

Student Rights & Responsibilities SA507

Last Reviewed: June 2021

I. Intent

Underlying our educational mission are basic values that bind students and instructors alike into a community of learners. These values include an expectation of intellectual honesty; the fostering of mutual trust and respect; regard for others' freedom of speech, thought and belief; freedom of inquiry; joy in learning; freedom from discrimination; and a rejection of all forms of intimidation, harassment, disruption or violence aimed at limiting these freedoms, or interfering with a student's, instructor's or staff member's performance of their University responsibilities.

This policy outlines the code of conduct, rights and responsibilities for Extension students, and sets forth applicable disciplinary procedures and sanctions for violation of this code.

II. Definitions

- **Assistant Dean of Student Services (ADSS):** the ADSS oversees Extension's Department of Student Services and is delegated responsibility to mediate matters of student conduct and complaints/grievances and authority to hear and review appeals of decisions made by Brief Adjudicative Proceeding (BAP) or decisions made in conduct cases for Pathway, the American Language Center (ALC), or other specially designated programs. The ADSS may serve or designate an Extension administrator to serve as an ex officio member of the Extension Student Conduct Committee to ensure process integrity.
- **Brief Adjudicative Proceeding (BAP):** an administrative proceeding/informal hearing conducted by the Conduct Officer to resolve student conduct cases, involving the complainant, the respondent, and upon appeal, the Assistant Dean of Student Services. BAPs may not be used to hear Title IX complaints, or cases in which the potential discipline would include suspension in excess of ten (10) days or dismissal.
- **Campus Community:** the community of persons or entities with a connection or relationship to the stated mission of UCLA Extension.
- **Civil Rights Office (CRO):** the CRO is an office within UCLA's Office of Equity, Diversity and Inclusion that includes the Discrimination Prevention Office (DPO), Title IX Office (T9), and Staff Diversity & AA/EEO Compliance Office (SD&C) and serves as civil rights investigatory units for the campus. Depending on the respondent and allegation, these offices have responsibility in the adjudication and investigation of complaints.

- **Complainant:** any person, including UCLA Extension students, staff, instructors or affiliated individuals, who submits a complaint reporting an incident of concern, or alleging prohibited conduct, or a policy violation.
- **Complaint:** an oral or written report that accuses or alleges an inappropriate action or violation of the conduct code, policy or law, and for which an informal or formal process will resolve the matter.
- **Conduct Officer (CO):** the Student Rights & Responsibilities Manager, or other designated Extension administrator who is responsible for implementing and enforcing this policy *SA507 Student Rights & Responsibilities (SRR)* and related procedures, reviewing and investigating allegations of student misconduct, conducting a BAP to resolve conduct cases, and referring cases to the Extension Student Conduct Committee for formal hearing/resolution as needed.
- **Dean:** the Dean of Continuing Education & UCLA Extension (as distinct from the UCLA Dean of Students) who is delegated authority to establish policy for Extension students, and may hear appeals of decisions made by the Assistant Dean Student Services under the provisions outlined below in section J.
- **Days:** University business days, not including Saturdays, Sundays, or days on which the campus is closed.
- **Extension Student Conduct Committee (ESCC):** an Extension committee responsible for hearing and adjudicating student disciplinary cases in a formal resolution process. The ESCC must have a **minimum** of 3 members present from the pool, to constitute a quorum and preside over a formal conduct hearing.

The pool for the ESCC, and from which members will be selected for student conduct hearings, will be composed of at least: three (3) certificate program or alumni students and six (6) staff members across academic and administrative areas, appointed by the Dean, to serve two year terms which may be renewed depending on interest. A designated Extension administrator will serve as an ex officio to ensure integrity of the conduct hearing and advise on process as necessary. The ADSS may serve or designate an Extension administrator to serve in this ex officio capacity. The Dean, or designee, may elect to appoint additional or alternate members, depending on the need and availability of staff and students, so there is an active pool of committee members.

- **FERPA:** the federal *Family Educational Rights and Privacy Act*, 20 U.S.C. § 1232g; 34 CFR Pt. 99. defines the terms and conditions under which UCLA protects and discloses information contained in students' educational records.

- **Grievance:** a claim of harm caused by violation of policy or law that becomes a formal charge when a dispute cannot be resolved at an initial level by an informal process.
- **Guest:** any person who is not a member of the Campus Community, who is on University property (owned or leased), or who is participating in an Extension or campus program or activity at the invitation of a member of the Campus Community.
- **Incident Reporting Form (IRF):** the official form to report and log incidents of concern and complaints; this form may be utilized by Extension students, instructors, academic and administrative staff, and community members.
- **Preponderance of Evidence:** an evidentiary standard of proof in which the totality of the evidence demonstrates that it is *more likely than not* that the alleged action or conduct occurred.
- **Program Director/Continuing Educator:** a PD/CE is an academic employee who develops and manages academic courses and program curriculum for UCLA Extension. PDs/CEs work with a team of program managers/representatives and are responsible for the academic administration of courses, instructors, and students.
- **Proscribed Behavior:** a non-exhaustive list of conduct that is prohibited by UCLA and UCLA Extension behavior as set forth in the conduct code.
- **Reporting Party:** under the *Sexual Violence and Sexual Harassment* policy, the Reporting Party may differ from the Complainant, who is the alleged victim. Regardless of who the Reporting Party is, all rights and responsibilities under the SVSH policy are vested in the Complainant.
- **Respondent:** the person or people against whom a complaint or grievance is made, or the person accused of prohibited conduct or policy violation.
- **Service:** the process by which a document is officially delivered to a party. Service is deemed complete upon hand delivery of the document, or upon the date the document is received at the electronic or physical address most recently provided by the student to Extension's Registrar.
- **SVSH / Title IX Policy and Adjudication Framework:** the *Sexual Violence and Sexual Harassment* (SVSH) policy and related *Sexual Violence and Sexual Harassment Student Adjudication Framework* (PACAOS - Appendix E) codifies the University's responsibilities related to sexual violence, sexual harassment, retaliation, and other prohibited behavior as defined in this policy in order to ensure an equitable and inclusive education and employment environment.

- **Student:** a person for whom UCLA Extension maintains student records and who has enrolled in a course or a program curriculum offered by UCLA Extension.
- **SA507 Student Rights & Responsibilities (SRR):** UCLA Extension policy, in accord with systemwide and campus policy, which outlines rights, responsibilities, and the conduct code for Extension students.
- **Student Services (SS):** a department within UCLA Extension responsible for student administrative services related to enrollment/registration, cashiering, student records, career and alumni services, disability services, financial aid, and student rights/responsibilities.
- **Student Rights & Responsibilities Center (SRRC):** a unit within UCLA Extension's Department of Student Services, including the Office of Disability Services (ODS), who is responsible for the administration and management of the student conduct code, disability services, and ADA/504 compliance; administration of related training; and mediation and coordination for student complaint resolution.
- **Support Person:** any person accompanying a student during any stage of the investigation and resolution process whose role is to provide support and guidance to a complainant or respondent. A support person may be an advocate, attorney, friend, or parent, as long as they are not otherwise a party or witness in the investigation. A support person must sign a confidentiality agreement and the student must sign a waiver allowing the support person to participate in the conduct resolution process or to receive information about the student. Extension staff may not communicate with a support person who has not signed the confidentiality agreement or for whom the student has not signed a waiver.

A support person's role is only to provide support. The support person may be present but is not permitted to speak or otherwise participate in meetings or proceedings that are part of the investigation and resolution process and may not in any manner disrupt any such meeting or proceeding. Proceedings will not be delayed in order to accommodate a support person's ability to attend. A support person may be required, as a condition of participation, to protect the confidentiality of the matter.

- **Witness:** a person who is providing information in regard to a conduct case, either in person, by video, audio, or other forms of electronic communication, or through a written statement prepared for the purposes of the hearing.

III. Policy Statement

A. Statement on Nondiscrimination and Diversity

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, physical or mental disability, medical condition, ancestry, marital status, age, sexual orientation, citizenship, or service in the uniformed services. The University also prohibits sexual harassment, sexual violence, dating violence, and retaliation. This nondiscrimination policy covers admission, access, and treatment in University programs and activities.

UCLA Extension upholds the University's principles of community and ethical values. Extension is committed to the goals of access, equity, diversity and inclusion. The UNEX Committee for Equity, Diversity, and Inclusion is a standing committee composed of Extension students, instructors, and staff who work directly with the Dean of Continuing Education and UCLA Extension to inspire and implement institutional objectives and initiatives to foster a robust, inclusive and diverse learning community. Extension's statement on diversity shall be applied and communicated in Extension's programs and courses, as follows:

In keeping with UC and UCLA Diversity Policies, UCLA Extension commits to fostering an inclusive classroom environment that honors diversity and creates a safe space for all students. If for any reason you feel uncomfortable because of an interaction with other students or the instructor, please reach out to the Student Rights & Responsibilities Center to explain the situation.

B. Authority and Applicability

The University of California Office of the President (UCOP), in accord with California higher education regulations, establishes systemwide policy on student conduct and discipline. Authority to establish campus processes is delegated to campus Chancellors who exercise and redelegate authority to administer disciplinary procedure to respective Vice Chancellors and Deans. The Dean of UCLA Extension designates the Assistant Dean of Student Services and the Student Rights & Responsibilities manager to manage student conduct and related rights and responsibilities, as well as impose discipline for the commission of violations specific to Extension students. The Assistant Dean of Student Services, the designated staff of the SRRC, or any hearing officer or hearing body as designated, operate by delegation of the Dean as vested by the UCOP mandate.

The University and UCLA Extension have jurisdiction over student conduct that occurs on University and Extension property, or in connection with official University and Extension programs or functions whether on or off University

property. The University and UCLA Extension may, at its sole discretion, exercise jurisdiction over student behavior that occurs off campus and that would violate student conduct policies or regulations when: the nature of the alleged offense indicates the student poses a threat to the safety and security of any individual; or the alleged misconduct involves academic work or the forgery, alteration or misuse of any University document, record, key, electronic device, or identification.

This policy and its standards of conduct, guidelines for fact-finding, hearings, and sanctions applies to students as the term 'student' is defined in Section II of this policy, including students, by agreement with the UCLA Dean of Students, who are enrolled concurrently in regular session courses and who are not otherwise matriculated at UCLA and not under contract for readmission. This policy applies to students enrolled in continuing education courses and programs offered by UCLA professional schools where the course and enrollment process is hosted by Extension and where the Dean of the partnered school has elected to employ UCLA Extension's disciplinary process.

This policy also applies 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 an application through their official enrollment; c) applicants or registrants who attend an Extension event or info session; and d) former students for offenses committed while a student.

Former UCLA Extension students no longer under its jurisdiction and therefore deemed *non-affiliates*, but who are reported to have engaged in misconduct which threatens the health and safety of the University community, may be subject to a *Stay Away Order* from the campus by the office of the Administrative Vice Chancellor, arranged through Campus Counsel. In addition, any membership with the Alumni Association may be revoked.

C. Student Rights and Responsibilities

UCLA's [principles of community](#) set the foundational values that guide the behavior of all members of the campus, individually and collectively. Students are members of both society and the University community, with attendant rights and responsibilities. Students must be notified of policies and conditions of their student status, and are expected to be aware of and comply with the law, and with University and campus policies and regulations.

Fundamentally, students have the right to learn in an environment free of harassment, exploitation and intimidation. In matters of conduct, students have the right:

- to a written notice of charges including the section(s) of the Code that a student is alleged to have violated and a summary of the available supporting information of the charge.
- to a presumption of innocence and due process in the conduct procedure for determining responsibility and validity of an allegation.
- to choose not to participate in a conduct or grievance process, but having been made aware that the process can proceed without their participation and may result in decisions made based on the information available. No inference can be drawn as a direct result of a student's non-participation.
- to be heard and have the opportunity for a hearing to resolve the case.
- to have a support person be present with them during a hearing.
- to appeal the decision of a hearing and/or sanctions imposed, based on the criteria for appeal.

Students choosing and seeking higher education also have responsibilities for their participation and engagement. Students are responsible to know University policy, to know course/program expectations, and academic requirements as stated in the course syllabus and other written guidelines, which are publicized and made available via public websites, technology tools, and direct communications. Students are also responsible for:

- reading and upholding the Student Conduct Code as stated in this policy.
- responding to communications and meeting requests pertinent to the resolution of a case.
- recognizing their actions and intentions are important and impact the campus environment and learning experience for themselves and others.
- preserving the standards and principles of community in their actions and interactions with others.

D. Student Code of Conduct

UCLA Extension's policy conforms to systemwide policies applying to Campus Activities, Organizations and Students ([PACAOs 100](#)), and the [Sexual Violence and Sexual Harassment](#) policy as it pertains to student conduct. Accordingly, all behavior proscribed by those policies is proscribed by UCLA Extension. UCLA Extension may also elect to draw on standards of conduct elaborated for the general UCLA population by the UCLA Dean of Students and may establish its own standards based on its own experience.

The following list of proscribed behavior applies to student conduct that occurs on University and UCLA Extension property, or in connection with official University and UCLA Extension programs or functions, whether on or off University/UCLA Extension property, both in-person or virtual/online classrooms or settings.

A UCLA Extension student found to be engaging in, committing, attempting to commit, aiding, abetting, inciting, encouraging, or assisting another person to commit proscribed conduct as listed below, will be in violation of University policy and, as applicable, state and/or federal law.

Students are responsible for their guests while on campus and while participating in programs of the University, and may be held accountable for any violation(s) of the code committed by their guest, including the willful refusal to comply with the order of a University official.

To provide public notice, this policy and the following list of [proscribed behaviors](#) will be published on the UCLA Extension website, with a notation that the list is not wholly inclusive.

1. Academic Dishonesty

All forms of academic misconduct or research misconduct, including, but not limited to, cheating, fabrication or falsification, plagiarism, multiple submissions or facilitating academic misconduct which occurs in academic exercises or submissions. The following definitions apply:

- 1a. Cheating includes, but is not limited to, the use of unauthorized materials (including online sources such as *Course Hero*, *GitHub* or *Chegg*), information, or study aids in any academic exercise; the alteration of any answers on a graded document before submitting it for re-grading; or the failure to observe the expressed procedures or instructions of an academic exercise (e.g., examination instructions regarding alternate seating or conversation during an examination).
- 1b. Fabrication includes, but is not limited to, falsification or invention of any information or citation in an academic exercise, including Fabrication or Falsification of Research. Fabrication of Research is making up data or results and recording or reporting them. Falsification of Research is manipulating research materials, equipment or processes, or changing or omitting data or results such that the research is not accurately represented in the research record.
- 1c. Plagiarism includes, but is not limited to, the use of another person's work (including words, ideas, designs, or data) without giving appropriate attribution or citation. This includes, but is not limited to, representing, with or without the intent to deceive, part or all of an entire work obtained by purchase or otherwise, as the Student's original work; the omission of or failure to acknowledge the true source of the work; or representing an altered but identifiable work of another person or the Student's own previous work as if it were the Student's original

or new work. Unless otherwise specified by the instructor, all submissions, whether in draft or final form, to meet course requirements (including a paper, project, exam, computer program, oral presentation, digital slides, or other work) must either be the Student's own work, or must clearly acknowledge the source.

- 1d. Multiple submissions include, but are not limited to, the submission for credit in a UCLA Extension or UCLA course of any work which has been previously submitted in identical or similar form, at any educational institution, to fulfill the requirements of another course or the same course, without the prior informed permission and written consent of the instructor of the UCLA Extension course in which the multiple submission is alleged to have occurred. Multiple submissions also include the submission of work for credit, in identical or similar form, in concurrent courses, without the permission/consent of the instructors of both courses.
- 1e. Facilitating academic dishonesty includes, but is not limited to, knowingly helping another student commit an act of academic dishonesty or publishing assignments, exams or solutions without permission of the instructor.
- 1f. Coercion regarding grading or evaluation of coursework, including threatening personal or professional repercussions or discipline against an instructor to coerce the instructor to change a grade or otherwise evaluate the student's work by criteria not directly reflective of coursework; or threatening personal or professional repercussions or discipline against an administrator to coerce a course of action not supported in fact.
- 1g. Unauthorized collaboration includes, working with others without the expressed permission of the instructor on any submission, whether in draft or final form, to meet course requirements (including a paper, project, take-home or in-class exam, computer program, oral presentation, digital slides, or other work). Collaboration between students will be considered unauthorized unless expressly part of the assignment in question, or expressly permitted by the instructor.

2. Other Forms of Dishonesty

Fabricating information or knowingly furnishing false information, or reporting a false emergency to the University. This includes a student intentionally providing false information about their identity or academic records, or providing false information or false documentation in the enrollment or payment process, including violation of payment card industry regulations.

3. Forgery

Forgery, alteration, or misuse of University documents, records, keys, or identifications, including transcripts, and academic testimonials of Certificates and Awards of Completion, or submission of any forged document or record to the University.

4. Theft, Damage, or Destruction of Property

Theft includes taking without expressed permission or, misappropriation of, any property or services of the University or property of others while on University premises or at official University functions; or possession of any property that the Student had knowledge or reasonably should have had knowledge was stolen. Damage or destruction of any University property, or the property of others while on University premises or at official University functions.

5. Misuse of University Computers and Technology Tools

5a. Theft or abuse of University computers or other University electronic resources such as computer and electronic communications facilities, systems, and services. Abuses include, but are not limited to, unauthorized entry, including using someone else's credentials or accounts, unauthorized review of personal information of others maintained on University electronic resources, use, transfer, or tampering with the communications of others; use of either software or physical devices to enroll in classes for yourself or on behalf of others using processes other than those specifically delineated by UCLA Extension; interference with the work of others or with the operation of computer or electronic communications facilities, systems, or services; or violation of the [University of California Electronic Communications Policy](#) or of any other University acceptable or allowable use policies.

5b. Violations of copyright laws, whether by theft, unauthorized sharing or other misuse of copyrighted materials such as music, movies, software, photos, or text.

See [UC copyright resources](#).

6. Unauthorized Use of University Resources or Name

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

Note: Permission is required to use the University's names, abbreviations, trademarks and images, including print and graphic representations of UCLA; University of California, Los Angeles; Bruins; and campus mascot illustrations.

See [UCLA Policy 110 – Use of the University's Names, Seals, and Trademarks](#).

7. Violations of University Policy

Students may be subject to discipline for violation of any University policy including:

7a. University Housing: violations of policy regarding University owned, operated, or leased housing facilities or other housing facilities on University property.

- 7b. University Parking: violations of policy regarding University parking services or University owned or operated parking facilities.
- 7c. University Recreation: violations of policy regarding University recreation services, programs, or within University owned or operated recreation facilities.
- 7d. University Identification Card (BruinCard): violation of policies, regulations, or rules governing use of official University identification cards, including manufacturing or possession of false identification cards, using another person's BruinCard to obtain services or establish identity, facilitating the misuse of one's BruinCard by another person to obtain services or establish identity, or other misuse of the BruinCard.
- 7e. Unmanned Aircraft Systems: Operation of a drone or other unmanned aircraft system in the airspace above the campus is only permissible with the express written permission of the University of California Unmanned Aircraft Systems Safety Office.
- 7f. Workplace Violence: violations of policy regarding Workplace Violence, including violating the terms of a restraining order or court order. See [UCLA Policy 132](#).

8. Conduct that Threatens Health or Safety

Conduct that threatens the health or safety of any person including, but not limited to physical assault, threats that cause a person reasonably to be in sustained fear for one's own safety, or the safety of one's immediate family, incidents involving the use or display of a weapon likely to cause great bodily harm, and intoxication or impairment through the use of alcohol or controlled substances to the point that one is unable to exercise care for one's own safety, or other conduct that threatens the health or safety of any person.

9. Sexual Harassment

Sexual harassment, sexual violence, domestic or dating violence, gender and sex-based stalking, acts of aggression, intimidation, or hostility based on gender identity or sexual orientation; or retaliation against those who report these and other forms of misconduct as stated in the University's policy on [Sexual Violence and Sexual Harassment](#) (SVSH). *All prohibited conduct as defined in the SVSH policy applies to all members of the campus community.*

10. Stalking

Stalking is behavior in which a Student repeatedly engages in a course of conduct directed at another person and makes a credible threat with the intent to place that person in reasonable fear for their safety, or the safety of their 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.

Retaliation against a person who reports stalking, assists someone with a report of stalking; or participates in any manner in a review or resolution of a stalking report is prohibited. Retaliation includes threats, intimidation, reprisals, and/or adverse actions related to employment or education.

11. Discrimination and Harassment

11a. Discrimination means the exclusion of an individual, on the basis of race, color, national origin, religion, sex, gender, gender expression, gender identity, gender transition status, pregnancy, physical or mental disability, medical condition (cancer-related or genetic characteristics), genetic information (including family medical history), ancestry, marital status, age, sexual orientation, citizenship, or service in the uniformed services (including protected veterans) from participation in any academic, research, or other University service, program, or activity.

11b. Harassment means conduct that is sufficiently severe, pervasive, or persistent so as to interfere with or limit an individual's ability to participate in or benefit from the services, activities, or opportunities offered by the University, or creates a work environment that is intimidating, hostile, or abusive.

Sanctions may be enhanced where an individual was selected for harassment because of the individual's race, color, national or ethnic origin, citizenship, sex, gender, gender expression, 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.

12. Hazing

Participating in, engaging in, or supporting hazing or any method of initiation or pre-initiation into a campus organization or team 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, regardless of location, intent or consent of participants.

13. Obstruction or Disruption

Obstruction or disruption of teaching, research, administration, disciplinary procedures, or other University activities. "Disruption" is defined as an unplanned cessation and obstruction of the teaching, research, administration, or other University activity that the University is obliged to provide to others. Disruptive behavior can take the form of a student ranting, screaming, verbal and nonverbal abuse/ intimidation, bullying, or using body language meant to intimidate and the repeated refusal to stop the behavior or action when asked to do so.

14. Disorderly Behavior

Engaging in disorderly or lewd conduct.

15. Disturbing the Peace

Participation in a disturbance of the peace or unlawful assembly.

16. Failure to Comply

Failure to identify oneself to, or comply with directions of, a University official or other public official acting in the performance of one's 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.

17. Controlled Substances

Manufacture, distribution, dispensing, possession, use, or sale of, or the attempted manufacture, distribution, dispensing, or sale of, controlled substances (including medicinal marijuana), identified in Federal or State law or regulations, which is unlawful or otherwise prohibited by, or not in compliance with, any University policy or campus regulations or being unable to exercise care for one's own safety because one is under the influence of controlled substances.

Note: This provision shall not apply to circumstances wherein the person under the influence was given a controlled substance without their knowledge and permission.

18. Alcohol

Manufacture, distribution, dispensing, possession, use, or sale of, or the attempted manufacture, distribution, dispensing, or sale of alcohol, which is unlawful or otherwise prohibited by, or not in compliance with, any University policy or campus regulations, or being unable to exercise care for one's own safety because one is under the influence of alcohol.

Note: This provision shall not apply to circumstances wherein the person under the influence was given a controlled substance without their knowledge and permission.

19. Destructive Devices

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

20. Weapons and Replica Weapons

20a. Except as expressly permitted by law, possession, use, storage or manufacture of a firearm or other weapon capable of causing bodily injury is prohibited.

20b. Except as expressly permitted by UCPD policy, possession, use, storage or manufacture of replicas of firearms or other weapons is prohibited. See [UCLA Policy 131 – Weapons on Campus](#).

21. Violation of Disciplinary Conditions

Violation of the conditions contained in the terms of a disciplinary action imposed under this policy.

22. Violation of Conditions of Interim Suspension, Interim Exclusion, or Emergency Suspension

Violation of the conditions contained in a notice of Interim Suspension, Interim Exclusion or Emergency Suspension issued pursuant to Section G of this policy.

23. Unauthorized Use or Sale of University Materials

Except as provided herein, no Student will give, sell, or otherwise distribute to others or publish any recording made during any course presentation without the written consent of the University and the instructor/presenter. This policy is applicable to any recording in any medium, including handwritten or typed notes.

Any distribution of a recording of a course presentation at UCLA Extension that captures the actual sounds and/or images of that course presentation, in any medium, must consider not only the rights of the instructor and the University, but also those of other parties. Examples include the privacy rights of students enrolled in the course, the rights of guest lecturers, and the copyright interests in materials authored by others that are displayed or presented during the course presentation. In addition to the consent of the University and the instructor/presenter, it may be necessary to secure permission from these other parties before any recording, distribution, publication, or communication is legally permitted.

23a. Selling Academic Materials

Selling, preparing, or distributing for any commercial purpose academic materials including, but not limited to, written, video or audio recordings of any course, or course materials, unless authorized by the University in advance and explicitly permitted by the course instructor in writing, is prohibited. The unauthorized sale or commercial distribution of academic materials including, but not limited to, recordings by a student is a violation of the conduct code whether or not it was the student or someone else who prepared the materials. This policy is applicable to any recording in any medium, including handwritten or typed notes, screenshots or photographs.

23b. Copying Course Notes

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 and the copyright holder in writing (if the instructor is not the copyright holder), is prohibited.

Students currently enrolled in a course may provide a copy of their own notes or recordings to other currently enrolled students for non-commercial purposes reasonably arising from participation in the course, including individual or group study.

23c. Certificate Graduation Tickets

Selling tickets to UCLA Extension's graduation for Certificate students is prohibited.

24. Misuse of University Property

Organizing or carrying out unlawful activity on University property.

25. Violations of Law

Students may be subject to discipline on the basis of a conviction under any federal, California state, or local criminal law, when the conviction constitutes reasonable cause to believe that the Student poses a threat to the health or safety of any person, or to the security of any property, on University premises or at official University functions, or to the orderly operation of the campus.

26. Terrorizing Conduct

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/instructors, or staff.

Terrorize means to cause a reasonable person to fear bodily harm or death, perpetrated by the actor(s) or those acting under their 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.

Communication of 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 their control. Reckless disregard means consciously disregarding a substantial risk.

27. Unwanted Personal Contact

Contact (whether physical, verbal, written, face-to-face, telephonic, electronic, or by other means) that:

- A student knows or should know is unwanted;

- Is communicated directly to one or more specific student(s), Student Group(s), faculty/instructor, or staff;
- Constitutes severe and/or pervasive, and objectively offensive, conduct; and
- Does not constitute speech protected by the First Amendment to the U.S. Constitution (e.g., speech in a public forum on a matter of public concern).
- Unwanted personal contact includes intimidation and bullying which is physical or verbal abusive conduct, repeated over time, and may involve a power imbalance between the parties.

28. Violation of Expectation of Privacy

The following is prohibited:

- Making a video recording, audio recording, taking one or more photographs or screenshots, 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, or posting online any audio/video/photograph made by another individual of any person in a location where the person had a reasonable expectation of privacy, without that person'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, or posting online any audio/video/photographs/screenshots made by another individual of any private, non-public conversations and/or meetings, without the knowledge and express consent of all recorded parties.
- 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.

“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.

Note: 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.

29. Ethical violations and breach of any generally recognized and published code of ethics or standards of professional practice that govern the conduct of a particular profession for which the student is taking a course or pursuing as an educational goal or major. This includes violation of any signed social contract that the student is required to adhere to as part of a University-sponsored educational program or activity.
30. Violations of the conduct process or disciplinary conditions or actions imposed under the code of conduct and policy SA507, including obstruction of or interference with the conduct process, or retaliation for actions or decisions made. Retaliation is harming, threatening, intimidating, coercing, or taking adverse action of any kind against a person because such person reported an alleged violation of this code, provided information about an alleged violation, or participated as a witness or in any other capacity in an investigation or disciplinary proceeding.

In addition to these defined forms of misconduct, UCLA Extension considers any alleged violation of policy to warrant review and resolution. Some academic program units may also provide participation agreements and guidelines specific to the program's topic or subject area. For example, the Writer's Program may establish guiding principles for student engagement in a writing class where topics may become personal or threaten safety and welfare.

E. Reporting Student Conduct Concerns

Concerns or allegations of misconduct by an Extension student are reported in writing via the [Incident Reporting Form \(IRF\)](#). This form logs an incident of concern and enables UCLA Extension and the SRRC to document and resolve the matter.

Access to this form is available to Extension stakeholders via Extension's communication avenues including public-facing sites, intranet sites, and the instructor site. Complainants who may require reasonable accommodation in reporting an incident should contact the SRRC or Extension HR for assistance.

Allegations of misconduct must be made within one (1) year following the discovery of alleged misconduct, unless an exception is granted by the Dean of Continuing Education & UCLA Extension. Allegations of conduct prohibited by the SVSH policy may be made at any time.

Reports on alleged student misconduct may be made anonymously, but may limit the ability to resolve the matter. The SRRC and the ADSS will strive to resolve student conduct cases based on the information available.

F. Initial Review and Guidelines

The SRRC will conduct an initial review of IRF reports and assess the allegation with respect to the conduct code and policy. During this initial review, impartial advice and counsel is provided to all parties. Complainants and respondents will be afforded equal rights to due process.

Based on the nature of the circumstances, the initial review determines either:

- the allegation does not constitute a violation of the conduct code and the matter is dismissed; or
- the alleged action does constitute a conduct code violation and the student accepts responsibility, then the SRRC, in consultation with ADSS, determines an appropriate sanction and resolution; or
- the student does not accept responsibility, then the SRRC, in consultation with ADSS, determines if the matter can be resolved with a brief adjudicative proceeding (BAP); or
- the circumstances and allegations are more complex or severe, then the SRRC may refer the matter directly to the ESCC for formal resolution.

Extension will timely address concerns about bias or conflict of interest raised by a complainant or respondent about individuals responsible for processing their complaint, including but not limited to re-delegating roles of investigators, hearing officers, and individuals assigned to address appeals.

A complaint filed regarding a case that is in the resolution process may not be used to impede or remedy a current open case. A complaint or grievance cannot be used to re-open outcomes of conduct cases that have been closed. Students who fabricate information or knowingly provide false information may be disciplined under the conduct code.

Initial review and assessment will adhere to the following guidelines for conduct claims related to:

Discrimination, SVSH and Title IX

- Allegations of misconduct founded on the speech and expression of a student, will be referred to the SRRC for an early review and determination of whether it is likely the speech is constitutionally protected.
- Reports of any type of discrimination prohibited by University policy and law will be immediately referred to the SRRC manager who will notify the Discrimination Prevention Office (DPO), Title IX Office (T9), or Staff Diversity & Compliance (SD&C) in the Civil Rights Office (CRO) of UCLA Equity, Diversity & Inclusion. The decision to proceed with an investigation will be made in collaboration with the campus CRO, and an investigator will be designated by the applicable office.

- In cases alleging gender or sexual harassment, violence, stalking, threats of violence and other forms of trauma-inducing misconduct, the credibility of complainants will be assessed from a trauma-informed perspective by an appointed investigator.
- In SVSH/Title IX cases, no discount in credibility will accrue to a complainant who exhibits lost or fragmented memory, or reluctance to report. No case will be allowed to resolve with inaction solely on the basis that a credibility contest defies further development of evidence that can lead to a properly informed and just outcome.
- Reports of alleged discrimination, SVSH and Title IX violation may be made anonymously.

Classroom and Learning Environment

- In cases where the determination of the final grade is pending the outcome of an academic misconduct allegation, the instructor will report the designation of “DR” (deferred report) in the grade report.
- Instructors are responsible for maintaining the classroom environment whether in-person or online. Instructors have the responsibility and authority to assert control and communicate directly with students whose behavior may be interfering with the instruction and/or learning process of others. Instructors may ask a student who is disrupting or obstructing the teaching to leave for the remainder of a class period or intervene via the learning management system if in an online class. Students exhibiting signs of intoxication may be asked to leave the classroom/learning space.
- In remote instruction or online classes, a student’s contributions and posts may be judged by the instructor to be sufficiently off topic that it will distract the other students. In such cases and to ensure that interventions are presented as learning experiences, instructors will direct their concern to the posting student, and ask them to remove tangential or irrelevant material from content threads. A failure to comply by the student, or repeated irrelevant posts in content threads may be grounds for a charge of disruption of instruction.
- Instructors have the authority to delete inappropriate, off-topic posts, or posts that appear to contain harassing, offensive, or intimidating speech that has been personally directed toward the instructor or another student. Instructors must document evidence of such posts and report the incident to the SRRC before removing the posts.
- Instructors may call the UCLA Police Department (or other local law enforcement agency) to assist with the removal of a student/person who refuses to leave a class after having been asked to do so.

Administration and Extension Operations

- Misconduct in administrative settings may be found to be a violation of the conduct code. Persistent and extreme displays of anger that constitute deliberate disregard or failure to respond reasonably to appropriate intervention, e.g. requests to cease yelling/screaming, could become conduct that is threatening, disruptive, or obstructive. In situations where directors, managers, and supervisors are unable to mitigate the disruptive behavior, they may refer to and call the UCLA Police Department (or other local law enforcement agency).
- Misconduct in regard to administrative rules and policy may be found to be a violation of the conduct code. When a student knowingly provides false information or fails to respond to an attempt to collect on a delinquent financial obligation, they may be subject to an allegation of either theft or fraudulent and unauthorized use of University resources, or both. Any of the following circumstances constitute a delinquent financial obligation in which the University may report a loss:
 - 1) failure to make good on a promise to pay on a properly recorded obligation in the University's accounts receivable;
 - 2) presentation of a check returned by a bank marked *stop payment* for a reason known to be other than correction of an error, or that was drawn on a *closed account*, or that is marked *insufficient funds* or *refer to maker* and evidently part of a pattern of abuse, i.e. repeated more than twice;
 - 3) abuse of the payment card industry's *chargeback* procedure for disputing merchant services.
- Allegations of willful abuse or disregard of Extension's administrative rules related to open enrollment, visitors in the classroom, enrollment permissions/restrictions, and academic prerequisites may also be reported via the IRF and will be reviewed by the SRRC. While isolated occurrences may arise from misinformation or misunderstanding of regulations and policy, such allegations will be reviewed for repeated incidents evidencing a pattern of behavior or intention to disregard policy.

G. Informal Resolution and Brief Adjudicative Proceeding (BAP)

The SRRC manager/Conduct Officer (CO) may resolve a student conduct matter informally with a BAP. The SRRC manager/CO will review and assess the information and incident report, and conduct initial investigation to obtain further clarification or information.

In the course of an investigation, interim measures, including a disciplinary no-contact order, or emergency/interim suspension or exclusion may be imposed

when it is determined that one party may pose a threat to the health or safety of another. Such an order will be imposed to the extent necessary to maintain the safety of both parties.

The SRRC manager/CO has the authority to conduct the BAP process and serve a decision for resolution. The BAP process includes the following steps:

1. Written notification will be sent to the student including the nature of the conduct in question and the basis for the allegation, a brief statement of the charges, the date or period of time, the location of the alleged incident, and a request to contact the SRRC, within five (5) days from the date of the notification, to schedule a meeting to address the matter.
2. At this meeting, the SRRC manager/CO will review this policy (SA507) and provide information to the student on the conduct review process. The SRRC manager/CO will explain the BAP procedure and the student's rights and responsibilities. At this time, the student will be advised of any sanction that could be imposed if the student were to admit to the misconduct, and that doing so would waive the right to a formal hearing and to an appeal.
3. The student will also be advised of the notations on transcript that accompany a sanction, the implications of these notations, and that records of disciplinary proceedings resulting in sanctions are sealed, held for four (4) years after sanctions are lifted, or as stipulated by the University's records retention policy. Only after these factors are disclosed will a student be asked to respond to the question of responsibility for the allegation.
4. If the student admits responsibility, the SRRC manager/CO will determine, based on the context and severity of the violation, an appropriate sanction and/or specific actions to resolve the matter.
5. If the student does not admit responsibility, the SRRC manager/CO will proceed with a BAP hearing in which the complainant and respondent will have the opportunity to be heard and present their case and related evidence. The BAP hearing will be scheduled within fifteen (15) days of the written notification.
6. Based on the information and evidence presented in the BAP hearing, the SRRC manager/CO will make a decision for resolution, including any requirements or sanction(s), within five (5) days of the BAP hearing.
7. The decision will be documented in writing to all parties by the SRRC manager/CO. If all parties agree and accept the decision, the resolution will be implemented. The resolution agreement is documented in the case record.
8. If the student does accept the decision made in the BAP, they may choose to appeal. Appeals of BAP decisions go to the Assistant Dean of Student Services, or designee, who will review the case documentation and determine whether to uphold or modify the BAP decision.

9. If the student does not respond to notifications and communications from the SRRC or otherwise chooses not to participate in the resolution process, the process may still proceed without their participation and can result in decisions made in absentia based on the information available. If a timely response is not received by the student, a hold may also be placed on their account, preventing future enrollment.

H. Formal Resolution and Hearing by the Extension Student Conduct Committee

The formal resolution process will be utilized when:

- the student denies responsibility and the SRRC manager/CO has determined that preponderance is met or there is substantial interest (possibility of suspension in excess of 10 days or dismissal) in the case;
- the student/respondent declines the BAP and requests a formal hearing;
- in SVSH cases, the complainant requests a formal hearing.

The student alleged to have engaged in misconduct will be provided with written notice of relevant policy and information about the process for resolution.

Guidelines for the formal hearing and resolution process are:

1. The authority for conducting formal hearings, weighing evidence, and determining facts is vested with the Assistant Dean of Student Services and delegated to the Extension Student Conduct Committee (ESCC) as the hearing body. The authority to make decisions and impose sanctions is vested with the Dean and delegated to the Assistant Dean of Student Affairs.
2. As defined in section II, the ESCC will consist of at least three (3) members, from the member pool, to preside over a formal conduct hearing.
3. The SRRC manager/CO will prepare documentary and other evidence, investigate and fact-find, prepare transcripts and recordings, and schedule the hearing. All parties will be notified of the resolution process and timeline.
4. The formal hearing must be conducted within twenty (20) days of the request or determination that a case will be adjudicated by formal resolution.
5. Both the complainant and respondent may provide evidence and information regarding their claim. Information and documentation will be provided to all parties in advance of the formal hearing.
6. The SRRC manager/CO, the ADSS, and the ESCC shall ensure there is no conflict of interest in the resolution process and no hearing officer or ESCC member may hear cases in which they have made an allegation of misconduct.

7. The respondent is expected to be present throughout the hearing. If the respondent fails or refuses to attend, the hearing may still proceed in their absence. The complainant shall have the right to be present as a witness in the hearing.
8. The hearing will be conducted in private and audio recorded. The digital recording will become part of the case records and retained by the SRRC in accordance with the University's records retention policy. The respondent may request the ability to review the recording by submitting a formal request in writing.
9. The hearing may be conducted virtually/online in real-time, or at different times to accommodate either or both parties who cannot reasonably physically attend, or if emergency circumstances prevent an in-person hearing.
10. The hearing will be conducted in English. If a party needs assistance with language translation, they may petition the SRRC for assistance in obtaining an interpreter.
11. The complainant and the respondent are responsible for presenting their own case. All procedural questions, pertinent records, exhibits, and written statements may be accepted as evidence for consideration, subject to the approval of the Assistant Dean of Student Services, or their designee.
12. Both parties have the right to be assisted by an advisor (Title IX cases will follow the SVSH/Title IX Adjudication Framework). The advisor may be an attorney.
13. The objective of the hearing is to find facts. The complainant and respondent shall have the right to present witnesses with information relevant to the case. Witnesses must be proposed to the hearing body ten (10) days before the scheduled hearing date. A list of approved witnesses will be compiled and shared with the parties at least five (5) days prior to the hearing. The hearing body may cross-examine witnesses. Witnesses are expected to attend according to the hearing's format either in-person or virtually/online.
14. A determination of responsibility shall be based on the preponderance of evidence standard, that is, whether it is more likely than not that the respondent engaged in the alleged conduct. A written notification of decision will be sent to all parties within five (5) days from the hearing date, and will include a remedy and sanction if the decision finds the student responsible, as well as any appeal rights due.
15. In cases where there is a *stay-away* condition prohibiting the sanctioned student from entering the administration building or other facility managed by UCLA and/or UCLA Extension, a copy of the decision letter will be provided to the UCLA Police Department and Extension's Facilities Management Department. The student will be provided with information regarding Section 626.2 of the California State Penal Code, thus providing notice that a willful violation of the condition could be treated as a misdemeanor leading to arrest and prosecution, and punishable by fine or imprisonment.

I. Sanctions

University of California policy stipulates the types of sanctions that may be imposed on a student found to have engaged in misconduct. Conduct matters may result in any of the following sanctions appropriate to the outcome of the case, defined as follows:

1. ***Warning/Censure:*** A written notice or reprimand to the student that a violation of a specific University policy has occurred and that continued or repeated violations of specified University policies or regulations may be cause for further disciplinary action, normally in the form of disciplinary probation, suspension, or dismissal. In cases of a violation of academic honesty standards for first time offenders who accept their proposed remedy, this sanction may be exercised by the SRRC. A warning sanction is not appealable.
2. ***No-Contact Order:*** A written notice of a non-punitive, mutually restrictive no-contact order may be imposed in cases where there is a concern for the health or safety of a party. The no-contact order may direct the student(s) to refrain from directly or indirectly contacting another student, instructor, or staff member for a designated time or indefinitely. Violation of any conditions in the order may be cause for further disciplinary action, normally in the form of disciplinary probation, suspension, or dismissal. A no-contact order may be imposed in a pending investigation when a student has failed to comply with a cease and desist order.
3. ***Disciplinary Probation/Loss of Privileges:*** A status imposed for a specific period of time in which a student must demonstrate conduct that conforms to University standards of conduct. Conditions restricting the student's eligibility to enroll or participate in Extension courses or programs may be imposed. Such conditions may exclude participation in designated activities, including attendance in class, for a specified period of time, but without loss of student status. Violation of any conditions in a written *Notice of Disciplinary Probation*, or violation of University policies or campus regulations during the probationary period may be cause for further disciplinary action, including but not limited to suspension or dismissal.
4. ***Interim Suspension:*** The exclusion from classes, or from other specified activities, as set forth in a *Notice of Interim Suspension*, before final determination of an alleged violation. A student shall be restricted to the extent necessary when there is reasonable cause for physical abuse, threats of violence, or conduct that threatens the health and safety of any person on University property or at official University functions. A student placed on *Interim Suspension* shall be given prompt notice of charges, and the opportunity for a prompt hearing. *Interim Suspension* will be reviewed by the Dean within five (5) days.

5. ***Suspension:*** The termination of student status for a specified academic term or terms with eligibility to re-enroll thereafter. Suspension may be deferred for a specific period of time in which the student must successfully complete conditions outlined by the ESCC. Violations of the conditions of suspension, deferred suspension, or of University policies or regulations during the period of suspension may be cause for further disciplinary action, normally in the form of dismissal. The suspension may be tailored as appropriate to the circumstances, where a partial suspension-by-format may be imposed, for example, preservation of access to only fully remote/online/distance learning sections, or access for a limited and defined duration to in-person instruction.
6. ***Dismissal:*** The termination of student status for an indefinite period. Re-enrollment at UCLA Extension shall require the approval of the Dean.
7. ***Restitution:*** A requirement of reimbursement for damage to or misappropriation of University property may be imposed either exclusively or in combination with other disciplinary action.
8. ***Supplemental Educational Sanction:*** Other conditions imposed along with another sanction which may include mandatory training, participation in an educational program or service, an educational activity or exercise, and/or community service. Failure to comply with conditions may subject the student to additional disciplinary action.

J. Appeals

Notifications of decision and sanction will include information and guidance on the process to appeal the stated decision. A respondent may appeal the decision of the Assistant Dean of Student Services within ten (10) days after service of the decision letter by making a written appeal to the Dean, or their designee, as outlined in the decision letter. Appellate authority cannot be delegated further. Appeals will be heard to determine whether or not one of the following grounds exists:

1. there was an error in the application or interpretation of policy or an error in procedure that materially affected the outcome;
2. there is new material evidence that was not known and not available to the parties at the time of the hearing that could have materially affected the outcome;
3. the sanction(s) imposed are substantially disproportionate to the findings.

Claims of appeal that do not meet these grounds may not move forward with the appeal process and the decision of the Assistant Dean of Student Services will be final. The Dean, or their designee, will review requests for appeal, first on the timeliness of submittal, and then on the grounds stated above. The Dean, or their designee, may decide to uphold the decision, or modify it if they determine that new material evidence is sufficient to alter the original decision, or send the case back to the Assistant Dean of Student Services for reconsideration. The decision of the Dean or their designee is final.

K. Privacy, Limits to Privacy and Special Appeals Provision

Except as described below, complaints related to SVSH/Title IX policy and, in accordance with privacy requirements of federal law, complainants are not entitled to know the factual outcome of student conduct hearings or the remedial sanctions imposed. The only release of information by the University that will reveal an outcome will be the notation that appears on the academic transcript of the responsible student for the sanctions of *suspension* or *dismissal*.

Conforming to the SVSH/Title IX policy, complainants of sexual harassment, sexual violence, dating violence, domestic violence, stalking and related offenses as described in the Conduct Code, are entitled to know both the factual outcome of the disciplinary process and of the sanction imposed. In actions related to the SVSH offenses, either party, complainant or respondent can appeal the decision of the hearing officer, whatever that decision may be, based on grounds for appeal outlined in the SVSH policy and adjudication frameworks.

L. Special Populations and Protocols

1. ***International Students:*** A student who has been given permission to travel to the United States to study at UCLA Extension having been issued a student visa (F-1/J-1/M-1) under Extension's auspices has the rights and responsibilities stated in this policy. International students are subject to the same student code of conduct outlined in section III, D, and the processes stated in this policy. Extension will be conscientious when sanctioning an international student found to have violated the conduct code and policy so that the remedy does not cause an unintended or premature loss of F-1 visa status. International students subject to disciplinary action that may jeopardize their visa status will not be reported to the U.S. Department of Homeland Security until they have been given every reasonable opportunity to pursue their rights to due process under this policy.
2. ***Specially Designated High School Programs and Students under age 18:*** Students who are under age 18, and are allowed to enroll in Extension courses or programs with permission of the program department, instructor, and their parent/legal guardian, are considered "students" as defined in

section II. An enrolled student under age 18 has the rights and responsibilities stated in this policy and are subject to the same student code of conduct outlined in section III, D, and the processes stated in this policy.

Extension may conduct programs specifically developed or contracted for under-age or high school students. These students are also considered “students” as defined in section II and have the rights and responsibilities stated in this policy, and are subject to the same student code of conduct outlined in section III, D, and the processes stated in this policy. For specially designated programs, applicable contracts or participation agreements may stipulate additional student expectations, rights and responsibilities.

3. ***Pathway Program:*** Student conduct and discipline for Pathway will be adjudicated by the department/program director. The department/program director will serve in the capacity as a conduct/hearing officer for discipline cases which will be administrated such that continuing participation in the program is a matter of continuing agreement between the department/program director, the instructor, and the parent/legal guardian, or conservator of students under age 18 or who are dependent adults over 18, and the students themselves if living as independent adults.

Enrollment and participation agreements will make clear that Extension’s program administrators, acting on the advice of instructors or independent living skills staff, may decide to terminate students’ participation based on a finding of disruption, failure to participate, failure to respond to the directions of an instructor or independent living skills staff, or violation of provisions of the *Pathway Student Handbook*. In accordance with the terms of the Pathway Handbook, conduct cases in which cancellation of the enrollment and participation agreement is exercised, students, or those parties who have paid fees, may be eligible for a full or partial refund or the forgiveness of debt, depending on the severity of the conduct found and/or the terms of withdrawal.

Appeals of decisions made by the department/program director may be heard by the Assistant Dean of Student Services or designee. Any record of punitive sanction will be recorded according to the terms of the Pathway Handbook. The department/program director will inform the Assistant Dean of Student Services, or their designee, and the SRRC of any alleged misconduct that threatens or threatened the health or safety of others or that might also be a violation of law, such as acts of violence, threats of violence, theft or destruction of property, sexual harassment or sexual violence.

4. ***American Language Center (ALC):*** Federal regulations require non-credit bearing English as a Second Language (ESL) programs to require classroom participation in a minimum of 18 clock hours per week to qualify students from abroad for an F-1 visa. The Assistant Dean of International Programs will develop and enforce attendance-taking and record-keeping routines that will identify students who have abandoned the program or failed to show.

As required by law, International Programs staff will immediately report “absent-without-leave” and “no-show” students to the International Student Office (ISO) to ensure a timely report by that office to *Immigration and Customs Enforcement (ICE)* bureau of the *U.S. Department of Homeland Security (DHS)*. In cases where unilateral disenrollment is exercised, students or those parties who have paid fees may be eligible for a partial refund or forgiveness of debt.

Participation agreements and counseling memoranda will make clear that the ALC department/program director, on the advice and counsel of instructors has the delegated authority to terminate students’ participation in ALC classes based on a finding of disruption of instruction or academic dishonesty. Appeals of conduct decisions made by the department/program director may be heard by the Assistant Dean of Student Services, or their designee, but no record of punitive sanction will be recorded in these cases.

The ALC program director may also elect to refer cases to the ESCC for formal resolution and sanctions. The program director will inform the Assistant Dean of Student Services, or their designee, and the SRRC of any alleged misconduct that threatens or threatened the health or safety of others or that might also be a violation of law, such as acts of violence, threats of violence, theft or destruction of property, or sexual harassment.

5. **Process Guidelines:** Administrators of the Pathway Program, specially designated programs or contracted programs, and the American Language Center, have delegated authority to terminate participation agreements and will take care to exercise their authority within generally accepted tenets of procedural due process and any applicable contract terms, including:
- notice to the parties, including a brief statement of the factual basis for any report of a participation agreement violation;
 - the opportunity for a prompt meeting of the parties to permit rebuttal and fact-finding;
 - a record of the meeting, and an expeditious written decision based on a preponderance of the evidence in which the University shall bear the burden of proof; and
 - notification of an appeal process, requiring either new evidence not available at the time of the meeting, or a claim this policy or its attendant procedures were not followed.

Consistent with State law, California Child Abuse and Neglect Reporting Act (CANRA), and University policy on Reporting Child Abuse and Neglect (RCAN), department/program directors and administrators will immediately report incidents of physical, sexual or financial abuse, isolation, neglect or self-neglect as mandated by UCLA policy 136. In addition, department/program directors and administrators, in conjunction with

campus Insurance & Risk Management (IRM) and/or Extension Human Resources, will ensure appropriate Extension staff receive training on CANRA and these University policies and processes.

Extension department/program directors and administrators may provide language assistance or basic translation for students who may need help with understanding documents, form and processes. Interpreters, whether during informal meetings or at formal hearings, should be a neutral party and trained to interpret or translate directly what parties say or write, without modifying or withholding information.

M. Record-Keeping

The SRRC is responsible for maintaining and tracking data on student conduct, complaints and grievances for the purpose of institutional compliance and reporting requirements. This data is subject to confidentiality and privacy policies, federal law, and may inform the development and improvement of Extension's student services.

Student conduct records will be held in confidential files and retained, in accordance with University records retention policy, for typically four (4) years beyond the date that sanctions are *lifted*, or four (4) years from the date an allegation is made in cases where no sanctions are imposed. In cases of ADA/504 violations, records are retained for five (5) years from the end of the academic year in which the case is closed.

Notice of the disposition of these records will be incorporated in decision letters. The records system will employ a system of blocks to prevent enrollment during periods of suspension or dismissal.

N. Resources and Training

Mandatory staff training on this policy, related procedures, the student code of conduct, prevention of student conduct violations, the role of the ESCC members, and best practices will be presented annually, and/or as updates are published, by the SRRC in collaboration with administrative and academic program areas within Extension. Additional collaboration and resources from related campus offices may also be utilized in training content and development.

Extension instructors must be notified of this policy and the student conduct code. Resources include the Extension Instructor site which details information on policy and handling student concerns and misconduct. Additionally, assistants will be available to conduct test proctoring for courses in which more than 25 persons are enrolled. For credit-bearing online courses, UCLA Extension will employ a third-party proctoring agency to encourage and to ensure academic honesty during examinations.

IV. References and Listing

This policy will be publicly listed. Questions and comments are welcomed by the *Office of the Dean, Continuing Education and UCLA Extension*, (310) 825-2362; DeansOffice@uclaextension.edu.

See also:

- UCOP Policies Applying to Campus Activities, Organizations and Students (PACAOS), [100 Student Conduct and Discipline](#), August 14, 2020.
- UCOP Policy, [Sexual Violence and Sexual Harassment \(SVSH\)](#), August 14, 2020.
- UCOP Policy, Sexual Harassment and Sexual Violence (SVSH), [Appendix E: Student Adjudication Framework](#), and [Appendix F: Student Adjudication Framework for DOE-Covered Conduct](#), August 14, 2020.
- UCLA Policy, [Student Conduct Code](#), January 2021.
- UCLA [Policy 136](#), Reporting Child Abuse and Neglect, CANRA compliance, August 4, 2014.