

Essential Information

A. Introduction

*This brochure is designed to assist students who are accused of misconduct. It summarizes, in everyday language, many important sections of the **UCSD Student Conduct Code**, referred to in this brochure as the **Conduct Code**. Please note that there are different processes for academic and non-academic misconduct. The complete regulations and policies are found in the **Conduct Code**. You are encouraged to view the **Conduct Code** on-line at http://ugr8.ucsd.edu/judicial/22_00.html. If you are unable to access it on-line, you may request a copy of the **Conduct Code** from the Dean or Resident Dean with whom you are working to resolve this accusation.*

*If you are accused of misconduct, you have the right to receive notice of the accusation and an opportunity to informally present your position to campus officials. If the matter cannot be resolved informally, you have a right to a hearing before a college or campus judicial board or hearing officer. If the hearing results in a decision adverse to you, you have the right to appeal that decision, or the sanction(s) imposed, to the campus administration. Each of these steps, and the procedures to be followed, is set forth in Section 22.00 of the **Conduct Code**. Please note that Section 22.00 contains certain deadlines that must be met at various stages of the process. Those deadlines are set out in the **Conduct Code** and are also summarized in Section "F" below.*

ASSISTANCE IS AVAILABLE: You may request help from:

–Any member of the Dean's staff (College Dean -- 534-?; Resident Dean -- 534-?).

Marshall College Dean of Student Affairs – 534-4390 – Resident Dean – 534-4340
 Muir College Dean of Student Affairs – 534-3587 – Resident Dean – 534-4200
 Revelle College Dean of Student Affairs – 534-3493 – Resident Dean – 534-3025
 Roosevelt College Dean of Student Affairs – 534-2237 – Resident Dean – 534-2261
 Sixth College Dean of Student Affairs – 822-5953 – Resident Dean – 822-5268
 Warren College Dean of Student Affairs – 534-4731 – Resident Dean – 534-4581
 Graduate Students – Ass't. Dean of OGSR – 534-3871

–The AS/UCSD Student Advocate (534- 5920).

–The UCSD Student Legal Services Office (534-4374).

–Your own attorney, or other personal representative.

B. WHAT HAPPENS NEXT

You must contact the office of the dean of students to schedule a meeting with the Dean or a member of the Dean's staff, during which s/he will review the procedures and invite you to ask any questions about the student conduct process. The Dean or Dean's staff member will explain the allegation(s) of misconduct against you, and offer an informal resolution of the allegation(s). If you accept responsibility for the misconduct as alleged, a sanction(s) may be imposed at this meeting. If you disagree with the charge(s), or deny any involvement in the misconduct as alleged, you have the right to request a formal hearing before a judicial board or hearing officer. The following information is intended to explain the process but is not a substitute for the **Conduct Code**.

C. WHAT ARE MY RIGHTS AS AN ACCUSED STUDENT?

The **Conduct Code** provides certain rights for students accused of misconduct.

Read and study the Conduct Code to be fully informed. Here is a brief summary of many of your rights:

- You may request a copy of the entire **Conduct Code**. This document is a summary of the **Conduct Code**.
- You should receive written notice of the alleged misconduct, including a brief statement of the alleged misconduct, the availability of help, and the name of the Dean's staff member you should contact. These are in the "**Misconduct Incident Notice**" document or in the **charge letter**.

- Assistance is available through Student Legal Services and the A.S. Office of Student Advocacy. An attorney may assist you, but may not represent you or participate in judicial board hearings.
- You may try to convince the Dean's staff member that the case has no merit or that you are not responsible and it should be dismissed.
- Within certain limits, the University must provide you information which will be presented if there is a hearing.
- You may be offered a proposed sanction as part of negotiations to bring the complaint to an informal resolution.
- You need not testify against yourself.
- Under the terms of an "Informal Resolution Agreement," you may both accept responsibility and appeal the severity of the Dean's sanction to the College Provost.

D. WOULD IT BE A GOOD IDEA FOR ME TO...

Simply ignore a summons from the Dean? No. If you don't respond to the first notice the Dean or staff member has the authority to evaluate the case solely on the basis of evidence already in hand and, if appropriate, impose sanctions. This could happen without your involvement or input.

Contact witnesses, or the person who made the complaint, and try to convince them to withdraw their testimony? This is proper only in one instance: if you were accused of academic dishonesty, you should meet with the instructor. Some Professors will talk with you only if the Dean is present.

Very Important Note: In non-academic cases, if you or friends try to contact witnesses or the complainant, it could be considered "witness tampering". Especially if any sort of threat to them is perceived, and in such an instance, you might face additional, and much more serious, disciplinary charges.

E. BOTTOM LINE: WHAT MIGHT HAPPEN TO ME?

The **Conduct Code** lists sanctions that may be imposed. The nature and type of sanctions will depend on the offense, your disciplinary history, and how cooperative you are. In cases of academic misconduct, administrative sanctions may be imposed and your grade in the course may be lowered.

F. DEADLINES FOR VARIOUS ACTIONS & REACTIONS

The following deadlines are established in Section 22.00 of the **Conduct Code**; you should read these provisions carefully. Note both the number of days allowed for each action and the starting point from which the days are counted. "Academic days" means days when classes are in session or exams are scheduled.

- The Dean or Student Conduct Coordinator ('SCC') has **20 academic days** from the date s/he receives a complaint of non-academic misconduct to review the complaint, unless circumstances make this unreasonable, to decide whether to pursue it, and to notify the student in writing of any charges of misconduct violations. This timeline does not apply to academic misconduct.
- The student has **10 academic days** from the date on the "**Misconduct Incident Notice**" to contact the Dean's office and schedule a meeting. For academic misconduct the student must actually meet with the Dean within **10 academic days** from the date on the notice.
- If there is an Informal Resolution Agreement, it takes effect **after the 5th academic day** from the date of the agreement.
- The student has **5 academic days (10 business days for academic misconduct)** from the date of the **Informal Resolution Agreement** to accept responsibility but request a reduction in the penalty. It is required that you include a copy of the letter from the Student Conduct Coordinator in your request.
- The student has **5 academic days (10 business days for academic misconduct)** from the date of the Informal Resolution to request a formal hearing.
- The hearing will be scheduled no sooner than **10 academic days (10 business days for academic misconduct)** from the date of the notice of the hearing.