Colleagues,

The Office of the Dean of Students has been reviewing the *Student Conduct Code* over the past year. We have received feedback from various members of the campus community, have considered changes to University policy and federal and state law which were enacted since the last code revision, and have reviewed best practices in student conduct administration. We have also attempted to make the document clearer and easier to read and interpret. All of this input informed our proposed revision. At this time, we invite comments on the proposed changes from the campus community. Please submit any comments by September 13th to dgeller@saonet.ucla.edu. The following is a summary of our proposed substantive changes. (Non-substantive changes include the alphabetization of Definitions, updating of the Table of Contents, and a new cover design.)

1. To acknowledge that UCLA is a smoke-free campus, the following change will be made to the Introduction to the Code:

In order to carry on its work of teaching, research, and public service, the University has an obligation to maintain conditions under which the work of the University can go forward freely, in accordance with the highest standards of quality, institutional integrity, and freedom of expression, with full recognition by all concerned of the rights and privileges, as well as the responsibilities, of those who comprise the University community. UCLA students assume these privileges and responsibilities upon admission and cannot use ignorance of these policies as a justification for violating community standards.

UCLA’s reputation for academic excellence and institutional integrity is among our most valued assets; as such, academic integrity is of paramount importance to our institution and it is vital that the institution do all within our power to maintain these standards.

As a leader in health and health care, as well as environmental research, policy, practice, and education, UCLA has implemented a Tobacco-Free policy to create a healthy environment for all those who learn, work and spend much of their time at UCLA.

Students are members of both society and the academic community with attendant rights and responsibilities. Students are expected to make themselves aware of and comply with the law, and with University and campus policies and regulations. While many of UCLA’s policies and regulations parallel federal, state and local laws, UCLA’s standards may be set higher.

The regulations within the *UCLA Student Conduct Code* have been developed to create and maintain a safe, supportive, and inclusive campus community that engages students in order to foster their academic success, personal growth and responsible citizenship. Students are considered to be maturing adults, capable of making their own decisions, as well as accepting the consequences for those decisions. The student conduct process has been established to respond to incidents involving allegations of inappropriate behavior within our community. This process provides educational opportunities which encourage students to evaluate their own actions, consider their own decision making, and acquire new skills to improve their choices in the future.
The *University of California Policies Applying to Campus Activities, Organizations, and Students* (UC Policies) has been incorporated into the *UCLA Student Conduct Code* either by adapting or inserting verbatim the language of the policies. The complete *University of California Policies Applying to Campus Activities, Organizations, and Students* is at [http://www.ucop.edu/ucophome/coordrev/ucpolicies/aos/toc.html](http://www.ucop.edu/ucophome/coordrev/ucpolicies/aos/toc.html)

Students may contact the Office of the Dean of Students or Student Legal Services for advice concerning these policies.

2. **Definitions (Section I) will be added or amended to clarify terms.**

**Campus Advocate**

A Campus Advocate is a member of the campus community (faculty, staff, or student) who *may* actively participates in a student conduct hearing by identifying clarifying questions to be asked of witnesses on behalf of the accused Student or the Complainant. Students may identify their own Campus Advocate, or may request to be assisted at no cost by a *trained* Campus Advocate assigned by the Hearing Coordinator. Volunteer Campus Advocates are University employees who are trained to assist students in preparing for student conduct hearings.

**Complainant**

*Complainant: For purposes of the UCLA Student Conduct Code, the term “Complainant” refers to the alleged victim of sexual misconduct, sexual harassment, domestic violence, dating violence, or stalking, regardless of whether he or she has actually filed a complaint.*

**Support Person**

*A Support Person is any individual accompanying a Complainant or Accused Student in a hearing for personal and emotional support (e.g. parent, counselor, attorney, friend, etc.). That person may be present, but may not serve as a witness, and may not speak or otherwise interrupt the proceedings at any point during the hearing.*

**University Property**

*University Property is any University owned, operated, leased, or maintained property, including all of the buildings and grounds of the UCLA campus or any building or ground otherwise within the direction and control of UCLA.*

3. **Section II.A has been revised to clarify off-campus jurisdiction:**

*Previously:*

The University has jurisdiction over student conduct that occurs on University property, or in connection with official University functions whether on or off University property. Although the University will not routinely invoke its disciplinary processes over student conduct that occurs off campus except in connection with an official University function, the University has discretion to exercise jurisdiction over conduct that occurs off campus and that would violate student conduct policies or regulations when the alleged misconduct indicates the Student poses a threat to the safety or security of any member(s) of the University community; or when the alleged misconduct involves academic work or the forgery, alteration or misuse of any University document, record, key, electronic device, or identification.
Specifically, the University may choose to exercise jurisdiction over off-campus incidents under alternative A.1 above where the alleged misconduct involves:

a. conduct that threatens the health or safety of any person, including oneself. This conduct includes, but is not limited to physical assault, sexual assault, sexual misconduct, domestic violence, threats that cause a person reasonably to be in sustained fear for one’s own safety or the safety of her or his immediate family, incidents involving the use or display of a weapon likely to cause great bodily harm, and intoxication or impairment through the use of alcohol or controlled substances to the point one is unable to exercise care for one’s own safety;

b. stalking (as defined in Section 102.10 of the University of California Policies Applying to Campus Activities, Organizations, and Students);

c. sexual harassment (as defined in Section 160.00 et seq. of the University of California Policies Applying to Campus Activities, Organizations, and Students);

d. 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.

In determining whether or not to exercise off-campus jurisdiction in cases under alternative A.1 above, the University will consider the seriousness of the alleged misconduct; whether an alleged victim is a member of the campus community; the ability of the University to gather information, including the testimony of witnesses; and whether the off-campus conduct is part of a series of actions that occurred both on and off campus.

This section is intended only to provide guidance for the exercise of discretion by the University in invoking its jurisdiction over conduct that occurs off campus. It may not be relied upon by any student charged under this section to create any rights, substantive or procedural, or as a basis for a challenge to the exercise of the University’s jurisdiction.

Proposed:

The University has jurisdiction over student conduct that occurs on University Property, or in connection with official University functions whether on or off University Property. Although the University will not routinely invoke its conduct processes over student behavior that occurs off campus except in connection with an official University function, the University has discretion to exercise jurisdiction over behavior that occurs off campus and that would violate student conduct policies or regulations if it had occurred on University Property when the alleged misconduct indicates the Student poses a threat to the safety or security of any member(s) of the University community; or when the alleged misconduct involves academic work or the forgery, alteration or misuse of any University document, record, key, electronic device, or identification.

In determining whether or not to exercise off-campus jurisdiction, the University will consider the seriousness of the alleged misconduct; whether an alleged victim is a member of the campus community; the ability of the University to gather information, including statements from witnesses; and whether the off-campus conduct is part of a series of actions that occurred both on and off campus.
4. To address questions about the definition of allowable (v. unauthorized) collaboration, we have added a new code section.

102.01g: Unauthorized Collaboration
Unauthorized collaboration means working with others without the expressed permission of the instructor on any submission, whether in draft or final form, to meet course requirements (including a paper, project, take-home exam, computer program, oral presentation, or other work). Collaboration between students will be considered unauthorized unless that collaboration is expressly part of the assignment in question or that collaboration is expressly permitted by the instructor.

5. The section on computer misuse is being updated to better reflect the Registrar Office’s policies regarding use of its registration systems.

102.05 Computer Misuse
Theft or abuse of University computers or 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; use of either software or physical devices to enroll in classes for yourself or on behalf of others using processes other than those specifically delineated by the UCLA Registrar’s Office; interference with the work of others or with the operation of computer or electronic communications facilities, systems, or services; or violations of copyright laws, whether by theft, unauthorized sharing or other misuse of copyrighted materials such as music, movies, software, photos or text.

Violation of the University of California Electronic Communications Policy (www.ucop.edu/ucophome/policies/ec) or of any other University acceptable or allowable use policies.

6. The section on University Recreation Policy is being updated to better reflect UCLA Recreation’s policies for behavior in organized recreation programs and facilities.

102.07c University Recreation
Violations of policy regarding University recreation services, programs, or within University owned or operated recreation facilities. Unsafe or reckless behavior is explicitly forbidden in UCLA Recreation facilities and programs, including but not limited to intramural and club sports. Students may not engage in physical abuse, threats, intimidation, harassment, coercion and/or other conduct which threatens or endangers the health or safety of any person, including but not limited to program participants, officials, University employees, spectators, and others.

7. Various sections of the code are being updated to comply with requirements of the Violence Against Women Act. This includes addition of “dating violence” to the definition of Conduct that Threatens Health or Safety, and expanded rights for complainants of domestic violence, dating violence, and stalking throughout the conduct process.
8. Section 102.08, Conduct that Threatens Health or Safety, is being revised to better educate the campus community about the definitions of consent and incapacitation as they apply to sexual misconduct, and to clarify that in appropriate situations where Conduct that Threatens Health or Safety has been alleged, the University may impose an interim suspension while it investigates the allegations.

102.08 Conduct that Threatens Health or Safety
Conduct that threatens the health or safety of any person, including oneself. This includes, but is not limited to physical assault, sexual assault, sexual misconduct, domestic violence, dating violence, threats that cause a person reasonably to be in sustained fear for one’s own safety or the safety of her or his immediate family, incidents involving the use or display of a weapon likely to cause great bodily harm, and intoxication or impairment through the use of alcohol or controlled substances to the point one is unable to exercise care for one’s own safety.

Sexual assault occurs when a person knowingly causes another person to engage in a sexual act by a) physical force, violence, threat, intimidation, and/or coercion; b) ignoring the objections of the other person; c) causing the other's intoxication or impairment through the use of drugs or alcohol; or d) taking advantage of the other person's incapacitation, state of intimidation, helplessness, or other inability to consent. Situations involving physical force, violence, threat, intimidation, and/or coercion fall under the definition of Sexual Assault.

Sexual misconduct occurs when a person, having failed to take appropriate steps to gain effective consent, engages in a sexual act with another under the unreasonable belief that effective consent had been obtained.

Domestic violence means violence committed by a person’s current or former spouse, or current or former cohabitant.

Dating violence means violence committed by a person who is or has been in a romantic or intimate relationship with the Complainant.

NOTE: For the purpose of this regulation, the following apply:

1. “Effective consent” referenced in the terms above means words or actions that show a knowing and voluntary agreement to engage in a mutually agreed-upon sexual activity. Effective consent cannot be gained by force, by ignoring or acting in spite of the objections of another, or by taking advantage of the incapacitation of another, where the accused student knows or reasonably should have known of such incapacitation. Effective consent is also absent when the activity in question exceeds the scope of Effective consent previously given.

2. “Incapacitation” means the physical and/or mental inability to make informed, rational judgments. Where alcohol is involved, Incapacitation is determined by how the alcohol consumed impacts a person, including the person’s decision-making capacity, awareness of consequences, and ability to make informed judgments. The question is whether the accused student knew, or a sober, reasonable person in the position of the accused student should have
known, that the Complainant was incapacitated.

3. “Sexual act” referenced in the terms above includes but is not limited to sexual intercourse, sodomy, oral-genital contact, or sexual penetration with a foreign object (including a finger), the touching of a person's intimate parts (defined as genitalia, groin, breast or buttocks, or clothing covering them), or compelling a person to touch her or his own or another person's intimate parts without effective consent.

4. Intoxication of the accused will not diminish her or his responsibility for any violations of this Section.

As described in Section IV.A, before final determination of alleged misconduct, Interim Suspension may be imposed by the Office of the Dean of Students 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.

9. Section 102.09, Sexual Harassment, is being revised to better clarify the procedure for allegations of sexual harassment by student employees.

102.09 Sexual Harassment:
Student Employees: 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 for employees (http://www.ucop.edu/ucophome/coordrev/policy/PP021006Policy.pdf). When employed by ASUCLA, and acting within the course and scope of that employment, Students are subject to the ASUCLA Policy on Sexual Harassment. Should an investigation be conducted, a copy of the Investigator’s Report and the written determination of whether or not Sexual Harassment occurred will be forwarded to the Dean, who may impose one or more sanctions, as appropriate. Otherwise, the applicable standard for sexual harassment by students is conduct that is so severe and/or pervasive, and objectively offensive, in 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.

In compliance with UCLA Procedure 630.1, cases involving allegations of sexual harassment must be either resolved by the Dean or heard before the Student Conduct Committee within sixty Days of the referral of the complaint. This deadline may be extended on approval from the Vice Chancellor of Student Affairs.

10. Section 102.10, Stalking, is being revised consistent which changes being proposed to the system-wide policy on stalking.

Previously:
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 her or his safety, or the safety of her or his 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.

Proposed:
102.10 – Stalking behavior in which a student repeatedly engages in a course of conduct directed at a specific person, that places that person in reasonable fear for her or his safety, or the safety of a third person or persons.

11. Language is being added to address the procedures for obtaining reasonable accommodation in the conduct process.

Section III.C:
Insert after final bullet point: If you believe you will require a reasonable accommodation to assist you in your meeting with the Dean, you must contact and register with the Office for Students with Disabilities (OSD). OSD will provide the Dean with recommended accommodations and the Dean will engage in the Interactive Process with the Student.

Section III.K.6 Hearing Procedures
Insert final paragraph: A Student who believes he or she will require a reasonable accommodation in the Hearing must contact and register with the Office for Students with Disabilities (OSD). OSD will provide the Hearing Coordinator with recommended accommodations and the Hearing Coordinator will engage in the Interactive Process with the Student.

12. Section III.E, Resolution by the Dean, is being revised to better describe the notification that is provided to Complainants following resolution by the Dean of their complaints.

Previously:

At the conclusion of the investigation, the Dean may take one of several actions listed below. The Student will receive written Notice of the resolution of the matter. Additionally, the results of any disciplinary action or Agreement of Resolution by the University regarding an allegation of, sexual harassment or sexual assault, sexual misconduct or violent physical assault will be disclosed to the alleged victim by the Office of the Dean of Students. The scope of information to be provided under this provision will be: 1) the University’s final determination with respect to the alleged, sexual harassment, sexual assault or sexual misconduct or other violent physical assault; and 2) any sanction that is imposed against the alleged offender with respect to the alleged sexual harassment, assault or sexual misconduct or other violent physical assault.

Proposed:

At the conclusion of the investigation, the Dean may take one of several actions listed below. The Student will receive written Notice of the resolution of the matter.
Additionally, the Complainant will receive written notification of the outcome of any disciplinary action or Agreement of Resolution by the University regarding an allegation of sexual assault or sexual misconduct, or domestic violence or dating violence (102.08), sexual harassment (102.09), and/or stalking (102.10) from the Office of the Dean of Students. That notification will include the University’s finding in regards to the alleged sexual assault, sexual misconduct, domestic violence, dating violence, sexual harassment, and/or stalking, and any sanction being imposed. Alleged victims of physical assault will also receive written notification of the outcome of any disciplinary action or Agreement of Resolution involving the alleged assault. That notification will include the University’s finding in regards to the alleged physical assault and any sanction being imposed.

13. Section III.E.3 is being revised to clarify the criteria for referral of an allegation to the Student Conduct Committee by the Dean.

Referral to the Student Conduct Committee
A case is referred to the Student Conduct Committee for a hearing when the Student does not acknowledge engaging in behavior prohibited by the Student Conduct Code, but the Dean concludes from the available information that the Student Conduct Committee could reasonably find that it is more likely than not that a violation of the UCLA Student Conduct Code has occurred.

At any time before the Student Conduct Hearing occurs, if the Dean receives new information that leads to the conclusion that a violation of the UCLA Student Conduct Code has not occurred, then the Dean may withdraw the case from the Student Conduct Committee. This disposition is binding and terminates that Student Conduct Committee proceeding.

14. Section III.J, Appeal of the Sanction, is being revised to clarify the deadlines for the Vice Chancellor’s decision.

Section III.J – If the Dean imposes a sanction of Deferred Suspension, Deferred Dismissal, Suspension, or Dismissal, the Student may appeal the sanction, to the Vice Chancellor of Student Affairs, on the grounds that the sanction assigned is substantially disproportionate to the severity of the violation. All appeals must be written and should clearly articulate and support the grounds for appeal. Appeals must be received within five Days of the date of Notice from the Dean of her or his action.

Appeals may be submitted directly to the Vice Chancellor by e-mail sent from the Student’s official University email account, or may be delivered to the Campus Hearing Coordinator. The imposition of a sanction of Suspension or Dismissal will be deferred during such appeal. The Vice Chancellor of Student Affairs is not limited to those sanctions imposed by the Dean and may impose any one or more of the sanctions listed in Section III.F. above, even though such decision may result in the imposition of more severe disciplinary action.

The Vice Chancellor of Student Affairs will have ten Days after the receipt of the appeal to deliver her or his written decision. The decision of the Vice Chancellor of Student Affairs is final. A letter containing the decision will be delivered to the Student, and to the Dean. In cases
of alleged sexual assault, sexual misconduct, domestic violence, dating violence, sexual harassment, or stalking, a notice of outcome including the decision will also be delivered to the Complainant.

15. Section III.K, Student Conduct Committee, is being revised to clarify a) the methods by which witnesses may participate in hearings, b) the requirements for committee training, c) the rights of Complainants who participate in hearings, and d) the process for sharing information among parties to a hearing.

Section III.K-Introduction: The Accused Student will have the opportunity to present documents and witnesses, and to address all information being presented in the Hearing. Specifically, the Student will have the opportunity to propose questions to be asked of witnesses who appear at the Hearing in person, or by telephone or other electronic means, to propose questions to be asked about documents and written statements presented in the hearing, and to challenge the admission of any written declarations by individuals not participating in the hearing on the grounds that those written statements are unduly prejudicial. The Student Conduct Committee Chair will determine the appropriateness of all proposed questions and the admissibility of all written statements.

Section III.K.3: Training of the Student Conduct Committee
The Office of the Dean of Students is responsible for providing all Committee members with orientation and annual training on University Policies including the UCLA Student Conduct Code and the UC Policy on Sexual Harassment as well as on issues related to domestic violence, dating violence, sexual assault, and stalking, and how to conduct a hearing in a way that protects the safety of Complainants and promotes accountability and assures a fair, just, and unbiased hearing for the accused Student.

Section III.K.4: Assignment of Student Conduct Committee Panel Members
A panel will consist of at least three but no more than five members of the Student Conduct Committee, one of whom must be a Chair. To the extent possible, students, faculty and staff will be represented equally on hearing panels.

The Student (or Complainant) may, for good cause, challenge the assignment of any particular committee member. The Hearing Coordinator will adjudicate all challenges to committee members.

Section III.K.5: Scheduling of Hearing
It is the intention of the UCLA Student Conduct Code that hearings be set as soon as reasonably possible after referral to the Student Conduct Committee. In compliance with UCLA Procedure 630.1, cases involving allegations of sexual harassment must be either resolved by the Dean or heard before the Student Conduct Committee within sixty Days of the referral of the complaint. This deadline may be extended on approval from the Vice Chancellor of Student Affairs.

The Hearing Coordinator will schedule a hearing of the case to be conducted no sooner than five Days after the date of Notice that the case was being referred to the Student Conduct Committee. Hearings are typically held on normal business days. With mutual consent of the Student (and
Complainant, if applicable) and the Chair of the Student Conduct Committee, hearings may be held on Saturdays, Sundays, or days on which the campus is closed.

The Hearing Coordinator will give Notice of the time and place of the hearing and other relevant hearing information to the Student (and Complainant, if applicable) at least three five Days prior to the date of the hearing.

The Dean and the Student (and Complainant, if applicable) must provide the Hearing Coordinator with relevant material, including the identities of all witnesses as well as copies of any documents which the parties intend to produce at the hearing at least three Days prior to the hearing. To the extent feasible, the Hearing Coordinator will provide any material submitted by the Dean or Student (or Complainant if applicable) to the other parties in the matter prior to the hearing. Any witnesses or materials not submitted to the Hearing Coordinator at least three Days prior to the hearing may be introduced in the hearing at the Discretion of the Student Conduct Committee Chair.

Section III.K.6 Hearing Procedures

The Accused Student will have the opportunity to present documents and witnesses, and to address all information being presented in the Hearing. Specifically, the Student will have the opportunity to propose questions to be asked of witnesses who appear at the Hearing in person, or by telephone or other electronic means, to propose questions to be asked about documents and written statements presented in the hearing and to challenge the admission of any written declarations by individuals not participating in the hearing on the grounds that those written statements are unduly prejudicial. The Student Conduct Committee Chair will determine the appropriateness of all proposed questions and the admissibility of all written statements. The Accused Student is responsible for presenting his or her information and may choose to be assisted by a Campus Advocate. Students may identify their own Campus Advocate, or may request to be assisted at no cost by a trained Campus Advocate assigned by the Hearing Coordinator. Options for assistance may be discussed with the Office of Student Legal Services or the Hearing Coordinator.

16. Section III.K, Student Conduct Committee, is also being revised to clarify rights of Complaints, in compliance with the Violence Against Women Act, and to describe practices used to separate the parties during the hearing.

III.K.6.b. Hearings Involving Alleged Sexual Assault, Sexual Misconduct, Domestic Violence, Dating Violence, Sexual Harassment, or Stalking

i. When a hearing involves alleged sexual assault, sexual misconduct, domestic violence, dating violence, sexual harassment, and/or stalking, the Complainant will be entitled to be assisted by a Campus Advocate. Complainants may identify their own Campus Advocate, or may request to be assisted at no cost by a trained Campus Advocate assigned by the Hearing Coordinator.

ii. When the hearing involves an allegation of sexual assault, sexual misconduct, domestic violence, dating violence, sexual harassment, and/or stalking, information regarding the
Complainant's past sexual history or the Student's past sexual history will not be admissible unless the Student Conduct Committee Chair makes a specific finding of relevance after an offer of proof has been submitted. The offer of proof must be submitted to and resolved by the Student Conduct Committee Chair before the Complainant testifies.

iii. When a hearing involves alleged sexual assault, sexual misconduct, domestic violence, dating violence, sexual harassment, and/or stalking, a screen will be used to separate the Student and the Complainant. The screen shall be placed so that the Student and the Complainant cannot see each other, but the Student Conduct Committee members can see both the Student and the Complainant.

17. Section III.K.8: Record of Hearing is being revised to clarify who has access to the recordings.

Previously:
Section III.K.8: Record of Hearing
The Student Conduct Committee Administrator will make a single verbatim recording, such as a tape recording, of the hearing. (Deliberations shall not be recorded). This recording shall be the property of the University and will be maintained by the Hearing Coordinator as long as the Office of the Dean of Students maintains the Student discipline records. (See Section V, Privacy and Records Retention.) The documents submitted by the parties and accepted by the Hearing Chair will constitute the official record of the hearing, and will become part of the Student’s conduct record. An Accused Student who is considering submitting a response to the hearing report will, upon request, be granted post-hearing access to review (but not copy) the recording. This access will be provided on the University campus, during regular business hours; the recording may not be removed from the premises or reproduced. The accused Student may be accompanied by an individual who assisted the Student during the hearing. When the accused Student is unable to be present on the University campus during regular business hours, access to review the recording may be arranged either on campus on Saturdays, Sundays, or days on which the campus is closed, or at an alternate location.

Proposed:
Section III.K.8: Record of Hearing
The Student Conduct Committee will make a single verbatim recording, such as a tape recording, of the hearing. (Deliberations shall not be recorded). This recording shall be the property of the University and will be maintained by the Hearing Coordinator as long as the Office of the Dean of Students maintains the Student discipline records. (See Section V, Privacy and Records Retention.) The documents submitted by the parties and accepted by the Hearing Chair will constitute the official record of the hearing, and will become part of the Student’s conduct record. An Accused Student or Complainant who is considering submitting a response to the hearing report will, upon request, be granted post-hearing access to review (but not copy) the recording. This access will be provided on the University campus, during regular business hours; the recording may not be removed from the premises or reproduced. The accused Student or Complainant may be accompanied by the Campus Advocate or Support Person(s) who accompanied that Student or Complainant at the hearing. When the accused Student is unable to be present on the University campus during regular business hours, the Student will be provided
reasonable accommodations which may include access to review the recording on campus on Saturdays, Sundays, or days on which the campus is closed, or at an alternate location.

18. **Section III.K.9 Spectators is being revised to differentiate between support persons and witnesses.**

Section III.K.9 Spectators

To protect the privacy of persons participating in the student conduct process, the hearing will be closed to spectators, including witnesses.

When the hearing involves allegations of sexual misconduct and/or sexual harassment, domestic violence or dating violence, or stalking, the hearing will be closed to spectators except for the following:

a. The Accused Student and the Complainant will each be entitled, for support, to have up to two Support Persons of their choice accompany them to the hearing, in addition to their Campus Advocate. A Support person may not be called as a witness, and the fact that he or she is to act as a witness will not preclude that person’s attendance throughout the entire hearing. If a Support person is also a witness, the Hearing Chair may require him or her to testify prior to the complainant’s testimony. Neither of these persons will be entitled to serve as advocate for the complainant or for the accused Student. The Student Conduct Committee Chair has the right to exclude Support Persons from the hearing room if deemed necessary for the secure or orderly conduct of the hearing.

b. The Complainant will have the right to be present during the entire hearing, notwithstanding the fact that the Complainant is to be called as a witness.

19. **Section III.K.11. Reports to the Vice Chancellor of Student Affairs is being revised to clarify the process for redaction in reports.**

At the conclusion of a hearing, the Student Conduct Committee Chair will provide the Hearing Administrator with:

a. A summary of the allegations,

b. a summary of the information presented;

c. whether, in the opinion of a majority of the Student Conduct Committee Panel, the Student has violated one or more of the University policies or campus regulations the Student has been charged with violating, or whether there has been insufficient evidence to sustain such a finding and the basis for that opinion; and

d. if it is the opinion of a majority of the Student Conduct Committee Panel that the Student has violated one or more of the University policies or campus regulations which the Student has been charged with violating, a recommendation of sanction(s).

Within ten Days of the conclusion of the hearing, the Hearing Administrator will prepare a report to the Vice Chancellor of Student Affairs which includes this information.
When the hearing involves an allegation of sexual assault, sexual misconduct, domestic violence, dating violence, sexual harassment, and/or stalking, the identity of the Complainant will be disclosed to the Student and used in the hearing but reports will not include identifying information about the Complainant.

20. Section III.L.4 Notice of Decision is being revised to better describe the notification that is provided to Complainants following hearings on their complaints.

The Vice Chancellor of Student Affairs will have ten Days after the receipt of the report of the Student Conduct Committee, or the written response by the Student and/or Complainant, whichever is latest, to deliver her or his written decision.

The written decision will be delivered to the Student and to the Dean. In cases of alleged sexual misconduct and/or sexual harassment, the written decision will also be delivered to the complainant. In cases of alleged sexual assault or sexual misconduct, domestic violence or dating violence, sexual harassment, and/or stalking, the Complainant will receive written notification of the outcome. That notification will include the University’s finding in regards to the alleged sexual assault, sexual misconduct, domestic violence, dating violence, sexual harassment, and/or stalking, and any sanction being imposed. In cases of alleged physical assault, the alleged victim will receive written notification of the outcome. That notification will include the University’s finding in regards to the alleged physical assault and any sanction being imposed.

The Vice Chancellor of Student Affairs may also notify other parties of her or his decision, or may direct the Dean to do so, if there is an institutional interest in doing so, and if such parties are authorized to receive such information under the provisions of Section 130.00 et seq. of the University of California Policies Applying to Campus Activities, Organizations, and Students.

The results of any hearing in which a violent physical assault is alleged will be disclosed to the alleged victim by the Dean. The scope of information to be provided under this provision will be: a. the University’s final determination with respect to the alleged act of violence; and b. any sanction that is imposed against the alleged offender with respect to the alleged act of violence.