

UC SAN DIEGO NON-ACADEMIC SANCTIONING GUIDELINES

Developed and maintained by the Office of Student Conduct
Abridged version

I. INTRODUCTION

The UC San Diego non-academic student conduct process is based on fairness, education, and accountability. These principles help to guide the overall student conduct process and the imposition of sanctions when students take responsibility or are found responsible for *Student Conduct Code* violations.

Overall, sanctions are designed to be appropriate to the subject matter of the case. The goal is not to punish students but rather help them understand how their actions affected themselves and/or their community while providing learning experiences for their growth and development.

The Office of Student Conduct, in collaboration with the Council of Deans and Council of Resident Deans, developed sanction guidelines for most all *Student Conduct Code* violations. These guidelines are not “absolutes” but rather important starting points for determining sanctions. They provide a uniform set of initial sanctions for all Student Conduct Officers and ensure greater consistency among colleges and residential areas. **The sanction guidelines listed below are not meant to be exhaustive for every single potential violation and are also dependent on the circumstances of the individual case and the student’s conduct record.** Any questions about the sanction guidelines should be directed to the Student Conduct Officer assigned to your case or the Office of Student Conduct.

While the guidelines inform sanctioning, they are not the stopping point. Each case is different and decisions are made based on the unique circumstances of the case, rather than a strict adherence to precedent. While not determinative, previous cases do help to provide yardsticks for similar cases in the future but are not used as absolutes.

II. STUDENT CONDUCT HISTORY AND SEVERITY OF CASES

Student conduct records at UC San Diego are cumulative. Therefore, increased sanctions may be imposed to take into consideration the Student’s overall record of violations of all types, not just those of a similar type. Violations of the *Student Conduct Code* or other University Policies during the period of an active sanction may be cause for further action.

Repeated violations of any *Student Conduct Code* provision may also result in suspension or dismissal, or in the imposition of lesser sanctions, if specific mitigating factors are present. Factors to be considered in mitigating a sanction will include:

- The severity of the violation;
- The student conduct record of the Respondent;
- The nature of the offense;
- The severity of any damage; and
- Any injury or harm resulting from the matter to necessitate student conduct action.

Student Conduct Officers also take into account the severity of the alleged violations. An incident may be a first time offense but due to the severity of the alleged violation, increased sanctions may be considered based on the circumstances of the case.

III. SANCTION GUIDELINES FOR ALCOHOL VIOLATIONS

- Possession or consumption of alcohol in residential facility or public area; other violations of Residential Life Alcohol Policy (e.g. in the presence of alcohol, gatherings)
 - Formal warning, Alcohol Self-Assessment Questionnaire (or other appropriate education program).

- Large gatherings with alcohol and underage person(s) present; furnishing alcohol to an underage person; inability to care for self/harm to self (e.g. Detox or alcohol transports); and/or repeat (e.g. second) violations of first level offenses
 - Probation (minimum one quarter), CARRS program, reflection paper
- Repeated or aggravated violations of first/second level offenses; possession of large quantities of alcohol (i.e. multiple cases of beer, multiple fifths or handles of alcohol, etc.) PLUS other Student Conduct Code violation(s) (e.g. noise, failure to comply, fighting, gatherings); possession/use of large volume containers (e.g. kegs, party balls)
 - Probation (minimum one year), Practical Decision Making Assessment and Reflection, alcohol education program (e.g. CARRS, Alcoholics Anonymous), reflection paper
- Repeated or aggravated violations of third level offenses
 - Suspension (minimum one quarter), probation for tenure, Mandated Assessment, alcohol education program (e.g. CARRS, Alcoholics Anonymous, outpatient program) notation on transcript during term of suspension

IV. SANCTION GUIDELINES FOR DRUG VIOLATIONS

- Possession/use of drug paraphernalia (e.g. bong, pipes, vaporizer, etc.); Possession/use of marijuana (e.g. smoky haze, small amount less than one ounce or remnants); in the presence of marijuana/controlled substances
 - Formal Warning, E-Toke module, reflection paper
- Possession of multiple/advanced drug paraphernalia (e.g. bong, pipes, shredders, scale etc.); possession of large amount of marijuana (more than one ounce); repeat first level violations
 - Probation (minimum one quarter), Practical Decision Making Assessment and Reflection, E-Toke module, reflection paper
- Under the influence and not in possession of illegal, non-marijuana, substances (e.g. cocaine, mushrooms, acid, ecstasy, methamphetamines, heroin, etc.); abuse and misuse of prescription drugs and over the counter drugs
 - Probation (minimum one year), Practical Decision Making Assessment and Reflection, or Narcotics Anonymous sessions, reflection paper
- Possession of illegal/controlled substances (e.g. cocaine, mushrooms, acid, ecstasy, methamphetamines, heroin); repeat violations of second or third level offenses
 - Suspension (minimum one quarter), probation for tenure upon return, Mandated Assessment, educational/treatment program, transcript notation during period of suspension
- Distribution/selling/manufacture of marijuana, illegal substances, or prescription drugs
 - Dismissal (e.g. expulsion) from UC San Diego, exclusion from campus areas and activities, permanent notation on transcript

V. SANCTION GUIDELINES FOR SEXUAL VIOLENCE AND SEXUAL HARASSMENT VIOLATIONS (University of California system-wide sanctioning guidelines)

- Sexual assault, domestic/dating violence, or stalking in which one or more of the listed factors are present will result in a two year suspension up to dismissal. Other sanctions may include, but are not limited to, no contact orders, transcript notation, exclusion from campus, specific areas, and/or activities, and probation for tenure upon return to campus.
 - Force, violence, menace, or duress
 - Deliberately causing a person to become incapacitated or deliberately taking advantage of a person's incapacitation
 - Recording, photographing, transmitting, viewing, or distributing intimate or sexual images without consent

- Sexual assault involving penetration, domestic/dating violence, or stalking will, absent exceptional circumstances, result in a two year suspension up to dismissal. Other sanctions may include, but are not limited to, no contact orders, transcript notation, exclusion from campus, specific areas, and/or activities, and probation for tenure upon return to campus.
- Other sexual contact in violation of the UC Sexual Violence and Sexual Harassment Policy will, absent exceptional circumstances, result in a one year suspension. Other sanctions may include, but are not limited to, no contact orders, transcript notation, exclusion from campus, specific areas, and/or activities, and probation for tenure upon return to campus.

VI. SANCTION GUIDELINES FOR OTHER VIOLATIONS

- Disorderly or lewd conduct (e.g. public urination, loud and unreasonable noise, indecent exposure)
 - Probation (minimum one year), Practical Decision Making Assessment and Reflection
- Disruptive behavior (e.g. behavior creating an unsafe environment, posing a significant risk to the health or safety of a student, including oneself, or damaging University property)
 - Probation (minimum one quarter), Practical Decision Making Assessment and Reflection, community service (30 hours)
- Failure to comply with the directions of University officials
 - Probation (minimum one quarter), Practical Decision Making Assessment and Reflection
- False fire alarms, misuse of fire & emergency equipment, disabling or covering smoke detectors
 - Suspension (minimum one quarter), probation for tenure, Practical Decision Making Assessment and Reflection, restitution (if applicable)
- Guest behavior in a residential facility/area
 - Formal warning, guest ban, referral of guest to “home” institution student conduct office (if applicable)
- Harassment
 - Probation (minimum one year), community service (30 or more hours), Practical Decision Making Assessment and Reflection, no contact order
- Hazing
 - Suspension (minimum one year), probation for tenure, community service (50 or more hours), Practical Decision Making Assessment and Reflection, transcript notation during period of suspension. Other sanctions, including education sessions and loss of organization status, apply when a registered student organization is sanctioned due to hazing violations.
- Illegal file sharing/downloading or other copyright violations (second violation)
 - Probation (minimum one year), security scan and meeting with ACMS Help Desk supervisor, educational session, restitution (\$150), temporary loss of the ability to connect any personal devices to the UCSD network
- Misuse of University identification (e.g. Campus Card)
 - Probation (minimum one year), Practical Decision Making Assessment and Reflection. For cases involving misuse of University identification related to admittance at a University Supported Activity (e.g. Sun God Festival), exclusion from future events will be added to the applicable sanctions.
- Noise or violation of quiet hours in a residential facility or area
 - Notice of Informal Warning or formal warning

- Non-Academic Dishonesty (e.g. Fabricating information, furnishing false information, reporting a false emergency)
 - Probation (minimum tenure), Practical Decision Making Assessment and Reflection. Cases involving dishonesty in the admissions process typically result in dismissal from the University.
- Physical assault/physical altercation/battery
 - Suspension (minimum one year), probation for tenure, community service (30 or more hours), Practical Decision Making Assessment and Reflection, transcript notation during period of suspension
- Possession/use/manufacture of destructive devices and/or weapons
 - Suspension (minimum one year), probation for tenure, Practical Decision Making Assessment and Reflection, transcript notation during period of suspension
- Theft from the UC San Diego Bookstore/Sunshine Market
 - First violation/merchandise taken under \$100
 - Probation (minimum one quarter), Practical Decision Making Assessment and Reflection, Restitution charge (\$50)
 - First violation/merchandise taken over \$100
 - Probation (minimum one year), Practical Decision Making Assessment and Reflection, Restitution charge (\$150), Mandated Assessment
 - Repeat cases/aggravating factors (non-cooperation, belligerence, felony violations)
 - Probation (tenure) or Suspension (one quarter), Practical Decision Making Assessment and Reflection, Restitution charge (\$150-\$500 – depends on severity of violation and amount taken), Community Service
- Unwanted personal contact
 - Probation (minimum one year), Practical Decision Making Assessment and Reflection, no contact order
- Violation of probationary status
 - Probation violations necessitate an additional sanction along with the sanctions assigned for the underlying violation(s). The additional sanction is assigned based on the student conduct record and may include community service, Practical Decision Making Assessment and Reflection, extension of probation term and/or other sanctions.

VII. OTHER SANCTIONS

- Additionally, Student Conduct Officers have the discretion to assign the below sanctions for event specific violations and incidents involving graduating students.
 - Exclusion from campus events and activities
 - For example, a student who is removed from an event (e.g. Sun God Festival) or documented for an egregious Code violation inside the event venue could be excluded from future events. Behavior necessitating an exclusion sanction includes actions that put oneself, others, or the event itself at risk. Such actions include, but are not limited to, physical assault, threats to others or property, use of controlled substances (e.g. LSD, cocaine, mushrooms) and drug distribution.
 - Exclusion from participating in commencement exercises and/or delay in degree (e.g. suspension)

- For cases involving graduating seniors, graduate students, and professional students, Student Conduct Officers have the discretion to assign sanctions that exclude these students from participating in commencement exercises for egregious Student Conduct Code violations or a history of violations. Additionally, Student Conduct Officers also have the discretion to assign a one quarter of suspension (which would essentially delay awarding of their degree) to these students for such instances.