pdf>

Appendix U Hate Crimes

Office of Origin: UC Police Department (UCPD)

Website: <http://reporthe.ucsc.edu/policies/laws.html>

Appendix V Emergency Response and Evacuation Procedures

Office of Origin: UC Police Department (UCPD)

Website: <http://emergency.ucsc.edu/emergency-management/preparedness/procedures/>