

Advisor Training

Serving as an Advisor in the Student
Conduct Process

What is the Student Conduct Process?

- The student conduct process addresses alleged violations of the *Student Conduct Code*.
- It ensures accountability, fairness, and adherence to institutional policies.
- Advisors provide guidance to students, but students are responsible for representing themselves and actively participating in the process.

Overview of Due Process Rights

- Students will receive a written notice from the Office of Student Conduct, including a brief statement of the factual basis of the charges and the University policies or campus regulations allegedly violated.
- Students have the opportunity for a prompt and fair hearing where the University shall bear the burden of proof. No inference shall be drawn from the silence of the accused student.
- Students have the right to present evidence and question witnesses when a hearing is held. No direct cross-examination is allowed.
- Students will receive a written decision, including a written summary of the findings of fact. Findings of violations of University policies or campus regulations shall reflect a preponderance of the evidence standard.
- Students will have an opportunity to submit an appeal if they are found in violation of the *Student Conduct Code*.
- Students may have an advisor throughout the process to provide guidance, if they choose.

*see *Student Conduct Code* Sections B Student Rights: Procedural Due Process and D. Disciplinary Hearing Bodies

Pathways to Resolution

Student-Faculty Committee on Student Conduct (SFCC)

1. A hearing is scheduled before the SFCC, the body responsible for hearing cases of individual cases of student misconduct. The SFCC will deliberate in a closed session to make their findings and recommendations.
2. A student may waive their right to a hearing if they accept responsibility for the violation(s) and a sanction that would be no more than ten quarters of suspension.

Alternative options for resolution

1. Hearing officer Adjudication Model
Temporary Amendment to *Student Conduct Code* allows a hearing officer to make finding determinations and apply disciplinary sanctions in matters resulting in University Warning or Disciplinary Probation.
2. Restorative Justice (RJ) Conference
RJ is only appropriate when a student has taken responsibility for an alleged violation, and may not be appropriate in every case. RJ is completely voluntary and the student may request to have their matter adjudicated via an administrative hearing process.

Grounds for Appeal

- Appeals must be made in writing and must be submitted within ten working days of the date appearing on the notification of the imposition of sanction(s) e-mailed to the student.
- If a hearing was held, the student may request an opportunity to study the summary minutes of the hearing body before submitting an appeal.
- The student's appeal may request that the sanctions be reduced or eliminated or that the case be referred back to a committee for further hearing. Any such appeal must specify in detail one or more of the following alleged conditions:
 - (a) Lack of substantial bases of fact to support the sanction (invoked or proposed)
 - (b) Incongruity of the sanction with the offense
 - (c) Unfairness in the proceedings
 - (d) Newly discovered important evidence not known at the time of the hearing.

*see Appeals D.1.f.(i-iii)(a-d) in the *Student Conduct Code* and in the [Temporary Amendment to the UCSB Student Conduct Code](#)

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Overview of an Advisor

- Students may be accompanied by an advisor or an attorney, if the student so chooses. The Office of Student Conduct must be notified that an advisor or attorney will be present at least three working days prior to the hearing.
- “Students are to represent themselves. The role of the attorney or advisor is therefore limited to assistance and support of the student in making their own case. Students may not select an advisor or support person who was also in some way involved in the incident as either a witness, accused party, committee member, or other involved party, etc.” *Student Conduct Code* Section D.1.d.(2)(a)(ii).
- An advisor may be any person who, is not in some way involved in the incident, including but not limited to an advocate, attorney, friend, or parent.

Role and Responsibilities of an Advisor

- Assist students in understanding UCSB's conduct policies and procedures.
- Help students prepare for meetings or hearings.
- Attend meetings or hearings, if desired by the student, and provide non-disruptive support.
- Student can elect to share case related information with their advisor.
- Student must speak for themselves and cannot be represented by the advisor.

Resources for Advisors and Students

See our [Resources Page](#) on the Office of Student Conduct website for Campus Resources and Student FAQs.

See [UC Santa Barbara Campus Regulations](#) for the Campus Regulations and *Student Conduct Code*



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Questions?

UCSB Office of Student Conduct

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Call us at 805-893-5016