

UCLA EXTENSION Procedure for Student Disciplinary Hearings

The University Extension student (“Student”) alleged to have committed an offense will be entitled to a hearing before a representative of the Office of the Dean other than the Dean (“the Hearing Officer”) according to the following guidelines:

1. The hearing will be conducted in private. Admission of any persons other than the Student and Complainant shall be at the discretion of the hearing officer.
2. For complaints arising from the distance learning environment where either or both parties cannot reasonably physically attend, the hearing officer will accommodate by conducting the hearing online in real-time by teleconference, or by conducting the hearing asynchronously by correspondence.
3. The Student and the Complainant will have the right to be present throughout the hearing.
4. The Student and the Complainant have the right to be assisted by an advisor. The advisor may be an attorney. The Complainant and the Student are responsible for presenting their own cases. Advisors are therefore not permitted to speak or to participate directly in any hearing.
5. If the first language of either of the parties is other than English, they will have a right to an additional advisor to act as a translator.
6. The Student and the Complainant will have the right to present witnesses, subject to the prior approval of the Hearing Officer. The parties shall propose any prospective witnesses to the Hearing Officer at least ten days before the scheduled hearing. A list of approved witnesses will be compiled and shared with the parties prior to the hearing. The Hearing Officer may cross-examine witnesses. Witnesses are expected to attend.
7. Pertinent records, exhibits, and written statements may be accepted as evidence for consideration, at the discretion of the Hearing Officer.
8. All procedural questions are subject to the final decision of the Hearing Officer.
9. The Hearing Officer’s determination will be a judgment of whether it is more likely than not that the Student committed the offense(s) charged, based on the preponderance of the evidence.
10. An audio recording will be made of the hearing. The Student will have a right to a digital copy of the recording.
11. The Hearing Officer’s decision will include findings of fact. If the decision is against the Student, the decision must include a sanction. Decisions will be provided in writing and sent to students by certified or registered mail or other means requiring proof of delivery. In cases where there is a *stay-away* condition prohibiting the sanctioned student from entering the administration building or other facility managed by Extension, the student will be provided with information regarding Section 626.2 of the California State Penal Code.
12. Within ten working days after receipt of the decision, the Student will be entitled to make a written appeal to the Dean, but only on the grounds that there is new evidence not available to the parties at the time of the hearing or that these procedures were not followed. If there is no appeal, the Hearing Officer’s decision will be final. If there is an appeal, the Dean’s decision will be final.
13. In cases involving sexual harassment, sexual violence, domestic violence, dating violence or stalking, both parties will be privy to the outcome notwithstanding the privacy requirements of the federal *Family Educational Rights and Privacy Act* (FERPA), and either party may appeal the outcome.
14. In the absence of the Dean, appeals will be heard by the Associate Dean of Academic Affairs or the Associate Dean of Administration provided he or she did not serve as the original Hearing Officer. Appellate authority cannot be delegated further.