

UCEAP Student Conduct and Discipline Policy

(HEREINAFTER THE “CODE”)

Introduction

A student participating in UCEAP assumes a dual status as a UC student and as a student of the partner institution.

Students are members of both the local society and the academic community with attendant rights and responsibilities. It is a community with high standards and high expectations for those who choose to become a part of it, including established codes of conduct. Students are expected to make themselves aware of and comply with the local law, and with University of California, host institution and UCEAP policies and regulations. Students are expected to conduct themselves in a responsible and mature manner at all times. This includes being sensitive to members of the UCEAP group and to the local community as a whole, and respect the culture and customs of the host country.

While many of UCEAP’s policies and regulations parallel the *University Of California Policies Applying to Campus Activities, Organizations, and Students* (UC Policies), UCEAP standards may be set higher and may be stricter because of the broader consequences of student conduct when a student is participating in UCEAP (e.g., student conduct may affect UCEAP’s relations with the host institution and the local community or arouse anti-American sentiments).

UCEAP’s procedures are time sensitive and more compressed than campus procedures due to the relatively short duration of the program.

Definitions

Student: An individual for whom the University of California maintains a student record, and who: a. Is enrolled in or registered with an academic program of the University; and b. Is on an approved educational leave or other approved leave status, or is on filing-fee status.

The UCEAP standards of conduct also apply to:

1. applicants who become students, for offenses committed as part of the application process;
2. 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
3. former students for offenses committed while a student.

Notice: Whenever the UCEAP Student Conduct and Discipline Policy requires giving written notice to the student, it will be conclusively presumed to have been furnished if the notice is sent to the student by email to the email address most recently filed through MyEAP.

Days: The term “days” is defined as the normal business day and does not include Saturdays, Sundays, legal holidays or University designated administrative holidays.

UCEAP Student Conduct Policies

UCEAP students may be disciplined for violation, or attempted violation (including aiding, abetting, or participating in a violation) of the policies of a partner institution, University of California, or UCEAP, or local laws as indicated below. UCEAP has jurisdiction over student conduct that occurs while on UCEAP, especially if the alleged misconduct indicates that the student poses a threat to the safety or security of the student or any member(s) of the UCEAP and/or local community.

Partner Institution Policies

It is the student’s responsibility to comply with all local laws and UC partner institution policies. UCEAP may take disciplinary action whether or not action is taken or requested by the partner institution.

University of California Policies

See the complete University of California (UC) Policies referenced above. All UCEAP students are responsible for reviewing this document, in particular section 100.00 “Policy On Student Conduct And Discipline”. Policies address the rights and responsibilities of members of the University community and 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. Most cases of misconduct for which UCEAP students are subject to discipline, including dismissal from UCEAP, fall into the types enumerated in Section 102.00–102.23. Each UC campus has its own specific rules and regulations for student conduct, which also govern students while enrolled in UCEAP.

UCEAP Policies

The UCEAP Representative, in close consultation with the Regional Director at UCEAP, is responsible for the enforcement of all policies pertaining to student conduct and discipline at the program site. Centralization of authority, responsibility and record-keeping is essential for fair and impartial administration of the Code.

UCEAP Student Agreement

By signing the agreement with the UC Regents, UCEAP students acknowledge their understanding that their conduct while abroad has international implications for UC. (See the Student Agreement for the full text.)

In Provision 11, the UCEAP Student Agreement states:

“It is understood between the parties to the Agreement that the international implications of this Agreement are such that the good conduct of Student during the course of the Program is of critical importance. Student, therefore, agrees to read, understand, and abide by the UCEAP Student Conduct and Discipline Policy and the UCEAP Academic Conduct Policy as outlined in the UCEAP Guide To Study Abroad. Student agrees to regularly attend all classes for which Student is registered and to conform to all applicable rules, regulations, and policies of the partner institution and the University of California.

Student understands that misconduct abroad can lead to dismissal from the Program, loss of academic credit, and may additionally result in a decision by Student’s UC campus to impose further sanctions, such as suspension or dismissal from the University of California. Misconduct abroad refers to Student’s actions that violate student conduct policies or that, in the judgment of the UCEAP representative and/or other officials of the Program jeopardize Student’s own welfare or that of fellow students and/or the Program.”

Students should be aware that certain kinds of conduct abroad may have serious consequences for themselves, for their fellow students, for their host institution, and for UCEAP or UC as a whole. This is particularly significant in countries where an international incident might arouse anti-American sentiments that could jeopardize UC students or UCEAP itself.

UCEAP Travel Policy

UCEAP has instituted a **Student Travel Policy** strongly discouraging students from visiting places during their breaks for which the U.S. Department of State and/or UCEAP has issued a **Travel Warning**.

UCEAP Substance Abuse Policy

Student use or possession of controlled substances abroad may be punishable by severe penalties (including arrest). According to the U.S. Department of State, several hundred U.S. citizens are arrested abroad on drug charges every year. In addition, personal involvement or association with others involved with drugs of any kind may be considered misconduct abroad and a violation of the Student Agreement. See the UCEAP **Substance Abuse Policy**.

Student Discipline Procedures

Procedural due process is basic to the proper enforcement of UCEAP policies and regulations. The procedures outlined in this section represent the steps employed to reach a resolution in cases of an alleged misconduct.

The UCEAP representative is responsible for carrying out the investigation of all alleged violations of UCEAP, UC, or host institution regulations or policies. Normally this investigation will consist of interviews with the reporting party, witnesses, and the person alleged to have violated a regulation or standard of conduct. When the person alleged to have violated a regulation or standard of conduct is interviewed, he/she will be informed of the nature of the alleged misconduct, the regulations or policy allegedly violated, and the procedures to be followed.

The UCEAP representative may provide brief written notice (e.g., email) to a student (whether or not disciplinary action is taken), that his or her alleged behavior may have violated University, UCEAP policy or host institution, and that, if repeated, such behavior will be subject to the disciplinary process. The student can provide a brief written response to the notice which will be retained with a copy of the notice by the UCEAP representative. Evidence of the prior alleged behavior as detailed in the written notice, along with the student's written response, may be introduced in a subsequent disciplinary action.

If the UCEAP representative believes that disciplinary action is appropriate, he/she is empowered to take disciplinary action in consultation with the Regional Director at UCEAP and local university officials, if applicable.

Conduct Sanctions

When a student is found in violation of UC, local institution, and/or UCEAP policies or regulations, any of the following sanctions or combination thereof may be imposed. Any sanction imposed should be appropriate to the violation, taking into consideration the context and seriousness.

a. Reprimand/warning/censure

Written reprimand that the student has violated policies and/or regulations and that continued or repeated violations may be cause for further disciplinary action.

b. Disciplinary probation

Written notice of a status imposed for a specified period of time during which a student must demonstrate conduct that conforms to UCEAP and/or host institution standards of conduct. Misconduct during the probationary period or violation of any conditions of the probation may result in further disciplinary action, normally in the form of dismissal. Depending on the student's misconduct, and at the discretion of the UCEAP representative and/or Regional Director, the following are examples of probation conditions: formal apology, written apology, written analysis of misconduct with reference to local social norms, community service, alcohol/drug assessment with treatment as deemed necessary, professional counseling, payment of fines/restitution of property, etc.

c. Dismissal

Written notice of termination of UCEAP student status. The UCEAP representative and/or the UCEAP Regional Director will inform the student in writing of the action to be taken and of the appeal process available to the student, with copies to the UCEAP representative, the host institution, and the relevant Academic Specialist, who will inform the appropriate campus offices with copy to the campus UCEAP representative.

Behaviors that may lead to dismissal from UCEAP include actions that, in the judgment of UCEAP officials, jeopardize a student's welfare, that of fellow students, or the Program.

Such actions include, but are not limited to, the following:

1. Threats or the use of physical and/or verbal violence/abuse;
2. Violation of the laws of the country or host institution;
3. Open abuse of the customs and mores of the community;
4. Damage to or destruction of property of others;
5. Alcohol or substance abuse (including coming to class under the influence of alcohol or controlled substances);
6. Harassment of any kind; physically or verbally abusing, disrespecting, or threatening any Program member and/or host institution official;
7. Stalking behavior in which Student repeatedly engages in a course of conduct directed at another person;
8. Eviction from one's lodging;

9. Obstruction or disruption of teaching, research, administration, disciplinary procedures, or other University activities;
10. Inappropriate, disrespectful, rude, aggressive communication or actions toward others, and uncivil behavior/communication (e.g. talking back, willfully ignoring Program and/or host institution communications, physical/psychological intimidation, culturally insensitive behavior, name calling, willful or malicious maligning of any member of the UCEAP community, use of obscene or profane language, etc.) with others, particularly any official associated with the Program;
11. Disorderly or lewd conduct (e.g. of disorderly conduct: rowdy and drunken behavior, fighting, vandalism, assaults, destruction of property, and loud parties, menacing, harassment, or intimidation);
12. Participation in a disturbance of the peace (e.g. disturbing others with loud, unnecessary, and unreasonable noise/partying; operating any sound amplifying system, particularly at night, fighting/instigating a fight in a public place, offensive language, fighting);
13. Failure to comply with directions of a Program official or other official(s) acting on behalf of Program;
14. Bias-motivated behavior, intentionally or unintentionally (e.g. disability, sexual orientation, race, religion, ethnicity, size, age, etc.);
15. Unauthorized absence from classes and/or from the Study Center;
16. Exceeding the number of unexcused absences from class allowed for the Program;
17. Failure to register in and/or maintain a full-time course and/or unit load at the host institution as specified by UCEAP requirements throughout the duration of the Program;
18. Failure to submit a completed Registration Study List via MyEAP by the deadline set by the Study Center Director, Liaison Officer, or other Program official;
19. Academic misconduct (cheating, fabrication, forgery, plagiarism, or facilitating academic dishonesty);
20. Unwillingness to cooperate with Program officials and/or officials acting on behalf of Program.

Appeal of Dismissal

If a student decides to exercise his or her right to appeal a Study Center or UCEAP dismissal decision, he or she must do so in writing. The appeal must be initiated within 72 hours -3 days- (in real local time) of the date of notice from UCEAP of his/her misconduct. The imposition of a dismissal sanction will be deferred during such appeal. An appeal must be in writing to the UCEAP Associate Vice Provost and Executive Director. This letter may include any relevant documents and testimonials that the student wishes to enter into the record. If the student does not submit an appeal within the time stipulated above, the student's right to appeal is waived.

Access to housing and the program will not be restricted unless the nature of the act that caused the discipline is appropriately related to the restriction. Exclusion of housing and the program will occur when there is reasonable cause for UCEAP to believe that the student's presence will lead to physical abuse, threats of violence, or conduct that threatens the health or safety of any person associated with UCEAP or other disruptive activity incompatible with the orderly operation of the program. The UCEAP Associate Vice Provost and Executive Director will adjudicate and will either concur with, or overturn the decision of the UCEAP representative and/or Regional Director, ordinarily, within a period of two business days after receipt of the appeal. He or she will inform the student in writing of the decision. This decision will also be communicated to the UCEAP representative, the host institution, and the relevant Academic Specialist, who will inform the appropriate campus offices with copy to the campus UCEAP representative.

Academic Misconduct Procedures

- All members of the UCEAP academic community are responsible for UCEAP's academic integrity. In their academic work, students are expected to (1) maintain personal academic integrity; (2) treat all exams and quizzes as work to be conducted solely on their own, unless otherwise instructed; (3) take responsibility for knowing the limits of permissible or expected cooperation on any assignment.
- See the UCEAP **Academic Conduct Policy** and **UC Policies Applying to Campus Activities, Organizations, and Students**; academic misconduct violates University Regulation 102.01. Academic dishonesty matters will be processed as specified in the UCEAP Academic Conduct Policy.

- The UCEAP representative is responsible for investigating all alleged violations of UC and host institution policies regarding academic misconduct and for consulting with the relevant Academic Specialist at UCEAP about the steps in the process. The UCEAP representative will immediately inform the Academic Specialist at UCEAP of any incident of alleged violation of UC policies regarding academic misconduct. The Academic Specialist will consult with the Regional Director.
- The UCEAP representative will inform the student in writing of the nature of the alleged misconduct, the student's right to respond, and the procedures to be followed.
- The UCEAP representative will collect all information and documentation regarding the alleged violation (for example, correspondence with the host institution instructor, reports from witnesses, notes of discussions among the parties involved, and copies of the source material and the student's work involved in a case of alleged plagiarism).
- UCEAP respects the host institution's procedures regarding academic misconduct, which will be handled separately from UC procedures. If necessary, the UCEAP representative will inform the host institution that UC disciplinary action must follow individual UC campus procedures, which may or may not accord with the host institution's action or request. The host institution may request that it be informed of the final action by the UC campus. If the host institution's action is to dismiss the student from the host institution, the student ordinarily will be dismissed from UCEAP.
- The UCEAP representative or the Associate Vice Provost and Executive Director, as instructor of record and acting independently from the host institution, will follow UCEAP and UC campus procedures regarding the student's UC record.
- If the UCEAP official resolves the case with dismissal of the charges or with disciplinary action within his authority as instructor of record, and the student accepts the penalty, the UCEAP official may conclude that no further action should be taken. (A Liaison Officer's disciplinary action shall be confirmed by the UCEAP Associate Vice Provost and Executive Director, as the official instructor of record.) The UCEAP representative should obtain the student's written agreement to the disciplinary action.
- If the UCEAP representative or the Associate Vice Provost and Executive Director believes that the student should be immediately dismissed from UCEAP, or if the host institution dismisses the student, the UCEAP representative will consult with the Regional Director. Upon agreement with the Regional Director, the UCEAP representative or the Regional Director will issue an administrative dismissal in writing to the student. The written notice will include the nature of the academic misconduct, the UCEAP policies and/or regulations allegedly violated, the fact that the student will receive no credit for coursework during the term in progress, and the appeal process available to the student.
- If a student decides to appeal the dismissal, he/she must initiate the appeal within 72 hours -3 days- (in real local time) of the date of notice from UCEAP of his/her misconduct; the appeal must be in writing addressed to UCEAP Associate VP and Executive Director and may include any relevant documents that the student wishes to enter into the record. The UCEAP Associate VP and Executive Director will adjudicate and shall either concur with or overturn the decision of the UCEAP representative or Regional Director, ordinarily within a period of 48 hours -2 days- after receipt of the appeal. The Director will inform the student in writing of the decision, with copies to the UCEAP representative, the host institution, and the relevant Academic Specialist, who will inform the appropriate campus offices with copy to the campus UCEAP representative.

After the Appeal has been Adjudicated

If the UCEAP representative or the Associate VP and Executive Director believes that the case should also be referred to the student's UC campus for consideration of disciplinary action, or if the student does not accept the penalty assigned by the UCEAP official, all pertinent documentation will be sent to the relevant Academic Specialist at UCEAP, who will be responsible for forwarding it to the appropriate UC campus officials. In this case, in order for individual campus procedures and final decisions to be honored, the UCEAP representative will report an NR (no report) as the grade for the course or courses in question.

Consequences of Dismissal

If the decision is to dismiss the student from UCEAP, the student's participation in the program shall be terminated. A student who is dismissed from UCEAP for violation of the Code will not receive credit for coursework in progress; the UCEAP official will submit grades as W.

In cases of dismissal for violation of the Academic Conduct Policy, the UCEAP official will submit grades as I; the final grades will depend on resolution of the case at the student's UC campus.

Termination of student's participation in UCEAP shall not diminish or otherwise affect student's obligation to make all payments to UCEAP. The student will not be entitled to a refund of fees, may be required to reimburse UC for financial aid received, and is responsible for all unrecoverable costs incurred by the host institution or UCEAP as well as personal financial obligations, including, but not limited to, utility bills and rent.

A student's UCEAP insurance coverage will end 31 days after the effective dismissal date.

A student's registration at the UC campus may be blocked until all such financial obligations have been met. A student's UC campus may, in addition, impose further sanctions, such as suspension or dismissal from UC.

Privacy

Student discipline records are confidential. The disclosure of information from such records is subject to the following:

- **UC Policies Applying to Campus Activities, Organizations, and Students**
- **California Information Practices Act**
- **Family Education Rights and Privacy Act**