

University of California Policies Applying to Campus Activities, Organizations and Students

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10.00 Preamble and General Provisions

In carrying out its teaching, research, and public service activities, 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.

Where applicable, descriptions of the Irvine campus implementation follow immediately after each numbered section of the University of California policies, and are identified by boldface print as well as corresponding section numbers. Members of the University community may propose amendments to these regulations by filing proposals with the Vice Chancellor, Student Affairs for review.

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 Universitywide 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.

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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*.

The Chancellor of the Irvine campus has delegated authority to the Vice Chancellor, Student Affairs to develop campus regulations and to implement and administer University policies and procedures applying to students.

A. Purposes

The primary purposes of these regulations are:

- 1. To facilitate the effective use of University of California, Irvine, campus properties for educational purposes;**
- 2. To enumerate the procedures that will be employed if an alleged violation of policy occurs.**

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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. Campus 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 the 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.

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13.00 - Development and Review of Universitywide Policies and Campus Implementing Regulations

13.10

The President shall consult as appropriate with Chancellors, Vice Presidents, the Office of the General Counsel, and Universitywide 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 Universitywide 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 the on-line publication of these *Policies* and their respective campus implementing regulations.

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 procedures, including consultation processes, by which campus implementing regulations may be developed or revised.

Proposed revisions to UCI campus regulations shall be reviewed by representative staff and students appointed by the Dean of Students (DOS) in consultation with representatives of the Associated Students UCI (ASUCI), Associated Graduate Students (AGS) and the Council on Student Experience (CSE). Any suggested modifications shall be reviewed by Campus Counsel and the Administrative Policies Officer before being recommended to the Chancellor by the Vice Chancellor, Student Affairs.

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 the General Counsel, for consistency with these *Policies* and the law.

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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 as 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/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 [Section 70.10](#) of these *Policies* and in 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 re-enrollment; or (c) is on an approved educational leave or other approved leave status, or is on filing-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.

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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 University of California Publications Regarding Student-Related Matters*]; [Section 140.00](#); [Section 150.00](#); and [Section 160.00](#).)

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30.00 - Policy on Speech and Advocacy

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.

The University has a special obligation to protect free inquiry and free expression. On University grounds open to the public generally, all persons may exercise the constitutionally protected rights of free expression, speech, and assembly. Such activities must not, however, interfere with the right of the University to conduct its affairs in an orderly manner and to maintain its property, nor may they interfere with the University's obligation to protect rights of all to teach, study, conduct business, and fully exchange ideas. Physical force, the threat of force, or other coercive activities used to subject anyone to a speech of any kind is expressly forbidden.

A. Time, Place, and Manner Regulations

Orderly behavior and the normal conduct of University affairs shall govern time, place, and manner of exercising free speech and advocacy. Regard for the privacy of others shall be observed, and reasonable precautions shall be taken against practices which would make persons on campus involuntary audiences. Activities that are determined to pose a risk to personal safety, university property, or facility security will be rescheduled until such time that adequate and appropriate security can be made available, as determined by the UCI Police Department. Refer to [UCI Administrative Policies and Procedures Section 905](#).

B. Areas for Public Gatherings

Specific areas and properties available for public meetings and gathering are made possible through the UCI Student Center & Event Services or appropriate scheduling office on a first-come, first-served basis.

C. Amplification

Amplification may be used only at specified times and is prohibited at all other times and places. Guidelines for amplification and hours of use are available from Student Center & Event Services, or the appropriate scheduling office. Refer to [UCI Administrative Policies & Procedures Section 900-10](#).

D. Non-University Speakers

Non-University persons are permitted to speak in areas of the campus open to the public without invitation; however, because such areas are limited, a reservation through Student Center & Event Services or the appropriate scheduling office is suggested.

Except as provided in [Section 40.40](#) and subject to [Section 30.00](#), non-University persons may address meetings in all other areas only by invitation from a Registered Campus Organization, student governments (Irvine Campus) mentioned in [Appendix A](#), University departments, recognized academic and administrative units, and official University of California alumni organizations. Faculty members may invite non-University persons to appear in classes in accordance with the academic policy on guest lecturers. Refer to [UCI Administrative Policies & Procedures Section 900-20](#).

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.

For more information, please read the following brochure: [Free Speech: A Guide for Demonstrations at UC Irvine](#).

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40.00 - Policy on Use of University Properties

These regulations do not apply to University Hills, a residential community on land owned by The Regents of the University of California.

A. Use by University-Related Persons and Groups

Registered Campus Organizations, student governments, and University personnel, as well as students, faculty, and staff may use University properties. Information regarding scheduling of University properties may be obtained from the appropriate scheduling office; i.e., Student Center & Event Services, the Bren Events Center. The sponsoring group has the responsibility to know and adhere to special use guidelines, policies, or restrictions that may pertain to specific facilities. Whenever an event is sponsored by a Registered Campus Organization, it must be reviewed by the Office of the Dean of Students, as appropriate, for compliance with University policies and procedures.

B. Use by Non-University Persons and Groups

University properties may be used by non-University organizations and individuals or for commercial purposes only with the prior approval of the Vice Chancellor, Student Affairs or that person's designee and with the provision that such activities do not interfere with the normal functioning of the University. Any such use shall be based upon benefit to the University. Refer to UCI Administrative Policies and Procedures [Section 900-16](#) and [Section 900-20](#).

C. Addressing Meetings by Non-University Persons

Non-University persons may address meetings in campus facilities only pursuant to an invitation from a Registered Campus Organization, from student governments (Irvine Campus) mentioned in [Appendix A](#), from University departments and recognized academic and administrative units, from organizations of University employees, or from official University of California alumni organizations. Refer to [UCI Administrative Policies and Procedures Section 900-20](#).

D. Financial Responsibility for Use of University Properties

All individual organizations that apply for use of University properties shall be liable for additional expenses incurred on their behalf by the University above ordinary campus maintenance and operating costs. The policy does not apply to speaker's assemblies or demonstrations and the audience's anticipated reaction to the content of the speaker's speech which may result in additional cost incurred by the University.

At the discretion of the office approving the use of University properties and in consultation with the appropriate scheduling department and/or the UCI Police Department, those student governments (Irvine Campus) mentioned in [Appendix A](#) the posting of bond may be required of organizations or individuals prior to use of University properties under the following circumstances:

1. Because of the nature of the event and/or the past practices of the sponsoring organization, there is reasonable cause to believe that damage to University property may occur;
2. If the sponsoring organization is in debt to the University at the time of the proposed event program;
3. If the nature and scope of the event is such that there is reasonable concern for the ability of the sponsoring organization to assume all related expenses.

Reimbursement for damage to or misappropriation of University property may be imposed upon the responsible individual or the organization using the University property. The reimbursement may take the form of monetary payment or appropriate service to repair or otherwise compensate for damages. Failure to make monetary payment may result in student records being placed on hold.

E. Use of University Properties for the Consumption of Alcoholic Beverages

Procedures for scheduling use of University properties for the consumption of alcoholic and malt beverages on campus are found in the [UCI Administrative Policies and Procedures Section 900-13](#).

F. Overnight Camping

Neither university-related persons or groups nor non-University persons or groups are permitted to camp overnight on University property.

G. Dances Sponsored by Registered Campus Organizations

Dances sponsored by UCI Registered Campus Organizations and held on the campus are primarily for the participation and social enjoyment of organization members. Admission to dances sponsored by Registered Campus Organizations shall be restricted to UCI students (with proper identification) and those individuals 18 years or older. Under certain circumstances, a guest list may be utilized to access admission to individuals who do not meet the above criteria.

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.

40.20

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.

40.20 - Violation of University Policies

Students who violate University and campus policies and procedures may be subject to procedures published in [Section 103.00](#) of this document.

University employees who violate University and campus policies and procedures may be subject to disciplinary procedures published in the Academic Personnel Manual, the Personnel Procedures for UCI Staff Members, the Manual of the Academic Senate, or the collective bargaining agreements as appropriate.

Consent to remain on campus may be withdrawn pursuant to the procedures set forth in the [UCI Administrative Policies and Procedures Section 900-20](#) implementing Penal Code Section 626.4 and 626.6.

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 implementing 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.

40.40 - University Grounds Open to the Public

For the purpose of these regulations, "grounds open to the public" are defined as the outdoor areas of the campus (lawns, patios, plazas) that are at least 20 feet from the entrances/exits of campus buildings and parking lots, and that do not restrict movement on campus walkways and are also a safe distance from the curbs of campus roads. All activity in these areas must be conducted in such a way that traffic

is not impeded and the normal activity in classrooms and offices is not disrupted. Tables or movable stands may not be placed in areas where passages to any entrances or walkways are blocked. Procedures regarding time, place, and manner are set forth in [Section 30.30](#) of this document.

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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 himself or herself 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 law (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.)

41.20 - Use of the University Name, Logo and Seal

Campus procedures for approval of use of the University name, logo, and unofficial seal are published in the [UCI Administrative Policies and Procedures Section 700-20](#).

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42.00 Campus 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.

42.10 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.

42.10 - Denial of Request to Use University Properties

A student whose request to use University properties is denied may appeal in writing to the Vice Chancellor, Student Affairs within three days of denial notification. The Vice Chancellor, Student Affairs shall consult with or refer the matter to the Office of the Dean of Students, the appropriate scheduling office, student governments (Irvine Campus) mentioned in [Appendix A](#) to make a recommendation. The Vice Chancellor, Student Affairs shall inform the applicant of the decision in writing within seven days of receipt of written appeal.

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.

42.20 - Policy on Posting and Distribution of Literature

Refer to [UCI Administrative Policies and Procedures Section 900-12](#).

42.30 Noncommercial Fund Raising

Noncommercial fund-raising 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 may be made in such regulations governing the collection of donations, sale of materials, admission charges, and financial accountability.

42.30 - Noncommercial Fund Raising

A. Noncommercial Fund Raising by Registered Campus Organizations and Student Government

Noncommercial fund raising by Registered Campus Organizations and Student Government is permitted. The provisions below govern the collection of moneys, the solicitation of donations, sale of materials, payment of dues, admission charges, and the financial accountability required of fund raising groups.

1. Fund raising is defined as the collection of monies on University properties by means of sales, contributions, donations, solicitation, membership fees, and/or admission charges to fund raising events or meetings on a regular or occasional basis.
2. University properties are not to be used in fund raising efforts for personal gain.
3. Funds raised may not be used for illegal purposes; furthermore, use of the funds raised must be defined and be consistent with the stated purpose of the fund raising activity.
4. All perishable food and beverage sales must receive additional approval from Environmental Health and Safety. Refer to [UCI Administrative Policies and Procedures Section 500](#).
5. All Registered Campus Organizations engaged in fund raising activities are strongly encouraged to make use of the accounting services and drop box provided by the ASUCI Business Office.
6. The University reserves the right to audit the financial records of any Registered Campus Organization to determine if funds are being used in accordance with University policy.
7. In the event that a fund raising activity loses money, the sponsoring organization remains accountable for covering all costs incurred by that activity.
8. All fund-raising activities sponsored by Registered Campus Organizations and occurring on University properties must be conducted entirely by the membership of the sponsoring group. Members of the Registered Campus Organization must be present during the fund-raising activity.
9. The occasional sale of manufactured items is permitted.
10. The active solicitation of credit card applications on University property is governed by University Policy. See [Appendix D](#).
11. For those Registered Campus Organizations who wish to sponsor a non-university vendor, which will enhance their program, refer to the [UCI Administrative Policies and Procedures Section 900-16](#).

B. Noncommercial Fund Raising by Off-Campus Organizations

Noncommercial off-campus organizations such as charitable organizations, public service agencies, noncommercial political organizations, and University or University-related groups may engage in fund-raising activities on campus only if

they comply with time, place, and manner regulations. Fund raising by commercial, non-University groups, is prohibited with the exception of approved off-campus vendors. (Refer to the [UCI Administrative Policies and Procedures Section 900-16](#)).

The following time, place and manner regulations shall apply to fund raising activities by off-campus, noncommercial organizations:

1. Organization shall provide Student Center & Event Services a copy of its Internal Revenue Service exemption letter (or similar document), verifying 501(c)(3) status, prior to conducting any fund raising activities on campus.
2. Organization shall complete a "Request for Use of University Properties" and submit it to Student Center & Event Services prior to conducting any fund raising activities on campus.
3. Organization shall secure a designated campus location from Student Center & Event Services prior to conducting any fund raising activities on campus.
4. Organization shall perform its activities from an approved stationary location, utilizing a table or chair(s). Organization may provide its own table and chair(s) or reserve them in advance from Student Center & Event Services for a rental fee.
5. Organization shall provide receipts, clear signage posted at the location, and, literature and name badges that identify the name and purpose of all fund raising activities at the designated location.
6. Organization shall provide to donors receipts, identifying the name, date, address, phone number of the soliciting organization and the amount of the donation.
7. Organization shall not interfere with the right of the University to conduct its affairs in an orderly manner and to maintain its property, nor may it interfere with the University's obligation to protect the rights of all to teach, study, and fully exchange ideas. Physical force, the threat of force, blocking of ingress or egress, and/or solicitation of an involuntary audience is expressly forbidden
8. Fund raising activities shall not be permitted within University classrooms or buildings.

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.)

42.40

A. Temporary access to University properties by off-campus vendors and commercial entities is permitted to the extent that the activity becomes a complementary part of the total services and programs offered to UCI students, faculty, and staff. Refer to the [UCI Administrative Policies and Procedures Section 900-16](#).

B. Policy and Supplemental Guidelines on Marketing of Credit Cards to Students - See [Appendix D](#)

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.

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50.00 - Policy on Campus Emergencies

50.00

Emergency Management Policy and Procedures - Refer to [UCI Administrative Policies and Procedures Section 905-30](#).

51.00 State of Emergency

See the Declaration of a State of Emergency section within the [Policy on Safeguards, Security and Emergency Management](#).

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*.

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.

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.

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 mailing it to the

individual's last known 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.

53.12

The outcome of the appeal shall have no bearing on University disciplinary proceedings arising from the conduct which gave rise to the Emergency 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.

53.14 - Emergency Suspension During a Declared State of Emergency

A. Imposition of Emergency Suspension

If emergency suspension is imposed on a student by a designated representative of the Dean of Students, that representative shall immediately inform the Vice Chancellor, Student Affairs and shall submit a written report on the action as soon as is reasonably possible. The report shall contain a description of the student suspended, including the student's name, address, and phone number, and a statement of the facts giving rise to the emergency suspension.

If the Vice Chancellor, Student Affairs does not affirm the emergency suspension by the end of twenty-four hours, it shall be deemed void and a reasonable effort shall be made to inform the student that the emergency suspension is void. The twenty-four hour time period shall begin when the Vice Chancellor, Student Affairs receives the written report. Should the emergency suspension be voided, that shall have no bearing on the University's disciplinary proceedings arising from the conduct which gave rise to the emergency suspension. Any such disciplinary proceedings shall be conducted under the normal procedures provided in these policies.

A student placed on emergency suspension which is affirmed by the Vice Chancellor, Student Affairs, shall be given prompt written notice of the emergency suspension. The confirmation shall inform the student of the conduct which gave rise to the emergency suspension, and of the opportunity to obtain a prompt, special hearing on the suspension.

B. Appeal of Emergency Suspension

If emergency suspension is imposed on a student by a designated representative of the Dean of Students and is not voided pursuant to the provisions of above, the student may choose to have a special hearing on the issue of the necessity of the emergency suspension. The appeal shall be heard by a designated representative of the Dean of Students other than the representative imposing the emergency suspension. Such a hearing shall have scheduling priority and must occur within ten (10) business days of the imposed sanction. The student may be assisted at the hearing by a representative of the student's choice. During the hearing, such representative may not speak on the student's behalf. The student may present evidence supporting the discontinuance of the suspension.

The designated representative of the Office of the Dean of Students is obligated to investigate the facts which gave rise to the emergency suspension. Within three (3) business days of the conclusion of the appeal hearing, the Vice Chancellor, Student Affairs shall determine if the emergency suspension is necessary. If the Vice Chancellor, Student Affairs determines that the emergency suspension is unnecessary, he/she is authorized to void the emergency suspension. A voided or lifted emergency suspension shall have no bearing on University disciplinary proceedings arising from the conduct which gave rise to the emergency suspension. Any such disciplinary proceedings shall be conducted under the normal procedures described in this document.

If emergency suspension is neither voided nor lifted pursuant to the provisions above, the normal procedures provided for student disciplinary cases shall be followed, except that students under emergency suspension shall have a scheduling priority at each step of the proceedings.

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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 campus 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*.

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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](#) 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 [Section 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.

63.10

Student government legislation prohibits the funding of operational costs of organizations. Funding is only provided for specific programs which are open to the entire student population and serve to complement the University's mission.

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 by 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 Systemwide 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 his or her 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 be widely and frequently publicized among students, and that all requests for such refunds by objecting students be 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*.)

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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 public 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 financial 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 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 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*.)

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70.00 - Policy on Registered Campus Organizations

70.10 Definition; 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. An authorized student government of a campus shall not be eligible for registration also as a Registered Campus Organization of that campus.

70.10 - Registration of Campus Organizations

All Registered Campus Organizations comprising of a majority (50%+1) of student members are entitled to a variety of services through the Office of the Dean of

Students such as assistance with program planning, and advice on publicity, fund raising, and campus regulations. Organizations are strongly encouraged to find faculty or staff advisors. Assistance in securing advisors is provided by the Office of the Dean of Students.

A. Requirements for Registration

An organization may become a Registered Campus Organization by filing the following information with the Office of the Dean of Students.

1. Registration Forms (Including University Nondiscrimination Statement)
2. Financial Responsibility Statement -only current UCI students may serve as authorized signers. See [70.10](#) (E) for definition.
3. Constitution of the Organization
4. The Anti-hazing Compliance Form. (See [Appendix 1](#) for Anti-Hazing Statute of the Education Code of the State of California.)
5. Acknowledgement of the Principles of Community
6. Completion of Campus Organization Orientation
7. Payment of annual registration fee
8. Acknowledgement of policy related to Registered Campus Organization Insurance
9. Acknowledgement of Student Conduct Policy

Registration must be renewed annually and is subject to revocation. Registration of any campus organization does not imply that such organizations are sponsored, endorsed, or favored by the University.

B. Change of Authorized Signer(s)

When a change in authorized signer(s) occurs, each Registered Campus Organization shall provide the name(s) of the new authorized signer(s) to the Office of the Dean of Students.

C. Membership of Non-University Persons

Non-University persons may participate in Registered Campus Organization activities as associate members. Associate members may not hold office, vote on organizational issues, or assume fiscal responsibility on behalf of the organization.

D. Financial Responsibility

A Registered Campus Organization sponsoring a function or supporting it by the use of its name or its funds shall be responsible for damage to University property occurring during the function and for the damages of its members or guests attending that function. It is also responsible for any outstanding debts or expenses incurred as a result of sponsorship activities as a result of actions of members or nonmembers.

If payments to any individual (vendor) for services exceed \$600 in a calendar year, the sponsoring Registered Campus Organization is required to report those payments to the Internal Revenue Service on a 1099 form.

E. Authorized Signer(s)

Officers and members acting in executive positions in Registered Campus Organizations are responsible for the activities of their organizations. Authorized Signers are defined as members or officers who sign on behalf of the Registered Campus Organization and agree to be jointly or individually liable for all debts and obligations to the University incurred by their organization. Individual members or officers of Registered Campus Organizations that are designated as Authorized Signers read and sign the *Financial Responsibility Statement* and agree to comply.

F. Faculty and Staff Advisors

It is strongly encouraged that Registered Campus Organizations find a faculty or staff advisor. Assistance in securing an advisor is provided by the Office of the Dean of Students.

G. Officially Recognized Fraternities and Sororities

Refer to the [Greek Life Recognition Guidelines](#)

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70.20 Requirements for Funding from Compulsory Campus-Based Student Fees

A Registered Campus Organization that is preponderantly 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.

70.30 - Compliance with University Policies and Campus Regulations

Whether on or off campus, Registered Campus Organizations members are expected to comply with University policies and campus regulations. Violations may result in the revocation of registration or other sanctions as listed in [Section 105.00](#). Situations or incidents involving alleged violations will be referred to the proper conduct officer or body for review and/or action. See [Section 103.00](#) for Student Discipline Procedures.

[Section 110.00](#) (Student Grievance Procedures) establishes the process for review of a denied or revoked registration of a campus organization.

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.

70.40 - Use of the University Name by a Registered Campus Organization

Permission to use the name of the University of California, Irvine, or any abbreviation thereof as part of the Registered Campus Organization's name may be granted only by the Chancellor or the Chancellor's designee.

1. A Registered Campus Organization shall not use the name of the University of California or abbreviations thereof as part of its own name. For the purpose of geographical designation, "at UCI" may be used as part of the directions.

2. A Registered Campus Organization may state that its membership is composed of students, faculty, and staff of the University of California, but shall not indicate or imply that it is acting on behalf of the University or with its approval or sponsorship.

3. Student-produced publications, student-operated radio television stations, and Registered Campus Organizations may take positions on issues but must avoid any implications that they are representing the views of the University, or the student government, or the student body as a whole.

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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 the 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 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 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 his or her compulsory campus-based student fees that has been 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 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 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*).

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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: Definition and Exclusions; Provision 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 buildings and other facilities such as student centers and recreation facilities; and (3) authorized student governments (as defined in [Section 61.00](#) of the Policy on Student Governments), Registered Campus Organizations, and student government- and Registered Campus Organization-related programs, events, and other activities.

This *Policy* does not apply to Universitywide fees, to non-referendum-based campus 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.

81.10 (See [Appendix 6](#) - Policy for Student Fee Funded Facilities)

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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 reserved 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 of the date of final 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 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 fee, or an increase to or renewal of an existing such fee, may be approved by The Regents subject to the President's and 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 renewal of an existing fee, is necessary for the health and safety of students, and when that fee or fee increase or renewal is specifically related to the maintenance of the safety of a building or other facility that is funded, wholly or in significant part (as determined by the Chancellor with the concurrence of the Office of the President) by student fees. Safety issues are those that are potentially dangerous consistent with the standards set forth in the [University Policy on Seismic Safety](#) and the [University Policy 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 deficits.

Any new fee, or any increase to or renewal of an existing fee, established under the provisions of this Section shall be retired once the fee's stated purpose is fulfilled. Upon the recommendation of the President, the Chancellor may petition The Regents for continuation of any such new fee, fee increase, or fee renewal in advance of its retirement.

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; or

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.

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84.00 Procedures and Required Approvals for Establishing, Increasing, or Renewing a Compulsory Campus-Based Student Fee

84.10

Except as provided in Section 83.00 of these *Policies*, to establish, increase, or renew 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 systemwide 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 basis, petition the President in advance of a particular student election for approval of a lower minimum voting pool requirement for that election;
- b. for any ballot measure in support of a non-capital-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 level (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 majority-vote 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 proposed new such 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 an appropriately adjusted level following retirement of the original debt, to provide for the actual costs associated with long-term building or other facility maintenance needs); and

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 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, project mitigations, and financing 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 measure 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.

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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.

85.00

The redirection or re-appropriation of any existing mandatory student government fee, i.e., ASUCI, AGS, GSMSA or AMSG, is not appropriate or in accordance with University or Regental delegated authority. Locking in a specific dollar amount to be appropriated for a specific program, organization, or service would be an example of an inappropriate redirection or re-appropriation action.

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 of 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 preponderantly 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 Section 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 his or her 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 programs 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 expression 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 entity.

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 the 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 the 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*.

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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*.)

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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, as well as Registered Campus Organizations 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 contributions 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

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 contributions 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.

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100.00 - Policy on Student Conduct and Discipline

The University of California, Irvine is a public institution responsible for providing instruction in higher education, for advancing knowledge through scholarship and research, and for providing related services to the community. As a center of learning, 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.

Admission to the University carries with it the expectation that students will conduct themselves as responsible members of the academic community. As a condition of enrollment, all students assume responsibility to observe standards of conduct that will contribute to the pursuit of academic goals and to the welfare of the academic community. Students who allegedly violate the University's standards of conduct will be afforded basic standards of procedural due process. The primary goal of the Office of Student Conduct is to afford students an opportunity to learn from his or her mistakes and to promote positive behavior and lifestyle changes that ensure academic and professional success.

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.

101.00a - Off-Campus Behavior

In addition to conduct which occurs on University property or in connection with official university functions, the University has the discretion to exercise jurisdiction over off-campus behavior if it

- 1) adversely affects the health, safety, or security of any member of the campus community or**
- 2) adversely affects the interests of the University.**

In determining whether or not to exercise off-campus jurisdiction, the University will consider the seriousness of the alleged harm, the risk of harm involved, whether the victim(s) are members of the campus community or whether the off-campus conduct is part of a series of actions which occurred both on and off campus. The discretion to exercise off-campus jurisdiction includes but is not limited to the following behavior:

Sec. 102.08-Physical abuse, including but not limited to sexual assault, sex offenses, and other physical assault; threats of violence; or conduct that threatens the health or safety of any person. (See [Appendix 3](#))

Sec. 102.09-Sexual harassment; unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature (see section 102.09 below for details).

Sec. 102.10-Stalking behavior in which an individual willfully, maliciously, and repeatedly engages in a knowing course of conduct directed at a specific person which reasonably and seriously alarms, torments, or terrorizes the person, and which serves no legitimate purpose.

Sec. 102.12-Hazing or any method of initiation or pre-initiation into a campus organization or any activity engaged in by the organization or members of the organization which causes, or is likely to cause, bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm to any student or other person. (See [Appendix 1](#)).

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102.00 Grounds for 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. **Refer to [Academic Senate Policy on Academic Integrity](#).**

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 identification.

102.04

Theft of, conversion of, destruction of, or damage to 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.

102.05

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; 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 materials).

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://policy.ucop.edu/doc/7000470/ElectronicCommunications>) and Digital Copyright Protection at UC (<http://www.ucop.edu/irc/policy/copyright.html>) for the University's position on digital copyright. **(Refer to the UCI Administrative Policies & Procedures [Sections 714-18](#) and [800-16](#).)**

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

Physical abuse including but not limited to physical assault; threats of violence; or other conduct that threatens the health or safety of any person. **(See [Appendix 3 UCI Guidelines for Reporting and Responding to Reports of Sex Offenses and UC Policy on Sexual Harassment and Sexual Violence](#).)**

102.09

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 identify, pregnancy, marital status, ancestry, service in the uniformed services, physical or mental disability, medical condition, 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. **(See [Appendix 8 UCI Guidelines for Reporting and Responding to Reports of Discrimination and 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 his or her 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

(deleted on October 9, 2009: see

<http://www.ucop.edu/ucophome/coordrev/policy/pacaos10209.pdf>)

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 [Appendix 1.](#))**

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 the directions of, a University official or other public official acting in the performance of his or her 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.

102.17

Unlawful manufacture, distribution, dispensing, possession, use, or sale of, or the attempted manufacture, distribution, dispensing, or sale of controlled substances, identified in federal and state law or regulations.

102.18

Manufacture, distribution, dispensing, possession, use, 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. **(See [Section 900-13](#) of the UCI Administrative Policies & Procedures.)**

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. **(See [Appendix 7.](#))**

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). **(See [Appendix 5.](#))**

102.24

Conduct, where the actor means to communicate a serious expression of 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 to fear bodily harm or death, perpetrated by the actor or those acting under his/her 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

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.

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.

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.

These provisions do not extend to public events or discussions, nor 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.

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 wants 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 or recorded.

102.26: Violation of campus regulations regarding pets and animals on campus. (See the UCI Administrative Policies & Procedures [Section 905-40](#))

102.27: Violation of local, state, or federal laws otherwise not covered under these standards of conduct.

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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.

Basic standards of due process include the following:

- a. Notice to the accused of the charges and evidence.**
- b. Opportunity of the accused to respond to the evidence.**

103.10 - Campus Disciplinary Procedures for Students and Registered Campus Organizations

Unless otherwise noted, these procedures shall similarly apply to individual students as well as Registered Campus Organizations. If, as part of the activities of a Registered Campus Organization, individual students violate the standards of conduct, the organization as a whole may be subject to disciplinary action.

Allegations of academic dishonesty will be handled in accordance with the [Academic Senate Policy on Academic Integrity](#).

Unless otherwise noted, violations of campus housing policies by undergraduate residents will be handled in accordance with the "Housing Conduct Process" as set forth in the "Undergraduate Housing Handbook." Cases of housing violations may be referred to and reviewed by the Office of Student Conduct for potential imposition of additional disciplinary sanction.

A. Definitions

1. 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 and is eligible for enrollment, including the recess periods between academic terms; or (c) is on approved educational leave or other approved leave status, or is on filing-fee status.

2. Registered Campus Organization: Refer to [Section 14.30](#).

3. Notice: Wherever notice is required to be given to any student, it shall be conclusively presumed that the student has been given such notice if it has been sent to the student by mail to the address appearing on either the student's UCI email address or current local address or permanent address on record. Students are expected to maintain their current contact information with the Office of the Registrar.

4. Days: The term "days" shall be defined as the normal business day and shall not include Saturdays, Sundays, legal holidays, or University administrative holidays. Refer to [Section 14.60](#).

B. Notification of Alleged Violation(s) to Student

Cases involving alleged misconduct of students shall be referred to the Office of Student Conduct. The Office of Student Conduct will inform the student in writing of the following:

1. The University policies or campus regulations that the student has allegedly violated,

2. That the student has twelve (12) days from the date appearing on the letter of notification to schedule an Administrative Meeting with the Office of Student Conduct.

3. That failure to schedule the Administrative Meeting within twelve (12) days may result in an administrative hold being placed on the student's records and disciplinary action may be taken in the student's absence.

4. That prior to the Administrative Meeting, the student may seek assistance from the Office of the Ombuds.

C. Administrative Holds

If the student does not contact the Office of Student Conduct within the twelve (12) day period, a hold may be placed on the student's records which will prevent the processing of transcripts, grade posting, registration and/or enrollment materials, etc. No separate notice will be given that a hold has been placed on his/her records. The hold may be removed upon contacting the Office of Student Conduct.

Holds may also be placed on students' records at any point in the disciplinary process to assure compliance with sanctions, pending the resolution of disciplinary

matters or a formal hearing. When the terms and conditions of sanctions have been satisfied and/or pending disciplinary matters have been resolved, holds may be removed.

D. Notification of Alleged Violation(s) to Registered Campus Organizations

When cases involving alleged misconduct by students as part of the activities of a Registered Campus Organization are referred to the Office of Student Conduct, the Office of Student Conduct shall inform the organizational representative(s) in writing of the following:

- 1. The University policies or campus regulations that the Registered Campus Organization has allegedly violated, and**
- 2. That two official representatives have twelve (12) days from the date appearing on the letter of notification to schedule an Administrative Meeting with the Office of Student Conduct.**
- 3. Based on the serious nature of the allegations, the Office of Student Conduct may suspend the organization's recognition pending conclusion of the investigation. (Refer to Interim Suspension Process Section 105.08a)**
- 4. That, failure to schedule the Administrative Meeting within twelve (12) days may result in an administrative hold being placed on the official representative's records and disciplinary action may be taken in their absence.**
- 5. That prior to the Administrative Meeting, the official representative may seek assistance from the Office of the Ombuds.**

E. Administrative Meeting

The Administrative Meeting is an attempt to give the accused student an opportunity to respond to the charges, and implement sanctions if a violation is found. Other than the accused student and Student Conduct Officer, other parties, including legal counsel retained by the student, if any, may be excluded from participating in the Administrative Meeting.

At the Administrative Meeting, the Student Conduct Officer shall:

- 1. Inform the student of the specific allegations made against the student and the student conduct process;**
- 2. Indicate the applicable University policy(ies) or campus regulations alleged to have been violated;**
- 3. Make a reasonable effort, as permissible under federal and state law, to comply with requests by the student for access of documents relevant to the case; and**
- 4. Give the student the opportunity to respond to the charges and evidence against them.**

At the conclusion of the Administrative Meeting(s), the Student Conduct Officer may conclude that no violation has occurred and therefore, that no further action is warranted. If, however, the Student Conduct Officer believes that a violation has occurred based on the preponderance of the evidence, the case will be disposed of either informally or through formal hearing depending upon the potential sanction(s). Students subject to sanction(s) less than suspension or dismissal will have their case disposed of informally. Students subject to suspension or dismissal are entitled

to a formal hearing before the Student Conduct Board. Students may waive their right to a formal hearing and accept as final and binding the proposed suspension or dismissal, by signing a waiver.

F. Registered Campus Organizations

Cases of alleged misconduct by a Registered Campus Organization will be resolved through an Administrative Meeting. As a result of the meeting, one or more of the following sanctions will be imposed on the Registered Campus Organization:

1. Warning (Refer to [Section 105.01](#))
2. Disciplinary Probation (Refer to [Section 105.03](#))
3. Restitution (Refer to [Section 105.09](#))
4. Suspension (Refer to [Section 105.05](#))
5. Revocation of Recognition

Registered Campus Organizations subject to revocation of recognition are entitled to a hearing before the Student Conduct Board. Organizations subject to such sanctions less than suspension, revocation of recognition will have their case disposed of through an Administrative Meeting.

In cases of alleged misconduct by a registered campus organization, if the organization is not found responsible for the alleged violation(s), this does not preclude the initiation of disciplinary action against an individual student for their misconduct.

Before a Registered Campus Organization residing in undergraduate student housing is subject to sanction(s) pursuant to the housing conduct process, the Director of the housing complex (or designee) will consult with a designated representative from the Office of Student Conduct to determine appropriate sanction(s) for minor infractions. In cases of more serious infractions (e.g. physical abuse, destruction of university property, etc.) that would potentially lead to more severe discipline, the Director of the housing complex will consult with the following individuals or their designee: Associated Director, Residential Life, Residence Life Coordinator, Associate Dean of Students and if applicable, Director of Greek Life.

G. Disposition of the Case and Notification of Sanction(s)

If after the Administrative Meeting, the Student Conduct Officer believes a violation has occurred, the Student Conduct Officer may unilaterally impose one or more of the sanctions listed in [Section 105.00](#) (except 105.05, Suspension and 105.06, Dismissal, which require opportunity for a hearing before the Student Conduct Board) and shall notify the student, in writing, of the sanction(s) to be imposed and of their right to appeal the sanction(s) within the stated period of time.

H. Appeal of Sanction(s) After Disposition

1. After receiving written notice of the sanction(s) to be imposed, the student may appeal the decision to the Dean of Students (or designee) only if all of the following requirements are met: (a) the appeal is in writing, (b) the appeal is expressly based upon one of the grounds specified in Section (I) below, and (c) the appeal is received by the Dean of Students (or designee) by the stated deadline. The deadline shall not be more than seven (7) days from the date appearing on the notice of sanction.

2. A meeting to discuss the appeal will be held by the Dean of Students (or designee) attended by the student and the Student Conduct Officer. All matters considered at this meeting will pertain only to the stated basis for the appeal.

3. Appeals of sanctions for housing violations by Registered Campus Organizations will be directed to the Vice Chancellor, Student Affairs. That appeal must: (a) be in writing from the organizational representative, (b) be expressly based upon one of the grounds specified in Section (I) below, and (c) be received by the Vice Chancellor, Student Affairs within seven (7) days from the date appearing on the notice of sanction.

I. The Appeal will be Accepted or Denied based on:

- 1. Whether there is new evidence which could not be adduced at the time of the Administrative Meeting which is likely to change the result;**
- 2. Whether there was a violation of due process;**
- 3. Whether the imposed sanction was too harsh given the finding of fact.**

Upon completion of the review by the Dean of Students (or their designee), they may affirm, modify, or reverse the sanction(s). The decision of the Dean of Students (or their designee) is final. Sanction(s) may not become effective until completion of this appeal process unless otherwise indicated.

For appeals of sanctions for housing violations by Registered Campus Organizations, the Vice Chancellor, Student Affairs may affirm, modify, or reverse the sanction(s). The decision of the Vice Chancellor, Student Affairs is final. Sanction(s) may not become effective until completion of this appeal process unless otherwise indicated.

J. Disposition if Student Withdraws from the University

If a student withdraws from the University before allegations or charges are made, no disciplinary action can be taken since these Procedures apply to students as defined in Section 103.10. The University may initiate campus disciplinary procedures if the former student enrolls in the University at some future time.

If a student withdraws from the University

- (a) during an investigation**
- (b) while subject to pending disciplinary action, or**
- (c) before resolution of allegations or charges are made,**

the Student Conduct Officer may proceed to disposition without the student's presence or participation in the campus disciplinary procedures. An effort will be made to notify the student of the campus disciplinary procedures and any action taken against the student.

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103.11

When a formal hearing is deemed to be appropriate, campus implementing regulations shall provide the following minimum procedural standards to assure the accused 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.

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103.11 - Disposition by the Student Conduct Board

A. Initiation of Hearing Process

In cases of proposed suspension or dismissal where the student has not waived the right to a hearing before the Student Conduct Board, a representative designated by the Dean of Students will make the necessary arrangements for convening the Student Conduct Board and shall notify the student in writing of the date, time, and place of the hearing. Refer to the Student Conduct Board Protocols and Procedures.

The designated representative may advise the student concerning the protocol or procedures to be followed in the hearing and/or may refer the student to the Office of the Ombuds for assistance. The student may also consult with representatives, or their own legal counsel. The designated representative will advise the Board on the protocol or procedures to be followed in the hearing as well as forward all necessary documents relevant to the hearing. The designated representative will not be involved in the hearing process other than as administrative support to the Student Conduct Board.

B. Jurisdiction of the Student Conduct Board

The Student Conduct Board shall hear all cases referred to it under these procedures. The Student Conduct Board will make a *de novo* finding of fact to determine whether the student violated University policies or regulations as alleged, and make a recommendation to the Dean of Students (or designee) regarding disposition of the case.

C. Composition of the Standing Pool for the Student Conduct Board

Members of the Board shall be selected by the Dean of Students (or designee) from a standing pool comprised of students and faculty/staff.

Undergraduate student members of this pool must be registered students at UCI making normal academic progress and be in good academic standing during each quarter of service on the Student Conduct Board except summer quarter.

Graduate student members must be registered UCI students making normal academic progress during every academic term of service on the Student Conduct Board except summer quarter.

D. Composition of the Student Conduct Board

The Dean of Students (or designee) shall select the members of the Board who shall be drawn from the standing pool of undergraduate and graduate students and faculty/staff as described above. Three students and two faculty/staff persons chosen from the standing pool shall comprise the Board.

The Dean of Students (or designee) shall appoint one of the faculty/staff members as chair.

E. Hearings

It is the responsibility of the designated representative to promptly schedule a hearing of the case before the Board. Written notice must be given to the accused student, or if applicable, the designated representative of a Registered Campus Organization, (collectively referred to as the "student" or "accused student"), regarding the date, time, and place of the hearing.

1. Hearings shall be held in accordance with generally accepted standards of procedural due process, the opportunity to present evidence in an orderly manner, and the right to examine and cross-examine witnesses. The accused student must present their own case and may be accompanied by an attorney or advisor. During the hearing, the attorney or advisor may act as a consultant for the student, but may not speak on the student's behalf. The student shall pay all fees, costs and expenses for the retention of an attorney. If the student chooses to be accompanied by an attorney, the Office of the Dean of Students must be notified of this fact at least ten (10) days prior to the hearing. In the interests of expediency, hearings shall not be delayed due to the unavailability of an advisor or attorney.

2. The Chair of the Student Conduct Board shall rule on all questions of procedure, the admission or exclusion of evidence, and the relevance of testimony. Evidence may be received of the sort upon which responsible persons are accustomed to rely in the conduct of serious affairs and is not restricted to evidence admissible under the strict rules of evidence of a court of law. No inference shall be drawn from the silence of the accused. Findings shall be based on a preponderance of the evidence.

3. An audio recording shall be made of the hearing. The accused student may make an audio recording and may have the hearing recorded by a court reporter at the student's expense. Rulings shall not be based on precedents; it is contemplated that rulings may vary from case to case in accord with differences among types and the circumstances surrounding individual cases.

4. The hearing shall be closed unless the parties involved agree to an open hearing. Witnesses, if any, may be excluded from the hearing except for the time they are testifying or responding to cross-examination. The accused student may be present throughout the hearing while evidence is being presented. The referring party(ies) may also be present throughout the hearing while evidence is being presented.

If the hearing is open, the chair, unless overruled by a majority of the Student Conduct Board, has a right to exclude spectators from the viewing room if deemed necessary for the orderly, quiet, or secure conduct of the hearing.

F. Responsibility for Presentation of Cases

The Student Conduct Officer shall present the University's case of alleged student misconduct. The accused student shall present their defense.

G. Continuing Resolution

Until the Student Conduct Board makes its report to the Dean of Students (or designee), the accused student and the Student Conduct Officer, may enter into a binding, written agreement as to the disposition of the matter. This written agreement shall explicitly state that the accused student is waiving their right to a Student Conduct hearing and appeal pursuant to these procedures.

H. Disposition if the Student Withdraws from the University

If a student has withdrawn from the University while subject to pending disciplinary action and/or does not appear at the hearing after being notified of the same, the Board may proceed to disposition without the student's participation. If a student files an appeal, but fails to participate, the proceedings will end, the appeal will be dismissed, and the recommended discipline will be instituted.

I. Report of the Student Conduct Board to the Dean of Students

After the hearing, the Student Conduct Board shall submit written findings of fact together with a recommendation of sanction(s). The Student Conduct Board's finding that a violation has occurred must be supported by a preponderance of the evidence. A minority report may be submitted by any member or members of the Student Conduct Board. Sanctions recommended by the Student Conduct Board may include but are not limited to restitution, warning, probation, loss of privileges, exclusion from activities, suspension, or dismissal (Refer to [Section 105.00](#)). Other than its written findings of fact and recommendation of sanctions to the accused, deliberations of the Student Conduct Board are confidential.

J. Decision of the Dean of Students

The Dean of Students (or designee) shall notify the student in writing of their decision regarding the sanction(s) to be imposed, if any. A copy of the Student Conduct Board's findings of fact may be enclosed with the response.

If the Dean of Students chooses to take the case under review and imposes greater sanctions than those recommended by the Student Conduct Board, the student may meet with them to discuss the case.

K. Appeal to the Vice Chancellor, Student Affairs

If sanction(s) are upheld or imposed by the Dean of Students (or designee), a student may file a written appeal to the Vice Chancellor, Student Affairs within seven (7) days of the date appearing on the notice of sanction. A student who files an appeal after the deadline may be granted an appeal upon showing good cause for the delay and showing that the appeal was made as soon as possible under the circumstances.

Appeals shall be limited to the following:

1. Whether the Student Conduct Board's findings of fact sufficiently support the finding of violation of University policies or campus regulations for which the discipline was imposed;
2. Whether there is new evidence which could not be adduced at the time of the original hearing which is likely to change the result;
3. Whether there was a violation of due process at the hearing;
4. Whether the sanction imposed was too harsh given the finding of fact.

Upon completion of the review by the Vice Chancellor, Student Affairs (or designee), he/she may affirm, modify, or reverse the sanction(s). Sanction(s) may not become effective until completion of this appeal process unless otherwise indicated. The Vice Chancellor's (or designee's) decision is final and binding.

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104.00 - Administration of Student Discipline

104.10

Chancellors may impose discipline for violations 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.

104.30

A student, as defined in [Section 14.40](#) of these *Policies*, 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 Universitywide 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.

104.40

The loss of University employment shall not be a form of discipline under these *Policies*. However, when student status is a condition of 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 judicial 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.

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, 2015]

104.71 [Rescinded October 13, 2005]

104.80

Whether or not a hearing is conducted, campuses may provide written notice to a student that his or her alleged behavior may have violated University policy or campus regulations and that, if repeated, such behavior will be subject to the disciplinary 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.

104.90

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 identity, pregnancy, marital status, ancestry, service in the uniformed services, physical or mental disability, medical condition, or perceived membership in any of these classifications.

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105.00 Types of Student Disciplinary Action

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.

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, and/or Loss of Privileges and Exclusion from Activities, Suspension, or Dismissal.

105.02 [Rescinded May 17, 2002]

105.03 Disciplinary Probation:

A status imposed for a specified 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.

105.06 Dismissal:

Termination of student status 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.

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 functions, 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:

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 within twenty-four hours. If a student is found to have been unjustifiably placed on Interim Suspension, 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.

105.08a

If an interim suspension is imposed, the Dean of Students (or designee), shall immediately inform the Vice Chancellor, Student Affairs (or designee). The notification to the Vice Chancellor, Student Affairs (or designee) shall include the student's name, the reasons for imposing the interim suspension, and, if available, the student's address and phone number. Within twenty-four hours of the imposition of the interim suspension (not including weekends or holidays), the Vice Chancellor,

Student Affairs (or designee) shall review the information provided by the Dean of Students (or designee).

If the Vice Chancellor, Student Affairs (or designee) does not affirm the interim suspension by the end of the twenty-four hours, it shall be deemed void and a reasonable effort shall be made to inform the student that the interim suspension is void. Should the interim suspension be voided, such a decision shall have no bearing on the University's 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 procedures.

A student placed on interim suspension which is also affirmed by the Vice Chancellor, Student Affairs (or designee) shall be given prompt written notice that the interim suspension was upheld and that the student may request, in writing, a meeting with the Vice Chancellor, Student Affairs (or designee) to challenge the interim suspension. The written request must be submitted within ten (10) days of the date that appears on the Notification of Interim Suspension. Upon receipt of the request, the student will immediately receive notice of the time, place, and date of the meeting. The Vice Chancellor, Student Affairs (or designee) shall convene this meeting within seven (7) days from the date of receipt of the request.

Convening the meeting shall not restrict the University's right to initiate disciplinary proceedings for the conduct which gave rise to the interim suspension. Any such disciplinary proceedings shall be conducted under the normal procedures provided for in these policies.

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, or holds on requests for transcripts, diplomas, or other student records to be sent to third parties, as set forth in campus regulations.

105.11

Other Disciplinary Actions May Include:

- a. Requiring participation as a volunteer in activities that serve the University.**
- b. Specifying requirements relating to expectations of behavior in a contract.**
- c. Revoking the of registration of a Registered Campus Organization.**
- d. Other actions as set forth in campus regulations.**

106.00 Posting Suspension or Dismissal on Academic Transcripts

When, as a result of violations of the Policy on Student Conduct and Discipline, 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.

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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 the General Counsel, procedures to resolve grievances claiming 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 *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](#)) and the *Policy on Sexual Harassment and Complaint Resolution Procedures* (see [Section 160.00](#));

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 *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; 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.

112.00a

Grievances of discrimination specified in Sections 111.20 to 111.50 shall be filed with and resolved by the Office of Equal Opportunity and Diversity.

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.

114.00

In accordance with Academic Senate policies, grade changes are authorized as follows:

A. Change of Grade - Clerical or Procedural Error

The Registrar is authorized to change a final grade upon written request of an instructor provided a clerical or procedural error is the reason for the change.

B. Change of Grade - Grievance Redress

The Divisional Chair of the Academic Senate is authorized to direct the Registrar to change a final grade according to the provisions of (a) Student Academic Grievance Procedure 1.26 (See Appendix II of The Manual of the Academic Senate) or (b) Irvine Regulation A365(B), both of which require that a determination be made that a grade was assigned base on discrimination for reasons of race, color, religion, marital status, national origin, sex, or within the limits imposed by law or University regulations, because of age or citizenship.

Refer to The Manual of the Academic Senate, Irvine Regulation A365 and Appendix II of the same Manual.

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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 benefitted 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 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 representation.

Second, there is a 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 these goals, 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.

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130.00 - Policies Applying to the Disclosure of Information from Student Records

(Revised July 20, 2010)

130.10 - Introduction

130.11

University of California campuses maintain various types of records pertaining to students.

Some are maintained for academic purposes; others, such as medical records, are maintained for other specific purposes.

These policies apply only to records directly related to students as students, hereafter referred to as 'student records' in these policies (also see Section 130.233). The disclosure of information from student records is generally governed by the Federal Family Educational Rights and Privacy Act (FERPA).

These policies are not applicable to other records that are maintained for purposes unrelated to a student's status as a student. Specific categories of such records are identified in Section 130.234. The disclosure of information from such records is governed by the California Information Practices Act.

It is the purpose of these policies to provide reasonable interpretations of the Federal Family Educational Rights and Privacy Act and to protect the student's right of privacy as guaranteed by the Constitution of the State of California and the Information Practices Act. When the law is silent, the campuses shall be guided by two principles: (1) the privacy of an individual is of great weight, and (2) the information in a student's file should be disclosed to the student on request.

130.12

These policies supersede the University of California Policies Applying to the Disclosure of Information from Student Records, *Policies Applying to Campus Activities, Organizations, and Students*, dated April 25, 2002. They incorporate the requirements set forth in the regulations implementing the Federal Family Educational Rights and Privacy Act and all amendments thereto through January 8, 2009.

130.12a These policies supersede the UCI campus implementation guidelines of "Policies Applying to Disclosure of Information from Student Records" published August 1996.

130.13

Although not strictly required under federal law, as a matter of University policy, for the purposes of implementing the provisions of the Family Educational Rights and Privacy Act, the University generally views itself as thirteen separate institutions, rather than as a single entity. The thirteen institutions include the nine general campuses, the one health sciences campus, and the three Department of Energy Laboratories operated by the University. Therefore, personally identifiable information contained in student records maintained by one campus may not be disclosed to the other campuses without the written consent of the student, unless the disclosure is consistent with the provisions of Section 130.70 of these Policies. Such information may be disclosed by any campus to the Office of the President, as permitted by Section 130.721(a)(2) of these *Policies*.

130.20 Definitions

The following terms are defined for the purposes of these policies and campus implementing regulations made in accordance with them.

130.210 Student

130.211

A "student" is 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 re-enrollment;

or (c) is on an approved educational leave or other approved leave status, or is on filing-fee status.

130.211a

An applicant is considered a UCI student once s/he officially notifies UCI s/he intends to register, e.g., the Statement of Intent to Register is submitted.

130.212

"Enrolled in or registered with" as specified in these policies is equivalent to the term "attendance" as used in the Family Educational Rights and Privacy Act. The University uses enrollment and registration rather than attendance as a measure of student status.

130.220 Record

"Record" means any information recorded in any way, including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche.

130.230 Student Records

130.231

"Student records" are those records that contain information directly related to a student and that are maintained by a University of California campus, the University of California Office of the President, or by any organization authorized to act on behalf of the University.

130.232

Student records include, but are not limited to, academic evaluations, including student examination papers, transcripts, test scores and other academic records; general counseling and advising records; disciplinary records; and financial aid records, including student loan collection records.

130.233

The term "student records" as used in these policies is synonymous with the term "education records" in the Federal Family Educational Rights and Privacy Act.

130.234

The term "student records" does not include the following records, and therefore such records are not governed by these *Policies*, except as described below in subsection (d).

a. Records of instructional, supervisory, and administrative personnel and educational personnel ancillary to those persons, which:

1. Are kept in the sole possession of the maker of the record; and
2. Are not accessible or revealed to any other individual, except to an individual who performs on a temporary basis the duties of the individual who made the record.

b. Campus Police records which are created and maintained by campus police solely for law enforcement purposes.

c. Employment records, when University employment did not result from and does not depend upon the fact that an individual is a student at the University, provided that the employment records:

1. Relate exclusively to the individual in that individual's capacity as a University employee;

2. Are made and maintained in the normal course of business; and
3. Are not available for use for any other purpose.

All records relating to a student who is also an employee of the University are included in the definition of student records, if the student's employment is contingent upon the fact that he or she is a student. For example, work-study program records are student records.

d. Health records which:

1. Are created or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional or paraprofessional capacity, or assisting in that capacity;
2. Are created, maintained, or used only in connection with the provision of treatment to the student; and
3. Are not disclosed to anyone other than individuals providing the treatment, except that the records may be personally reviewed by a physician or other appropriate professional of the student's choice.

For the purpose of this definition, "treatment" does not include academic and career advising, tutoring, disability management counseling, or any activities which are part of the program of instruction offered by the campuses.

These are commonly referred to as "treatment records." Despite the fact that these "treatment records" fall outside the definition of student records, they may only be disclosed for treatment purposes, or under the conditions that apply to student records under [Section 130.70](#) of this Policy. In addition, please note that "treatment records," like student records, are not subject to the HIPAA Privacy Rule's restrictions on use and disclosure.

e. Applicant records of individuals who do not enroll in or register with an academic program of the University. If and when applicants become students, their applicant records become student records, which are then accorded the same privacy rights as any other student records governed by these policies. Insofar as applicant records are not student records, they are governed by the privacy protections found in the California Information Practices Act (Civil Code §1798 et seq). See Section 130.210 for definition of "student."

f. Records (i.e., alumni records) created or received by the University after an individual is no longer a student, and that are not directly related to the individual's attendance as a student.

g. Grades on peer-graded papers before they are collected and recorded by a University representative (e.g. a faculty member or T.A.)

130.240 Personally Identifiable Information

130.241

The term "personally identifiable information" means any information that identifies or describes a student. It includes, but is not limited to:

- a student's name;
- the name of a student's parent or other family members;
- the address of a student or student's family;
- any personal identifier such as a student's social security number, student number or

- biometric record;
- other indirect identifiers such as the student's date of birth, place of birth, and mother's maiden name;
- other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the campus community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or
- information requested by a person who the University reasonably believes knows the identity of the student to whom the student record relates.

Information is considered "de-identified," and is no longer considered to be "personally identifiable information" once all personally identifiable information has been removed, and the University has made a reasonable determination that a student's identity is not personally identifiable, whether through single or multiple releases, and taking into account other reasonably available information. Information containing "small cell sizes" must be carefully reviewed before disclosure in order to determine whether it has been sufficiently de-identified.

130.242

Personally identifiable information is divided into two categories:

1. directory information, which may be disclosed to any party without the prior written consent of the student to whom the information pertains, except as specified in [Section 130.710](#), and
2. confidential information, which may not be disclosed to any party without the prior written consent of the student to whom the information pertains, except as specified in [Section 130.720](#).

130.250 Directory Information

130.251

The term "directory information" means information contained in a student record that would not generally be considered harmful or an invasion of privacy if disclosed. Pursuant to [Section 130.711](#), campuses are required to give public notice of the categories of personally identifiable information that have been designated by the campus as directory information. Campuses may designate some or all of the following types of information as "directory information": a student's name, address (local and/or permanent), e-mail address, telephone numbers, date and place of birth, field(s) of study (including major, minor, concentration, specialization, and similar designations), dates of attendance, grade level, enrollment status (e.g., undergraduate or graduate, full time or part time), number of course units in which enrolled, degrees and honors received, the most recent previous educational institution attended, photo, participation in officially recognized activities, including intercollegiate athletics, and the name, weight, and height of participants on intercollegiate University athletic teams.

130.251a

UCI designates the following as directory information: a student's name, address (local and/or permanent), e-mail address, photo, telephone numbers, date and place of birth, major field of study, dates of attendance, grade level, enrollment status (e.g., undergraduate or graduate, full time or part time), number of course units in which enrolled, degrees and honors received, the most recent previous educational

institution attended, participation in officially recognized activities, including intercollegiate athletics, and the name, weight, and height of participants on intercollegiate University athletic teams.

130.252

The above categories of information, as designated by each campus, may be considered "directory information" unless a student notifies the campus in writing or via electronic procedures established by the campus that any or all of the categories of information about that student may not be disclosed (see [Section 130.710](#)).

130.252a

UCI students wishing to restrict release of directory information should contact the Office of the Registrar or check the Registrar's web site for information regarding this procedure.

130.253 [Rescinded April 25, 2002]

130.260 Disclosure

The term "disclosure" means to permit access to or the release, transfer, or other communication of personally identifiable information contained in a student record by any means, including, but not limited to, oral, written, or electronic means. Disclosure to the party identified as the party that provided or created the record does not constitute a "disclosure" for purposes of FERPA. For example, the University may disclose a student's high school transcript to the high school identified on the transcript in order to determine whether the transcript is legitimate. This is not considered a "disclosure" because the high school has been identified as the party that provided and/or created the transcript.

130.265 Financial Aid

"Financial aid" means the provision of financial resources to students, based on the strength of their academic achievements, or on the strength of their financial need, or on a combination of the two.

130.270 Campus

"Campus" means a University of California campus. For the purposes of these *Policies*, the term "campus" also applies 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.

130.275 University

"University" means the University of California.

130.280 Campus Official or University Official

A "campus official" or "University official" is any individual designated by the University of California to perform an assigned function on behalf of the University.

A campus or University official may be:

- a. a person employed by the University in an administrative, supervisory, academic, research, or support staff position;
- b. a person serving on a University governing body;
- c. a contractor, consultant, volunteer or other party to whom the University has outsourced

institutional services or functions provided that: (1) the outside party performs an institutional service or function for which the University would otherwise use employees; (2) the outside party is under the direct control of the University with respect to the use and maintenance of student records; and (3) the outside party may not disclose the information to any other party without the student's consent, and may not use the information for any purpose other than the purpose for which the disclosure was made; or

d. a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another University official in performing his or her tasks.

130.290 Legitimate Educational Interest

130.291

"Legitimate Educational Interest" means: (1) the information or record is relevant and necessary to the accomplishment of some task or determination; and (2) the task or determination is an employment responsibility for the inquirer or is a properly assigned subject matter for the inquirer.

130.292

Chancellors shall specify in campus implementing regulations, criteria for determining what the campus considers to be a "legitimate educational interest."

Such criteria may specify, by way of example, the following:

A University official is determined to have legitimate educational interest in a particular record if the information requested is relevant and necessary for that official to:

- a. perform a task or determination that is an employment responsibility or is a properly assigned subject matter for the inquirer;
- b. perform a task that is related specifically to the official's participation in the student's education;
- c. perform a task that is related specifically to the discipline of the student; or
- d. provide a service or benefit relating to the student or student's family, such as health care, counseling, job placement or financial aid.

130.292a

UCI campus officials are deemed to have legitimate educational interest when information from a student's record is necessary for the official to: perform a task or determination that is an employment responsibility or is a properly assigned subject matter for the official; perform a task that is related specifically to the official's participation in the student's education; perform a task that is related specifically to the discipline of the student; or provide a service or benefit relating to the student or students' family, such as health care, counseling, job placement or financial aid.

130.293

Reasonable physical, technological or administrative methods must be used to ensure that campus or University officials obtain access to only those student records in which they have legitimate educational interests.

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130.30 - Annual Notification of Rights

130.310

Students enrolled in or registered with a University campus shall be informed annually of their rights under these policies, and under the Federal Family Educational Rights and Privacy Act and its implementing regulations, by such means and at such times as are reasonably likely to inform them of those rights.

130.311

Such notifications shall be published in the official campus newspapers or other official campus publications in a manner that will provide students with clear and specific information regarding their rights.

130.311a

Annual notification shall include publication of a statement in the UCI *Schedule of Classes* (booklet and/or online), the UCI General Catalogue, and other appropriate campus publications.

130.312

The notification shall include a statement that the student has a right to:

- a. Inspect and review the student's own records (see Section 130.40);
- b. Request correction of the student's own records (see [Section 131.00](#));
- c. Grieve an alleged violation of privacy rights, as specified in these policies (see [Section 132.00](#));
- d. Have personally identifiable information contained in student records not be disclosed without signed and dated written consent that specifically identifies: (1) the records to be disclosed, (2) the purpose of the disclosure, and (3) the party or class to whom disclosures are to be made. Consent is not required for those disclosures authorized by [Sections 130.711](#) and [130.721](#) of this policy; and
- e. File with the United States Department of Education a complaint concerning alleged failures by the campus to comply with the requirements of the Federal Family Educational Rights and Privacy Act (see [Section 133.00](#)).

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130.40 - Inspection and Review of Student Records by Students

130.410

Campus implementing regulations shall include procedures students must follow to inspect and review student records. The procedures shall comply with all the provisions of Section 130.40.

130.410a

Each administrative unit maintaining student records will establish its own procedures for accommodating requests for student review of his or her own records. These procedures should be written and available to students. The recommended procedure for student review of his or her own records is the following:

- a. A student may initiate access to his or her record by contacting the administrative unit responsible for the record (a list of student records, record locations and**

officials responsible for such records is printed annually in the UCI General Catalogue.)

b. The student requesting access will be required to present a current government-issued photo or UCI student ID card as personal identification. Former students may present a current, valid driver's license or other current government-issued official document with photo as personal identification.

c. The student may be required to complete a written form if the desired information is not immediately accessible or if questions of confidentiality need to be investigated.

130.411

With the exception of the records listed in Section 130.420, students shall be permitted to inspect and review their student records within a reasonable period of time, but in no case longer than 45 days after receipt of the student's request.

130.412

Students shall be entitled to a response to reasonable requests for explanations and interpretations of the records. The response need only inform students of what the record contains, and not why the records exist or why specific information is included in the records. If a student believes that a record is inaccurate or misleading, procedures for seeking the correction of the record can be found in [Section 131.00](#).

130.413

Campuses shall comply with written requests from students for copies of their records when failure to provide copies would effectively prevent them from exercising the right to inspect and review their student records. For example, a campus shall provide copies of a student's record if the student does not live within commuting distance of the campus.

130.414

Fees for copies of student records shall be assessed in accordance with campus fee schedules unless the imposition of a fee effectively prevents a student from exercising the right to inspect and review the student's own records. No charge may be made to search for or to retrieve any student record. A schedule of fees to be charged for copies of student records shall be included in campus implementing regulations. Such fees shall be limited to the actual cost of providing the copies of the records requested.

130.414a

Fees for copies of student records issued per FERPA are assessed in accordance with UCI campus fee schedules. Fees are payable in advance. Under no circumstances should the records be removed from the office of record. Official transcripts of the student's UCI academic record may be obtained from the Office of the Registrar.

130.415 [Rescinded April 25, 2002]

130.416

Student records shall not be destroyed if there is an outstanding request to inspect and review them (see also [Section 130.840](#)). If there is no request pending, the records may be destroyed pursuant to the campus-specific or University record disposition requirements.

130.420 - Records Exempt From Inspection and Review By Students

130.421

Campus implementing regulations shall include a description of the limitations that exist on a student's right to inspect and review student records. Pursuant to the Federal Family Educational Rights and Privacy Act, the following student records are not subject to inspection and review by students:

- a. Financial records and statements of the student's parents or guardians or any information contained therein. Information from the Parents' Confidential Statement, or equivalent information, may be disclosed to the student on condition that the proper authorization has been signed by the parent(s) or guardian(s).
- b. Confidential letters and statements of recommendation which were placed in a student's records prior to January 1, 1975, provided that the letters and statements are used only for the purposes for which they were specifically intended.
- c. Confidential letters and statements of recommendation which were placed in a student's records after January 1, 1975, with regard to admission, application for employment, or the receipt of an honor, if the student has waived the right to inspect and review those recommendations (see also Section 130.60).
- d. Records containing personally identifiable information about other students. If student records contain information on more than one student, students may inspect and review or be informed of only the specific information which pertains to themselves, except as specified in [Section 130.721\(j\)](#).

130.421a

Campus police records pertaining to a student (or any individual) are accessible to the individual only when the release of such records does not conflict with the laws governing the release of police records. For campus police records, consult the Campus Information Practices Coordinator.

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130.50 - Inspection and Review of Admissions Records by Applicants

130.510

Privacy of and access to admissions records of applicants who do not subsequently become students are not covered by these policies, but are subject to the policies and procedures found in campus guidelines and/or regulations, the *University of California Business and Finance Bulletin-Records Management Program Series*, and the California Information Practices Act. Information about those policies and procedures may be obtained from Campus Information Practices Coordinators.

130.60 - Waivers of Access Rights to Student Records by Students and Limitations on Such Waivers

130.610

Subject to the limitations in this Section, and in [Section 130.420\(c\)](#) of these *Policies*, students may waive, or may be requested to waive, their right of access to confidential recommendations or evaluations regarding admission, application for employment, or the receipt of an honor or award.

Such waivers must be voluntary, and may not be required as a condition for admission to the University or the receipt of any other service or benefit from the University. Any waiver must be in writing and signed by the student. Students may waive their rights to inspect and review either individual documents or classes of documents (e.g., part or all of an admission or career placement file).

130.611

Students shall be notified upon request of the names of all individuals providing confidential letters and statements of recommendation to which they have waived their right of access.

130.612

Such recommendations retain their confidentiality only if they are used for the purpose for which they were originally intended. If used for other purposes, the waivers are void and the documents may be inspected by students.

130.613 [Rescinded April 25, 2002]

130.614

No student may be required to sign a form saying that he or she has not waived access to any confidential recommendation.

130.615

Waivers may be revoked in writing with respect to records obtained or received subsequent to the revocation. Such revocations shall not affect a student's access to records obtained or received prior to such written notice of revocation.

130.615a

The determination as to whether to request a waiver is at the discretion of administrative unit heads (e.g., Director of Admissions, Dean of Graduate Studies, Director of Financial Aid, etc.).

130.615b

The procedure for waiver of access to confidential letters of recommendation:

a. Each office processing letters of recommendation may generate for its own use a form to implement waiver of access to confidential letters of recommendation.

b. Those units requesting letters of recommendation directly from prospective referees should inform them of University policy regarding student access to letters of recommendation. Such information should be included on the form.

c. It should be made clear to applicants that under University policy, waiver of access to letters of recommendation received after January 1, 1975 is optional.

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130.70 - Disclosure of Personally Identifiable Information from Student Records

130.710 - Disclosure of Directory Information

130.711

Each campus shall give public notice of the categories of personally identifiable information that have been designated by the campus as directory information. Such categories shall fall within the limitations of the definition of directory information in [Section 130.250](#) and may

be disclosed without prior student consent unless a student notifies the campus in writing or via an established electronic procedure that such information shall not be disclosed.

130.711a

UCI's defined categories of directory information are listed under [Section 130.251a](#).

130.712

Students shall be informed at the time they enroll in, or register with, any academic program of the University, and at least annually thereafter, of their right to refuse to permit any or all of the categories of personally identifiable information to be designated as directory information with respect to themselves.

130.713

Students shall notify the campus in writing or via an established electronic procedure of the personally identifiable information related to themselves that is not to be designated as directory information. Within a reasonable time after receipt of notification, information so designated may not be disclosed without the written consent of the student, except as otherwise noted in Section 130.720.

130.713a

Information for restricting release of directory information is available by contacting the Office of the Registrar and on the Registrar's web site.

130.714

Students shall be informed of the time period during each academic term in which they must notify the campus of the categories that are not to be designated as directory information with respect to themselves and the effective date of that request.

130.714a

Students may restrict release of local, permanent, and email addresses via the Registrar's web site. Students should contact the Registrar to restrict other directory information.

130.714b

To restrict publication in the printed campus phone directory of his or her address, phone, email, and/or major, a student must notify the Registrar in writing, or by the applicable approved electronic method, no later than the end of the third week of classes of the fall term.

103.715

Students may not use the right to refuse disclosure of their directory information to prevent the University from disclosing information pursuant to the applicable provisions in Section 130.721. Further, students may not use the right to refuse disclosure of their directory information to prevent the University from disclosing or requiring a student to disclose the student's name, identifier, or University email address in a class in which the student is enrolled, including but not limited to online classes.

103.716

The University may not disclose or confirm directory information without the student's consent, if a student's social security number or other non-directory information is used,

alone or combined with other data elements, to identify or help identify the student or the student's records.

130.717 - Directory Information About Former Students

Information regarding former students that was designated directory (formerly known as "public") information by their campus at the time they were students may be disclosed without the former students' consent unless their last written notification received by the campus at the time they were students specified that the information with respect to themselves was not to be considered directory information. For students who attended before February 1, 1977, the directory information shall be limited to former students' registration, dates of attendance at the University, degrees granted, and dates on which degrees were conferred.

130.720 - Disclosure of Personally Identifiable Information

130.721 Permissible Disclosures

Except for the disclosure of directory information under conditions specified in Section 130.711, and the disclosure of information to other educational institutions specified in Section 130.723, personally identifiable information from student records may not be disclosed without the prior written consent of the student, other than to the following parties and under the following circumstances:

a. To campus and University officials who have been determined to have legitimate educational interest in the records (see [Sections 130.280](#) and [130.290](#)). Determinations as to whether the legitimate educational interest requirement is satisfied shall be made by the head administrator of the unit retaining the information, consistent with campus implementing regulations defining legitimate educational interest established by the Chancellor as specified in [Section 130.292](#) of these *Policies*. Campus personnel receiving or utilizing the information shall be responsible for its subsequent disclosure pursuant to the provisions of these policies. This section applies to:

1. Officials at a particular campus of the University.
2. Officials in the Office of the President and the Office of the General Counsel and Vice President for Legal Affairs.
3. Officials at other campuses of the University, in connection with the administration of joint programs or activities.
4. Officials at other campuses of the University or other institutions, if a student is concurrently enrolled in, or concurrently receives services from one campus of the University and from another institution, or from two campuses of the University. This provision includes institutions participating in Education Abroad Programs.
5. Officials at other campuses of the University for the purposes of facilitating: a) the enrollment of a student seeking to attend a summer session program at another campus; b) the reporting of academic achievement in the summer coursework once completed; or c) other administrative needs related to summer session programs, such as, but not limited to, student disciplinary matters as specified in [Section 104.30](#) of these *Policies*.
6. The Chancellor, or the Chancellor's designees, of the campus at which the individual is a student, in connection with disclosures arising from disciplinary procedures of another University of California campus, as specified in [Section](#)

[104.30](#) of these *Policies*.

- b. To authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of Education, or State and local educational authorities, in connection with the audit and evaluation of Federally and State supported education programs, or in connection with the enforcement of Federal or State laws which relate to such programs.
- c. In connection with financial aid for which a student has applied or which a student has received, only as may be necessary:
 - 1. To determine the eligibility of the student for financial aid;
 - 2. To determine the amount of the financial aid,
 - 3. To determine the conditions which will be imposed regarding the financial aid; or
 - 4. To enforce the terms or conditions of the financial aid.
- d. Such information shall be disclosed to donors only if the conditions of the gift or award expressly require that the information be disclosed.
- e. Information concerning the juvenile justice system to State and local officials or authorities to whom such information is specifically required to be reported or disclosed pursuant to State statute adopted prior to November 19, 1974.
- f. To organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction. The University must enter into a written agreement with the organization that: (1) Specifies the purpose, scope, and duration of the study or studies and the information to be disclosed; (2) Requires the organization to use personally identifiable information from education records only to meet the purpose or purposes of the study as stated in the written agreement; (3) Requires the organization to conduct the study in a manner that does not permit personal identification of parents and students, as defined in this part, by anyone other than representatives of the organization with legitimate interests; and (4) Requires the organization to destroy or return to the educational agency or institution all personally identifiable information when the information is no longer needed for the purposes for which the study was conducted and specifies the time period in which the information must be returned or destroyed. The term "organizations" includes, but is not limited to, Federal, State, and local agencies, and independent organizations. The University is not required to initiate the study or agree with or endorse the conclusions or results of the study.
- g. To accrediting organizations in order to carry out their accrediting functions.
- h. To comply with a judicial order or subpoena. A reasonable effort shall be made to notify the student in advance of the disclosure of the record unless responding to a grand jury or other subpoena issued for law enforcement purposes that specifies that the student not be informed of the subpoena, or unless responding to an ex parte court order obtained by the office of the United States Attorney General concerning an investigation or prosecution of an offense listed in 18 U.S.C. 2332b(g)(5)(B) or an act of domestic or international terrorism specified in 18 U.S.C. 2331.
- i. To appropriate parties, including but not limited to parents, law enforcement agencies, campus or University officials, next-of-kin, emergency contacts, spouse/partner, or other institutions, when there is an articulable and significant threat to the health or safety of the

student or any other person(s), and the disclosure of the information is necessary to protect the health or safety of the student or other persons. In making a determination about whether this exception applies, the University may take into account the totality of the circumstances pertaining to a threat to the health or safety of a student or other individuals. Under this provision, the University may disclose personally identifiable information to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals, including disclosure to persons who may be able to provide necessary information about the situation. The University must record the articulable and significant threat that formed the basis for disclosure, and the identities of the persons to whom the information was disclosed, and must maintain that information with the student's records.

j. To students requesting their own records. With the exception of information from records specified in [Section 130.420](#), campuses must disclose student records or components thereof upon appropriate authentication of identity to students who request information from their own records.

k. To the alleged victim of an alleged forcible or nonforcible sex offense, as defined in 34 CFR 668.46(c)(7). The scope of the information to be provided is: 1) the University's final determination with respect to the alleged sex offense, and 2) any sanction that is imposed against the alleged offender.

l. To any person, information concerning sex offenders and other individuals, where the information was provided to the University under the Jacob Wetterling Act (federal sex offender registration and disclosure requirements).

130.721a

A student may authorize release of personally identifiable information from his or her record to third parties by written request to the administrative unit responsible for the records. The form or written request to release records must be received prior to the release of records.

130.722 Redisdisclosure of Personally Identifiable Information

Any disclosure of personally identifiable information which is permitted under these policies must meet the following requirements:

a. The recipient of the information must be informed that the information may not be further disclosed without written consent of the student. Any consent form obtained from the student must be maintained in the student's file.

b. The recipient (including the officers, employees, and agents of the party of the recipient) may use the information only for the express purposes for which the disclosure was made.

These requirements do not apply to disclosures made pursuant to court orders or to lawfully issued subpoenas or to disclosures to a student under [Section 130.40](#), Section 130.721(i), Section 130.721(j), or to disclosures of directory information under Section 130.711.

Notwithstanding the above, a party that receives a court order or lawfully issued subpoena for personally identifiable information in student records may redisclose that information in compliance with the court order or subpoena, but must provide the notification required under Section 130.721(g).

130.723 Requests to Forward Academic Records

University of California campuses may forward appropriate student records, including

academic records, disciplinary records, and other student records, to other educational institutions in which a student seeks or intends to enroll, or is currently enrolled, so long as the disclosure is for purposes related to the student's enrollment or transfer. The campus will provide annual notification of this disclosure policy, or else a reasonable attempt will be made to provide notification to individual students about whom information is disclosed.

When students request that their academic records be forwarded to other institutions, students may be required to pay all fees and charges due the University before the records are forwarded.

130.724 - Authentication of Identity of Person to Whom Disclosure is Made

The University must use reasonable methods to authenticate the identity of any parties to whom disclosure of personally identifiable information is made, including but not limited to parents, campus or University officials, and students who are requesting their own records.

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130.80 - Record Keeping Requirements Regarding Requests for and Disclosure of Information

130.810

The campuses shall maintain records, kept with the student records of an individual, which indicate:

- a. The parties who have requested or obtained personally identifiable information from student records;
- b. The legitimate interest these parties had in requesting or obtaining the information; and
- c. The date of the requests for the information and the dates of the disclosure of the records.

130.820

A record of disclosures is not required for:

- a. Disclosures to students of their own records;
- b. Disclosures pursuant to the written consent of a student, when the consent is specific with respect to the party or parties to whom the disclosure is to be made;
- c. Disclosures to campus or University officials under Section 130.721(a);
- d. Disclosures of directory information; or
- e. Disclosure made pursuant to court order or subpoena, and the student has been notified in advance of compliance with the order or subpoena to the extent required by Section 130.721(g) of these *Policies*.

130.830

The record of disclosures may be inspected:

- a. By the student;
- b. By the campus official and his or her assistants who are responsible for the custody of the records; or
- c. For the purpose of auditing the record keeping procedures of the campus, by the parties authorized in, and under the conditions set forth in Sections 130.721(a) and (b).

130.840 - Records Disposition

Student records are subject to mandatory disposition schedules contained in the *University Records Disposition Schedules Manual*, with the following exceptions:

- (a) Student records shall be retained if there is an outstanding request to inspect and review them (see also [Section 130.416](#));
- (b) Explanations placed in the student record of an individual seeking to correct the record shall be retained as long as the contested portion of the record is retained; and
- (c) The record of access shall be retained as long as the student record to which it relates is maintained by the campus.

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131.00 - Procedures for Seeking the Correction of Student Records

131.10 - Requests for Correction of Records

Students shall be entitled to a response to reasonable requests for explanations and interpretations of the records as specified in [Section 130.412](#) of these *Policies*. If they believe information contained in their student records is inaccurate or misleading, or otherwise in violation of their right of privacy as provided in these policies, they may request of the campus official responsible for maintaining the records that their records be corrected. If their request is granted, the records shall be corrected within a reasonable period of time following receipt of the request. If their request is denied, they shall be informed of the refusal and advised of their right to a hearing.

131.11 - Requests for Correction of Grades Given in a Course of Study

Grades given in a course of study, including written evaluations which reflect institutional judgments of the quality of a student's academic performance in a course of study, are not subject to challenge under Section 131.00 of these *Policies* (see [Section 114.00](#)).

131.20 - Hearing Procedures

131.21

Each Chancellor shall establish or specify appropriate hearing procedures to be used when the request for the correction of student records is denied. Such procedures shall include at least the following elements:

- a. The hearing shall be held within a reasonable period of time after it has been requested, and the student shall be notified of the date, place, and time reasonably in advance of the hearing;
- b. The hearing shall be conducted by a hearing officer who has no direct interest in the outcome of the hearing and who may be a campus administrator;
- c. Students shall be afforded a full and fair opportunity to present evidence relevant to the issues raised under Section 131.10, and may be assisted or represented by individuals of their choice, at their own expense;
- d. The decision rendered shall be made in writing within a reasonable period of time after the conclusion of the hearing; and
- e. The decision shall be based solely on the evidence presented at the hearing and shall include a summary of the evidence and the reasons for the decision.

131.21

Students may challenge information contained in their records by filing a written request for a hearing with the Vice Chancellor, Student Affairs. The Vice Chancellor will assign the matter to the Office of the Dean of Students who will select a hearing officer and panel to hear the case. The hearing officer shall serve as chair of the panel. The student will be given reasonable advance notice of the date, place, and time of the hearing. The hearing officer and members of the panel must have no direct interest in the outcome of the hearing.

Students requesting changes in their records may present their own case and may be assisted or represented by individuals of their choice at their own expense. The University official denying the requested changes may present the University's case or may be represented or assisted by the Office of General Counsel. Both parties will have the opportunity to present evidence in an orderly manner.

The hearing officer shall rule on all questions of procedure, the admission or exclusion of evidence, and the relevance of testimony. Evidence may be received of the sort upon which responsible persons are accustomed to rely in the conduct of serious affairs and is not restricted to evidence admissible under the strict rules of evidence of a court of law.

Upon conclusion of the hearing, the hearing officer will submit a written decision to the Dean of Students including findings of fact and reasons for the decision. This decision will be final and binding and is not subject to appeal.

131.30 - Hearing Outcomes

131.31

If, as a result of the hearing, campus officials decide that the information in question is inaccurate, or misleading, or otherwise in violation of the privacy rights of the student, the record shall be corrected accordingly and the student informed in writing of the action taken.

131.32

If, as a result of the hearing, campus officials decide that the information in question is not inaccurate or misleading, or otherwise in violation of the privacy rights of the student, the student shall be informed of his or her right to insert into the record a statement commenting upon the information in the record and/or setting forth any reasons for disagreeing with the decision to leave the record unchanged. This statement shall remain a permanent part of the record as long as the contested portion remains a part of the record, and it shall be revealed to any party to whom the contested portion is revealed.

131.40 Records Concerning Disciplinary Action

Whenever any information is included in any student record concerning any disciplinary action taken by campus personnel in connection with the student, the student shall be allowed to include in the record a written statement or response concerning the disciplinary action. A student may not request a change in the underlying disciplinary decision through this process.

132.00 Grievance Procedure

Any alleged violation of privacy rights as provided by these policies, other than those rights specified in Section 131.00 relating to the content of student records, may be grieved pursuant to [Section 111.10](#) of these *Policies*.

133.00 Complaint Procedure

Complaints regarding alleged violations of the rights accorded students by the Federal Family Educational Rights and Privacy Act may be filed with the Family Policy Compliance Office, U.S. Department of Education, Washington, D.C. 20203.

134.00 - Civil Remedies [rescinded April 25, 2002]

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140.00 - Guidelines Applying to Nondiscrimination on the Basis of Disability

140.00 - Introduction

In compliance with the Federal Rehabilitation Act of 1973, as amended (Public Law 93-112) and the Americans with Disabilities Act of 1990 (Public Law 101-336), University of California policy prohibits unlawful discrimination on the basis of disability in its programs, services, and activities.

The following *Guidelines* are designed to be consistent with the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. However, it is possible that these statutes may be amended in the future and, in such instances, the most current applicable laws shall represent University policy as it applies to nondiscrimination on the basis of disability.

141.00 - Definitions

141.10 - Individual with a Disability

141.11

An "individual with a disability" means any person who has a physical or mental impairment which substantially limits one or more major life activities, who has a record of such an impairment, or who is regarded as having such an impairment.

141.12

"Physical or mental impairment" means any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory (including speech organs); cardiovascular; reproductive; digestive; genitourinary; hemic and lymphatic; skin; and endocrine.

"Physical or mental impairment" also means any mental or psychological disorder, such as mental retardation or developmental disabilities, organic brain syndrome or acquired brain injury, emotional or mental illness, and specific learning disabilities.

Physical and mental impairment also includes, but is not limited to, contagious and noncontagious diseases and conditions such as orthopedic, visual, speech, and hearing impairments; cerebral palsy; epilepsy; muscular dystrophy; multiple sclerosis; cancer; heart disease; diabetes; mental retardation; emotional illness; HIV disease (whether symptomatic or asymptomatic) and tuberculosis.

141.13

"Major life activities" means functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

141.14

"Has a record of such impairment" means has a history of, or has been incorrectly classified as having, a mental or physical impairment that substantially limits one or more major life activities.

141.15

"Is regarded as having an impairment" means has a physical or mental impairment that does not substantially limit major life activities, but is treated by the University as limiting such activities; has a physical or mental impairment that substantially limits major life activities as a result of the attitudes of others toward such an impairment; or has none of the impairments listed in Section 141.12, but is treated as having such an impairment, such as persons with a limp or persons with disfiguring scars.

141.16

An "individual with a disability" does not include a person who is currently engaging in the illegal use of drugs. However, an individual who is currently participating in, or who has successfully completed, a supervised drug rehabilitation program and is not currently engaging in the illegal use of drugs, or who is otherwise no longer engaging in such use, shall be considered an individual with a disability if the individual otherwise fits the definition of a disabled person as described in Sections 141.00 through 141.15 of these *Guidelines*.

141.17

Individuals with drug or alcohol addictions who are not currently engaging in the illegal use of drugs, or who are no longer engaging in drug or alcohol abuse as described in Section 141.16 above, should not be prohibited from attending the University if they can successfully participate in the education program of the University, if they comply with University policies and campus/laboratory regulations, and if their behavior does not impede the performance of other students.

141.20 - Qualified Individual with a Disability

141.21

With respect to students who are employed by the University, a qualified individual with a disability is one who, with or without reasonable accommodation, can perform the essential functions of the position in question and who meets the definition of an individual with a disability, as specified in Sections 141.00 through 141.16 of these *Guidelines*.

141.22

With respect to postsecondary education, an otherwise qualified individual with a disability is one who meets the academic and technical standards requisite for admission or participation in the education programs of the University and who meets the definition of an individual with a disability, as specified in Sections 141.00 through 141.16 of these *Guidelines*.

The term "technical standards" refers to nonacademic admissions criteria that are applicable to such programs.

141.23

With respect to other services, a qualified individual with a disability is one who meets the eligibility requirements for the receipt of such services and who meets the definition of an individual with a disability, as specified in Sections 141.00 through 141.16 of these *Guidelines*.

141.30 Facility

"Facility" means all or any portion of buildings, structures, sites, complexes, equipment, rolling stock and other conveyances (e.g., buses, shuttles, vans), roads, walks, parking lots, or other real or personal property, including the site where the building, property, structure, or equipment is located.

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142.00 - Discrimination Prohibited

142.10

In providing any aid, benefit, or service, the University may not, directly or through contractual, licensing, or other arrangements, discriminate on the basis of disability to:

- a. Deny a qualified individual with a disability the opportunity to participate in, or benefit from, any aid, benefit, or service which it provides;
- b. Provide any qualified individual with a disability an opportunity to participate in, or benefit from, any aid, benefits, or services that are not equal to those afforded to individuals who do not have disabilities;
- c. Provide a qualified individual with a disability with any aid, benefits, or services that are not as effective as those provided to individuals who do not have disabilities. To be "equally effective," an aid, benefit, or service need not produce an identical result or level of achievement for individuals with disabilities and individuals without disabilities. However, the University must afford individuals with disabilities an equal opportunity to obtain the same result or level of achievement in the most integrated setting appropriate to the individual's needs and to encourage, as appropriate, interaction among all users, including individuals with disabilities;
- d. Provide any different or separate aid, benefits, or services to individuals with disabilities or to any class of individuals with disabilities unless such action is necessary to provide qualified individuals with disabilities with aid, benefits, or services that are as effective as those provided to individuals who are not disabled;
- e. Aid or perpetuate discrimination against a qualified individual with a disability by providing any significant assistance to any agency, organization, or person that discriminates on the basis of disability against beneficiaries of the University's programs;
- f. Deny a qualified individual with a disability the opportunity to participate as a member of planning or advisory boards; or
- g. Otherwise limit a qualified individual with a disability in the enjoyment of any University right, privilege, advantage or opportunity enjoyed by individuals who are not disabled.

142.20

In determining the site or location of a facility, the University may not make selections that have the following effect:

- a. Excluding qualified individuals with disabilities from, denying them the benefits of, or otherwise subjecting them to discrimination under any program, service, or activity it operates; or
- b. Defeating or substantially impairing the accomplishment of the objectives of the University's programs, services, or activities with respect to qualified individuals with

disabilities.

142.30

The exclusion of individuals who do not have disabilities from the benefits of a program limited by statute or executive order to individuals with disabilities, or the exclusion of a specific class of individuals with disabilities from a program limited by statute or executive order to a different class of individuals with disabilities, is not prohibited.

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143.00 - Educational Programs, Services, and Activities

143.10 - Admissions, Enrollment, and Recruitment

143.11

Qualified individuals with disabilities may not, on the basis of disability, be denied admission to the University or enrollment in University classes or participation in University programs, services, or activities, or be subjected to discrimination in the admissions process or in recruitment procedures.

143.12 Admissions or Enrollment

- a. Limitations may not be applied upon the number or proportion of individuals with disabilities who may be admitted or enrolled.
- b. Tests or criteria for admission may not have a disproportionate, adverse effect on individuals with disabilities or any class of such individuals unless:
 1. The tests or criteria have been validated as predictors of success in the education programs, services, or activities in question; and
 2. Alternate tests or criteria that have a less disproportionate, adverse effect, and which are acceptable to the University, are not shown to be available by the appropriate Federal agency.
- c. Before admission tests are selected and administered, campuses should be assured that:
 1. Admissions tests are selected and administered to ensure that when a test is administered to an applicant who has a disability that impairs sensory, manual, or speaking skills, the test results accurately reflect the applicant's aptitude or achievement level, or whatever other factor the test purports to measure, rather than reflecting the applicant's impaired sensory, manual, or speaking skills, except when those skills are the factors that the test purports to measure;
 2. Admissions tests that are designed for persons with disabilities are offered as often and in as timely a manner as are other admissions tests; and
 3. Admissions tests are administered in facilities that, on the whole, are accessible to individuals with disabilities. In this context, "on the whole" does not mean that all facilities must be accessible, only that a sufficient number must be available to individuals with disabilities.
- d. Pre-admission inquiries as to whether applicants for admission are individuals with disabilities may not be made, except for the purpose of recruitment, as discussed in Section 143.13 of these *Guidelines*. Post-admission inquiries may be made on a confidential basis regarding disabilities that may require accommodation.

143.13 Recruitment

When voluntary action is taken to overcome the effects of conditions that resulted in limited participation in certain programs, services, or activities, pursuant to [Section 147.00](#) of these *Guidelines*, campuses may invite applicants for admission or enrollment to indicate whether and to what extent they are disabled, provided that:

- a. It is clearly communicated that the information requested is for use solely in connection with voluntary action efforts; and
- b. It is clearly communicated that the information is being requested on a voluntary basis, that it will be kept confidential, that refusal to provide it will not subject the applicant to any adverse treatment, and that it will be used only in accordance with the implementing regulations of applicable laws and executive orders.

143.20 - Treatment of Students and Participants in University Programs, Services, or Activities

143.21

Qualified students with disabilities or participants with disabilities in University programs, services, or activities may not, on the basis of disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any academic, research, occupational training, housing, health insurance, counseling, financial aid, physical education, athletics, recreation, transportation, other extracurricular activity, or other educational program, service, or activity offered by the University.

Health services and insurance plans should be provided to qualified students with disabilities on the same basis as for students without disabilities generally. However, student health centers need not provide specialized services and aids; for example, if a center treats only simple disorders, such as cuts, bruises, and colds, its obligation to students with disabilities is to treat only those same disorders.

143.22

Campuses that consider participation by students in education programs, services, or activities not wholly operated by them as part of, or equivalent to, an education program, service, or activity they operate, should assure themselves that the other education program, service, or activity, as a whole, provides an equal opportunity for the participation of qualified individuals with disabilities. For example, in connection with student teaching assignments, campuses may work with elementary or secondary school systems only if their student teaching programs, when viewed in their entirety, offer student teachers with disabilities the same range and quality of choice in assignments offered to student teachers without disabilities.

143.23

All programs, services, and activities should be conducted in the most integrated setting appropriate to a disabled individual's needs and to encourage, as appropriate, interaction among all users, including individuals with disabilities. For example, if a campus offers several elementary physics classes, and one such class is moved to the first floor of the science building to accommodate students who use wheelchairs, it would be a violation of this requirement to also concentrate students with disabilities but who are not mobility impaired in this class.

143.30 - Academic Adjustments

143.31 - Modification of Academic Requirements

Academic requirements should be modified, as necessary and appropriate, to ensure that they do not discriminate or have the effect of discriminating, on the basis of disability, against qualified applicants or students with disabilities. As appropriate, modifications may include changes in the length of time permitted for the completion of degree requirements, substitution or waiver of specific courses required for the completion of the requirements, and adaptation of the manner in which specific courses are conducted. For example, a campus may permit an otherwise qualified student who is deaf to substitute a music history class for a required class in music appreciation, or the campus could modify the manner in which the music appreciation course is conducted for the student who is deaf.

Academic requirements that are determined by the Academic Senate to be essential to programs of instruction or for any directly related licensing requirement are not regarded as discriminatory.

143.32 Course Examinations

In course examinations or other procedures for evaluating students' academic achievement, methods should be provided, as appropriate, for evaluating the achievement of students who have a disability that impairs sensory, manual, or speaking skills as will best ensure that the results of the evaluation represent students' achievement in the course, rather than reflecting students' impaired sensory, manual, or speaking skills, except when such skills are among the factors the test purports to measure.

143.33 Auxiliary Support Services and Devices

a. Steps should be taken, as appropriate, to ensure that no qualified student or participant with a disability in a University program, service, or activity is denied the benefits of, is excluded from participation in, or is otherwise subjected to discrimination because of the absence of educational auxiliary support services and devices.

In meeting this requirement, campuses may assist qualified students or participants with disabilities in University programs, services, or activities in contacting existing resources, such as State vocational rehabilitation agencies and private charitable organizations, to obtain auxiliary support services and devices. Also, other students may be asked to work with students with disabilities, or private agencies that tape texts for individuals with disabilities free of charge may be contacted in order to reduce the number of readers needed for students with visual impairments and students with learning disabilities. Typically, it is still the University's obligation to provide appropriate educational auxiliary support services and devices should public and private agencies be unable to provide such services or devices. As appropriate, the provision of auxiliary support services and devices to students with disabilities may be provided by the University during the period in which outside help is solicited or in lieu of such outside help.

As long as no qualified person with a disability is excluded from a program because of the lack of appropriate auxiliary support services or devices, such support services and devices need not be on hand at all times.

b. Educational auxiliary support services and devices include, but are not limited to, taped texts, interpreters, notetakers, or other effective methods of making orally delivered materials available to, for example, students with hearing impairments or learning disabilities; readers for students with visual impairments; classroom equipment adapted for use by students with manual impairments; or other aids for students with disabilities.

Attendants, individually prescribed devices, readers for personal use, or other devices or

services of a personal nature need not be provided.

Any prohibition against the use of tape recorders or brailers in classrooms, or dog guides and service dogs in campus buildings, or other rules that have the effect of limiting the participation of qualified students with disabilities in educational programs, services, or activities, may not be adopted.

Students or participants with disabilities in University programs, services, or activities may be required to sign an agreement that they will not release tape recordings or transcriptions of lectures, or otherwise hinder the ability of a professor to obtain a copyright.

143.34 Responsibility for Academic Adjustments

[Section 10.00](#) of these *Policies* specifies that each member of the University community shares the responsibility of maintaining conditions conducive to the achievement of the University's mission of research, teaching, and public service. Thus, in attempting to provide any type of academic adjustment, faculty, disability-management staff, and students with disabilities should work in concert to formulate accommodations that meet the individual educational needs of qualified students with disabilities while maintaining the academic integrity of the program, service, or activity to be modified.

Moreover, it is essential that during this consultative process students be given an opportunity to express their preferred choice for disability accommodations and that this choice be given careful consideration, unless an equally effective accommodation can be provided, or that the use of the student's choice would result in a fundamental alteration of the academic program, service, or activity, or would result in an undue financial and administrative burden.

143.35 Student-Specific Obligations in the Provision of Academic Adjustments

In providing any type of academic adjustment, including, but not limited to, modification of academic requirements, course examinations, or support services and devices, the University may require that: 1) students with disabilities provide reasonable advance notice of requests for, changes to, or cancellation of, academic adjustments; 2) students with disabilities provide sufficient and timely verification of their disability and documentation of their disability-related academic adjustment needs; and 3) students with disabilities comply with campus rules regulating requests for, and the proper use of, auxiliary support services or devices.

143.36 Campus Disability Accommodation and Mediation Procedures

Campuses are encouraged to develop written procedures for: 1) the provision of academic accommodations to students with disabilities; and 2) resolving disagreements regarding the provision of academic adjustments to students with disabilities.

143.40 Housing

143.41 On-Campus Housing

The University provides on-campus housing for non-disabled students and shall provide comparable, convenient, and accessible on-campus housing at the same cost to students with disabilities. Housing for students with disabilities should be made available in sufficient quantity and variety so the scope of their choice of living accommodations will, when viewed in its entirety, be comparable to that of students who are not disabled.

143.42 Off-Campus Housing

With regard to housing that is not provided by the University, but is listed by the campus, each campus shall assure itself that such housing, when viewed in its entirety, is made available in a manner that does not result in discrimination on the basis of disability. If a campus determines that off-campus housing, when viewed in its entirety, is not available to students with disabilities, efforts should be made to generate new sources of housing.

143.50 Financial Aid

143.51

In providing financial assistance to qualified students with disabilities, the University may not, on the basis of disability, provide less assistance to those students than is provided to non-disabled students, may not limit their eligibility for assistance, or may not otherwise discriminate against them. The University also may not assist any entity or person that provides financial assistance to any student in a manner that discriminates against qualified students with disabilities on the basis of disability.

143.52

The University may administer or assist in the administration of scholarships, fellowships, or other forms of financial assistance established under wills, trusts, bequests, or similar legal instruments that require awards to be made on the basis of factors that discriminate or have the effect of discriminating on the basis of disability, only if the overall effect of the award of scholarships, fellowships, and other forms of financial assistance is not discriminatory on the basis of disability.

143.53

Athletic scholarships may be denied to students with disabilities on the basis of disability, if the disability renders the person unable to qualify physically for the award. For example, a student who has lost the use of his legs may be denied a varsity football scholarship on the basis of the student's inability to play football. However, a student who has a hearing-impairment could not, on the basis of disability, be denied a scholarship for the diving team; the student with a hearing-impairment could only be denied the scholarship on the basis of comparative diving ability.

143.60 Student Employment

Each campus, each Laboratory, the Office of the President, and the Division of Agriculture and Natural Resources may not employ University students in a manner that would violate Section 144.00 of these *Guidelines*.

When assisting outside agencies, organizations, or persons in providing employment opportunities for University students, campuses should assure themselves that such opportunities, as a whole, are available in a manner that would not violate Section 144.00 of these *Guidelines*.

143.70 Physical Education, Athletics, and Similar Activities

In providing physical education courses and athletics, and similar programs, services, and activities, campuses may not discriminate on the basis of disability. Qualified students or participants with disabilities in University programs, services, or activities should be provided with an equal opportunity to participate in physical education courses, intercollegiate, club, and intramural athletics or similar activities whether as part of the required curriculum or as an extracurricular activity. For example, a student who uses a wheelchair should not be denied the opportunity to enroll in a regular archery course, nor

should a student who has a speech impairment be excluded from participating in a wrestling course.

Students with disabilities who cannot participate in regularly offered physical education courses or who cannot compete in athletic programs may be offered separate physical education and athletic activities designed to accommodate students with disabilities. However, students with disabilities must be offered the opportunity to participate in regular physical education or athletic activities, in the most integrated setting possible, even if separate physical education or athletic programs for students with disabilities are offered.

143.80 Counseling and Placement Services

Personal, academic, or career counseling, guidance, and placement services should be provided without discrimination on the basis of disability.

Campuses should ensure that qualified students with disabilities are not counseled toward more restrictive career objectives than are non-disabled students with similar interests and abilities. This does not preclude providing factual information about licensing and certification requirements that may present obstacles to individuals with disabilities in their pursuit of particular careers.

143.90 Social Organizations

Before providing any significant assistance, such as financial support, use of University facilities, or official University recognition or affiliation, including, but not limited to, fraternities, sororities, or similar organizations, campuses shall assure themselves that these organizations do not permit discrimination that is otherwise prohibited by these *Guidelines*.

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144.00 Employment Practices

The University may not discriminate against any qualified individual with a disability, on the basis of disability, in employment under any program, service, or activity, including any program, service, or activity that employs students with disabilities. Information concerning the University's employment policies as they apply to individuals with disabilities may be obtained from campus personnel offices or ADA/Section 504 Compliance Officers.

145.00 Program Accessibility

No qualified individual with a disability shall be denied, on the basis of that disability, the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any of the University's programs, services, or activities because University facilities are inaccessible to, or unusable by, individuals with disabilities. The University must make its programs, services, and activities accessible to and usable by any qualified individual with a disability, unless doing so would result in a fundamental alteration to the nature of its programs, services, and activities, or would result in undue financial and administrative burdens.

145.10 Existing Facilities

Each program, service, or activity shall be operated so that, when viewed in its entirety, it is readily accessible to and usable by individuals with disabilities, except where to do so would result in a fundamental alteration in the nature of the program, service, or activity or in undue financial and administrative burdens. This requirement does not mean that each facility, or every part of each facility must be accessible to and usable by individuals with

disabilities. Accessibility may be achieved through other means such as:

- a. Redesign of equipment;
- b. Reassignment of classes or other services to accessible buildings;
- c. Assignment of aides to beneficiaries;
- d. Home visits;
- e. Delivery of health, welfare, or other social services at alternate accessible sites;
- f. Use of accessible rolling stock or other conveyances (e.g., buses, shuttles, vans); or
- g. Alteration of existing facilities, including changes, additions, or modifications in construction or occupancy. Alterations of existing facilities will be implemented only when administrative solutions are either not feasible or not preferable and when there is no other way to make a program accessible. Neither a totally barrier-free environment, nor the removal of all architectural barriers in existing facilities is required. Regarding the methods selected, priority should be given to those that offer programs, services, and activities to individuals with disabilities in the most integrated setting appropriate to the individual's needs and to encourage, as appropriate, interaction among all users, including individuals with disabilities.

If sufficient relocation of classes is not possible using existing facilities, alterations to ensure program accessibility should be made. Students with disabilities may not be excluded from a specifically requested course offering because it is not offered in an accessible location, but every section of that course need not be made accessible.

Buildings leased by the University are not necessarily required to meet accessibility standards because they are not owned by the University. However, such buildings are subject to the program accessibility requirements stated above. If a leased building is altered, such alterations shall be constructed in compliance with applicable Federal and State accessibility standards.

145.20 New Construction

145.21 New Facilities

All new facilities constructed by, on behalf of, or for the use of the University shall be designed and constructed so that the facilities are readily accessible to and usable by individuals with disabilities. New construction shall be planned and constructed according to all applicable Federal accessibility regulations and State building codes.

145.22 Altered or Remodeled Facilities

Each facility or part of a facility constructed or altered by, on behalf of, or for the use of the University shall be designed, constructed, or altered to be readily accessible to, and usable by, individuals with disabilities. Altered or remodeled facilities shall be planned and constructed according to all applicable Federal accessibility regulations and State building codes.

145.30 Transportation

Campus/laboratory transportation systems and services shall comply with applicable Federal and State accessibility laws.

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146.00 Health, Welfare, and Other Social Services and Benefits

Health care providers have the responsibility and authority to determine the nature and extent of medically necessary care and treatment for their patients. Subject to the foregoing, in providing health, welfare, or other social services or benefits, the University's hospitals, medical clinics, or other health-related programs may not, on the basis of disability:

- a. Deny a qualified individual with a disability such benefits or services;
- b. Afford a qualified individual with a disability an opportunity to receive benefits or services that are not equal to those offered to individuals who do not have a disability;
- c. Provide a qualified individual with a disability with benefits or services that are not as effective as those provided to others (see [Section 142.00](#) of these *Guidelines*);
- d. Provide benefits or services that limit or have the effect of limiting participation of qualified individuals with disabilities; or
- e. Provide different or separate benefits and services to individuals with disabilities, except when necessary to provide qualified individuals with disabilities with benefits and services as effective as those provided to others.

This Section does not require specialized hospitals and other health care providers to treat all individuals with disabilities. For example, a burn treatment center need not provide other types of medical treatment to individuals with disabilities unless it provides such medical services to individuals who do not have a disability. It could not, however, refuse to treat the burns of a person who is deaf because of his or her deafness.

Special programs, services, or activities for individuals with disabilities or classes of individuals with disabilities are permitted.

146.10 Notice

Any notice concerning benefits or services or written material concerning waivers of rights or consent to treatment shall ensure that qualified individuals with disabilities, including those with impaired sensory or speaking skills, are not denied effective notice because of their disability.

146.20 Emergency Treatment for Hearing-Impaired Persons

A procedure shall be established for effective communication with persons who are deaf or hard of hearing for the purpose of providing emergency health care. For example, a hospital may fulfill this responsibility by providing either full-time interpreters or interpreters on call, both within and outside the institution, and paper and pencils for written communications.

146.30 Auxiliary Support Services and Devices

Appropriate auxiliary support services and devices shall be provided to individuals with disabilities, when necessary, to afford them an equal opportunity to benefit from services offered by University hospitals, medical clinics, or health-related programs. Auxiliary support services and devices may include, for example, brailled and taped material, and interpreters. In providing any type of auxiliary support services and devices, the University may require that individuals comply with campus rules regulating requests for and proper use of auxiliary support services and devices.

146.40 Drug and Alcohol Addiction

University hospitals, medical clinics, or health-related programs may not discriminate in admission or treatment against a person with a medical condition, because of the person's drug or alcohol abuse or alcoholism, although University health care providers have the

responsibility and authority to determine the nature and extent of medically necessary care and treatment for their patients. This does not require that all facilities must treat drug addiction and alcoholism. For example, a cancer clinic may not refuse to treat a cancer patient because he or she is also an alcoholic. If the patient's primary problem is drug addiction or alcoholism, the clinic may refer him or her to a more appropriate facility.

146.50 Education of Persons Admitted to University Medical Facilities

Campuses should ensure that qualified individuals with disabilities, present in University medical facilities as a result of their disability and who qualify for public preschool, elementary, secondary, or adult educational services, are provided with access to these educational services for the period of their stay. For example, a campus hospital that admits an individual with a disability who qualifies for a free public elementary school education should ensure that appropriate elementary school officials are notified of the individual's presence and should provide access to these school officials, as medically appropriate, so that they may provide an "appropriate education" as defined in Subpart D of the Federal regulations implementing Section 504 of the Rehabilitation Act of 1973 (34 CFR Part 104).

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147.00 Voluntary Action

Each campus, each Laboratory, the Office of the President, and the Division of Agriculture and Natural Resources may take voluntary steps to overcome the effects of conditions that resulted in limited participation by qualified individuals with disabilities in its programs, services, or activities.

148.00 Notification and Publication Requirements

148.10 Content of Publication

The implementing regulations of the Rehabilitation Act of 1973 require that students, beneficiaries, and applicants be informed that the University does not discriminate on the basis of disability. In addition, the Americans with Disabilities Act requires that applicants, participants, beneficiaries, and other interested persons be informed that the University does not discriminate against qualified individuals with disabilities on the basis of disability. It is the purpose of these *Guidelines* to apprise all such persons of those provisions.

148.20 Designation of Compliance Officer

Each campus, each Laboratory, the Office of the President, and the Division of Agriculture and Natural Resources shall designate at least one employee to coordinate compliance with the applicable sections of the Rehabilitation Act of 1973 and the Americans with Disabilities Act, including investigation of grievances and handling of inquiries.

148.30 Compliance Statement

The compliance statement should read:

As required by applicable laws and regulations, the University of California does not discriminate on the basis of disability in admission or access to, or treatment in, the programs, services, and activities which it operates. Compliance statements should include the *Nondiscrimination Policy Statement for University of California Publications Regarding Student-Related Matters* found in Appendix C, which includes nondiscrimination on the basis of disability. Inquiries concerning these laws and regulations should be directed to (name, title, and telephone number of responsible University official).

The individual named in the compliance statement should be the person designated by each campus, each Laboratory, the Office of the President or the Division of Agriculture and Natural Resources to coordinate compliance with applicable sections of the Rehabilitation Act of 1973 and with the Americans with Disabilities Act (see Section 148.20).

148.40 Frequency of Publication

The compliance statement should be included on a continuing basis in recruitment materials and publications containing general information that are made available to students, beneficiaries, applicants, or program participants.

148.50 Medium of Publication

Methods used for notification may include the posting of notices, publication in newspapers and magazines, placement of notices in official campus/laboratory publications, and distribution of memoranda or other written communications. Such notices should be available in accessible formats, which may include braille or taped formats.

149.00 Grievance Procedures

Each campus has established grievance procedures for students to deal with complaints and allegations of noncompliance with these *Guidelines*. Information concerning the University's grievance procedures as they apply to individuals with disabilities may be obtained from campus ADA/Section 504 Compliance Officers.

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150.00 - Student-Related Policy Applying to Nondiscrimination on the Basis of Sex

150.10 - Introduction

In compliance with Federal regulations implementing Title IX of the Education Amendments of 1972 and applicable Federal and State laws pertaining to sex discrimination, University of California policy prohibits unlawful discrimination on the basis of sex. Except where noted otherwise, for purposes of determining compliance with Federal and State laws, each campus is considered a separate unit, and in those sections of this *Policy* requiring proportionate facilities or services for each sex, such proportionate equality is required of each separate campus.

150.11

The term "discrimination" is used throughout this *Policy* to refer to unlawful discrimination. There are some discriminatory actions which are lawful and may benefit members of a particular sex. For example, Federal regulations permit actions which are undertaken for affirmative action purposes.

150.12

The term "Federal and State laws" is used throughout this *Policy* to refer to all applicable Federal and State laws pertaining to nondiscrimination on the basis of sex and includes implementing regulations when they exist.

150.20 General Provisions

150.21

Except as provided in Federal or State laws, no person may be excluded on the basis of sex from participation in, denied the benefits of, or discriminated against in any academic, extracurricular, research, or other program offered by the University. This includes: (a) sex discrimination in requirements or qualifications for any University-offered aid, benefit, or service; (b) providing different aid, benefits, or services or such aid, benefits, or services in a different manner; (c) application of separate rules of appearance; (d) application of separate rules as to domicile for admission or out-of-State fee purposes; or (e) providing any assistance to any agency, organization, or person which discriminates on the basis of sex in providing any aid, benefit, or service to students or employees (for example, single-sex clubs not exempted in Section 150.40).

150.22

No campus unit, in the totality of its services, can offer programs or services exclusively for women or for men.

150.23

The University may continue to administer scholarships established by foreign or domestic legal instruments or by acts of foreign governments designed to provide opportunities for graduating students of one sex to study abroad. (See also [Section 153.223](#).)

150.24

Programs in which the University requires or facilitates participation by its students, but which are not wholly operated by the University (for example, study abroad, clinical programs, student-teaching programs, internships) must be actively monitored to ensure that they do not contain violations of this *Policy*. If such violations occur and cannot be rectified, the program relationship must be terminated.

150.30 Marital and Parental Status

150.31

No campus may apply any rule concerning a student's actual or potential parental, family, or marital status which treats students differently on the basis of sex.

150.32

Pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom must be treated in the same manner and under the same policies as any other temporary disability. This includes the campus policy on exclusion from any class or extracurricular activity; the right to medical services; the requirement of a doctor's certification for continuance in a normal academic program; and the right to a leave of absence if requested by the student.

150.40 Exemptions

150.41

Federal and State laws concerning sex discrimination do not apply to the membership practices of social fraternities and sororities which are exempt from taxation under applicable sections of the Internal Revenue Code. The exempt organizations include the following:

a. Fraternal beneficiary societies, orders, or associations—

1. operating under the lodge system or for the exclusive benefit of the members of a

- fraternity itself operating under the lodge system, and
 - 2. providing for the payment of life, sick, accident, or other benefits to the members of such society, order, or association or their dependents.
- b. Domestic fraternal societies, orders, or associations, operating under the lodge system—
- 1. the net earnings of which are devoted exclusively to religious, charitable, scientific, literary, educational, and fraternal purpose, and
 - 2. which do not provide for the payment of life, sick, accident, or other benefits.

150.42

Federal and State laws concerning sex discrimination do not apply to membership practices of the Young Men's Christian Association, Young Women's Christian Association, girl scouts, boy scouts, camp fire girls, or voluntary youth service organizations which are exempt from taxation under applicable sections of the Internal Revenue Code.

150.43

Father-son or mother-daughter activities and similar activities are exempt from the requirements of this *Policy* provided that, if such activities are offered for students of one sex, opportunities for reasonably comparable activities are offered for students of the other sex.

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151.00 Admissions

151.10

Except as provided in this *Policy*, no preference on the basis of sex can be given in the admission of students. This includes: (a) ranking of applicants separately by sex; (b) the use of quotas for one sex; or (c) the use of tests or other criteria which have disproportionately adverse effects on one sex. The prohibition against tests or criteria which have disproportionately adverse effects on one sex is not applicable when they are shown to validly predict success in the educational program in question and alternative tests or criteria are shown to be unavailable.

151.20

Affirmative action in terms of recruitment and expansion of the availability pool is allowed in order to overcome the limited participation of one sex in a program or activity.

151.30

No inquiries as to marital status may be made in admission forms or questionnaires, nor can marital or parental status be used as a criterion for admission to any school, college, or program.

151.40

Pregnancy, childbirth, termination of pregnancy, or recovery therefrom must be treated as any other temporary disability, and such disabilities may not exclude any person from admission.

151.50

No preference in admissions to the University may be given to applicants from institutions which admit solely or predominantly members of one sex.

152.00 Recruitment

152.10

Additional or intensified recruitment of one sex is permissible only:

- a. as a remedial action required because of past discriminations;
- b. or as affirmative action to counter previously limited participation in a program by members of one sex.

152.20

The University may not recruit primarily or solely at institutions which are predominantly or entirely of one sex, if such recruitment has the effect of discriminating on the basis of sex in University admissions.

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153.00 Educational Programs and Activities

153.10 Access to Course Offerings

153.11

Except as provided in this *Policy*, all educational programs or activities offered by the University, including physical education, ROTC, and music classes must be offered without discrimination on the basis of sex.

153.12

With regard to physical education classes, there may be a separation of students by sex within the class activities involving physical contact as their major activity or purpose (for example, wrestling, football, and rugby). In addition, students may be grouped within classes according to ability, as measured by objective standards applied without regard to sex (for example, weight training). In cases where a single standard of grading in physical education classes has a disproportionately adverse effect upon one sex, the instructor must use alternative standards which do not have such an effect.

153.13

With regard to music classes, requirements of vocal range or quality may be used in selection of choruses, which may result in choruses of one or predominantly one sex.

153.20 Financial Aid

153.21 General Provisions

It is the intent of this *Policy* that student aid funds administered by the University are awarded to men and women in a nondiscriminatory manner. A campus may not at its own discretion set aside any University-administered student aid funds in a manner that would result in discrimination on the basis of sex in the amount or type of aid received by University students on that campus. However, as provided in Federal and State laws, certain funds may be administered on a sex-restricted basis (see Section 153.22).

153.211

As a general rule, men and women in similar circumstances shall be given comparable financial aid packages and awards. The percent of aggregate need which is filled by all awards must be equitable between women and men. The proportion of repayable to

nonrepayable aid in individual awards must be equitable for men and women in the same categories and the same need evaluation must be used for both sexes.

153.212

Students who are married or who are parents may not be treated differently by virtue of sex. Thus, the same policies and rules shall apply to any parent, whether married or not, without regard to sex; for instance, a woman with two dependent children shall be treated no differently from a man with two dependent children if the circumstances are otherwise the same.

153.213

As provided in [Section 150.10](#), the campuses of the University are considered to be separate institutions. Therefore, in determining that student aid funds are awarded to men and women in a nondiscriminatory manner, each campus is responsible for assuring that financial aid funds administered by the campus adhere to this *Policy*.

153.22 Administration of Sex-Restricted Funds

153.221 Types of Awards and Conditions Governing Their Administration

The University may administer and assist outside organizations in the administration of selected sex-restricted scholarships, fellowships, prizes, or other forms of financial aid, so long as the overall effect of the sex-restricted awards on each campus does not result in discrimination on the basis of sex in the overall campus student aid program.

153.222 Acceptance of New Funds

The University may continue to accept, for direct University administration, irrevocable gifts which impose mandatory sex restrictions on the award of student financial aid which meet the following two conditions.

- a. The funds must have been established pursuant to domestic or foreign wills, trusts, bequests, or similar legal instruments or by acts of a foreign government. A letter conveying an irrevocable gift of sex-restricted student aid funds to the University, regardless of the source of the funds, would qualify the funds for University administration under the exception permitted in Federal and State laws.
- b. The instrument from which the funds derive must require that awards be made to members of a particular sex.

As new funds are accepted, periodic review of the overall student financial aid program should be undertaken by each campus to assure that the overall impact of the financial aid program remains nondiscriminatory within the meaning of this *Policy*.

153.223 Acceptance of Funds for Opportunities to Study Abroad

The University may administer and assist in the administration of scholarships and other aid established by foreign or domestic wills, trusts, or similar legal instruments or by acts of foreign governments to provide members of one sex with opportunities to study abroad, provided that reasonable opportunities for similar studies for members of the other sex are made available. These opportunities may be provided from either domestic or foreign sources.

153.224 Athletic Grants-in-Aid

It is the intent of this *Policy* that men and women student athletes should have reasonable

opportunities for athletic grants-in-aid in proportion to the number of students of each sex participating in intercollegiate athletics. This does not mean that such grants must be awarded in proportion to the number of students participating in each individual sport. There may be differences in the number of grants for each team, but the general policy governing awards must be the same for men and women. Any short term deviation from substantial proportionality must be based on nondiscriminatory factors.

This section does not apply to campuses which do not award athletic grants.

153.30 Athletics

153.31 Federal Requirements--General

It is intent of this *Policy* that equal athletic opportunities be available for members of both sexes. As provided in Federal regulations and Office for Civil Rights guidelines, in determining whether equal opportunities are available, the following factors will be considered:

- a. Whether the nature and extent of the sports programs (including the levels of competition, such as varsity, club, etc.) effectively accommodate the interests and abilities of members of both sexes;
- b. The provision of equipment and supplies;
- c. The scheduling of games and practice time;
- d. The provision of travel and per diem allowances;
- e. The nature and extent of the opportunity to receive coaching and academic tutoring;
- f. The assignment and compensation of coaches and tutors, including the provision of administrative and clerical support;
- g. The provision of locker rooms, practice, and competitive facilities;
- h. The provision of sports medical and training facilities and services;
- i. The provision of housing and dining facilities and services;
- j. The nature and extent of publicity;
- k. Opportunities and funding for recruitment of prospective student athletes.

While each factor does not, in and of itself, have to be distributed equally to men and women athletes, the overall program should represent a reasonably equal apportionment of services to athletes. All prime time practice hours in the main gymnasium should not, for example, be allotted to men's intercollegiate teams, nor should women receive inferior equipment, lower travel allowances, or lesser publicity.

Each campus is encouraged to conduct a self-study to determine its compliance with these factors and prepare a plan to eliminate deficiencies if they exist.

153.32 Federal Requirements--Teams

153.321 Level One Activities: Intercollegiate Teams and Competitive Sports Clubs (including all teams for which members are chosen competitively)

Teams in this category may be offered separately for men and women or a single team may be offered. When a single team is offered, and members of one sex are completely or substantially excluded, the campus must offer separate teams if the athletic interests of the excluded sex are not otherwise accommodated. For example, Campus X decides to offer a

single boxing team, but when tryouts are completed, it finds that all but one of the twenty females who tried out were eliminated. If boxing is a high priority on the list of sports in which women students wanted to participate, then the campus must offer separate teams. If boxing is low on the list and the sponsorship of teams in other sports would more effectively accommodate the interests of the excluded sex, then the campus may continue with the single boxing team.

153.322 Level Two Activities: Intramurals and Recreational/Noncompetitive Sports Clubs

At this level, contact sports activities may be offered on a separate basis, a single-activity basis, or both. However, if a campus chooses to sponsor only a single activity and members of one sex are completely or substantially excluded, the campus must offer separate activities if the interests of the excluded sex are not otherwise accommodated. (See Level One Activities, above.)

Campuses may offer either coeducational teams or separate teams for noncontact sports at this level. Noncontact sports activities at this level, which do not involve selection based on skills, must be offered on a coeducational basis. When selection for teams is based upon competitive skill, separate teams for noncontact sports may be offered for members of each sex. However, if a campus offers a noncontact sport at this level for members of one sex, but such a sport is not available to members of the other sex, and athletic opportunities for members of that sex previously have been limited, members of the excluded sex must be allowed to try out for the sport.

153.33 Athletic Grants-in-Aid

See Section 153.224.

153.34 Program Administration

Federal and State laws do not impose structural requirements on program administration. Single athletic departments are no more or less acceptable than separate men's and women's departments. However, when a campus contemplates a change in administrative structure, it must take care to assess the effects on employees of both sexes of current and proposed administrative models. The campuses may not adopt any structural model which has a disproportionately adverse effect upon employment opportunities of employees of one sex.

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153.40 Housing

153.41 On-Campus Housing

The campuses may provide separate housing on the basis of sex if the housing offered to renters of each sex annually is, as a whole, comparable in quality and cost and proportionate in number to the number of housing applicants from each sex. To assess quality, each campus must review the variety of on-campus housing opportunities available.

153.42 Off-Campus Housing

153.421

The California Fair Housing and Employment Act and the Federal Fair Housing Act prohibit discrimination in housing based on sex. In addition, these Acts prohibit any person from publishing a notice regarding rentals which discriminates on the basis of sex. Accordingly, rental listings which specify a preference based on sex should not be accepted for listing at

the University. Federal law exempts owners of single-family homes and dwelling units of no more than four units from these prohibitions, provided in the latter case that the owner lives in one of the units. Federal law also exempts religious or nonprofit organizations or private clubs which offer lodging to members.

153.422

Federal and State laws do not specifically prohibit or exempt individuals seeking roommates from specifying sex preference. Nonetheless, a campus may accept single-sex roommate listings provided the campus assures itself that, when considered in its entirety, housing listed separately for men and women is comparable in quality and cost to the student and proportionate in number.

153.423

Given the difficulty of investigating each listing to determine if off-campus housing is comparable in quality and cost and proportionate in number, each campus may choose to list only off-campus housing not restricted by sex or to follow up on grievances related to the above and look for patterns of discrimination in housing. If the campus determines on the basis of a grievance investigation that housing for one sex is not comparable to that available to the other sex, then the campus should take corrective action to generate new sources of comparable housing or eliminate all separate listings.

153.50 Counseling

153.51

Each campus must evaluate its practices and policies with regard to academic and career counseling and assure itself that such counseling is not done on the basis of sex. Further, if a campus finds, by means of an annual review of enrollment data by sex, that any one class or program has a disproportionate participation by one sex, that campus must assure itself that such participation is not the result of sex discrimination in counseling.

153.52

In addition, each campus must assure itself, by a review thereof, that the tests and other materials which it uses in its counseling programs are the same for both sexes. Only when counseling is being used to eliminate previous sex bias, may different materials be used (for example, academic or career counseling for women in fields with disproportionate representation). If upon evaluation it is determined that the tests or materials being used to counsel students have the effect of channeling a substantially disproportionate number of persons of one sex into a particular program or course of study, alternative materials must be used.

153.60 - Student Employment

153.61

The placement office of each campus must require all prospective employers to attest to the fact that they do not discriminate unlawfully on the basis of sex in either their hiring or employment practices. If an employer refuses, or it is determined that the employer does, in fact, discriminate unlawfully on the basis of sex, the campus may not continue to assist the employer in any way.

153.62

With regard to student part-time employment, when job listings are often phoned in for jobs

available immediately, it is often difficult for an employer to sign a statement. In this case, staff at the student placement office should read the compliance statement over the phone to the prospective employer and a record of that agreement should be noted by the placement office.

153.63

Each campus must require off-campus organizations that offer work-study jobs which are administered through the financial aid offices to verify that they do not discriminate on the basis of sex in either their hiring or employment practices.

153.70 Health Insurance and Benefits and Services

153.71 Health Insurance

If a campus makes available medical or health insurance policies to students and those policies include coverage of temporary disabilities, pregnancy and related conditions must be included in the coverage.

153.72 Benefits and Services

Benefits and services may be provided which may be used by a larger proportion of students of one sex than of the other, including family planning and contraceptive services. Any campus which provides full coverage health services must provide gynecological care.

154.00 - Facilities

The campuses may provide separate toilet, locker room, and shower facilities on the basis of sex. However, all such facilities offered to members of one sex must be comparable to those offered to the other sex (for example, men's or women's lounges).

155.00 Designation of Responsible Employee

Each campus and the University as a whole must designate at least one employee to coordinate compliance with Federal and State laws pertaining to nondiscrimination on the basis of sex, including investigation of grievances and handling inquiries. In addition, these employees must supervise the various reviews and evaluations of programs and policies required by law. As provided in Section 157.00 below, all students must be notified of the name and/or title, office address, and telephone number of this person or persons.

156.00 Grievance Procedures

Each campus has established student grievance procedures to handle complaints and allegations of noncompliance with Federal and State laws and this *Policy*.

As provided in State law, persons who have filed a complaint pursuant to this *Policy* must be advised by the campuses that civil law remedies may also be available, including injunctions, restraining or other orders, and monetary damages. Campuses must make this information available to students and employees by publication in appropriate informational materials.

157.00 Notification

Federal and State laws require the University to inform students of the University's policy of nondiscrimination on the basis of sex. Notification statements should include the *Nondiscrimination Policy Statement for University of California Publications Regarding Student-Related Matters* found in Appendix C, which includes nondiscrimination on the basis of sex.

The individual(s) named in the notification statement should be the appropriate campus official(s) designated in Section 155.00 to respond to inquiries concerning nondiscrimination on the basis of sex.

158.00 Publication Requirements

158.10 Frequency of Publication

The notification statement must be included on a continuing basis in materials given to applicants for admission, sources of referral for applicants for admission, and in other materials used in connection with recruitment of students. The notice also must be included in publications containing general information that are made available to all students.

158.20 Methods of Publication

Methods used for notification may include the posting of notices, publication in campus newspapers and magazines, placement of notices in official University publications, and distribution of memoranda or other written communications.

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160.00 - Policy on Sexual Harassment and Complaint Resolution Procedures

[Rescinded January 1, 2016]

[University of California Policy on Sexual Violence and Sexual Harassment](#)

[University of California Appendix E: Sexual Violence and Sexual Harassment Student Adjudication Framework](#)

For UCI implementation of the Policy on Sexual Harassment and Complaint Resolution Procedures contact the Office of Equal Opportunity, telephone 824-5594.

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170.00 - Policy on University Obligations and Student Rights

171.00

As members of the University community students shall have the right:

171.01

To participate in the governance of the University, consistent with the University's stated goal (see [Section 120.00](#) of these Policies) of enhancing student participation in the governance process by seeking student opinions and viewpoints on matters affecting both their academic and non-academic experiences and especially those decisions that directly affect their welfare, through drawing upon official student representation, as well as additional means for seeking student input as appropriate;

171.02

To have published annually by the University those schedules of both systemwide and campus-based fees and charges that must be paid by all students to whom the fees and charges apply as a condition of attendance. Such schedules shall not be subject to change during the year, except upon recommendation of the Chancellor or the President (as

appropriate) or as required by action of The Regents. Each campus shall issue procedures as appropriate for challenging whether a particular fee or charge is due and, if it has already been paid and is subsequently determined by the campus not to be due, for securing a refund;

171.03

To have published annually by the University refund schedules for new and continuing students. This provision may also be satisfied by the publication by the University of annual written notice that such schedules are available electronically on the Internet on official University websites;

171.04

To have published annually by the University information about graduation rates of enrolled students and student athletes, as well as information in compliance with all other notification requirements to students that may be satisfied by publication, as specified by applicable law. This provision may also be satisfied by the publication by the University of annual written notice that such information is available electronically on the Internet on official University websites;

171.05

To receive annually from the University written information on campus crime statistics, as well as information in compliance with all other notification requirements to students that rise above simple publication to require individual distribution of the information to students, as specified by applicable law. This provision may also be satisfied by the publication by the University of annual written notice that such information is available electronically on the Internet on official University websites, subject to the additional requirement that, if the campus crime statistical information is made available by posting on the Internet, notice must be provided directly to the enrolled student that includes the exact electronic address at which the information is posted, a brief description of the information, and a statement that the campus will provide a paper copy of the information upon request (for the specific language of the requirements see the [Department of Education Clery Handbook](#));

171.06

To receive annually written information on the campus' standards of conduct regarding the unlawful use, possession, and distribution of drugs, alcohol, and other illegal substances; a statement affirming that disciplinary sanctions will be imposed for violations of the standards of conduct; a description of the sanctions; and other information as specified by applicable law;

171.07

To be protected against the improper collection of information on students' political and social views, beliefs, and associations;

171.08

To have access to, and be protected against the improper disclosure or withholding of, information from student records in accord with applicable State and federal law, [Section 130.00](#) of these Policies, and campus implementing regulations. When the law and regulations are unclear in their application, the University shall be guided by two principles: (1) the privacy of an individual student is of great weight, and (2) the information in a student's file should be disclosed to the student upon request;

171.09

To have all academic decisions affecting their academic standing, including the assignment of grades, based upon academic considerations only, administered fairly and equitably under policies established by the Academic Senate. In professional curricula, such decisions may include consideration of performance according to accepted professional standards. Equitable grievance procedures, established pursuant to [Section 114.00](#) of these Policies, shall be developed in consultation with student representatives and implemented;

171.10

To petition the Academic Senate on matters within the jurisdiction of the Senate;

171.11

To the extent appropriate to the circumstances, to be free from University discipline for actions committed involuntarily or under duress. However, violations committed under the influence of drugs, alcohol, or illegal substances will be subject to student disciplinary procedures;

171.12

To have access to equitable grievance procedures established pursuant to [Sections 111.00](#) and [112.00](#) of these Policies;

171.13

To petition for any change in these Policies, or in campus implementing regulations, through the appropriate campus office or the Office of the President;

171.14

To petition to appear before the Board of Regents under procedures set forth in the Bylaws. Individual students are entitled to seek an appearance before the Board to speak in open committee or Board session on matters on The Regents' agenda. Students must follow administrative procedures established by their respective campuses to appeal individual academic or administrative decisions relating to the above; and

171.15

If registered for a current term on any University campus, to have access to basic outpatient health care services of any other University campus, under conditions that apply to students registered on that campus.

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Appendix A - Authorized Student Governments

Pursuant to [Section 61.00](#) of these *Policies*, the student governments of the University of California authorized by the Chancellors as of September 5, 2007 are as follows:

Associated Students of the University of California, Berkeley

Associated Students of the University of California, Davis
Graduate Student Association, University of California, Davis

Law Student Association, University of California, Davis

Associated Students of the University of California, Irvine
Associated Graduate Students, University of California, Irvine
Associated Medical Students, University of California, Irvine

Undergraduate Student Association, University of California, Los Angeles
Graduate Student Association, University of California, Los Angeles

Associated Students of the University of California, Merced
Graduate Student Association, University of California, Merced

Associated Students, University of California, Riverside
Graduate Student Association, University of California, Riverside

Associated Students of the University of California at San Diego
Graduate Student Association, University of California, San Diego

Associated Students of the University of California, San Francisco
Graduate Students Association, University of California, San Francisco

Associated Students, University of California, Santa Barbara
Graduate Students Association, University of California, Santa Barbara

College Student Governments, University of California, Santa Cruz
Student Union Assembly, University of California, Santa Cruz
Graduate Student Association, University of California, Santa Cruz

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Appendix B - Use of the University's Name (Education Code Section 92000-92001)

92000. (a) The name "University of California" is the property of the state. No person shall, without the permission of the Regents of the University of California, use this name, or any abbreviation of it or any name of which these words are a part, in any of the following ways:

(1) To designate any business, social, political, religious, or other organization, including, but not limited to, any corporation, firm, partnership, association, group, activity, or

enterprise.

(2) To imply, indicate or otherwise suggest that any such organization, or any product or service of such organization is connected or affiliated with, or is endorsed, favored, or supported by, or is opposed by the University of California.

(3) To display, advertise, or announce this name publicly at, or in connection with, any meeting, assembly, or demonstration, or any propaganda, advertising, or promotional activity of any kind which has for its purpose or any part of its purpose the support, endorsement, advancement, opposition, or defeat of any strike, lockout, or boycott or of any political, religious, sociological, or economic movement, activity, or program.

(b) Nothing in this section shall interfere with or restrict the right of any person to make a true and accurate statement of his or her present or former relationship or connection with, his or her employment by, or his or her enrollment in, the University of California in the course of stating his or her experience or qualifications for any academic, governmental, business, or professional credit or enrollment, or in connection with any academic, governmental, professional, or other employment whatsoever.

(c) Every person violating the provisions of this section is guilty of a misdemeanor.

92001. Notwithstanding Section 11425.10 of the Government Code, Chapter 4.5 (commencing with Section 11400) of Part 1 of Division 3 of Title 2 of the Government Code does not apply to a hearing conducted by the University of California.

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Appendix C - Nondiscrimination Policy Statement for University of California Publications Regarding Student-Related Matters

The University of California, in accordance with applicable Federal and State law and University policy, does not discriminate on the basis of race, color, national origin, religion, sex, gender identity, pregnancy(1), physical or mental disability, medical condition (cancer related or genetic characteristics), ancestry, marital status, age, sexual orientation, citizenship, or service in the uniformed services(2). The University also prohibits sexual harassment. This nondiscrimination policy covers admission, access, and treatment in University programs and activities.

Inquiries regarding the University's student-related nondiscrimination policies may be directed to:

Kirsten K. Quanbeck, Director

Office of Equal Opportunity and Diversity

103 Multipurpose Science & Technology Building (MSTB)

Irvine, CA 92697-1130

Phone: (949) 824-5594

TDD: (949) 824-7593

Fax: (949) 824-2112

Email: <mailto:eod@uci.edu>

1 *Pregnancy* includes pregnancy, childbirth, and medical conditions related to pregnancy or childbirth.

2 *Service in the uniformed services* includes membership, application for membership, performance of service, application for service, or obligation for service in the uniformed services.

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Appendix D - University of California Policy and Supplemental Guidelines on the Marketing of Credit Cards to Students

(Revised July 20, 2010)

(Compliant with California State Legislature AB 262 (Coto), the College Student Credit Protection Act, chaptered October 14, 2007 (California Ed Code 89030 and Chapter 1.4, Part 65, Div 14, Title 3, and California Government Code 13332.09) and the federal Credit Card Accountability Responsibility and Disclosure Act of 2009)

The *California Student Financial Responsibility Act of 2001* requested that the University of California "adopt policies to regulate the marketing practices used on campuses by credit card companies." In addition, the *Credit Card Accountability Responsibility and Disclosure Act of 2009* seeks to protect young consumers by implementing specific safeguards and increasing the transparency of affinity agreements between credit card companies and universities. Pursuant to such legislation and consistent with the interest of the University in establishing minimum Universitywide standards (based on existing campus policies in this area) to regulate such activity, the following Policy applies to all banks and other commercial entities (including their third-party representatives) that engage in the marketing of credit cards to students through solicitation activities (hereafter referred to as "marketing" activities) on or near campuses and at campus events of the University of California.

The accompanying *Guidelines* are intended to provide supplemental guidance to campuses in their implementation of this Policy.

University of California Policy on the Marketing of Credit Cards to Students

- I. All banks and other commercial entities (including their third-party representatives) shall be required to register with the campus administration before engaging in activities for the purpose of marketing credit cards to students on or near a campus or at an event sponsored by the campus.
- II. Such marketing activities shall be restricted to specific sites and times designated by the campus administration as appropriate to such activities.
- III. At the discretion of the campus administration and to the extent permitted by law, all banks and other commercial entities (including their third-party representatives) engaged in such marketing activities may be assessed a daily or other periodic fee by the campus, at a

level consistent with that charged to other commercial vendors.

IV. In order to help ensure that students are provided the opportunity to make reasonably informed decisions about both the general degree of credit indebtedness they are equipped to incur and the terms of a particular offer of credit, all banks and other commercial entities (including their third-party representatives) that have registered with the campus administration to engage in marketing activities as defined in Section I of this Policy:

A. Are permitted to solicit students by providing them with information on credit card offers, including credit card application materials and accompanying information relating to the terms and conditions of a particular offer of credit as required by law;

B. Are required, when requested by the campus, to display appropriate signage identifying the bank or other commercial entity they represent and verifying that they have registered with the campus, and also to display and make available a copy of this Policy as well as campus-supplied debt education materials promoting the responsible use of credit cards. Banks and other commercial entities (including their third-party representatives) that have available such debt education materials from a non-campus source that wish to provide those materials to students in lieu of campus-supplied materials may do so, as long as the materials are campus-approved;

C. Are prohibited, while on campus, from collecting personal information from students specifically for credit card application purposes (including, but not limited to, completed credit card application forms and similar materials), either at the time of solicitation or subsequently. Rather, such completed application materials may be mailed or hand-delivered by students, once they have read and considered the materials and are in a position to make an informed decision, to an off-campus office of the bank or other soliciting entity at a later time.

D. Are prohibited, while on campus, near the campus (within 1,000 feet) or while at an event sponsored by or related to the campus, from offering tangible items to students for the purpose of inducing students to apply for or participate in an open end consumer credit plan offered by such card issuer or creditor.

V. Banks and other commercial entities (including their third-party representatives) engaged in marketing activities that are found to be in material violation of any provision of this Policy may be denied access to the campus for the purpose of engaging in such activities for a specified period, depending on the nature and extent of the violation(s).

VI. Consistent with the above and other applicable provisions of University policy, campuses may develop such additional implementing regulations governing the time, place, and manner of the marketing activities of banks and other commercial entities (including their third-party representatives) for the purpose of the on-campus marketing of credit cards to students as are reasonable and appropriate.

VII. Campuses must disclose all contracts or agreements with banks or other commercial entities for the purpose of marketing credit cards. Disclosure may be achieved by posting the agreement on the campuses' websites or by making the agreements available upon request.

VIII. Consistent with the applicable laws governing commercial free speech, nothing in this Policy shall preclude campuses from prohibiting outright the marketing and/or other solicitation activities of banks and other commercial entities (including their third-party

representatives) for the purpose of the on-campus marketing of credit cards to students, as long as that prohibition is part of a blanket campus prohibition against the on-campus marketing and/or other solicitation activities of all categories of commercial vendors without consideration for the content or nature of the goods or services of any particular category of vendor. Campuses shall consult with the Office of the General Counsel in the development of any local campus regulations that are more restrictive than this Policy.

IX. All banks and other commercial entities must submit to the Board of Governors of the Federal Reserve System an annual report detailing the terms and conditions of any agreements with the University to provide and market credit cards to students

X. Any banks or other commercial entities who engage in marketing activities on or near campus or at campus events or who have contracted with the University for the purpose of marketing credit cards must comply with the *Credit Card Accountability Responsibility and Disclosure Act of 2009*.

Supplemental Guidelines for Implementing the University of California Policy on the Marketing of Credit Cards to Students

I. When restricting marketing activities to specific sites and times as provided by Section II of the Policy, campuses are strongly encouraged to give consideration to strictly limiting the number of such sites, as well as the times that such activities can take place, consistent with the provisions of the California Student Financial Responsibility Act of 2001 and with the Credit Card Accountability Responsibility and Disclosure Act of 2009.

II.A. Further consistent with the provisions of the [California Student Financial Responsibility Act of 2001](#), and with the *Credit Card Accountability Responsibility and Disclosure Act of 2009*, campuses are strongly encouraged to provide credit-card and other debt education to all students. Although campuses may develop their own programs (see Section II.B of these Guidelines), they are encouraged to minimize workload by taking advantage of available third-party programs and materials that have been reviewed and approved by the campus and/or by providing referrals to high-quality programs, materials, and counseling available at no cost from third-party entities. Among the means to be considered by campuses are:

1. Using new student orientation programs to target education efforts particularly toward first-year students, many of whom have no previous experience managing personal credit;
2. Posting debt management information on a campus website that students commonly access; and
3. Encouraging cross-departmental sharing of credit-card and other debt education materials.

II.B. Pursuant to Section II.A of these *Guidelines*, campuses that elect to charge marketing fees as provided by Section III of the *Policy* may wish to give consideration to applying the fee to the cost of developing new, or improving existing, campus debt counseling services and/or related credit-card education activities and programs that may be available through the Office of Student Financial Support and other campus departments.

III. To the extent financially feasible, campuses are further encouraged to examine their practices regarding the insertion of credit-card promotional materials into shopping bags that are used in their bookstore or other retail operations, and give consideration to either 1) phasing out that practice, or 2) requiring that such materials be accompanied by campus-approved debt-education materials promoting the responsible use of credit cards.

IV. The University recognizes that any law or University policy aiming at the stricter regulation of the on-campus credit card solicitation of students by banks and other commercial entities or their third-party representatives may have the effect of redirecting the focus of such solicitation efforts to students just outside the campus boundaries. Accordingly, campuses are encouraged to consider working with local municipalities to promote the enactment of new municipal time, place, and manner regulations and/or, where such regulations are already in existence, to support their more rigorous enforcement, consistent with the underlying public policy intent of the *California Student Financial Responsibility Act of 2001* and the *Credit Card Accountability Responsibility and Disclosure Act of 2009* to promote an environment actively supportive of the conditions for encouraging student financial responsibility.

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Appendix E – Sexual Violence and Sexual Harassment Student Adjudication Framework

I. PREFACE

The University of California is committed to creating and maintaining a community where all individuals who participate in University programs and activities can work and learn together in an atmosphere free of sexual violence and sexual harassment. Consistent with its legal obligations under Title IX of the Education Amendments of 1972, the Violence Against Women Reauthorization Act of 2013, and California Education Code section 67386, the University responds promptly and effectively to reports of sexual violence and sexual harassment, and takes appropriate action to prevent, to correct, and when necessary, to discipline behavior that violates the University's Policy on Sexual Violence and Sexual Harassment.

The University's student disciplinary procedures emphasize education, personal growth, accountability, and ethical behavior -- upholding standards of responsible conduct to protect the welfare of the University community. When formal fact-finding procedures are used, the procedures are designed to provide a prompt, fair, and impartial resolution of the matter.

The following describes the University's procedures for resolving complaints of sexual violence and sexual harassment where the parties are students, including the discipline of students found in violation of University policy. An attachment illustrating the Student Adjudication Model - Process Flow Chart can be found in Attachment 1.

II. RESOURCES RELATING TO SEXUAL VIOLENCE AND SEXUAL HARASSMENT

The University has a Title IX Office at each campus that is responsible for receiving and responding to reports of sexual violence and sexual harassment. Confidential resources also are available both before and after a person communicates with the Title IX Office about potential violations of the Policy on Sexual Violence and Sexual Harassment. Confidential resources include CARE advocates, Ombuds, and licensed counselors in student counseling centers. These resources can provide confidential advice and counseling without that information being disclosed to the Title IX Office or law enforcement without the student's consent, unless there is a threat of serious harm to the individual or others or a legal obligation that requires disclosure (such as suspected abuse of a minor).

III. REPORT OF SEXUAL VIOLENCE AND SEXUAL HARASSMENT

A. For purposes of this model, the University will consider any alleged victim of sexual violence or sexual harassment a “complainant,” whether or not he or she makes a report or participates in the investigation and resolution process.

B. The University will strive to honor the stated wishes of the complainant concerning whether to move forward with an investigation. There may be circumstances, however, in which the University may need to move forward against the complainant’s wishes, or in which the University may determine that an investigation will not occur despite the complainant’s wish to pursue an investigation.

C. Throughout the resolution process, the University will offer and provide support services for complainants through the CARE office, and for respondents through the Respondent Services Coordinator.

D. The University will also consider and take interim measures as appropriate to ensure the safety, well-being, and equal access to University programs and activities of its students. Interim measures include, but are not limited to, the following: no contact orders; housing assistance; academic support and accommodations; and counseling. The University may place the respondent on an Interim Suspension as appropriate and consistent with the Policies Applying to Campus Activities, Organizations and Students (PACAOS) - 105.08 of the Policy on Student Conduct and Discipline.

E. At all stages of the process, the complainant and respondent have the right to an advisor and a support person of their choosing.

F. Neither the complainant nor the respondent is required to participate in the resolution process. The University will not draw any adverse inferences from a complainant or respondent’s decision not to participate or to remain silent during the process. An investigator, decision-maker, or appeal body will reach findings and conclusions based on the information available. An investigator, decision-maker, or appeal body may draw adverse inferences when a student selectively participates in the process, such as choosing to answer some but not all questions posed.

G. The campus Case Management Team (CMT) will track all stages of the resolution process – from receipt of the report through the investigation and, if applicable, the University student discipline process.

H. All University officials involved in the resolution process will be trained to carry out their roles in an impartial manner in keeping with trauma-informed practices.

I. The standard of proof at all stages of the process is preponderance of the evidence.

J. The University will complete the process, including all appeals, within 120 business days from the date of Title IX’s receipt of a report. This deadline and all deadlines contained herein may be extended for good cause shown and documented. The complainant and respondent will be notified in writing of any extension.

IV. INVESTIGATION OF ALLEGATION OF SEXUAL VIOLENCE AND SEXUAL HARASSMENT

A. Upon receipt of a report of or information about alleged sexual violence and/or sexual harassment, the Title IX Officer for the campus will determine, consistent with the University’s Policy on Sexual Violence and Sexual Harassment, whether an investigation should be initiated.

B. If an investigation will not be conducted, the Title IX Officer will notify the complainant in writing and explain the rationale for the determination.

C. If an investigation will be conducted, the Title IX Officer and Student Conduct office will jointly send written notice of the charges to the complainant and respondent. The written notice will include:

1. A summary of the allegations and potential policy violations;
2. The purpose of the investigation;
3. A statement that the investigative report, when issued, will make factual findings and a recommendation regarding whether there has been a violation of University policy;
4. A statement that the findings and recommendation will be based on a preponderance of the evidence standard;
5. A summary of the process, including the expected timeline; and
6. A summary of the rights of the complainant and respondent.

D. The Title IX Officer will oversee the investigation and will designate an investigator to conduct a fair, thorough, and impartial investigation.

E. During the investigation, the complainant and respondent will be provided an equal opportunity to meet with the investigator, submit information, and identify witnesses who may have relevant information.

F. The investigator will meet separately with the complainant, respondent, and third party witnesses who may have relevant information, and will gather other available and relevant evidence and information. The investigator may follow up with the complainant or the respondent as needed to clarify any inconsistencies or new information gathered during the course of the investigation.

G. The investigator may determine the relevance of any witness or other evidence to the findings and may exclude certain types of evidence or information that is irrelevant or immaterial.

H. When a law enforcement agency is conducting its own investigation, the investigator should coordinate his or her fact-finding efforts with the law enforcement investigation. At the request of law enforcement, the investigation may be delayed as needed to meet any specific needs of the criminal investigation. Such a delay may be cause for extending the timelines to complete the process and delay will be communicated and documented.

I. The investigator will prepare a written report that includes a statement of the allegations and issues, the positions of the parties, a summary of the evidence, findings of fact, and a recommendation regarding whether there are any policy violations. If the complainant or respondent offered witnesses or other evidence that was not considered by the investigator, the investigation report will include an explanation why it was not considered.

J. The investigation file must be retained and made available to the parties on request, and may be redacted as necessary to protect student privacy rights.

V. DECISION ON RESPONSIBILITY AND DISCIPLINARY SANCTIONS

A. Upon completion of the Title IX Investigation, the Title IX Officer and Student Conduct office will jointly send to the complainant and the respondent (a) written notice of the

investigation findings and the investigator's recommended determinations, and (b) will provide a copy of the investigation report. The investigation report may be redacted if necessary to protect student privacy rights.

B. The written notice of the findings and recommended determinations will include the following:

1. A statement of the factual findings and recommendations regarding whether the charge(s) have been substantiated, including whether policies have been violated;
2. An admonition against intimidation or retaliation;
3. An explanation of any interim measures that will remain in place;
4. A statement of the right to appeal that will be explained further in the notice of decision;
5. A statement that the Student Conduct office will determine whether the charges have been substantiated and policies have been violated and, if so, assess the disciplinary sanctions and inform the complainant and respondent of the sanctions within ten (10) business days of the notice of findings; and
6. A statement that the complainant and/or respondent may schedule a meeting with the Student Conduct office and/or submit a statement in writing to be heard on the question of the findings of any policy violations and the discipline prior to the decision and the imposition of sanctions.

C. If the Student Conduct office determines that disciplinary sanctions are appropriate, the sanctions will be determined in accordance with the sanctioning guidelines provided in Section VII. Disciplinary Process for Student Sanctions.

D. The Student Conduct office may consult with the Title IX office at any point in the decision-making process.

E. Within ten (10) business days of the notice of findings and recommended determinations, the Student Conduct office will send written notice to the complainant and respondent setting forth the decision on whether the charges have been substantiated and any policies have been violated, and any sanctions to be imposed. The written notice will include the following:

1. A description of the determinations on whether the charges have been substantiated and any policies have been violated, and if so, a description of the sanctions;
2. The rationale for the determinations¹ and the sanctions;
3. A statement of the right to appeal, the procedure that will be followed in hearing the appeal, the grounds upon which the appeal may be based, and the office to which the appeal may be submitted; and
4. An explanation that both the complainant and respondent will receive a copy of any appeal prior to a hearing. The Title IX investigation and the Student Conduct office's determination of responsibility and sanctions will be completed within 60 business days from Title IX's receipt of a report absent an extension for good cause.

VI. APPEAL PROCESS

A. The complainant and respondent may contest the decision and/or the sanctions by submitting an appeal. The appeal should identify the reason(s) why the party is challenging the outcome under one or more of the following grounds:

1. There was procedural error in the process that materially affected the outcome, such as the investigation was not fair, thorough or impartial;
2. The decision was unreasonable based on the evidence;
3. There is new, material information that was unknown and/or unavailable at the time the decision was made that should affect the outcome;
4. The disciplinary sanctions were disproportionate to the findings;

B. An appeal must be submitted in writing to the designated campus office within ten (10) business days following written notice of the decision and disciplinary sanctions, if imposed. The appeal must identify the grounds for appealing and contain a brief statement of the reasons supporting each ground for appeal.

C. If an appeal is submitted, any disciplinary sanctions ordinarily will not be imposed until the appeal process is completed. Interim measures, such as no contact orders, academic accommodations, etc. will remain in effect during the appeal process.

D. The appeal will be decided at a hearing by an Appeal Body composed of one to three individuals who may be University staff or academic appointees, or non-University officials, such as administrative law judges or experienced investigators. The Appeal Body will be appropriately trained. A Hearing Coordinator may assist the Appeal Body with the administration of the process.

E. The Appeal Body will review the information and decide whether it contains sufficient information concerning the grounds for appeal and the reasons related to those grounds. The purpose of this review is not to decide the merits of the appeal, but to identify the nature and scope of the issues to be addressed in the hearing. If the written appeal is defective or incomplete, the appealing party should be given an opportunity to correct and resubmit the appeal.

F. Conducting the Appeal Hearing

1. Pre-Hearing Procedures

- a. Not less than ten (10) business days before the appeal hearing, the Hearing Coordinator will send written notice to the complainant and respondent of the hearing date, time, location and procedures. The notice will include a copy of the appeal(s) to be considered at the hearing.
- b. Prior to the hearing, the complainant and respondent will submit to the Appeal Body the information they intend to present at the appeal, including all documents to be presented, the names of all witnesses, and a brief summary of all witnesses' expected testimony.
- c. At least two days prior to the appeal hearing, the complainant and respondent will receive copies of all the information that will be considered at the appeal hearing, including the names of potential witnesses and a summary of the information they are expected to provide.
- d. Prior to the appeal hearing and/or during the hearing, the Appeal Body may:

- i. Exclude information and/or witness testimony that is irrelevant in light of the grounds for appeal, not in dispute, or unduly repetitive.
- ii. Decide any procedural issues for the appeal hearing.
- iii. Make any other determinations necessary to ensure an orderly, productive, and procedurally proper appeal hearing.

2. Appeal Hearing Procedures:

- a. The Title IX investigator will be present at the appeal hearing. The Appeal Body may question the investigator, the complainant, and/or the respondent. The investigation report and any supporting documents or materials will be entered as evidence at the appeal hearing.
- b. The Appeal Body may allow the complainant, respondent, and/or witnesses to be visually or physically separated during the appeal hearing. This may include, but is not limited to, the use of a physical partition, a separate physical location, videoconference and/or any other appropriate technology. The Appeal Body must be able to see the complainant, respondent and any witnesses when they are presenting information.
- c. The complainant and respondent will have the opportunity to present the information they submitted pursuant to Section VI.F.1.b (unless excluded by the Appeal Body pursuant to Section VI.F.1.d.).
- d. The complainant and respondent have the right to hear all individuals who testify at the hearing and to propose questions to be asked of all individuals who testify at the hearing.
- e. The Appeal Body will determine the order of questioning. Whenever possible, the Appeal Body will ask the questions as they are submitted by the complainant and respondent and will not rephrase or change them. The Appeal Body may, however, exclude questions that are unduly repetitive, clearly not relevant, or unduly time consuming.
- f. The appeal hearing will be audio recorded.
- g. Formal rules of evidence will not apply. The Appeal Body may consider the form in which information is presented, as well as the credibility of any party or witness, in weighing the information and reaching findings.

G. Appeal Decision:

1. The Appeal Body will deliberate in private and reach a decision based on a preponderance of the evidence standard. The Appeal Body shall attempt to reach consensus on a decision, but the majority shall make the decision if consensus cannot be reached.
2. The Appeal Body shall take into account the record developed by the investigator and the evidence presented at the hearing, and may make its own findings and credibility determinations based on all of the evidence before it.
3. The Appeal Body may:
 1. Uphold the findings and disciplinary sanctions;
 2. Overturn the findings or sanctions; or

3. Modify the findings or sanctions.
4. The Appeal Body will summarize its decision in a written report that includes the following:
 1. A statement of the grounds for the appeal;
 2. A summary of the process undertaken by the Appeal Body;
 3. A summary of the information considered by the Appeal Body; and
 4. The decision of the Appeal Body and the rationale for the decision including, where the findings or sanctions are overturned or modified, an explanation of why the findings were not reasonable or the sanctions were disproportionate, either at the time they were made or in light of the evidence considered by the Appeal Body.
5. The Hearing Coordinator will send the Appeal Body's written decision to complainant and respondent.
 1. If the findings and the sanctions are upheld, the Hearing Coordinator will inform the respondent and complainant that the matter is closed with no further right to appeal.
 2. If the findings or sanctions are overturned or modified, the Hearing Coordinator will inform the respondent and complainant of the right to submit a written appeal to the Chancellor's designee within five (5) business days based on:
 1. Procedural error that materially affected the outcome, or
 2. A sanction that is disproportionate to the findings.
 3. If an appeal is submitted, the other party will receive a copy of the written appeal and may submit a written statement as well.
6. The Chancellor's designee will issue a written decision to the complainant and respondent, normally within ten (10) business days. There is no further right to appeal.

The appeal process described above, including the appeal hearing and any appeal to the Chancellor's designee, will normally be completed within 60 business days of the date of the notice of decision and sanctions (where imposed).

VII. DISCIPLINARY PROCESS FOR STUDENT SANCTIONS

A. Introduction

These standards are intended to ensure the consistent application of disciplinary sanctions by the University of California in responding to conduct that violates the University's *Policy on Sexual Violence and Sexual Harassment* and the applicable portions of the University's *Policies Applying to Campus Activities, Organizations, and Students* (PACAOS) - Section 100.00 (*Policy on Student Conduct and Discipline*).² The following describes the University's procedures for assigning disciplinary sanctions when the respondent is a student.

B. Principles

1. The administration of student discipline will be consistent with the applicable portions of the *Policy on Student Conduct and Discipline*.

2. When a student is found responsible for violating the University's *Policy on Sexual Violence and Sexual Harassment* or the *Policy on Student Conduct and Discipline*, the University will assign disciplinary sanctions that are appropriate to the violation, taking into consideration the context and seriousness of the violation.
3. When a student is found not responsible for violating the University's *Policy on Sexual Violence and Sexual Harassment* or the *Policy on Student Conduct*, the University is committed to taking reasonable efforts to assist any student who has been disadvantaged with respect to employment or academic status as a result of the unsubstantiated allegations.
4. Disciplinary sanctions are designed to hold a student accountable for violating University standards of conduct and to promote personal growth and development. Disciplinary sanctions also serve the purpose of stopping the behavior that violated this policy and preventing its recurrence.
5. The University of California recognizes that acts of sexual violence and sexual harassment are contrary to its goals of providing an educational environment that is safe and equal for all students.
6. University of California campuses are permitted to inform other UC campuses of a student's disciplinary record for violating the University's *Policy on Sexual Violence and Sexual Harassment* and the *Policy on Student Conduct and Discipline*.

C. Disciplinary Sanctions

1. University disciplinary sanctions include, but are not limited to:
 1. Dismissal from the University of California,
 2. Suspension from the campus,
 3. Exclusion from Areas of the Campus or from Official University Functions,
 4. Loss of Privileges and Exclusion from Activities,
 5. Restitution,
 6. Probation
 7. Censure/Warning, and/or
 8. Other actions as set forth in University policy and campus regulations.
2. The definitions of disciplinary sanctions are found in University of California PACAOS Section 105.00 (Types of Student Disciplinary Action) of the *Policy on Student Conduct and Discipline* and local campus regulations.
3. The posting of disciplinary sanctions on academic transcripts will follow University policy as defined in University of California PACAOS, Section 106.00 of the *Policy on Student Conduct and Discipline*.

D. Process

1. When a respondent has been found in violation, the University will provide written notice of the assigned disciplinary sanctions and a brief rationale for the sanctions.
2. Disciplinary sanctions will be assigned as follows:

1. Sexual assault, domestic/dating violence, or stalking in which one or more of the following factors are present will result in a minimum sanction of Suspension for at least two years, up to dismissal:
 1. force, violence, menace, or duress;
 2. deliberately causing a person to become incapacitated or deliberately taking advantage of a person's incapacitation; or
 3. recording, photographing, transmitting, viewing, or distributing intimate or sexual images without consent.
2. Sexual assault involving penetration, domestic/dating violence, or stalking will, absent exceptional circumstances, result in a minimum sanction of Suspension for two years, up to dismissal.
3. Other sexual contact in violation of policy will, absent exceptional circumstances, result in a minimum sanction of Suspension for one year.
3. Assigned disciplinary sanctions and the factors considered for each case will be documented and reported to the University of California Office of the President on a quarterly basis. The report is to ensure a reasonable level of consistency from campus to campus.

E. Factors Considered In Determining Disciplinary Sanctions

1. In determining the appropriate sanction, the following factors may be taken into account:
 1. Seriousness of violation: location and extent of touching; duration of conduct; single or repeated acts; multiple policy violations in connection with the incident; verbal or physical intimidation; presence of weapons, use of force, violence, physical injury.
 2. Intent or motivation behind violation: no intent to cause harm; passive role in violation; pressured or induced by others to participate in the violation; use of authority to abuse trust or confidence; planned or predatory conduct; 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; hate or bias based on the complainant's membership or perceived membership in a protected group as defined in *PACAOS* Section 104.90 of the *Policy on Student Conduct and Discipline*.
 3. Response following violation: voluntarily acknowledged wrongdoing at early stage of the process; failure to follow no contact order; attempt to influence witnesses; obstructed or disrupted the process.
 4. Disciplinary history: prior violations unrelated, prior violations related.
 5. Impact on others: input from the complainant, protection or safety of the community.

¹ If the Student Conduct office adopts the investigator's recommended determinations, the notice may incorporate the investigation report by reference as the rationale for the decision. If the determinations differ from the investigator's recommendations, then the notice will explain the rationale for that decision.

² This supplements the Policies Applying to Campus Activities, Organizations and Students (PACAOS, 5/10/2012). In the event of any conflict this document shall take precedence.

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Appendix 1 - Anti-Hazing Compliance

The State of California and the University of California have expressly and repeatedly asserted their opposition to hazing and preinitiation activities which do not contribute to the positive development and welfare of the individuals involved.

In February 2006, the Education Code of the State of California was repealed and amended to codify within the Penal Code a new definition of hazing. In accordance with the revised Education Code and Penal Code, students are advised of the following:

Education Code 32052

Any person who participates in the hazing of another, or any corporation or association which knowingly permits hazing to be conducted by its members or by others subject to its direction or control, shall forfeit any entitlement to State funds, scholarships, or awards which are enjoyed by him, by her, or by it, and shall be deprived of any sanction or approval granted by any public educational institution or agency.

Penal Code 245.6

Section 245.6 of the Penal Code reads:

- (a) It shall be unlawful to engage in hazing, as defined in this section.
- (b) "Hazing" means any method of initiation or preinitiation into a student organization or student body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury to any former, current, or prospective student of any school, community college, college, university, or other educational institution in this state. The term "hazing" does not include customary athletic events or school-sanctioned events.
- (c) A violation of this section that does not result in serious bodily injury is a misdemeanor, punishable by a fine of not less than one hundred dollars (\$100), nor more than five thousand dollars (\$5,000), or imprisonment in the county jail for not more than one year, or both.
- (d) Any person who personally engages in hazing that results in death or serious bodily injury as defined in paragraph (4) of subdivision (f) of Section 243 of the Penal Code, is guilty of either a misdemeanor or a felony, and shall be punished by imprisonment in county jail not exceeding one year, or by imprisonment in the state prison.
- (e) The person against whom the hazing is directed may commence a civil action for injury or damages. The action may be brought against any participants in the hazing, or any organization to which the student is seeking membership whose agents, directors, trustees, managers, or officers authorized, requested, commanded, participated in, or ratified the hazing.
- (f) Prosecution under this section shall not prohibit prosecution under any other provision of law.

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Appendix 2 - Campus Policy on Dances Sponsored by Registered Campus Organizations

Dances sponsored by UCI registered campus organizations and held on the campus are primarily for the participation and social enjoyment of club members. Admission to dances sponsored by registered campus organizations shall be restricted to UCI students (with proper identification) and those individuals 18 years or older. Under certain circumstances, a guest list may be utilized to access admission to individuals who do not meet the above criteria.

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Appendix 3 - UCI Guidelines for Reporting and Responding to Reports of Sex Offenses and UC Policy on Sexual Harassment and Sexual Violence (Reference to Section 102.08)

[UC Policy on Sexual Violence and Sexual Harassment](#) (for cases reported before January 1, 2016)

[UC Policy on Sexual Harassment and Sexual Violence](#) (for cases reported on or after January 1, 2016)

[UC Policy: Sexual Violence and Sexual Harassment Student Adjudication Framework](#) (effective January 1, 2016)

[UCI Student Adjudication Model for Sex Offenses and Sexual Harassment](#)

[UCI Guidelines for Reporting and Responding to Reports of Sex Offenses](#) (for cases reported before February 1, 2016)

[UCI Guidelines for Reporting and Responding to Reports of Sex Offenses](#) (for cases reported on or after February 1, 2016)

[UCI Guidelines for Reporting and Responding to Reports of Discrimination and Harassment](#) (for cases reported before February 1, 2016)

[UCI Guidelines for Reporting and Responding to Reports of Discrimination and Harassment](#) (for cases reported on or after February 1, 2016)

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Appendix 4 - Hate and Bias Incident Response Protocol

(Deleted on October 9, 2009)

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Appendix 5 - Policy on Unauthorized Use of Course Materials for Commercial Purposes (Reference to Section 102.23)

I. Definitions

A. Course Materials: The term *course materials* means all materials prepared by or under the supervision of the instructor for use in the course, including, but not limited to lectures and discussions, handouts, examinations, and the course website. Notes or readings of class lectures and discussions are considered *course materials* for purposes of this Policy.

B. Commercial Purpose: The term *commercial purpose* means any purpose that has financial or economic gain as an objective. *Commercial purpose* does not include University activities, such as an activity engaged in on behalf of the Disability Services Center or the Learning and Academic Resource Center.

II. Policy

Course materials are for purposes of individual or group study or for other non-commercial purposes reasonably arising from the student's enrollment in the course or the University. Permission to use course materials or to make notes or recordings falls within the instructor's discretion as informed by instructional purposes, classroom order, property interests or other reasonable issues arising in the academic context. Course materials may not be exchanged or distributed for commercial purposes, or for any other unauthorized purposes. Unless authorized in advance and in writing by the instructor and by the University, commercial use of course materials constitutes an unauthorized commercial activity in violation of the UCI Policies Applying to Campus Activities, Organizations, and Students, section 40.00(B). Requests for authorization from the University should be directed to the Associate Vice Chancellor, Student Affairs. Students who violate this policy are subject to University discipline. In addition, misuse of course materials may subject an individual to legal proceedings.

AB 1773 was signed into law during September 2000, to be effective January 1, 2001. This State Law amended the California Education Code, as follows:

66450(a) Except as authorized by policies developed in accordance with subdivision (a) of section 66452, no business, agency, or person, including, but not limited to, an enrolled student shall prepare, cause to be prepared, give, sell, transfer or otherwise distribute or publish, for any commercial purpose, any contemporaneous recording of an academic presentation in a class room or equivalent site of instruction by an instructor of record. This prohibition applies to a recording made in any medium, including but not necessarily limited to, handwritten or typewritten class notes.

The full text of the California Education Code 66450-66452, including a description of civil penalties and the legal and financial remedies available to the University and an individual instructor for violations of this State law, can be found at <http://www.leginfo.ca.gov/> and at <http://caselaw.lp.findlaw.com/cacodes/edc/66450-66452.html>

Nothing in this Policy is intended to alter the intellectual property rights of the instructors. Students are reminded that this Policy also applies to their use of any course materials posted by instructors on websites.

Nothing in this Policy is intended to alter the obligation of students and campus organizations to obtain proper authorization from the instructor and/or the University concerning the non-commercial use of course materials.

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Appendix 6 - Policy for Student Fee Funded Facilities

Approved July 1, 2016

INTRODUCTION

This policy applies only to those fee initiatives, which require incidental student mandatory fees for the construction, expansion, renovation and/or operation of campus facilities. Amendments to or deletions from this policy shall be reviewed by the AGS and ASUCI councils and approved by the Chancellor.

SECTION I

PROCESS FOR FEE FUNDED FACILITIES INITIATIVE

1. A proposal for a fee initiative may be submitted to the Chancellor for approval from one of the following sources:

- a. The ASUCI and AGS councils after receiving formal support by both councils.
- b. A petition signed by at least 8% of the combined registered graduate and undergraduate students.

2. The content of the fee initiative shall be submitted in its entirety to the Chancellor for approval. The initiative shall include the following provisions:

- a. Use of the fee including whether or not fees are to be used for facility operations and maintenance costs.
- b. Effective date of the fees.
- c. Length of time the fee will be collected.

3. The voting procedure for the fee initiative shall be submitted in its entirety to the Chancellor for approval. The voting procedures shall contain the following provisions:

- a. Wording of the ballot.
- b. The information brochure, which shall accompany each ballot providing, balanced arguments for affirmative and negative voting.
- c. Determination of how invalid and blank ballots shall be counted.
- d. Criteria for determining approved fee level when more than one choice exists.
- e. Voting logistics (i.e., voting dates and times, locations, verification of eligibility of votes).

The fee initiative election may be held through ASUCI elections in accordance with the ASUCI Election Code and Constitution. If the voting is done outside the ASUCI Election Code process, ASUCI Council shall review the procedures and make a recommendation to the Chancellor as to whether or not they should be followed.

- f. Mail ballots and proxy ballots shall not be used.

4. The minimum requirement for fee initiative approval shall be 20% of the registered student body of which at least 60% must vote in the affirmative.

5. Before the voting procedures are presented to the Chancellor for approval, the Office of Student Services on behalf of the campus administration shall make a formal presentation of the proposed facilities plan, (i.e., structural, financial, promotional, educational, etc.) to the ASUCI Legislative Council at a regularly scheduled council meeting. This presentation shall be for informational purposes only and not for approval.

a. If the campus administration spends funds to produce printed materials in support of an initiative, it shall make available through ASUCI an equal amount for distribution to students with opposing arguments and points to view. The amount of funds shall be limited to the cost of printing the material and shall not include the cost of printing the information brochure and other balloting materials.

b. The funding for opposing arguments shall be transferred, in full, from the Office of Student Services to the ASUCI Business Office. The appropriations of these funds shall be the sole responsibility of the ASUCI Legislative Council. Appropriations to student groups shall be considered only after they have formally applied to the ASUCI Legislative Council with a comprehensive counter advocacy/educational plan.

6. In the event of a negative vote, the fee initiative shall not return to the ballot until two academic quarters have elapsed from the day the fee initiative results were declared official. The Chancellor must authorize another initiative, based on another recommendation from one of the sources outlined in item (1) Section I.

SECTION II

FACILITY ADVISORY BOARD GUIDELINES

1. The Chancellor shall approve the Facility Advisory Board Guidelines. These shall not require approval by a general vote of the student body.

a. The final draft of the initial and/or revised Facility Advisory Board Guidelines shall be reviewed by both the ASUCI and AGS Legislative Councils.

b. Final approval of the Facility Advisory Board Guidelines and any amendments thereto shall be made by the Chancellor.

2. The Facility Advisory Board Guidelines shall contain the following membership provisions:

a. Membership shall be a majority of students.

b. The approval of the Board's student members shall be made by ASUCI and AGS.

c. The Chair shall be a student on the Board who is elected by the Board.

d. The Director of the Facility shall be a non-voting, ex-officio member of the Board.

e. There shall be no co-seats on the Facility Board.

SECTION III

FACILITY ADVISORY BOARD CONSTRUCTION DUTIES

1. The Facility Advisory Board shall review and recommend for approval the following:

a. The Project Planning Guide.

- b. The Project Budget.
 - c. The Executive Architect.
 - d. The Detailed Project Plan.
 - e. Final bid documents.
 - f. Proposed changes in scope during construction.
 - g. Name of the facility.
2. The University's Building Advisory committee shall include members from the Facility Board. The Committee shall participate in aspects of the project development including, but not limited to, review of the following:
- a. Original contract amounts and associated liens/expenditures.
 - b. Field order and non-scope change orders.
 - c. Budgeted overhead amounts and associated liens/expenditures

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Appendix 7 - Firearms on Campus

As per Section 626.9 of the California Penal Code (Firearms on campus), it is a felony to:

Bring or possess upon grounds of or within any public school, including the University of California, California State University, without permission of school authorities (except peace officer, military, licensed armored vehicle guard, etc.)

As per Section 626.10 (b) of the California Penal code (knives on College Grounds), it is also a felony for:

Anyone except authorized persons to bring or possess any dirk, dagger or knife with blade over 2 1/2 inches long, on the grounds of or within any state university, state or community college.

Please report to the UCI Police Department anyone who has stated that they have a gun on campus or who has made a threat to use a firearm on campus. You can ask to be anonymous when reporting.

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Appendix 8 - UCI Guidelines for Reporting and Responding to Reports of Discrimination and Harassment (Reference to Section 102.09)

[UCI Guidelines for Reporting and Responding to Reports of Discrimination and Harassment](#) (for cases reported before February 1, 2016)

[UCI Guidelines for Reporting and Responding to Reports of Discrimination and Harassment](#) (for cases reported on or after February 1, 2016)

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