SUMMARY OF PROPOSED REVISIONS
UC San Diego Student Conduct Code
July 2016

This document summarizes the proposed revisions to the UC San Diego Student Conduct Code for the 2016-17 academic year. These revisions were discussed and/or reviewed by the Student Conduct Standards Group prior to the Campus Comment period. Additionally, the University of California Office of the President, University of California Office of General Counsel, UC San Diego Campus Counsel, and UC San Diego Office of Ethics and Compliance reviewed and commented on the changes. Red-lined and clean versions of these revisions can be found on the Office of Student Conduct website (studentconduct.ucsd.edu).

Please note that revisions of titles, gender pronouns, section references, sentence re-ordering, and language improvements are not summarized in this document.

- **Section II – Definitions**
  - Due to the changes with Student Conduct Reviews, the term “Conduct Board” has been replaced by “Community Standards Board” and the term “Conduct Board Advisor” has been replaced by “Review Advisors”. The definitions for both terms remain unchanged. Additionally, these terms have been revised throughout the document where necessary to account for the changes.
  - (Section II, Letters E and Q).
  - The definition of “Notice of Inappropriate Conduct” has been deleted. It will now be described in Section X, Letter D consistent with the University of California Policy on Student Conduct and Discipline. (Section II, Letter L). It has also been added into Section XIV (at Letter E) to be available for reports involving Student Organizations.

- **Section VI – Roles and Responsibilities**
  - The roles and responsibilities of the Director of Student Conduct, Deans of Student Affairs and Review Advisors have been updated to reflect the changes made to Student Conduct Reviews. (Section VI, Letters A, B, and E).

- **Section VII – Conduct in Violation of Community Standards**
  - The Graduate Housing Policies, created and maintained by Housing Dining Hospitality, have been added to the standard in Letter F. (Section VII, Letter F).

- **Section IX – Reports of Alleged Violations**
  - The types of reports handled by the Office for the Prevention of Harassment and Discrimination (OPHD) have been clarified. OPHD handles harassment and discrimination reports relating only to protected classes as referenced in University policies. All other allegations of harassment and discrimination will be handled by the Office of Student Conduct. (Section IX, Letter C).

  - Harassment and discrimination reports will now be adjudicated under the Student Conduct Code. The UC San Diego Interim Hearing Procedures for Alleged Sex Offenses, Harassment, and Discrimination Violations will be rescinded, effective September 15, 2016.

- **Section XII & XIII – Student Conduct Reviews**
  - Currently, Student Conduct Reviews involving suspension/dismissal, graduate students, medical and pharmacy students, Extension students, and Student Organizations are assigned to the Community Standards Board (CSB) or a Review Officer (usually a CSB chair). Reviews involving undergraduate students not subject to suspension or dismissal are assigned to the judicial board of the Respondent’s college of registration. This case assignment process was developed by the Student Conduct Work Group during its 2012 Student Conduct Code rewrite. Their goal was to have an all-campus board (similar to the Academic Integrity Review Board) handle the most serious Reviews while assigning less serious incidents to the college judicial boards.

  - The proposed revisions will result in all cases necessitating a Student Conduct Review to be assigned to the Community Standards Board or a Review Officer. There are several factors supporting Student Conduct Reviews being adjudicated solely by the CSB or a Review Officer.
First, we have seven groups that can theoretically handle a Review (the CSB and six judicial boards; sexual violence and sexual harassment cases go to a three person staff panel of CSB members). In 2014-15, we had 23 Reviews from 1246 cases and 2700 individual students. Appendix One illustrates the high likelihood that, with seven board options, multiple boards will not receive a Review during a given academic year. It also shows the realistic possibility that a board may go consecutive years without a Review, which the Office of Student Conduct has seen in practice.

Second, having CSB handle all Reviews aligns with best practices across the UC system and benchmark institutions. The vast majority of other University of California campuses and benchmark institutions have one conduct board for their student conduct hearings.

Third, we currently have eight conduct board advisors (Ben White and Natania Trapp for the CSB and the six college Assistant Deans for the judicial boards). Similar to panelists, the advisors gain experience and expertise based on the cases they handle. With the CSB or Review Officers handling all Reviews, we’d have two experienced advisors (White and Trapp) with the necessary expertise to provide competent and diligent advice for a wide variety of cases. It would also instill a more centralized “institutional memory” for Review participants rather than having it dispersed among a wider group.

Fourth, the proposal would alleviate scheduling difficulties experienced by the Office of Student Conduct. Many judicial boards are not fully formed until the middle part of Fall Quarter which means that Reviews to be held in fall typically are assigned to the CSB, a Review Officer, or another judicial board. Scheduling difficulties also occur at the end of quarters (Weeks 9, 10, and Finals Week) making it difficult to secure five available judicial board members for a Review. Because of the mixture of staff and students on the CSB, we would have greater opportunity to have Reviews during the early part of Fall quarter, end of quarter “blackout” periods, academic year breaks, and Summer Session(s). It would also reduce the time a Respondent has to wait for a Review to be scheduled, thereby improving their experience with the student conduct process.

Finally, we want student panelists to receive a worthwhile and valuable conduct board experience. Many student panelists are fully trained but never get the opportunity to apply their knowledge in actual cases. One board, with a smaller number of overall eligible panelists, should create a more valuable experience, provide more regular training and professional development opportunities, and increase Review participation opportunities.

To reflect the changes, the Student Conduct Standards Group agreed that the number of students from each college on the Community Standards Board should be increased from two to three. Additionally, the Office of Student Conduct will attempt to schedule at least one student from the Respondent’s college of registration for a Review. This will help to maintain strong connections with the colleges and provide a peer-to-peer college connection between Respondents and panel members. (Section XII, Letter A (1) (i)).

Even though college-based judicial boards will not handle Student Conduct Reviews in the future, they will continue to operate within their respective colleges. Depending on the respective constitutions and bylaws, judicial boards also handle college council election issues, constitutional interpretations, and officer impeachments. The boards have played an increasingly significant role in educating their communities about key student rights and responsibilities. For example, judicial boards have collaborated with the Office of Student Conduct, A.S. Advocacy, and other boards in facilitating “Know Your Rights” campaigns during the week of the annual Sun God Festival. They have also held events during the academic year aimed at increasing student awareness of the Student Conduct Code, Housing and Residential Life Policies, and the Responsible Action Protocol.

Additionally, Section XIII has been revised to reflect the change in assignment and handling of Student Conduct Reviews.
Section XVI – Interim Actions

- Currently, the Respondent’s Dean of Student Affairs, in consultation with the Director of Student Conduct or their designee, imposes interim suspensions and other interim actions. In cases involving Student Organizations, the Director of the Center for Student Involvement imposes the action. The proposed revisions put the authority for imposing interim suspensions and other interim actions with the Director of Student Conduct or their designee rather than the Respondent’s Dean or the Director of the Center for Student Involvement. The change reflects current practice with interim suspensions and actions originating with the Office of Student Conduct rather than the Dean’s Offices or CSI. Even with the changes, the Director of Student Conduct will still consult with the Dean or Director of CSI prior to imposing the interim suspension or action. (Section XVI, Letter A)

- Another change is moving the approval by the Chancellor’s or their designee (Vice Chancellor – Student Affairs) to before the Interim Suspension is issued. While the Chancellor’s designee will be able to re-review the Interim Suspension once it is issued, the change overall reflects current practice and ensures that Interim Suspensions are reviewed and approved before they are issued. (Section XVI, Letter B)
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