

University of California, Berkeley

PROCEDURES FOR IMPLEMENTATION OF THE STUDENT ADJUDICATION MODEL

I. PREFACE

The University of California is committed to creating and maintaining a community where all individuals who participate in University programs and activities can work and learn together in an atmosphere free of sexual violence and sexual harassment. Consistent with its legal obligations under Title IX of the Education Amendments of 1972, the Violence Against Women Reauthorization Act of 2013, and California Education Code section 67386, the University responds promptly and effectively to reports of sexual violence and sexual harassment, and takes appropriate action to prevent, to correct, and when necessary, to discipline behavior that violates the University's policy on Sexual Violence and Sexual Harassment and/or the UC Berkeley Code of Student Conduct.

The University's student disciplinary procedures emphasize education, personal growth, accountability, and ethical behavior -- upholding standards of responsible conduct to protect the welfare of the University community. When formal fact-finding procedures are used, the procedures are designed to provide a prompt, fair, and impartial resolution of the matter. The following describes UC Berkeley's local procedures for resolving complaints of sexual violence and sexual harassment where the respondent is a student, including the discipline of students found in violation of University policy.

The University of California's Sexual Violence policy prevails if there are aspects that conflict with any UC Berkeley local policies or procedures, including published policies or procedures of the Office for the Prevention of Harassment and Discrimination and the Center for Student Conduct. These procedures will be reviewed and, if necessary, modified by the campus implementation team convened by the Vice Chancellor of Student Affairs (VCSA) at least once annually. This review may occur with more frequency if the VCSA or the team deems it necessary.

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II. RESOURCES RELATING TO SEXUAL VIOLENCE AND SEXUAL HARASSMENT

At UC Berkeley, the Office for the Prevention of Harassment and Discrimination (OPHD) is the University's Title IX office responsible for receiving and responding to reports of sexual violence and sexual harassment. Confidential support resources are also available, whether or not a person chooses to communicate with OPHD. Confidential support resources include the Confidential Care Advocates, the Ombudsperson for Students and Postdoctoral Appointees, and licensed counselors at the Tang Center. These resources can provide confidential support, reporting options, rights, and resources. Confidential resources will not disclose information to OPHD or law enforcement unless at the expressed request of the individual seeking services. All of the confidential resources address the limitations to confidentiality during the initial meetings.

III. REPORT OF SEXUAL VIOLENCE AND SEXUAL HARASSMENT

- A. For purposes of this model, the University will consider any alleged victims of sexual violence or sexual harassment the "complainant," whether or not they make reports or participate in the investigation and resolution process. Similarly, the "respondent" is the person accused of committing the alleged sexual violence or sexual harassment.
- B. The University will strive to honor the stated wishes of the complainant concerning whether to move forward with an investigation. There may be circumstances, however, in which the University may need to move forward against the complainant's wishes, or in which the University may determine that an investigation will not occur despite the complainant's wish to pursue an investigation. In instances where a complainant

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requests confidentiality, the University will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or request not to pursue an investigation, and where the University cannot take disciplinary action against an alleged harasser because of a complainant's insistence on confidentiality, it will pursue other steps to limit the effects of the alleged harassment and prevent its recurrence. Should a complainant request that a name not be used or no investigation be conducted, University will determine whether or not it can honor such a request while still providing a safe and nondiscriminatory environment for all students, including the Complainant.

- C. Throughout the investigation and resolution process, the University will offer and provide support services for complainants through the Confidential CARE Advocates and for respondents through the Student Affairs Case Management Office.
- D. The University will also consider and take interim measures as appropriate to ensure the safety, well-being, and equal access to University programs and activities of its students. Interim measures include, but are not limited to, the following: no contact orders; housing assistance; academic support and accommodations; and counseling. The University may place the respondent on an Interim Suspension as appropriate and consistent with the *Policies Applying to Campus Activities, Organizations and Students (PACAOS)* - 105.08. Complainants who choose not to work with the Confidential CARE Advocates can work with OPHD to access interim measures. Interim measures can be revisited at any time throughout the investigation or resolution process.
- E. At all stages of the process, the complainant and respondent have the right to an advisor and a support person of their choosing, so long as their advisor or support person are not serving as witnesses in the adjudication process.

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- F. Neither the complainant nor the respondent is required to participate in the resolution process. The University will not draw any adverse inferences from a complainant or respondent's decision not to participate or to remain silent during the process. An investigator, decision-maker, or appeal officer will reach findings and conclusions based on the information available. An investigator, decision-maker, or appeal officer may draw adverse inferences when a student selectively participates in the process, such as choosing to answer some but not all questions posed.
- G. The campus Case Management Team (CMT) will track all stages of the resolution process – from receipt of the report through the investigation and, if applicable, the University student discipline process.
- H. University officials responsible for the investigation and/or adjudication process will be trained to carry out their roles in an impartial manner in keeping with trauma-informed practices. It is suggested that this training occur annually.
- I. The standard of proof at all stages of the process is preponderance of the evidence.
- J. At all stages the university has an independent obligation to identify witnesses, seek evidence, and ask questions of the parties and witnesses.
- K. The University will complete the process, including all appeals, within 120 business days from the date of initiation of Title IX's investigation. This deadline and all deadlines contained herein may be extended for good cause shown and documented. The complainant and respondent will be notified in writing of any extension.
 - A. Requests to extend deadlines related to the investigation of these cases will be considered and granted by the Director of the Office for the Prevention of Harassment and Discrimination or the Director's delegate unless the Director is the lead investigator conducting the investigation. If the Director is the lead investigator, then the Chief Ethics, Risk, and Compliance Officer will consider and grant extensions.

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- B. Requests to extend deadlines related to the adjudication and/or appeal of these cases will be considered and granted by the Director of the Center for Student Conduct unless the Director is the lead conduct officer managing the case. If the Director is the lead conduct officer, then the Dean of Students will consider and grant extensions.

IV. INVESTIGATION OF ALLEGATION OF SEXUAL VIOLENCE AND SEXUAL HARASSMENT

- A. Upon receipt of a report of or information about alleged sexual violence and/or sexual harassment, the Title IX Officer for the campus will determine, consistent with the University's policy on Sexual Violence and Sexual Harassment, whether an investigation should be initiated.
- B. If an investigation will not be conducted, the Title IX Officer will notify the complainant in writing and explain the rationale for the determination.
- C. If an investigation will be conducted, the Office for the Prevention of Harassment and Discrimination (OPHD) and the Center for Student Conduct (CSC) will jointly send written notice of the allegations to the complainant and respondent. The written notice will include:
 - 1. A summary of the allegations and potential policy violations, including without limitation potential violations of the Code of Student Conduct;
 - 2. The purpose of the investigation;
 - 3. A statement that the investigative report, when issued, will make factual findings and a recommendation regarding whether there has been a violation of University policy, generally including the University Policy on Sexual Violence or Sexual Harassment and/or policies 102.08, 102.09, 102.10, and

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102.25 of the Code of Student Conduct. (If the notice includes notice of alleged violations of the Code of Student Conduct other than alleged sexual misconduct, the notice will state that CSC will coordinate with OPHD to investigate the non-sexual misconduct allegations while OPHD conducts the investigation of alleged sexual misconduct.);

4. A statement that the findings and recommendation will be based on a preponderance of the evidence standard;
 5. A summary of the process, including the expected timeline; and
 6. A summary of the rights of the complainant and respondent.
- D. The Title IX Officer will oversee the investigation and will designate an investigator to conduct a fair, thorough, and impartial investigation.
- E. During the investigation, the complainant and respondent will be provided an equal opportunity to meet with the investigator, submit information, and identify witnesses who may have relevant information. CSC will be making a determination of whether there are any policy violations based on the investigation report. The complainant and respondent must therefore provide the OPHD investigator with any information they wish to be considered prior to the completion of the investigative report as no new information may be shared during the 10 day period with CSC.
- F. The investigator will meet separately with the complainant, respondent, and third party witnesses who may have relevant information, and will gather other available and relevant evidence and information. The investigator may follow up with the complainant or the respondent as needed to clarify any inconsistencies or new

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information gathered during the course of the Investigation.

- G. The investigator may determine the relevance of any witness or other evidence to the findings and may exclude certain types of evidence or information that is irrelevant or immaterial. The prior sexual history of a Complainant or Respondent will generally not be considered. Evidence related to the prior sexual history of the Complainant or Respondent will generally not be relevant and may be considered only in limited circumstances. For example, if Consent, as defined by the UC SV Policy, is at issue, prior sexual history between the Complainant and the Respondent may be relevant to understanding communications between the parties and the context of the relationship, which may have bearing on whether Consent was sought and given during the incident in question. However, as stated in the UC SV Policy, Consent to one sexual act does not, by itself, constitute Consent to another sexual act, and Consent on one occasion does not, by itself, constitute Consent on a subsequent occasion. In addition, prior sexual history of the Complainant or Respondent may be relevant to explain the presence of a physical injury or to help resolve another question raised. The Investigator will determine the relevance of this information and inform both parties if evidence of prior sexual history is deemed relevant.
- H. When a law enforcement agency is conducting its own investigation, the investigator will strive to coordinate his or her fact-finding efforts with the law enforcement investigation. At the request of law enforcement, the investigation may be delayed as needed to meet any specific needs of the criminal investigation. Such a delay may be cause for extending the timelines to complete the process and delay will be communicated and documented.
- I. The investigator will prepare a written report that includes a statement of the allegations and issues, the positions of the complainant and respondent, a summary of the evidence, findings of fact, and a recommendation regarding whether there are any policy violations. If the complainant or respondent offered witnesses or other

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evidence that was not considered by the investigator, the investigation report will include an explanation why it was not considered.

- J. The investigation file must be retained by OPHD and made available for inspection to the complainant and respondent upon request at the conclusion of the investigation. The file may be redacted as necessary to protect student privacy rights. Students who wish to inspect their investigation file must request to do so in writing. Upon receipt of such a request, OPHD will schedule an appointment with the student in order to allow the inspection to occur.

V. DECISION ON RESPONSIBILITY AND DISCIPLINARY SANCTIONS

- A. Upon completion of the Title IX Investigation, OPHD and CSC will jointly send to the complainant and the respondent (a) written notice of the investigation findings and the investigator's recommended determinations, and (b) will provide a copy of the investigation report. The investigation report may be redacted if necessary to protect student privacy rights.
- B. The written notice of the findings and recommended determinations will include the following:
 - 1. A statement of the factual findings and recommendations regarding whether the charge(s) have been substantiated, including whether policies have been violated;
 - 2. An admonition against intimidation or retaliation;
 - 3. An explanation of any interim measures that will remain in place;
 - 4. A statement of the right to appeal that will be explained further in the notice of decision;

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5. A statement that CSC will determine whether the charges have been substantiated and policies have been violated and, if so, assess the disciplinary sanctions and inform the complainant and respondent of the sanctions within ten (10) business days of the notice of findings; and
 6. A statement that the complainant and/or respondent may schedule a meeting with CSC and/or submit a statement in writing to be heard on the question of the findings of any policy violations and the discipline prior to the decision and the imposition of sanctions.
- C. If CSC determines that disciplinary sanctions are appropriate, the sanctions will be determined in accordance with the sanctioning guidelines that are included as an Appendix to these procedures.
1. Disciplinary sanctions for sexual assault, domestic/dating violence, or stalking in which one or more of the following factors are present will result in a minimum sanction of Suspension for at least two years, up to dismissal:
 - i. force, violence, menace, or duress;
 - ii. deliberately causing a person to become incapacitated or deliberately taking advantage of a person's incapacitation; or
 - iii. recording, photographing, transmitting, viewing, or distributing intimate or sexual images without consent.
 2. Disciplinary sanctions for sexual assault involving penetration, domestic/dating violence, or stalking will, absent exceptional circumstances, result in a minimum sanction of Suspension for two years, up to dismissal.
 3. Disciplinary sanctions for other sexual contact in violation of policy will, absent exceptional circumstances, result in a minimum sanction of Suspension for one year.

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- D. The CSC may consult with OPHD at any point in the decision-making process.
- E. Upon receipt of the joint notice of findings and recommended determinations, the complainant and respondent may request, in writing, to meet with CSC and/or submit a written statement. The purpose of this meeting and/or statement is for the complainant and respondent to comment on potential policy violations and discipline that may be imposed. Complainant or respondent may not present new information during this meeting and/or in the statement. If students decline to request this meeting, or fail to attend a scheduled meeting, the process will move forward without their input and CSC will make all determinations regarding policy violations (including other Code of Student Conduct violations that OPHD did not address in the Title IX investigation report) and disciplinary actions.
- F. Within ten (10) business days of the issuance of the joint notice of findings and recommended determinations, CSC will send the Case Outcome Letter to the complainant, respondent, and OPHD setting forth the decision on whether the charges have been substantiated and any policies have been violated, and any sanctions to be imposed. The Case Outcome Letter will include the following:
1. A description of the determinations on whether the charges have been substantiated and any policies have been violated, and if so, a description of the sanctions;
 2. The rationale for the determinations¹ and the sanctions;
 3. A statement of the right to appeal, the procedure that will be followed in hearing the appeal, the grounds upon which the appeal may be based,

¹ If the Center for Student Conduct adopts the Investigator's recommended determinations, the Case Outcome Letter may incorporate the investigation report by reference as the rationale for the decision. If the determinations differ from the Investigator's recommendations, then the Case Outcome Letter will explain the rationale for that decision.

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and the office to which the appeal may be submitted; and

4. An explanation that both the complainant, respondent, OPHD, and CSC will receive a copy of any appeal prior to a hearing.
- G. This entire process, beginning with the Title IX investigation through CSC's issuance of the Case Outcome Letter will be completed within 60 business days from OPHD's initiation of the investigation absent an extension for good cause.

VI. APPEAL PROCESS

- A. The complainant and respondent may contest the decision and/or the sanctions stated in the Case Outcome Letter by submitting an appeal. The appeal should identify the reason(s) why the complainant or respondent is challenging the outcome under one or more of the following grounds:
1. There was procedural error in the process that materially affected the outcome, such as the investigation was not fair, thorough or impartial;
 2. The decision was unreasonable based on the evidence;
 3. There is new, material information that was unknown and/or unavailable at the time the decision was made that should affect the outcome;
 4. The disciplinary sanctions were disproportionate to the findings;
- B. An appeal must be submitted in writing to the CSC within ten (10) business days following the issuance of the Case Outcome Letter, if imposed. The appeal must identify the grounds for appealing and contain a brief statement of the reasons supporting each ground for appeal. CSC will forward the appeal to the Appeal Officer. Upon receipt of the appeal, the Appeal Officer will notify the complainant, respondent, CSC, and OPHD that an appeal has been submitted and provide copies

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- of the appeal (which may be redacted for student privacy as appropriate) to the complainant, respondent, CSC, and OPHD.
- C. If an appeal is submitted, disciplinary sanctions ordinarily will be stayed until the appeal process is completed. Interim measures, such as no contact orders, academic accommodations, etc. shall ordinarily remain in effect during the appeal process, and may be modified as appropriate.
 - D. The appeal will be decided at a hearing by the Appeal Officer, who may be a University staff person or an academic appointee, or a non-University official, such as an administrative law judge or experienced investigator. The Appeal Officer will be appropriately trained. A Hearing Coordinator may assist the Appeal Officer with the administration of the process.
 - E. The Appeal Officer will review the submitted appeal and decide whether it contains sufficient information concerning the grounds for appeal and the reasons related to those grounds. The purpose of this review is not to decide the merits of the appeal, but to identify the nature and scope of the issues to be addressed in the hearing. If the written appeal is defective or incomplete, the appealing student should be given one opportunity to correct and resubmit the appeal. The Appeal Officer's decision regarding whether a written appeal will progress to hearing, along with pertinent hearing information (listed below in Section VI.F.1.a.) will be made in writing and disseminated to the complainant, respondent, CSC, and OPHD.

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F. Conducting the Appeal Hearing

1. Pre-Hearing Procedures²

- a. Not less than ten (10) business days before the appeal hearing, the Appeal Officer or their designee will send written notice to the complainant, respondent, OPHD, and CSC of the hearing date, time, location and procedures. The notice will include a copy of the appeal(s) to be considered at the hearing.
- b. Not less than five (5) business days prior to the hearing, the complainant, respondent, and CSC will submit to the Appeal Officer the information they intend to present at the appeal, including all documents to be presented, the names of all witnesses, and a brief summary of all witnesses' expected testimony.
- c. At least two (2) business days prior to the appeal hearing, the complainant, respondent, and CSC will exchange copies of all the information that will be presented at the appeal hearing, including the names of potential witnesses and a summary of the information they are expected to provide. Students and CSC are responsible for obtaining the participation of their own witnesses.

² As long as they do not conflict with the procedures herein, these Pre-Hearing Procedures may be supplemented by the UC Berkeley Code of Student Conduct

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- d. Prior to the appeal hearing and/or during the hearing, the Appeal Officer may:
 - i. Exclude information and/or witness testimony that is irrelevant in light of the grounds for appeal, not in dispute, or unduly repetitive.
 - ii. Decide any procedural issues for the appeal hearing.
 - iii. Make any other determinations necessary to ensure an orderly, productive, and procedurally proper appeal hearing.

- 2. Appeal Hearing Procedures:
 - a. The Title IX investigator and a staff member from the CSC will be present at the appeal hearing. The Appeal Officer may question the investigator, the CSC staff member, and, if they are participating in the hearing, the complainant, and/or the respondent. The investigation report and any supporting documents or materials will be entered as evidence at the appeal hearing.

 - b. The Appeal Officer may allow the complainant, respondent, and/or witnesses to be visually or physically separated during the appeal hearing. This may include, but is not limited to, the use of a physical partition, a separate physical location, videoconference

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and/or any other appropriate technology. The Appeal Officer must be able to see the complainant, respondent and any witnesses when they are presenting information.

- c. The complainant, respondent, and CSC will have the opportunity to present the information they submitted pursuant to Section VI.F.1.b (unless excluded by the Appeal Officer pursuant to Section VI.F.1.d.).
- d. The complainant, respondent, and CSC have the right to hear all individuals who testify at the hearing and to propose questions to be asked of all individuals who testify at the hearing.
- e. The Appeal Officer will determine the order of questioning. Whenever possible, the Appeal Officer will ask the questions as they are submitted by the complainant, respondent, and CSC and will not rephrase or change them. The Appeal Officer may, however, exclude questions that are unduly repetitive, clearly not relevant, or unduly time consuming.
- f. The appeal hearing will be audio recorded.
- g. Formal rules of evidence will not apply. The Appeal Officer may consider the form in which information is presented, as well as the credibility of the complainant, respondent, or any witnesses, in weighing the information and reaching findings.

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G. Appeal Decision:

1. The Appeal Officer will deliberate in private and reach a decision based on a preponderance of the evidence standard.
2. The Appeal Officer shall take into account the record developed by the investigator, CSC's determination, and the evidence presented at the hearing, and may make its own findings and credibility determinations based on all of the evidence before it.
3. The Appeal Officer may:
 - a. Uphold the findings and disciplinary sanctions;
 - b. Overturn the findings or sanctions; or
 - c. Modify the findings or sanctions.
4. The Appeal Officer will summarize their decision in a written report that includes the following:
 - a. A statement of the grounds for the appeal;
 - b. A summary of the process undertaken by the Appeal Officer;
 - c. A summary of the information considered by the Appeal Officer;
and
 - d. The decision of the Appeal Officer and the rationale for the decision including, where the findings or sanctions are overturned or modified, an explanation of why the findings were not reasonable

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or the sanctions were disproportionate, either at the time they were made or in light of the new evidence considered by the Appeal Officer.

5. The Appeal Officer or their designee will send the Appeal Officer's written decision to the complainant, respondent, CSC, and OPHD.
 - a. If the findings and the sanctions are upheld, the written decision will state that the matter is closed with no further right to appeal.
 - b. If the findings or sanctions are overturned or modified, the written decision will inform the respondent, complainant, and CSC of the right to submit a written appeal to the Chancellor's designee within five (5) business days based on:
 - i. Procedural error that materially affected the outcome, or
 - ii. A sanction that is disproportionate to the findings.
 - c. If an appeal is submitted, the Chancellor's designee will provide a copy of the written appeal to the non-appealing student as well as to the CSC along with an invitation for them each to submit written statements as well.
 - d. The Chancellor's designee will render a decision based on the written statements submitted by the complainant, respondent, and CSC. There will be no hearing.
6. The Chancellor's designee will issue a written decision to the complainant, respondent, CSC and OPHD normally within ten (10) business days. There is no further right to appeal.

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The appeal process described above, including the appeal hearing and any appeal to the Chancellor's designee, normally will be completed within 60 business days.

I. INTRODUCTION

These standards are intended to ensure the consistent application of disciplinary sanctions by the University of California in responding to conduct that violates the University's *Policy on Sexual Violence and Sexual Harassment* and the University's *Policies Applying to Campus Activities, Organizations, and Students (PACAOS) Section 100 (Policy on Student Conduct and Discipline)*.³ The following describes the University's procedures for assigning disciplinary sanctions when the respondent is a student.

II. PRINCIPLES

- A. The administration of student discipline will be consistent with the UC PACAOS Policy on Student Conduct and Discipline.
- B. When a student is found responsible for violating the University's Policy on Sexual Violence and Sexual Harassment and the UC PACAOS Policy on Student Conduct and Discipline, the University will assign disciplinary sanctions that are appropriate to the violation, taking into consideration the context and seriousness of the violation.
- C. When a student is found not responsible for violating the University's Policy on Sexual Violence and Sexual Harassment and the UC PACAOS Policy on Student Conduct, the University is committed to taking reasonable efforts to assist any student who has been disadvantaged with respect to employment or academic status as a result of the unsubstantiated allegations.

³ This supplements the Policies Applying to Campus Activities, Organizations and Students (PACAOS, 5/10/2012). In the event of any conflict this document shall take precedence

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- D. Disciplinary sanctions are designed to hold a student accountable for violating University standards of conduct and to promote personal growth and development. Disciplinary sanctions also serve the purpose of stopping the behavior that violated this policy and preventing its recurrence.
- E. The University of California recognizes that acts of sexual violence and sexual harassment are contrary to its goals of providing an educational environment that is safe and equal for all students.
- F. University of California campuses are permitted to inform other UC campuses of a student's disciplinary record for violating the University's Sexual Violence and Sexual Harassment Policy and the UC PACAOS Policy on Student Conduct and Discipline.

III. DISCIPLINARY SANCTIONS

- A. University disciplinary sanctions include, but are not limited to:
 - 1. Dismissal from the University of California,
 - 2. Suspension from the campus,
 - 3. Exclusion from Areas of the Campus or from Official University Functions,
 - 4. Loss of Privileges and Exclusion from Activities,
 - 5. Restitution,
 - 6. Probation
 - 7. Censure/Warning, and/or
 - 8. Other actions as set forth in University policy and campus regulations.
- B. The definitions of disciplinary sanctions are found in University of California PACAOS Section 105.00 (Types of Student Disciplinary Action) and local campus regulations.

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The posting of disciplinary sanctions on academic transcripts will follow University policy as defined in University of California PACAOS, Section 106.00.

II. PROCESS

- A. When a respondent has been found in violation, the University will provide written notice of the assigned disciplinary sanctions and a brief rationale for the sanctions.
- B. Disciplinary sanctions will be assigned as follows:
 1. Sexual assault, domestic/dating violence, or stalking in which one or more of the following factors are present will result in a minimum sanction of Suspension for at least two years, up to dismissal:
 - i. force, violence, menace, or duress;
 - ii. deliberately causing a person to become incapacitated or deliberately taking advantage of a person's incapacitation; or
 - iii. recording, photographing, transmitting, viewing, or distributing intimate or sexual images without consent.
 2. Sexual assault involving penetration, domestic/dating violence, or stalking will, absent exceptional circumstances, result in a minimum sanction of Suspension for two years, up to dismissal.
 3. Other sexual contact in violation of policy will, absent exceptional circumstances, result in a minimum sanction of Suspension for one year.
- C. Assigned disciplinary sanctions and the factors considered for each case will be documented and reported to the University of California Office of the President on a quarterly basis. The report is to ensure a reasonable level of consistency from campus to campus.

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III. FACTORS CONSIDERED IN DETERMINING DISCIPLINARY SANCTIONS

- A. In determining the appropriate sanction, the following factors may be taken into account:
1. Seriousness of violation: location and extent of touching; duration of conduct; single or repeated acts; multiple policy violations in connection with the incident; verbal or physical intimidation; presence of weapons, use of force, violence, physical injury.
 2. Intent or motivation behind violation: no intent to cause harm; passive role in violation; pressured or induced by others to participate in the violation; use of authority to abuse trust or confidence; planned or predatory conduct; deliberately causing a person to become incapacitated or deliberately taking advantage of a person's incapacitation; recording, photographing, transmitting, viewing, or distributing intimate or sexual images without consent; hate or bias based on the complainant's membership or perceived membership in a protected group as defined in UC PACAOS Section 104.90.
 3. Response following violation: voluntarily acknowledged wrongdoing at early stage of the process; failure to follow no contact order; attempt to influence witnesses; obstructed or disrupted the process.
 4. Disciplinary history: prior violations unrelated, prior violations related.
 5. Impact on others: input from the complainant, protection or safety of the community.

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University of California – Policy PACAOS-Appendix-E
 PACAOS-Appendix-E: Sexual Violence and Sexual Harassment Student Adjudication Framework

Attachment 1: Student Adjudication Model – Process Flow Chart

