EAP STUDENT CONDUCT AND DISCIPLINE POLICY

A student participating in EAP assumes a dual status as a UC student and as a student of the partner institution. EAP participants are subject to, and should be familiar with, student conduct policies of the partner institution, of their UC campus, and of EAP.

Students should note that EAP’s policies may be stricter than UC campus policies because of the broader consequences of student conduct when a student is participating in EAP (e.g., student conduct may affect EAP’s relations with the host institution and the local community or arouse anti-American sentiments). In addition, students should note that EAP’s procedures are more compressed than campus procedures due to the relatively short duration of EAP programs.

Partner Institution Policies
The Study Center Director will ensure that copies of the partner institution policies concerning student conduct and discipline are made available to EAP students. It is the student’s responsibility to comply with all local laws. EAP may take disciplinary action whether or not action is taken or requested by the partner institution.

UC Policies
EAP participants should review a copy of the policy entitled UC Policies Applying to Campus Activities, Organizations, and Students. This is a UC systemwide document that outlines the rights and responsibilities of members of the University community.

The Study Center Director or Liaison Officer, in consultation with the Universitywide Office of EAP, is responsible for the enforcement of all policies pertaining to student conduct and discipline at the program site.

Most cases of misconduct for which UC students are subject to discipline, including dismissal from EAP, fall into the types enumerated in Section 102.00–102.23 in the UC policy noted above. Each UC campus has its own specific rules and regulations for student conduct, which also govern students while enrolled in EAP.

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

In part, the 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 EAP Student Conduct and Discipline Policy and the EAP Academic Conduct Policy as outlined in the EAP General Information Guide. 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 Study Center Director 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 EAP 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 EAP itself. For example, participation in an illegal demonstration or strike might not only cause physical harm to the student who is involved but may also be harmful to UC’s relationship with the host institution or country. The same might be true for getting into a fight or any number of other inappropriate behaviors. Be aware that even legal demonstrations may turn violent and dangerous, and in such circumstances, students should immediately remove themselves from the situation. In addition, in some countries, it may be illegal or against host institution policies for foreigners or international students to participate in demonstrations that otherwise are legal. In these situations, disciplinary action may be taken by EAP even if no action is taken or requested by the host institution (see Section 100.00 of UC Policies Applying to Campus Activities, Organizations, and Students).
Travel Policy
The Education Abroad Program has instituted a Student Travel Policy strongly discouraging students from visiting places for which the U.S. Department of State has issued a Travel Warning.

Alcohol and Drug Use and Abuse
As guests of a foreign country, students should be aware of a number of behavioral responsibilities and expectations. As the legal drinking age in many countries is lower than in the U.S., some students consider this as a great opportunity to “legally” drink and often drink excessively. If you choose to drink, do so responsibly and consider the following: Many arrests, accidents, assaults, and violent crimes have occurred because of alcohol abuse. Drinking on the street or on public transportation may be considered criminal activities by local authorities, as they would be in many places in the United States. 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. People caught with illegal drugs in a foreign country are subject to the drug laws of that country, not those of the U.S. Ignorance of the law is no excuse. In many countries, the burden of proof is on the accused to show that he or she is innocent of the charges. 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 EAP Substance Abuse Policy.

Procedures for Investigation, Discipline, and Appeal

- The Study Center Director is responsible for carrying out the investigation of all alleged violations of EAP, 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 allegation, the regulations or policy allegedly violated, and the procedures to be followed.

- If the Study Center Director believes that disciplinary action is appropriate, he/she is empowered to take disciplinary action in consultation with the Regional Director at UOEAP and local university officials, if applicable. Disciplinary actions include written reprimand, written disciplinary probation, or dismissal from the program. The Study Center Director must inform the student in writing of the action to be taken and of the appeal process available to the student, in the case of dismissal from the program, and inform the Regional Director. In turn, depending on the gravity of the offense, UOEAP will communicate with the student’s Campus EAP Office. The Campus EAP Office may share this information with other home campus academic and student affairs offices, as appropriate.

- Behaviors that may lead to dismissal from EAP include actions that, in the judgment of the Study Center Director or other officials of the Education Abroad Program, jeopardize a student’s welfare, that of fellow students, or the Program, for example, threats or the use of physical violence, violating the laws of the country or host institution, openly abusing the customs and mores of the community, willful damage to or destruction of property of others, alcohol or substance abuse, harassment of any kind, eviction from one’s lodging, criminal conduct, obstruction or disruption of teaching or other university activities, unauthorized absence from classes and/or from the Study Center, exceeding the number of unexcused absences from class allowed for the program, failure to submit a completed, signed, and approved Registration Study List by the deadline set by the Study Center Director, and academic misconduct (cheating, fabrication, forgery, plagiarism, or facilitating academic dishonesty).

- If a student decides to exercise his or her right to appeal a Study Center dismissal decision, he or she must do so in writing. The appeal must be initiated within 72 hours (in real local time) from the time the student was informed in writing or his or her right to do so is waived. An appeal must be in the form of a letter to the EAP Universitywide Director. This letter may include any relevant documents and testimonials that the student wishes to enter into the record.

- The Universitywide Director of EAP shall either concur with or overturn the decision of the Study Center Director, ordinarily, within a period of two business days after the EAP Universitywide Director receives the appeal. He or she will inform the student in writing of the decision. This decision will also be communicated to the Study Center Director, host institution, and home Campus EAP Office. The Campus EAP Office will be responsible to inform any other appropriate campus offices or officials.
Academic Misconduct Procedures
See the EAP Academic Conduct Policy and Section 100.00 of UC Policies Applying to Campus Activities, Organizations, and Students.

- The Study Center Director 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 UOEAP about the steps in the process. The Study Center Director will immediately inform the Academic Specialist at UOEAP of any incident of alleged violation of UC policies regarding academic misconduct, who will consult with the Regional Director and Academic Dean or Associate Dean as appropriate.

- The Study Center Director 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 Study Center Director 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).

- EAP respects the host institution’s procedures regarding academic misconduct, which will be handled separately from UC procedures. The Study Center Director will not intercede on behalf of a student but 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 may be administratively dismissed from EAP.

- The Study Center Director, as instructor of record and acting independently from the host institution, will follow EAP and UC campus procedures with regard to the student’s UC record.

- If the Study Center Director 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 Study Center Director may conclude that no further action should be taken. (A Liaison Officer’s disciplinary action shall be confirmed by the UOEAP Academic Dean or Associate Dean, as the official instructor of record.) The Study Center Director should obtain the student’s written agreement to the disciplinary action.

- If the Study Center Director believes that the case should be referred to the student’s UC campus for resolution, or if the student does not accept the penalty assigned by the Study Center Director, the Study Center Director will send all the pertinent documentation to the relevant Academic Specialist at UOEAP, 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 Study Center Director will report an NR as the grade for the course or courses in question.

- If the Study Center Director believes that in addition to referring the case to the student’s home UC campus for consideration of disciplinary action, the student should be immediately dismissed from EAP, or if the host institution dismisses the student, the Study Center Director will consult with the Regional Director. Upon agreement with the Regional Director, the Study Center Director will initiate an administrative dismissal by sending a written Notice of Dismissal on official EAP Study Center letterhead to the student. The letter should cite the charge against the student, the Student Agreement (paragraph 6), the fact that the student will receive no credit for course work during the term in progress, and the appeals process available to the student.

- If a student decides to appeal the dismissal, he/she must initiate the appeal within 72 hours (in real local time) of receipt of the dismissal notice; the appeal must be in the form of a letter to the EAP Universitywide Director and may include any relevant documents that the student wishes to enter into the record. The EAP Universitywide Director shall either concur with or overturn the decision of the Study Center Director, ordinarily within a period of 48 hours after receipt of the appeal. The Director will inform the student in writing of the decision, with copies to the Study Center Director, the host institution, and the relevant Academic Specialist, who will inform the appropriate campus offices and Campus EAP Office.
Consequences of Dismissal

If the decision is to dismiss the student from EAP, the student’s participation in the Program shall be terminated. A student who is dismissed from EAP for violation of the Student Conduct and Discipline Policy will receive no credit for course work in progress; the Study Center Director will submit grades as W. In cases of dismissal for violation of the Academic Conduct Policy, the Study Center Director will submit grades as NR; the final grades will depend on resolution of the case at the student’s UC campus.

Termination of student’s participation in EAP shall not diminish or otherwise affect student’s obligation to make all payments to UC. 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 EAP as well as personal financial obligations, including utility bills and rent. 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.