



STUDENT CODE OF CONDUCT

TIGER **LORE**

Table of Contents

Disclaimer	3
Mission Statement	3
Definitions	3
Jurisdiction	5
The Student Code of Conduct.....	5
Introduction & General Principles	5
The Student Code of Conduct	6
A. The Honor Code	6
B. Institutional Policies	8
C. Alcohol.....	9
D. Drugs.....	10
E. Threat or Harm to Others.....	10
F. Fire Safety	11
G. Weapons and other Dangerous Items.....	12
H. Community Living	12
I. Computer Use, Technology, & Copyright.....	14
J. Smoking, Vaping, and Tobacco-Free Policy.....	14
K. Vehicles and Parking.....	15
L. Theft, Vandalism, Property Damage	15
Academic Integrity Review Process & Procedures	16
Student Conduct Review Process & Procedures	17
Student Organization Conduct Review Process & Procedures.....	18
Appeal Procedures	19
Bias and Discriminatory Harassment.....	20
Family Educational Rights and Privacy Act (FERPA)	21
Hazing.....	25
Freedom of Expression.....	25
Grievances	26
Interim Measures.....	29
Review Board Hearing Procedures	29
Sanctions.....	30
Student Hearing Rights.....	31
Student Hearing Responsibilities	32
Weapons, Explosives, or Dangerous Chemicals.....	32

Disclaimer

The content of University of the Pacific's Tiger Lore: Student Code of Conduct (Tiger Lore) is provided as information for each student and is designed to supplement the university's catalog and other related publications. It was prepared as a guide to help students make their academic and co-curricular life at the University of the Pacific successful.

Tiger Lore is not meant to be a complete statement of rules, regulations, policies or procedures, nor does it contain a complete list of all programs, services or university policies. Students are encouraged to read Tiger Lore and keep it available as a reference. It is subject to change at any time as deemed appropriate by the university at its sole discretion. Any such changes may be implemented without prior notice and without obligation, and unless specified otherwise, are effective when made.

In addition to the policies and procedures outlined in this document, your specific program or course of study may have a handbook that outlines student behavioral and ethical expectations specific to your course of study. Contact your program for additional information.

For students with disabilities or special print related needs, please contact The Office of Services for Students with Disabilities, 209.946.2331.

Mission Statement

- Our mission is to support students in their pursuit of holistic learning and personal development by:
- Cultivating academic integrity personal accountability and community responsibility;
- Supporting a diverse and inclusive campus environment where students flourish;
- Educating the campus community regarding the Student Code of Conduct;
- Partnering with student, staff, and faculty across department and campuses with respect to Student conduct concerns;
- Providing a fair, educational, and responsive process for the investigation, review, and resolution of Student Conduct matters;
- Utilizing evidence-based prevention and intervention programs.

Definitions

Appeals Committee: For Non-Academic Integrity cases, an Appeals Committee is a panel of individuals trained to review student appeals. Appeals Committee members are trained by the Office of Student Conduct & Community Standard and they serve as the final arbiter of an appeal of a non-academic integrity outcome decision.

Appeal Officer: For Academic Integrity cases only, the Provost or their designee shall serve as the final arbiter of an appeal of an outcome decision made through the Academic Integrity Review Process.

Days: For the purposes of this document, "Days" mean university business days, Monday through Friday, except on days in which the university is closed.

Dean: For the purposes of this document, the term "Dean" by itself, refers to the Assistant Dean of Students, Student Conduct & Community Standards, or their designee.

Hearing Officer: Hearing Officers may adjudicate alleged violations of the Code of Conduct. Hearing Officers are University of the Pacific staff and faculty members who have been trained by the Office of Student Conduct and Community Standards to adjudicate cases. Hearings Officers serve with the approval of the Office of Student Conduct & Community Standards.

Notice: Whenever this policy requires giving notice or communication to a student, such notice or communication will be communicated with a student electronically via the student's official Pacific email account. Students are responsible for responding promptly. Failure to do so is not an acceptable excuse for delaying the student conduct process.

Procedural Advisor: A Procedural Advisor is a university official assigned to a Review Board by the Office of Student Conduct & Community Standards. A Procedural Advisor may conduct inquiry during any Review Board hearing to ensure that all relevant information is available to the Review Board for consideration, ensure that hearing records are preserved, and maintain control of confidential documents. If the Review Board hearing should proceed to a sanctioning phase, the Board Advisor shall provide the Review Board with pertinent information concerning past conduct history. The Board Advisor may also: postpone hearings, call recesses, take appropriate steps to maintain order, make determinations regarding the relevancy of questions to the matter at hand, and stop irrelevant questions.

Respondent: A student who has been reported to be the perpetrator of conduct that violated the Student Code of Conduct, as outlined in this document.

Review Board: A Review Board is a panel of individuals trained to adjudicate alleged violations of the Code of Conduct. Review Board members are trained by the Office of Student Conduct & Community Standards. Review Board members are assigned to adjudicate a case by the Office of Student Conduct & Community Standards.

Student: An individual for whom the University maintains student records, and who is enrolled in or registered with an academic program of the University, has completed the immediately preceding term and is eligible for re-enrollment, including the recess periods between academics terms; or is on an approved educational leave or other approved leave status, including under suspension, or is on filing-free status. University policy also applies to applicants who become students, for offenses committed and financial obligations as part of the application process; applicants who becomes students, for offenses and financial obligations on campus and/or while participating in University related events or activities that take place following a student's submittal of the application through their official enrollment; and former students for offenses committed and financial obligations while a student.

Student Organization: Student Organizations are defined as campus organizations registered with the Office of Student Involvement, fraternities and sororities recognized and advised by the university, student organizations that serving as student governing bodies, such as ASUOP, a campus political slate running for office in a student government election, club sport teams overseen by Pacific recreation, teams overseen by the Division of Athletics, student groups that have a relationship to an academic department or program, alumni, group, or administrative unit.

Student Organization Advisor: Group advisors are assigned advisors, staff, faculty, or coaches who engage with an organization or team in an advisory or leadership capacity. A Group Advisor may be invited to participate in the conduct process for organizations or teams.

Support Person: A respondent may seek support from a support person of their choosing. The role of a support person is to assist the student through the hearing process and accompany them to any Review Board hearing. A Support Person may not disrupt a Review Board hearing, may communicate with the Respondent during a hearing, and may not communicate with any other individual in a Review Board hearing.

University Premises: All land, buildings, facilities, and other property in possession of or owned, used, or controlled by University of the Pacific.

Witness: Individuals who know direct information and can further the Board's understanding of the incident under review. Witnesses shall remain outside of the hearing room until the Review Board requests them. If necessary, a witness can provide a statement via telephone or in writing. Witnesses who will not be present at the hearing must submit a written statement to the Office of Student Conduct

and Community Standards prior to the hearing. Witnesses who wish to provide a statement via telephone must provide a telephone number, prior to the hearing, at which they will be contacted. Failure to answer the phone after two attempts will result in the Review Board hearing proceeding without the witness's input.

Jurisdiction

The Student Code of Conduct (Code) is applicable to all University of the Pacific (Pacific) students, as defined by this Code. Violations of the Code may include conduct occurring on campus or off-campus, including online and electronic communication or other conduct, when the university determines it has a substantial interest in the conduct. The university has a substantial interest in conduct when it:

- Occurs at university-related events;
- Occurs during study abroad, clinical, internship or other academic programs;
- Constitutes a violation of local, state or federal law; including repeat violations of any local, state, or federal law committed in any county where the university is located ;
- Indicates that the individual may present a danger or threat to the health or safety of him/herself or others;
- Significantly threatens the rights or property of those protected by this Policy, or significantly breaches the peace and/or causes social disorder;
- Is harmful to the educational mission of the university;
- Involves individuals covered by this Policy at a non-university event.

Notwithstanding any other provisions of the Code, Pacific reserves the right to take any action, which in its judgment is necessary and appropriate to protect the safety and well-being of the campus community.

Jurisdiction of the Academic Integrity Process applies to all university students unless otherwise noted by the program of study in which the student is enrolled.

The Student Code of Conduct

Introduction & General Principles

The Code identifies the general standards of student behavior, which are essential to the university's educational mission and its community life. The Code is applicable to all university students. Students are also responsible, and will be held accountable, for the conduct of their guests while the latter is at a university location or facility and/or participating with the student host in a university-related activity.

The Code is set forth in writing in order to give students general notice of prohibited conduct. The provisions of the Code are to be read broadly and are not designed to define prohibited conduct in exhaustive terms.

Notwithstanding any other provisions of the Code, the university reserves the right to take any action, which in its judgement is necessary and appropriate to protect the safety and well-being of the campus-community.

The focus of the inquiry in student conduct proceedings will be to determine if the individual ("respondent") alleged to have engaged in a violation of the Code is responsible or not.

Formal rules of evidence will not be applicable, nor will asserted violations from procedures necessarily invalidate a decision or proceeding, unless there is significant prejudice to the respondent, reporting party, or the university, and a different outcome would have been likely.

Processes under this Code are independent of any governmental criminal proceedings that are or may become applicable to the behavior as issue. The findings of governmental authorities will not be determinative of the outcome of the student conduct process.

The burden of proof will be such that the respondent will be presumed to be “Not Responsible” and their responsibility must be established to the satisfaction of the Student Conduct Review body or offer by a preponderance of the evidence.

A respondent is not permitted to withdraw from a course, program, or University of the Pacific, unless the Student Conduct process is complete and all allegations are resolved. A student who withdraws may be re-enrolled and a relevant grade, sanction, or notation on the transcript may be assigned.

All notifications, requests, and outcomes associated with the student conduct process will be communicated with a student electronically via the student’s official Pacific email account. Students are responsible for responding promptly. Failure to do so is not an acceptable excuse for delaying the student conduct process.

The Student Code of Conduct

A. The Honor Code

The Honor Code at the University of the Pacific calls upon each student to exhibit a high degree of maturity, responsibility, and personal integrity. Students are expected to:

- Act honestly in all matters;
- Actively encourage academic integrity;
- Discourage any form of cheating or dishonesty by others; and
- Inform the instructor or appropriate university staff if a student has a reasonable and good faith belief and substantial evidence that a violation of the Honor Code has occurred.

A.1 Cheating

Cheating is the willful giving or receiving of an unauthorized or dishonest advantage to/from another. Cheating may be accomplished by any means whatsoever, including, but not limited to, the following: fraud, duress, deception, theft, talking, signs, and gestures. Attempted cheating is also considered cheating.

Examples of cheating include, but are not limited to:

- Use of resources not authorized by the instructor or readily available to all students in the course, including past exams, for the completion of an assignment or to study for an exam.
- Copying graded assignments from another student or giving one’s work to be copied or used by another student.
- Selling work from a course completed at Pacific for money or “credit” or purchase of coursework or other unauthorized assistance from an online source.
- Working together on an assignment when not specifically permitted by the instructor.

- Looking at another student’s paper during an examination, allowing a student to look at one’s paper, or giving answers to another during an examination.
- Looking at text or notes during an examination when not specifically permitted by the instructor.
- Doing homework, taking an exam, writing a paper, or doing any other coursework for another student or allowing another person to do it for you, when not specifically permitted by the instructor.
- Using any technological/communication tool not authorized by the instructor during an exam.
- Engaging in behavior specifically prohibited by an instructor during class discussions, in the course syllabus, or via other course-specific communication means or tools.

A.2 Plagiarism

Plagiarism is presenting as one’s own, the work or the opinions of someone else without proper acknowledgement.

Plagiarism includes, but is not limited to:

- Failing to give credit for ideas, statements of facts, or conclusions derived by another author; failure to use quotation marks when quoting directly from another, whether it is a paragraph, a sentence, or part thereof; failure to properly cite the work of another person.
- Submitting an assignment purchased or obtained from a “research” or term paper service.
- Submitting an assignment, whole or in part, obtained from the internet or other unauthorized resources.
- Giving a speech or oral presentation written by another and claiming it as one’s own work.

A.3. Other Academic Dishonesty

Other forms of Academic Dishonesty include, but are not limited to:

- Planning with one or more students to commit any form of academic dishonesty.
- Lying to an instructor or providing any misrepresentation of information in order to receive any academic advantage or accommodation.
- Submitting papers or speeches for credit that are substantially the same in two or more classes without the prior written approval of the instructors involved.

- Removing tests from the classroom without the approval of the instructor, or misappropriating any portion of a test, either physically or electronically.
- Altering answers on a scored test or any graded work and submitting it for a higher grade without explicitly articulating the alterations made.

Honor Code Jurisdiction & Sanctioning

- Tiger Lore lists the range of sanctions for violations of the Student Code of Conduct.
- Jurisdiction for Honor Code violations includes behavior engaged in while a student is attending any study abroad program in which the student will receive credit towards a degree awarded by University of the Pacific.
- Instructors may impose academic sanctions (e.g. failing grade for the exam or course) in addition to those sanctions listed in Tiger Lore. Refer to the course syllabus for details.
- A student found responsible for a violation of the Honor Code resulting in suspension or dismissal from the university will receive a grade determined by the faculty for the course in which the violation occurred and be withdrawn from all other courses.
- In the case of suspension or dismissal, a notation of the sanction imposed will appear on the student's transcript.

B. Institutional Policies

Students are expected to abide by the Student Code of Conduct and university policies and procedures, including sanctions issued through a conduct process. Students are expected to comply with directions from university officials, and identify when requested to do so. Providing false information to university officials is strictly prohibited.

- | | |
|---|---|
| B.1 Interfering with University Activities | Intentionally or recklessly interfering with university activities, including, but not limited to: studying, teaching, research, residential activities, administration, student conduct proceedings, or fire, police, or emergency services is prohibited. |
| B.2 Failure to Comply | Failure to comply, in a prompt fashion, with the directions of any university official, faculty, or office, when acting within their official capacity. Failure to complete sanctions as imposed as part of the student conduct process. |
| B.3 Student Identification | Student Identification cards and keys may not be transferred, duplicated, given, or loaned to any other individual for any purpose. |

Students are required to identify themselves when requested to do so by a university official acting within their official capacity (this includes student staff such as resident assistants). Students should have their university issued identification on them at all times while on-campus, or should be able to promptly identify themselves with a government issued identification document. Failure to do so is prohibited.

- | | |
|---|--|
| B.4 False Information | Knowingly making or delivering materially false or misleading written or oral statements to a university staff, faculty, or office. Knowingly initiating or causing to be initiated any false report, warning, or threat. |
| B.5 Forgery | Forgery or unauthorized alteration or usage of any university document, record, or instrument of identification. |
| B.6 Aiding, Abetting, Being in the Presence of a Violation | Failure to take reasonable steps to avert, stop, report, or leave a situation involving a violation of the Student Code of Conduct is prohibited. Attempting, conspiring to commit, or aiding and abetting a violation of the Student Code of Conduct is prohibited. |
| B.7 Retaliation | Retaliation by an individual or group against any other individual or group for opposing, threatening to report a policy violation, or for participating in a related investigation, proceeding, or hearing is prohibited. |
| B.8 No Contact Order | Violating a No Contact Order is prohibited. |
| B.9 Violation of law, policies, or procedures | Violation of established university policies and procedures is prohibited. Violation of local, state, or federal laws, not otherwise contained in this Code, is prohibited. |

C. Alcohol

Use, possession, manufacturing, or distribution of alcoholic beverages (except as expressly permitted by University of the Pacific policies), or public intoxication. Alcoholic beverages may not, in any circumstance, be used by, possessed by or distributed to any person under the legal drinking age of twenty-one (21) years. Students who are twenty-one (21) years of age and older, and live on campus, may possess and consume alcohol in the privacy of their own living space with the door closed and may not disturb others.

In accordance with all policies related to the serve and distribution of alcohol, a limited number of additional locations may be used to host events with alcohol. Please consult with the facility manager for specific requirements for authorization and use.

- | | |
|---|--|
| C.1 Consumption and/or Possession of Alcohol | Consumption, possession, or acquiring of alcohol while under the legal drinking age is prohibited. |
| C.2 Public Intoxication, Open Container | Public Intoxication, the consumption of alcohol in a public area, or the possession of an open container of alcohol in public is prohibited. |
| C.3 Alcohol Distribution | Serving, distributing, or otherwise furnishing alcohol to any persons under the legal drinking age is prohibited. |

- | | |
|---|---|
| C.4 Alcohol Paraphernalia | Possession of common source containers or alcohol paraphernalia (empty or full, including but not limited to kegs, tap systems, wine boxes, flasks, funnels, hoses, beer pong table, bar set-ups, etc.) is prohibited, unless specifically authorized through the university is prohibited. |
| C.5 Drinking Games | Participating in drinking games or contests, regardless of the observable presence of alcohol is prohibited. |
| C.6 Operating a Vehicle while Impaired | Operating a vehicle (including bicycle, skateboard, or other similar transportation devices) while impaired by alcohol or any substance is prohibited. |

D. Drugs

Except as legally prescribed all drugs are prohibited. The unlawful manufacture, distribution, sale, possession, or use of any controlled substance, illegal drug, including cannabis, is prohibited. Paraphernalia related to the use of such drugs are prohibited.

Prescriptions for medical cannabis do not exempt individuals from compliance with university policies or laws related to smoking or drug use. Specifically, California law does not allow individuals to smoke or otherwise use medically prescribed cannabis in any area where smoking is prohibited and within 1000 feet (304.8 meters) of any school.

- | | |
|---|---|
| D.1 Purchase and/or use of Cannabis | Purchase, use, or possession of cannabis, or derivatives of cannabis is prohibited. |
| D.2 Purchase, Use of other Illegal Drugs | Purchase, use, or possession of narcotics, hallucinogens, synthetic drugs, or any other illegal drug is prohibited. |
| D.3 Illegal Drug Distribution | Manufacturing, selling, giving offering, or distributing narcotics, hallucinogens, synthetic drugs, or any other illegal drug is prohibited. |
| D.4 Distribution of Prescription Drugs | Selling, giving, offering, or distributing prescription drugs; or possessing any controlled substance without a medical prescription is prohibited. |
| D.5 Drug Paraphernalia | Possession of drug paraphernalia is prohibited. |

E. Threat or Harm to Others

Intentionally or recklessly causing physical or psychological harm, attempting to cause physical or psychological harm, hazing, threatening, intimidating, harassing, or abusive physical or verbal behavior are prohibited.

- | | |
|--|--|
| E.1 Physical Assault | Physical assault or battery is prohibited. Physical assault or battery is defined as any unwanted physical contact or threat of contact with harmful intent or result by a student against another individual. Such actions may include, but are not limited to: physical assault or abuse, attempt physical assault or abuse, reckless behavior, but not accidental, which may result in injuries to oneself or others, conduct resulting in personal injury. |
| E.2 Threat of Harm | Intentionally or recklessly causing physical or psychological injury or harm, or causing reasonable apprehension of, or threats of such injury or harm. |
| E.3 Verbal Abuse, Harassment, Other Threats | Verbal threats, verbal abuse, or verbal harassment of any member of the campus community. |
| E.4 Discriminatory Harassment | Engaging in discriminatory, or otherwise harassing conduct so sufficiently severe, pervasive, and/or objectively offense that it substantially interferes with a person's participation in educational programs or work performance, or creates an intimidating, hostile, or offensive educational or work environment. |
| E.5 Hazing | Hazing by any student, group of students, alumni, advisor, or organization, is prohibited. |
| E.6 Disorderly Conduct | Disorderly conduct; or lewd, indecent, or obscene behavior. |

F. Fire Safety

Individuals are required to comply with all Fire Safety policies and procedures. Individuals are required to evacuate immediately when any fire alarm sounds within a building. Prohibitions include, but are not limited to: tampering with fire safety equipment in any manner or negligently or deliberately activating false fire alarms; obstruction of any emergency exit, fire escape, or access to emergency equipment; and candles, incense, and open-flame devices.

- | | |
|---|--|
| F.1 Fire | Starting, attempting to start, or tending a fire without appropriate university or local authorization is prohibited. |
| F.2 Fire Safety Devices | Disabling, tampering with, or damaging fire or other environmental and health safety equipment, doors, or signs is prohibited. This includes, but is not limited to, pull stations, extinguishers, hoses, smoke detectors, sprinklers, emergency exit door alarms, exit signs, etc.) Students are not permitted to hang items from sprinkler heads, pipes, or fire safety devices. |
| F.3 False Activation & Obstruction of Egress | Activating a fire alarm device without cause, obstructing emergency exits, fire escapes, or access to emergency equipment is prohibited. |
| F.4 Failure to Vacate | Failure to vacate a building immediately when any fire emergency warning system is activated is prohibited. |

- F.5 **Candles and Incense** Candles, incense, and other incendiary products, even as decoration, are prohibited. Individuals with religious and/or spiritual observance needs should contact Residential Life & Housing and/or the Office of Religious & Spiritual Life.
- F.6 **Appliances and Hazards in Residential Communities** Appliances with open heating elements (e.g. hot plates, halogen lamps, sun lamps, lava lamps, candle warmers, space heaters, etc.) are prohibited. Kitchen related appliances with open heating elements are only permitted in designated kitchen areas. Non-university air conditioners are prohibited. For other small appliances, please review the “Appliances” policy under the “Stockton Residential Life and Housing Policies” section. Additionally, dead plants and trees are fire hazards and are not permitted.
- F.7 **Extension Cords** Extension Cords are a fire safety hazard and prohibited. (Exceptions to this are “Industrial Strength” “Heavy-Duty” Extension Cords – typically three-prong and approved by a nationally recognized testing laboratory such as the Underwriter Laboratories “UL.”) Approved Extension cords must be directly plugged into a surge protector or outlet and may not be plugged into another device or cord (also known as daisy-chaining.)
- F.8 **Excessive Electrical Load** As electrical capacities of residential facilities may vary, residents must mitigate/prevent circuit capacity overload by limiting the number of electrical devices that are concurrently drawing electricity. Students should review the “Appliances” policy under the “Stockton Residential Life and Housing Policies” section.
- F.9 **Barbeques** The possession or use of personal open-flame cooking devices (BBQs) or Liquefied petroleum-gas-fueled (propane) cooking devices is prohibited on campus.

G. Weapons and other Dangerous Items

Firearms, explosives, incendiaries, dangerous chemicals, fireworks, illegal knives, and other dangerous items are prohibited.

- G.1 **Weapons & Dangerous Chemicals** Illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals on University of the Pacific premises or use of any such item, even if legally possessed, in accordance with the California Code of Regulations Title V, Section 41301 and California Penal Code Sections 626.9 and 6.26.10 are prohibited.
- G.2 **Dangerous Items** Dangerous items that are prohibited include, but are not limited to: air pistols/rifles, pellet guns, “BB” guns, smoke bombs, large knives, martial arts weapons, etc.
- G.3 **Fireworks & Incendiaries** Unauthorized use or possession of fireworks and/or any other incendiary material is prohibited.

H. Community Living

Students at University of the Pacific should exemplify integrity, honor, ethical conduct, and responsible behavior that is consistent with the laws, policies and procedures that govern conduct both on and off campus.

- H.1 Guests** All students must abide by the Guest Policy. A guest is a non-resident, who purpose is to visit for a short time with a resident. Students are permitted to have guests in their housing assignments, so long as those guests adhere to the conditions outlined in the Guest Policy, Housing Agreement, and other university policies. Students are responsible for the behavior of their guests.
- H.2 Noise/Courtesy Hours** Excessive noise, which interferes with that process, will not be permitted. Thus, students are expected to abide by a 24-hour courtesy policy. Each member of the campus community must reduce their noise level when asked. Regardless of whether or not a complaint is registered, university officials have the right to determine if noise levels are excessive.
- H.3 General Noise Nuisance** Violating local noise ordinances (e.g. Stockton Municipal Code for Nuisance Noise).
- H.4 Audio Equipment** All students must ensure that any sound equipment/musical instruments that in their housing assignment does not interfere with the normal activities of others (sleep, study, conversation, etc.).
- H.5 Postings & Solicitation** Postings and door-to-door solicitation, including the distribution of printed materials, or publicizing an activity, organization, or issue, is not permitted without expressed, written permission. Posting in Residential areas requires permission from the Office of Residential Life & Housing. Posting in Academic or Departmental spaces requires permission from that Academic Department. Posting in all other areas requires permission from the Student Leadership and Involvement Office.
- H.6 General Uncleanliness** Students are responsible for regularly cleaning their housing assignment, including removing trash and other waste materials, and for maintaining reasonable sanitation, fire safety, and health safety standards.
- H.7 Pets & Animals** Students may not possess or keep any animal or pet in any university facility. Students may not possess or keep any animal or pet in university housing. (Exceptions are non-poisonous fish in a fish tank no larger than 5 gallons).
- Students seeking accommodations for a service or assistive animal must first contact and receive authorization from the Office of Services for Students with Disabilities before bringing any animal into a university facility. For residential communities, a process with Residential Life & Housing must also be included.
- H.8 Gambling** Gambling for money or stakes representing money or for any other form of monetary or material reimbursement is prohibited on university property unless exempted by California law.

- H.9 Lounges and Common Spaces** Lounge and common area spaces located in residence halls, fraternity/sorority communities, and apartment communities are for the exclusive use of residents residing in the lounge/common area's respective building. Use of these areas for group activities is permitted if the group consists of invited guests of a resident of the community or with permission from the Residential Life & Housing office. The space may not be reserved and activities may not infringe on another resident's ability to use the space. Consequently, unless as part of a university or residential community-sponsored event, sleeping in a lounge or common area space is prohibited. Individual residents and residents hosting guests will be responsible for returning all furniture to its original condition and for any cleaning or trash removal. Communities may be fined for damages occurring in lounges or common area spaces, as defined in the Damages/ Maintenance of Premises policy.
- H.10 Decorations** Students are expected to leave the room or apartment in the same condition as when they moved in. Students should review the Decorating and Personalizing Rooms and Apartments Policy for decoration guidelines.
- H.11 Other Housing Agreement Violations** Students are expected to abide by the terms outlined in the housing agreement and/or the residential policies specific to their campus.

I. Computer Use, Technology, & Copyright

Any behavior that disrupts or causes disruption to university computer services is prohibited; or violates and university policy, state, or federal law related to computer use, technology, and copyright.

- I.1 Computer Use** Any behavior that disrupts or causes disruption to computer services; damages, alters, or destroys data or records; adversely affects computer software, programs, systems, or networks. The use of any data, computer system, or network to devise or execute any scheme to defraud, deceive, extort, or wrongfully obtain money, property, or data.
- I.2 Copyright Infringement** All students must comply with federal copyright law (U.S. Code Title 17). Copyright infringement is defined as unauthorized possession or sharing of copyrighted materials, including, but not limited to: music, movies, computer software and games, videos, or any other media, which requires a license to possess.
- I.3 Routers & Hubs** The use of routers and hubs connected to PacificNet are not permitted in rooms or apartments.

J. Smoking, Vaping, and Tobacco-Free Policy

University of the Pacific is a smoke, vaping, and tobacco-free institution.

- J.1 Tobacco** Use, possession, or acquiring of tobacco or tobacco products while under the legal age of twenty-one (21) years is prohibited.

- J.2 Smoking & Vaping** Smoking and vaping are prohibited on university premises.

K. Vehicles and Parking

Students must abide by the California vehicle code, as well as University of the Pacific's Motor vehicle and parking policies. Bicycle, skateboards, and scooters are permitted for transportation purposes only. Remote controlled vehicles of any type cannot be used on campus without official authorization.

- K.1 Motor Vehicles & Parking** Students must abide by the California Vehicle Code, as well as university Motor Vehicle and Parking policies.
- K.2 Bicycles, Skateboards, and Scooters** Bicycles, Skateboards, and Scooters are permitted on-campus for transportation purposes only. Recreational use, including tricks, jumps, or movement that endangers self, others, or damages university property is prohibited.
- K.3 Remote Controlled Vehicles** Individuals may not use drones, model airplanes, or remote controlled vehicles on-campus without the approval of the Department of Public Safety and the Office of Risk Management.

L. Theft, Vandalism, Property Damage

Students are expected to respect the property of others and the university. Students should not access the housing assignments of any other student without their consent. Additionally, for the safety and security of the campus, some areas of campus are off-limits to students without specific, expressed, permission.

- L.1 Property Damage** Intentionally or recklessly destroying or damaging university property, and/or the property of others.
- L.2 Vandalism** The attempted or actual physical abuse, destruction, or defacement of property belonging to another person, organization, or to the university that impairs its utility or diminishes its material or aesthetic value.
- L.3 Trespass & Unauthorized Entry** Unauthorized or personal presence or use of university premises, facilities, or property. This includes accessing rooves, or ledges, or accessing balconies, rooms, residence halls, or apartments, without an escort by a resident assigned to that space and/or community. Students may not change assigned rooms/apartments without expressed and written permission.
- L.4 Theft** Attempted or actual theft, unauthorized possession, or any other misappropriation or conversion of property or services of a member of the Pacific community, or other personal or public property.
- L.5 Furniture** All university furniture must be kept indoors, within the student's housing assignment. Community furniture may not be removed from community spaces. Personal furniture brought to campus must not block any entrances or exits. Prohibited furniture items include, but are not limited to: water-filled

furniture, outdoor cloth lines, metal-tipped dartboards, cinder blocks, street signs, gas powered engines, etc.

- L.6 Mail Tampering** Tampering with mail from the mailbox that belongs to another student is not permitted, this includes throwing away mail that does not belong to them or making it difficult for the intended recipient to retrieve their mail.

Academic Integrity Review Process & Procedures

The Honor Code identifies the expected standards for student academic conduct, which are essential to the educational mission of the university. This Academic Integrity Review Process and its associated procedures serve to adjudicate the academic violations of the Honor Code, only.

1. Faculty alleging a violation of the Honor Code shall bring their complaint to their Academic Dean or designee of their school or college, to determine whether there is substantive evidence to warrant an Honor Code violation.
2. If their Academic Dean or designee determines substantive evidence exists to support the allegation, the faculty member will submit Honor Code report form to the Office of Student Conduct & Community Standards.
3. The Office of Student Conduct & Community Standards will inform the faculty member and their Academic Dean or designee if the respondent has been found responsible for past Honor Code violations, or if this is a first-time violation.
4. If the respondent has no record of academic dishonesty or the faculty member and Academic Dean or designee agree that the violation would not warrant suspension or dismissal from the university, the faculty member may act as a hearing officer and assign an appropriate academic and disciplinary sanction, as detailed in the syllabus. That outcome must then be submitted to the Office of Student Conduct & Community Standards.
5. If this is not a first-time violation for the respondent, or the faculty member and their Academic Dean or designee believe that a suspension or dismissal is warranted, the Office of Student Conduct & Community Standards will convene an Academic Integrity Review Board to adjudicate the case. The Office of Student Conduct and Community Standards will also convene an Academic Integrity Review Board if the respondent wishes to challenge the outcome from their one-on-one faculty adjudicated meeting.
6. The Office of Student Conduct and Community Standards will then draft and send a Notification Letter to the respondent via their university email address. The Notification Letter shall include information regarding the alleged violation, relevant policies, and instructions for scheduling an Academic Integrity Review Board hearing.
7. The Office of Student Conduct and Community Standards will identify faculty from a pool of eligible Academic Integrity Review Board Members, with at least one faculty member from the school or college for the course in which the alleged Honor Code violation occurred.
8. The Office of Student Conduct and Community Standards shall communicate the date, time, venue, and Academic Integrity Review Board members to the respondent in writing at least three (3) business days in advance of the hearing date.
9. The Academic Integrity Review Board will review the alleged violation, relevant policies, and available evidence with the respondent.
10. The Academic Integrity Review Board will provide the respondent with an opportunity to respond to the alleged violation(s), present additional evidence, and call any witnesses who possess applicable first-hand information.

11. The Academic Integrity Review Board will conduct private deliberations to determine if there exists a preponderance of evidence to support the alleged violations.
12. If sufficient evidence exists to find a respondent responsible for a violation, the Academic Integrity Review Board shall determine an appropriate response, including possible sanctioning. The Academic Integrity Review Board Process Advisor shall provide sanctioning guidance, including sanctioning standards and precedent.
13. The Office of Student Conduct and Community Standards shall draft and send an Outcome Letter to the respondent, including the outcome decision, rationale for the decision, and, if found responsible, the sanction(s). The Outcome Letter shall also contain information regarding the Academic Integrity Review Appeal Process and submission deadline.

The respondent shall have a right to receive a digital copy of an audio recording of the Academic Integrity Review Board hearing to prepare an appeal.

Student Conduct Review Process & Procedures

Initial Investigation & Notice

All reports of alleged misconduct that falls within the scope of this policy must be sent electronically to the Office of Student Conduct & Community Standards for review by the Dean. The Dean may conduct further investigation. If the Dean determines that sufficient evidence to indicate that a policy violation may have occurred, then the Dean or their designee shall begin the student conduct process by providing the student with written notice of the alleged violation(s).

This written notice will contain the alleged code of conduct violation(s) and a brief incident summary of the alleged violation(s). This written notice will also contain a deadline, by which the student must schedule a meeting with a hearing officer. If a student fails to comply with this deadline, the hearing officer may conduct the meeting in the student's absence.

Initial Review Meeting

The Initial Review Meeting is a hearing, at which the student respondent shall be presented with all available and relevant information/evidence concerning the alleged incident, and the alleged policy violation(s). The purpose of an Initial Review Meeting is to allow the student respondent to address the alleged violation(s) and provide the Hearing Officer with all pertinent information, to decide how best to resolve the case.

After the Initial Review Meeting, the Hearing Officer shall make a finding concerning the alleged violation(s). The Hearing Officer may find the respondent 'Responsible' or 'Not Responsible' for each alleged policy violation(s).

- a. If the Hearing Officer finds the respondent 'Not Responsible' for all alleged violations, then the student conduct case is closed and not subject to further review.
- b. If the Hearing Officer finds the respondent 'Responsible' for any violation of university policy, they shall issue an appropriate sanction, commensurate with the policy violation(s). The student's conduct history (if applicable), and any other information relevant to the case under review (as determined by the assigned Hearing Officer) can be used to inform the decision.

If the student respondent fails to attend their Initial Review Meeting, the Hearing Officer shall make no inference from the student respondent's lack of participation, and use the information available to them when making a decision as to whether the student respondent is responsible or not.

Student Conduct Review Board Hearing

A Student who has attended their Initial Review Meeting and has been found 'Responsible' for a violation of any policy may request a Review Board Hearing by the deadline specified in their outcome letter.

By requesting a Review Board Hearing, the original outcome assigned by the Hearing Officer during the Initial Review Meeting is voided, though any evidence that the Hearing Officer has collected, such as images, recordings, or statements gathered, may be forwarded on to the Review Board Hearing. The original outcome from the Initial Review Meeting may not be forwarded to the Review Board.

Student Organization Conduct Review Process & Procedures

Initial Investigation & Notice

All reports of alleged organizational misconduct that falls within the scope of this policy must be sent electronically to the Office of Student Conduct & Community Standards for review by the Dean. The Dean may conduct further investigation. If the Dean determines that sufficient evidence to indicate that a policy violation may have occurred, then the Dean or their designee shall begin the student organization conduct process by providing the executive board of the student organization with written notice of the alleged violation(s).

This written notice will contain the alleged code of conduct violation(s) and a brief incident summary of the alleged violation(s). This written notice will also contain a deadline, by which the leadership of a student organization, or its designee(s) must schedule a meeting with the Dean or designee. If a student organization fails to comply with this deadline, the Dean or designee may resolve the matter without input from the student organization in absentia.

Initial Review Meeting

The Initial Review Meeting is a hearing, at which the leadership of a student organization or its designee(s) shall be presented with all available and relevant information/evidence concerning the alleged incident, and the alleged policy violation(s). The purpose of an Initial Review Meeting is to allow the student organization to address the alleged violation (s) and provide the Dean or designee with all pertinent information.

After the Initial Review Meeting, the Dean or designee shall either:

- dismiss the case;
- resolve it in coordination with the student organization and university officials overseeing the organization; or
- submit the case to a Student Conduct Review Board for adjudication.

In all cases, the Dean or designee must submit a rationale to the Dean of Students and Vice President for Student Life as justification for their action.

If the student organization fails to attend their Initial Review Meeting, the dean or designee shall make no inference from the student organization's lack of participation, and use the information available to them when making a decision as to how to proceed.

Student Conduct Review Board Hearing

A Student Conduct Review Board Hearing for organizations shall have a Review Board comprised of five faculty or staff members who no prior knowledge of the incident, or directly involvement with the student organization.

Witness information shall be presented to the Student Conduct Review Board through written statements, unless live statements are requested by the Student Conduct Review Board. All information submitted with the report and submitted to the Dean or designee shall be provided to the Review Board for their consideration.

Appeal Procedures

Respondents (including student organizations) who have been found 'Responsible' for a policy violation may appeal the Hearing Officer or Review Board outcome by submitting a written appeal within three (3) business days of delivery to the student's Pacific email account. The Respondent will receive instructions for appealing a decision in their Outcome letter.

The following are grounds for the appeal of an outcome:

- The procedures in this Code were not followed, resulting in prejudice to the student (e.g., substantiated bias, deviation from written procedures, a decision not supported by a preponderance of the evidence).
- New, relevant, and substantial evidence exists, which is only now available and could not have been produced at the time of the hearing, despite reasonable diligence. (A summary of all new evidence and its potential significance must be included in the appeal request.).
- The sanction imposed is grossly disproportionate to the offense.

An Appeals Committee or Appeals Officer (for academic integrity cases) will review by the deadline all submitted requests with the appropriate documents. If the appeal is not submitted by the deadline indicated in the outcome letter, the original finding and sanction will stand. The appellant must provide an argument supporting each of the grounds upon which they base their appeal. Unless shown otherwise, the original finding and sanction shall be presumed reasonable and appropriately decided.

When the Appeals Board finds that the appellant has successfully argued in favor of at least one of the grounds for an appeal, additional principles governing the appeal process are as follows:

- Determinations by the Appeals Committee/Officer shall be deferential to the original decision, making changes to the finding only when there is clear error and the sanction only if there is compelling justification.
- The Appeals process is not a re-hearing (*de novo*) of the conduct case. Instead, its scope is confined to reviewing the written documentation or record of the original hearing and pertinent documentation regarding appeal grounds.
- If an appeal is granted based upon grounds that new, relevant, and substantive evidence exists, the case should be remanded back to the original Review Board for reconsideration.
- If an appeal is granted based upon grounds that the sanction is grossly disproportionate, the Appeals Committee/Officer may amend the sanction, as they sees fit, without remanding the case back to the original Review Board.
- Other appeal grounds may be remanded back to the original Review Board at the Appeals Committee's/Officer's discretion.

- Once the merits of an appeal are decided, whether granted or denied, the outcome is final. Further appeal requests are not permitted, even if a decision or sanction is modified. If an Appeal Committee/Officer decides that a new hearing is warranted, an appeal of that hearing outcome is permitted
- The Office of Student Conduct and Community Standards will communicate the Appeals Committee's/Officer's determination via the student's Pacific email address.

Timelines associated with this process are suggestions, and reasonable modifications shall not be considered deviations of these procedures.

Bias and Discriminatory Harassment

Acts of Bias: Bias incidents are acts of conduct, speech, or expression that target individuals and groups based on age, citizenship, disability, ethnicity, gender identity or expression, geographic origin, language, marital status, nationality, race, religion, sexual orientation, or socioeconomic status.

Bias incidents may violate the Student Code of Conduct and other university policies or laws, while other acts of bias may be considered protected speech or expression. Pacific protects the free expression of ideas, even if they are unpopular, because this is vital in promoting learning in an educational setting. Freedom of speech can sometimes protect controversial ideas and sometimes even offensive and hurtful language; however, it does not protect personal threats, discriminatory conduct or other acts of misconduct that violated the Student Code of Conduct, and other university policies, or relevant federal, state, and local laws.

Acts of Hate: A "hate crime" is defined in the California Penal Code Section 13023, which states in part "any criminal act(s) or attempted criminal act(s) to cause physical injury, emotional suffering, or property damage where there is a reasonable cause to believe the crime was motivated, in whole or in part, by the victim's race, ethnicity, religion, sexual orientation, gender, or physical or mental disability."

Hate crimes may violated federal and civil statutes, and therefore may be prosecutable if appropriate. Pacific's Department of Public Safety forwards the Hate Crime Reports filed at the university to the Vice/Criminal Intelligence Unit of the Stockton Police Department for follow-up. The Vice/Criminal Intelligence Unit is responsible for compiling statistics on hate crimes and ensuring the data is reported in accordance with state guidelines. The Department of Public Safety is required to remain in compliance with the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act by including date on reported hate crimes.

Acts of Discrimination, Harassment, and Discriminatory Harassment: The university prohibits acts of discrimination, harassment, and discriminatory harassment by and against members of the Pacific community such as faculty, staff, and students, including hostile behavior that is engaged in on the basis of a person's race, color, national origin, ancestry, sex, gender, sexual orientation, age, religion, religious creed, physical or mental disability, medical condition, marital status, citizenship status, and other status protected by law.

Individuals are expected to respect the rights of others. As an educational community, the University of the Pacific is committed to responsible behavior, which gives evidence of Individuals having considered the ethical and social consequences of actions for oneself and for others.

The university will not tolerate behavior that constitutes acts of discriminatory harassment because such behavior undermines the emotional, physical, or ethical integrity of any community member. Such

proscribed behavior includes, but is not limited to: physical, visual, or verbal conduct that deprives someone of educational access, benefits or opportunities; and/or defames, intimidates, or impedes the learning or work or movement of a person or persons, when engaged in on the basis of a person's race, color, national origin, ancestry, sex (gender), sexual orientation, age, religion, religious creed, physical or mental disability, medical condition, marital status, military status, citizenship status, and other status protected by law. Such conduct is not protected by the university's policy on freedom of expression, described in Section 7 of the Code. These prohibited actions or behaviors, when engaged on the basis of these factor(s) also include, but are not limited to:

- verbal, non-verbal, or computer generated words, images, or symbols;
- behavior or physical contact that impedes or blocks movement;
- persistent unwanted behavior that threatens or intimidates;
- electronic postings, online communities, blogs (including university blogs).

Family Educational Rights and Privacy Act (FERPA)

The University of the Pacific complies with The Family Educational Rights and Privacy Act (abbreviated FERPA and formerly known as the Buckley Amendment). Educational institutions are required to annually notify enrolled students of their rights under the Federal Family Educational Rights and Privacy Act of 1984 (FERPA), as amended. This page fulfills this obligation and serves as the annual FERPA notification to students at the University of the Pacific, by providing information about the university policy and students' rights with respect to their education records.

"Student" means an individual who is or who has been in attendance at University of the Pacific. A student or resident's FERPA rights begin when the student or resident registers and attends their first class. It does not include any applicant for admission to the university who does not matriculate, even if they previously attended the university. (Please note, however, that such an applicant would be considered a "student" with respect to their records relating to that previous attendance. Students or residents who originally sought admission to one program of study at the university and are denied, but subsequently are admitted and enrolled in a different program of study, have FERPA rights only in their admitted and enrolled program of study.) "Education Records" include those records that contain information directly related to a student and that are maintained as official working files by the university. Examples of records that are not education records are records about students made by instructors, professors, and administrators for their own use and not shown to others; campus police records maintained solely for law enforcement purposes and kept separate from the education records described above; employment records, except where a currently enrolled student is employed as a result of their status as a student; records of a physician, psychologist, or other recognized professional or paraprofessional made or used only for treatment purposes and available only to persons providing treatment; records that contain only information relating to persons providing treatment; records that contain only information relating to a person's activities after that person is no longer a student at the university.

It is the policy of the university (1) to permit students to inspect their education records, (2) to limit disclosure of personally identifiable information about education records without students' prior written consent, and (3) to provide students the opportunity to seek correction of their education records where appropriate. A student alleging university noncompliance with the Family Educational Rights and Privacy Act has the right to file a written complaint with the Family Policy Compliance Office:

Family Policy Compliance Office
U.S. Department of Education

Students have the right to inspect and review their education records within 45 days after the day that University of the Pacific receives the request for access.

Each student has a right of access to their education records, except confidential letters of recommendation received prior to January 1, 1975, and financial records of the student's parents. A student may, by signed writing, waive their right of access to confidential recommendations in three areas: admission to any educational institution, job placement, and receipt of honors and awards. The university does not require such waivers as a condition for admission or receipt of any service or benefit. If the student chooses to waive their right of access, they are notified, upon written request, of the names of all persons making confidential recommendations. Such recommendations are used only for the purpose for which they were specifically intended. A waiver may be revoked in writing at any time, and the revocation applies to all subsequent recommendations, but not to recommendations received while the waiver was in effect.

Procedure to be followed:

Requests for access should be made in writing to the Office of the Registrar, and should specify the record(s) the student wishes to inspect. The university complies with a request for access within a reasonable time, at least within 45 days. The Registrar's Office will make arrangements for access and notify the student of the time and place where the records may be inspected.

University of the Pacific limits disclosure of personally identifiable information from the education records unless it has the student's prior written consent, subject to the following limitations and exclusions.

Directory Information

In accordance with the FERPA, the university has the right to release directory information without the student's or resident's prior written consent. The university gives annual public notice to students of the categories of information designated as directory information. This information may appear in public documents or otherwise be disclosed even in the absence of consent unless the student files written notice requesting the university not disclose any of the categories by the opt-out date, which is three weeks after the first day of the first term of enrollment. While students may opt out at any point subsequent the opt-out date, late opt-outs will not apply retroactively to information previously released. To block the release of this information ("opt out"), a student must submit a Request for Non-Release of Directory Information Form. The University of the Pacific has designated as "directory information" the following items:

- Student's name
- University ID number
- Mailing and local address
- Telephone number
- E-mail address
- Photograph/Video
- Date and place of birth
- Degrees, honors, and awards
- Major field of study
- Grade level
- Dates of attendance, including matriculation and graduation

- Enrollment status (undergraduate, predoctoral, graduate, full-, part-time)
- Most recent educational agency or institution attended
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams

University Officials

One exception, which permits disclosure without consent, is disclosure to university officials with legitimate educational interests. At Pacific, “university official” is defined as (1) a person employed by the university or in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); (2) a person or company with whom the university has contracted (such as an attorney, auditor, or collection agent); (3) a person serving on the Board of Regents; (4) a student serving on an official university committee (academic, grievance, or disciplinary) or assisting another university official in performing their tasks. A university official has a legitimate educational interest if the official needs to review an education record in order to fulfill their professional responsibilities for University of the Pacific.

Prior Consent Not Required

FERPA allows additional exceptions to the written consent requirement for disclosure of education records to third parties. Some of these exceptions are listed below:

- To officials of another school in which a student seeks or intends to enroll, or where the student is already enrolled so long as the disclosure is for purposes related to the student’s enrollment or transfer.
- To an alleged victim of any crime of violence of the results of any institutional disciplinary proceedings against the alleged perpetrator of that crime with respect to that crime.
- In response to a court order of subpoena, the university makes reasonable efforts to notify the student before complying with the court order.
- Appropriate parties in connection with an emergency, where knowledge of the information is necessary to protect the health or safety of the student or other individuals.
- Parents of a student who is a dependent for income tax purposes. (Note: The university may require documentation of dependent status such as copies of income tax forms.)
- Accrediting organizations for purposes necessary to carry out their functions.
- Organizations conducting educational studies for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction. The studies are conducted so as not to permit personal identification of student to outsiders, and the information is destroyed when no longer need for these purposes.
- State and local officials to which such information is specifically required to be reported.
- Authorized persons and organizations that are given work in connection with a student’s application for, or receipt of, financial aid, but only to the extent necessary for such purposes as determining eligibility, amount, conditions, and enforcement of terms and conditions.
- Authorizes representatives of the Comptroller General of the U.S., the Secretary of Education, the Secretary of the Department of Health and Human Services, the Director of the National Institute of Education, the Administrator of the Veterans’ Administration, but only in connect with the audit or evaluation of federally supported education programs, or in connection with the enforcement of or compliance with Federal legal requirements relating to these programs. Subject to controlling Federal law or prior consent, these officials protect information received so

as not to permit personal identification of students to outsiders and destroy such information when it is no longer needed for these purposes

Prior Consent Required

Where FERPA does not allow exceptions to the written consent requirement, the university does not release personally identifiable information in education records or allow access to those records without prior consent of the student. Unless disclosure is to the student themselves, the consent must be written, signed, and dated, and must specify the records to be disclosed, the identity of the recipient, and the purpose of the disclosure. A copy of the record disclosed is provided to the student upon request and at their expense.

The university, along with the student's education records, maintains a record for each request and each disclosure, except for the following:

- disclosures to the student them self;
- disclosures pursuant to the written consent of the student (the written consent itself suffices as a record);
- disclosures to school officials of the university;
- disclosures of directory information.

This record of disclosures may be inspected by the student, the official custodian of the records, and other university and governmental officials.

University of the Pacific provides students the opportunity to seek correction of their education records.

A student who believes that information contained in their education records are inaccurate, misleading, or violative of privacy or other rights may submit a written request to the Office of the Registrar specifying the document(s) being challenged and the basis for the complaint. The request will be sent to the person responsible for any amendments to the record in question. Within a reasonable period of time of receipt of the request, the university decides whether to amend the records in accordance with the request. If the decision is to refuse to amend, the student is so notified and advised of the right to a hearing. They may then exercise that right by written request to the Office of the Registrar. Within a reasonable time of receipt of the request, the student will be notified in writing of the date, place, and time reasonably in advance of the hearing. The hearing will be conducted by a university official who does not have a direct interest in the outcome. The student will have a full and fair opportunity to present evidence relevant to the issues raised and may be assisted or represented by individuals of their choice at their own expense, including an attorney. Within a reasonable period of time after the conclusion of the hearing, the university will notify the student in writing of its decision. The decision will be based solely upon evidence presented at the hearing and will include a summary of the evidence and the reasons for the decision. If the university decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, the university will amend the records accordingly. If, as a result of the hearing, the university decides that the information is not inaccurate, misleading, or otherwise in violation of the student's rights, the university will inform the student of the right to place in his or her record a statement commenting on the information and/or explaining any reasons for disagreeing with the university's decision. Any such explanation will be kept as part of the student's record as long as the contested portion of the record is kept and will be disclosed whenever the contested portion of the record is disclosed.

Hazing

Hazing by any student, group of students, alumni, advisor, or organization, is prohibited.

- The university regulation on hazing is consistent with Title V of the California Code of Regulations (5 CA ADC § 41301) and California Penal Code section 245.
- The university will consider hazing to be any portion of the pledging and/or initiation process, whether on- or off-campus, which could cause discomfort, pain, fright, disgrace, embarrassment, injury, or is personally degrading regardless of the intent or end result.
- “Hazing” includes any method of initiation, pre-initiation into a student organization (including teams), or any pastime or activity engaged in connection with an organization that causes or is reasonably likely to cause personal degradation or disgrace resulting in physical or emotional harm to any student. Hazing activities may include, but are not limited to the following: use of alcohol; paddling in any form; creation of excessive fatigue; physical and psychological shocks; quests, treasure hunts, scavenger hunts, road trips or any other such activities requiring possession of items; wearing public apparel which is conspicuous and not normally in good taste; engaging in public stunts and buffoonery; morally degrading or humiliating games and activities; any other activities which are not consistent with academic achievement, fraternal law, ritual, university policies, or applicable state law.
- Any activity done with the consent of the person(s) involved does not exempt it from his policy.
- Activity may be considered hazing regardless of the student’s membership status – even members can be hazed.
- Participation by active members in any hazing activity, as defined by this policy, does not exempt it from this policy.
- Education and policy interpretation is available upon request from the Student Leadership and Involvement Office.

Freedom of Expression

Each student has the right, both on the university campus and in the course of university-operated activities, to freedom of expression, subject to reasonable rules and standards related to the time, place, and manner of such conduct. Such freedom of expression includes the right to peaceably communicate, observe, listen, and assemble in public meeting areas in order to freely exchange ideas, without regard to the content of the views expressed. As these rights are for each student, it follows that each member of the community, students included, has an obligation to refrain from preventing and disrupting the exercise of such rights by others, whether the persons involved are expressing approval or disapproval of an idea or action.

This policy is important in order to maintain on the campus an atmosphere conducive to scholarly and educational pursuits, to preserve the dignity and seriousness of university public and other functions and to respect the rights of other persons. The only limits on free expression are those behaviors proscribed by the law and necessary to protect the safety and rights of others. This policy protects the rights to free expression including to dissent, while ensuring that no individual or group disrupts the normal operations of the university.

Disruption is defined to include, but is not limited to:

- obstructing the entry or exit from any campus facility;
- preventing the movement of any person or vehicle on or about the campus;
- creating loud noise that disrupts normal university operations;

- damaging university property;
- endangering or threatening the health or safety of any individual;
- infringing upon or denying the rights of any individual;
- engaging in acts of unlawful discrimination or harassment as defined in the sections of this code on discriminatory harassment.

Student conduct action may be taken in the event of any actual or attempt at the disruption of the university operations, or in the event of any damage to university property or private property, whether through individual or group protest. Students are encouraged to seek demonstration coordination assistance from the Student Leadership and Involvement Office.

Grievances

Academic Grievance

Informal Grievance Process for Academic Matters

Prior to submitting a formal grievance, the student shall:

1. Consult the instructor whose action is being appealed. This consultation generally must take place within 14 calendar days of the start of classes after the grading period in question. The instructor is expected to meet with the student and respond to the student's grievance in writing within 10 calendar days.
2. If the student and the instructor are unable to reach agreement, or if the instructor is unwilling or unable to meet with the student, the student shall meet with the chair of the instructor's department. If the instructor involved is the Department Chair or if there is no Department Chair, the student shall meet with the appropriate Assistant or Associate Dean of the school involved. The Department Chair/Assistant or Associate Dean will meet with the student and with the instructor and recommend a solution to both the instructor and the student in writing within 10 calendar days.

Formal Grievance

1. If the student and instructor are still unable to reach agreement, the student may file a grievance with the Student Conduct and Community Standards Office (Student Conduct) generally within 42 calendar days (6 weeks) of the start of classes after the grading period in question.
2. Student Conduct shall immediately notify a Student and Faculty Advocate. The Student and Faculty Advocates will meet with the aggrieved student within 14 calendar days (2 weeks) and advise the student in the preparation of evidence necessary to support the student's complaint(s).
3. Once a grievance has been forwarded, the Student Academic Grievance Board shall be convened to conduct a hearing within 21 calendar days (3 weeks). Student Conduct shall postpone the Student Academic Grievance Board Hearing in the event that the student is currently a party to an academic dishonesty case. The Board shall review all evidence, including the course syllabus, grading policy, exams, homework assignments, papers and other appropriate documents. Hearings are closed to all but the parties to the complaint, any witnesses, and the Student and Faculty Advocates. The student may be advised by the Student and Faculty Advocates during the hearing, but the Advocates may not testify. The Board will deliberate in executive session.
4. The decision of the Board is final, and the Board has the authority to change a grade or determine a remedy if it deems such action necessary. The decision will be provided in writing to the student, the instructor, the Student and Faculty Advocates, the Dean of the school or college

involved, and when a grade is changed, the University Registrar who shall amend the student's transcript. All written copies of the complaint, evidence, decision, and the content of the hearings will be treated as confidential and will not be released other than as mentioned above.

All timelines for this process are suggestions and may be extended for just cause. A student seeking clarification or guidance regarding filing an academic grievance should contact the Office of Student Conduct & Community Standards for assistance at studentconduct@pacific.edu.

General Grievance

Grievances not otherwise provided for should be addressed to the Office of Student Conduct & Community Standards or the Office of the Provost with responsibility for the area in which a decision is being challenged. The Office of Student Conduct and Community Standards will advise students regarding the appropriate office. Complaints or questions must then be submitted in writing to the appropriate office. A response will be made in a timely manner, normally not to exceed 10 school days. Individuals with disabilities should refer to the Policy Manual for Students with Disabilities.

Student Complaint Procedure Notice

The United States Department of Education requires institutions of higher education to publish and comply with policies regarding student complaints that address the school's program of education.

Accordingly, as a Western Association of Schools and Colleges (WASC) accredited institution, University of the Pacific is subject to the WASC Standards found on the WASC website at:

<https://wascsenior.box.com/shared/static/nrraop98ob2zec99yvm1.pdf>

Any student at Pacific who wishes to bring a formal complaint to the administration regarding a significant problem that directly implicates the school's program of education and its compliance with the WASC Standards should do the following:

1. Submit the complaint in writing to the Vice President for Student Life. The complaint may be sent via email, U.S. Mail, facsimile, or in person to the Office of the Vice President for Student Life (Hand Hall).
2. The complaint should describe in detail the behavior, program, process, or other matter that is at issue, and should explain how the matter directly implicates the student's program of education and the university's compliance with a specific, identified WASC Standard(s).
3. The complaint must contain the complaining student's name, student ID#, official Pacific email address, and current mailing address. This information will be kept confidential, but there must be an identifying name for a response to take place.

When an administrator receives a student complaint that complies with the foregoing requirements, the following procedures shall be followed:

1. The Vice President for Student Life will acknowledge the complaint within 3 business days of receipt. Acknowledgement may be made by email, U.S. Mail, or by personal delivery, at the option of the Vice President.
2. Within 10 business days of acknowledgement of the complaint, the Vice President for Student Life, or the Vice President's designee, shall respond to the substance of the complaint, either in writing or in person, and shall indicate what steps are being taken by the university to address the complaint. If further investigation is needed, the complaining student shall, upon conclusion of the investigation, be provided with substantive response to the complaint within 10 business days after completion of the investigation.

3. Any appeal regarding a decision on a complaint shall be brought before the President of the university. The decision of the President will be final. Any appeal must be brought within 10 business days from the date of the response by the Vice President for Student Life.
4. A copy of the complaint and a summary of the process and resolution of the complaint shall be kept in the Office of the Vice President for Student Life for a period of 8 years from the date of final resolution of the complaint.

If you believe that your complaint warrants further attention after exhausting all the steps outlined in the response given to you by the Vice President for Student Life, you may contact the Western Association of Schools and Colleges (WASC) at <http://www.wascsenior.org/comments>. If your complaint is about the institution's compliance with academic program quality and accrediting standards. WASC is the academic accrediting body for University of the Pacific.

If you believe that your complaint continues to warrant further consideration after exhausting the review of either WASC or the investigative team representing University of the Pacific, you may submit a complaint to the Attorney General of the State of California by filing a complaint form with the Public Inquiry Unit of the California State Department of Justice at:

Public Inquiry Unit: 916-322-3360; Toll-free (in CA): 800-952-5225; Fax: 916-323-5341; or online forms: http://ag.ca.gov/contact/complaint_form.php?cmplt=PL

The Attorney General's Office will review the process through which the campus attempted to resolve your complaint. If the process complies with the written outline, the Attorney General's Office will, for the purposes of state oversight, consider the matter closed. If the Attorney General determines that the process through which the campus attempted to resolve your complaint did not comply with its published process, the Attorney General may request reconsideration by University of the Pacific. The Attorney General's Office also has oversight of University of the Pacific as authorized through the "Supervision of Trustees and Fundraisers for Charitable Purposes Act" [Cal. Gov't Code § 12598], which provides public means to submit complaints regarding non-profit colleges and universities that abuse their status under the Internal Revenue Code of 1986 23 U.S.C. §501(c)(3). The California Attorney General is given broad powers to undertake law enforcement investigations and actions to protect the public interest under Cal. Gov't Code § 12598.

Most complaints made to media outlets or public figures, including members of the California legislature, Congress, the Governor, or individual Regents of University of the Pacific are referred to the Office of the President.

Nothing in this disclosure limits any right that the student may have to seek civil or criminal action to resolve the complaint.

University of the Pacific has provided this disclosure to you in compliance with the requirements of the Higher Education Act of 1965, as amended, as regulated in CFR 34, Sections 600.9 (b) (3) and 668.43(b). If anything in this disclosure is out of date, please notify the Vice President for Student Life, 3601 Pacific Avenue, Stockton, CA 95211, 209.946.2365.

Interim Measures

The Vice President for Student Life (VPSL) or designee may preliminarily suspend a student or student organization pending a hearing and decision if they determine that the organization or the student's presence on campus poses a threat of harm to the student, to others, or the stability and continuance of normal university functions. A student or organization suspended in such a manner will be provided with an opportunity to appear in person before the VPSL or designee within three (3) business days of the effective interim suspension date to contest the interim suspension.

Hearing Officer, Review Board, or Appeals Board decisions regarding a suspension or dismissal from the university will be reviewed by the VPSL or designee, whose decision will be final and binding unless the President chooses to review the matter. This final decision may withdraw, modify, defer, suspend, or confirm the decision and sanction.

The imposition of sanctions may be deferred during the appeal process unless otherwise decided at the discretion of the VPSL or their designee.

Victims of violent crimes will be notified of the results of the related student conduct hearing. The alleged perpetrator of a crime of violence is a student alleged to have committed acts that would, if proven, constitute any of the following offenses, or attempts to commit, the following offenses:

- Arson
- Assault offenses
- Burglary
- Criminal homicide-manslaughter by negligence
- Criminal homicide-murder and non-negligent manslaughter
- Destruction/damage/vandalism of property
- Kidnapping/abduction
- Robbery

Review Board Hearing Procedures

The following procedures apply to hearings before a Hearing Officer, Review Board, and Appeals Committee/Officer.

- Hearings are private and confidential.
- If a respondent refuses or fails to appear, no inference shall be made based on their absence, they shall be considered "Not Responsible" unless found "Responsible" by a preponderance of the evidence, and a decision may be made in absentia.
- For Review Boards, the original finding and sanction will stand if the respondent does not submit a Review Board Hearing request by the deadline indicated in the Initial Review Meeting outcome letter.
- The Student Conduct Review Board hearing is a new hearing of the alleged policy violation. Determining responsibility shall be made solely based on the information presented to the Review Board.
- If found responsible for any violation, the student's conduct record, if applicable, should be reviewed and an appropriate sanction assigned.
- The Review Board will make their determinations using a preponderance of the evidence standard of proof. A simple majority of Review Board members is necessary and sufficient for any finding and sanction.

- The student may challenge the presence of any Student Conduct Review Board member for cause. The Procedural Advisor will rule on this challenge in the Review Board hearing.
- In the event a Review Board is not fully composed, the respondent may waive the right to a full board and proceed with a two member hearing body. In this event, the two member hearing body shall not be grounds for an appeal. If the respondent does not waive this right, then the hearing shall be rescheduled.

All communications concerning the hearing process shall be sent to the student's Pacific email address.

Sanctions

One or more of the following sanctions may be imposed for a violation of the Code. Factors to be considered in determination of the appropriate penalty may include any one or more of the following: the judgement of the Student Conduct Review board or Hearing Officer as to the severity of the violation, the behavior of the respondent in the course of the proceedings under this Code, the past student conduct record of the respondent, the nature of the offense, and the severity of any damage injury, or harm resulting from it.

- **Disciplinary Warning:** The student is given a verbal or written warning that future violations will result in more severe student conduct action. A record shall be made of any verbal warning.
- **Educational Project/Service:** Research projects, educational classes, or other appropriate learning experiences may be assigned through the Office of Student Conduct & Community Standards. Students will be responsible for all associated fees.
- **Restriction:** For a specified or indefinite period, the student is restricted from entering a specific area or areas on campus or communicating in any manner with the individual(s).
- **Restitution:** The student is required to make payment to the university or to other persons, groups, or organizations for damages incurred as a result of a violation of this Code.
- **Housing Probation:** Housing probation is a specified period of time, during which a student's housing standing is between 'Good Standing' and a Housing Suspension. During this period, any additional violations of university policy or the student's housing agreement or the conditions of housing probation shall result in more significant disciplinary sanctioning, including the possibility of a suspension from on-campus housing.
- **Disciplinary Probation:** Disciplinary probation is a specified period of time, during which a student's status is between 'Good Standing' and suspension. During this period, any additional violation of university policy or the conditions of disciplinary probation shall result in more significant disciplinary sanctioning, including the possibility of suspension or dismissal.
- **Ineligibility for Graduation:** A respondent, otherwise eligible to earn an academic degree and participate in related commencement proceedings, as to whom there are pending Code proceedings which, in the judgement of the Vice President for Student Life, present a realistic possibility of suspension or dismissal, shall not be eligible to receive the degree or participate in commencement proceedings until student conduct proceedings are completed.
- **Housing Suspension:** University housing accommodations are a privilege. Students who demonstrate that they are unable to live in the community, due to severe or repeated violations, may have their housing eligibility terminated, either for a specific building or all on-campus housing. If housing eligibility is terminated, the student must vacate housing facilities and are ineligible for further university housing, including during the summer, for either a designated period of time, or an indefinite period of time.
- **University Suspension:** The student is temporarily separated from the university for a specified period, with or without conditions that must be satisfied before the resumption of student

status is permitted. The record of suspension shall appear on the student's academic transcript. The student will not participate in any university activity and will be barred from entering the campus, unless otherwise notified in writing. Suspended time will not count against any time limits of the Graduate School for completion of a degree. Suspension requires the review and approval of the Vice President for Student Life or designee. A suspension is converted to dismissal if it is determined that the specified conditions or resumption of a student's duties have not been satisfied.

- **Dismissal from the University:** The student is permanently separated from the university. Notification will appear on the student's academic transcript. The student will also be barred from university premises. Dismissal requires review and approval by the Vice President for Student Life or designee.
- **Other Sanctions:** Hearing Officers and Student Conduct Review Boards retain the right to impose additional or related sanctions, including but not limited to fines, according to the specific need of a situation.

Student Hearing Rights

A student accused of any policy violation in this document (respondent) has the right to:

- A fair and equitable Review Board Hearing.
- Be considered 'Not Responsible' for an alleged policy violation, unless determined to be 'Responsible' by a preponderance of the evidence.
- Receive notice via their Pacific email of the time, date, and venue of the hearing. Respondents must be afforded reasonable time to prepare for a Review Board Hearing, defined as no less than two (2) business days from the delivery of the notice to their Pacific email account.
- To know the details of the report. However, if a student is the reporting party, they may request that the Office of Student Conduct & Community Standards redact their name(s) from the report.
- To have an opportunity to review all available information related to the alleged violation. The respondent has a right to reasonable access to the case file, witness lists, and investigation results before and during the hearing. Requests for access to a file must be made in writing a minimum of two (2) business days prior to the hearing.
- To challenge a Review Board member's presence for cause up to two (2) business days before the hearing. The Dean will rule on this challenge, and either delay the hearing to seek a replacement (if necessary), or deny the challenge.
- Be present throughout the fact-finding portion of their Review Board hearing and hear all information presented against them.
 - If an accused student fails to appear, it will be assumed that they are waiving this right to be present, and the Review Board hearing shall proceed in their absence.
- Select a support person of their choice. Support persons may not represent or interact with the Review Board or anyone other than the person they are present to support. A person otherwise involved in the incident may not be a support person.
- Present their case through questions, statements, witnesses, and other forms of evidence, and to direct questions to any witnesses present in the hearing through the Review Board.
- Receive an outcome letter that communicates the Review Board's findings, sanctions (if applicable), and notification for the appeals process (if applicable).
- Access a digital copy of an audio recording of the Review Board Hearing in order to prepare an appeal.

Student Hearing Responsibilities

- Students shall act honestly in all matters.
- Students shall respond promptly to all case communication.
- Students shall participate in the conduct processes outlined in this document. Failure to participate will not disrupt the proceedings and result in a determination absent the respondent's input.
- If a student accused of a policy violation (respondent) fails to appear or submit documentation in their absence, they lose the right to appeal the Academic Integrity Review Board outcome.

Weapons, Explosives, or Dangerous Chemicals

The California Code of Regulations Title V, Section 41301 and the California Penal Code Sections 626.9 and 626.10 indicate that weapons are not permitted on campus. Some weapons are illegal to possess under all circumstances as described in the California Penal Code. For weapon regulations, please contact the Department of Public Safety.

Possession, display, or use of firearms of all descriptions, explosives, weapons, any instruments that can be construed as dangerous weapons, or dangerous chemicals are not permitted on or immediately adjacent to, university premises and/or in connection with a university activity

- Brandishing or use of firearms, explosives, weapons or dangerous chemicals on university premises, even if legally possessed, in a manner that harms, threatens, or causes fear to others is prohibited and shall be considered sufficient cause for immediate suspension pending an investigation.
- Students must arrange for off-campus storage of firearms, other weapons, and martial arts equipment intended for hunting, target practice, or other recreational purposes. Weapons include, but are not limited to:
 - Rifles, hand guns, paintball rifles/pistols, and Airsoft or Soft-air rifles/pistols.
 - Tasers.
 - Bladed instruments which exceed two and one-half (2.5) inches (64.5 millimeters) in length, except those used for culinary purposes in residential communities.
 - Exceptions:
 - The University of the Pacific recognizes our Amritdhari (initiated members into the Khalsa) of the Sikh faith and their commitment to the 5 K's (5 Sikh articles of faith) at all times, which includes the Kirpan/ Sri Sahib. These Amritdhari members are allowed to carry a Kirpan (ceremonial sword) on the UOP campus premises, concealed on their person, with a blade of less than/ equal to four inches (4").
 - Knives designed for culinary purposes while being transported to residential communities or approved campus culinary events or work.
 - Martial arts equipment.
 - Slingshots, archery supplies (e.g. bows, arrows).