

Center for Student Conduct (CSC) COVID- 19 Health & Safety Response

The Center for Student Conduct (CSC) administers the imposition of disciplinary consequences for violations of the [Berkeley Campus Code of Student Conduct](#). Students can be disciplined for failure to comply with the directives of University officials. Failure to comply with directives to wear face coverings or adhere to other COVID-19 directives can therefore be charged as a Code violation.

Vaccine Mandate Enforcement and Testing Requirements

During the fall semester, Student Affairs will identify students who are not in compliance with the vaccination policy and/or their testing requirements based upon vaccination and testing records maintained by the campus and will direct those students not to attend class and not to participate in co-curricular activities on campus. Instructors will not be obligated to provide remote learning options for these students, even if that results in the students failing their courses. Students who fail to comply with direction not to attend class and/or co-curricular activities will be charged under the Code of Student Conduct. Students who are not compliant with the vaccination policy will not be able to register for spring semester courses.

Face Covering Requirements

In the classroom

Students must adhere to any face covering requirements in effect in the same way that they must conform to provisions of the Code of Student Conduct or other campus policies. Please report student face covering non-compliance incidents to the Center for Student Conduct (CSC). Information on reporting is provided below. [For more instructor guidance, please visit the related campus Coronavirus webpage](#).

Instructors are not obligated to enforce campus face covering requirements. However: If a student shows up to class or office hours without a face covering while campus guidance requires them, the instructor may remind the student of the requirement and ask the student to put on their face covering. If the student refuses to put one on, the instructor may ask the student to leave class (or an office), just as the instructor would ask a student who is being disruptive to either cease their disruptive behavior or leave. If the instructor cannot control the situation, the instructor may end class early for the well-being of all or ask a student to leave an office. Please report incidents of students disrupting class to the Center for Student Conduct (CSC). Information on reporting is provided below.

In other indoor campus areas

Students who are failing to comply with current COVID-19 guidelines and/or face covering requirements in a campus building may be refused service and may be promptly excluded from the building by the person who is responsible for managing the building space, whether or not a report is made to CSC. This kind of exclusion is an operational activity, not discipline, because

the student is not complying with the requirements for being inside of the building. Please report student face covering non-compliance incidents to the Center for Student Conduct (CSC). Information on reporting is provided below.

Before excluding a student

Before asking a student to leave class, an office or a building because the student is not wearing a face covering, an instructor or staff member should privately confirm with the student that the student does not have a disability accommodation that excuses the student from wearing a face covering.

Instructors and staff should not call UCPD to report failure to wear a face covering. UCPD is not charged with enforcement of face-covering requirements and failure to wear a face covering is not a police emergency.

When you report to CSC, the threat posed by a student who is not wearing a face covering will be assessed on an individualized basis and the student will receive direction that is appropriate to their situation, including whether they recently tested negative for COVID-19, their vaccination status, whether or not they are a close contact to someone who has recently tested positive for COVID-19, and prior incidents of noncompliance. Non-compliant infectious or likely infectious individuals may be charged with endangering members of the University community pursuant to provisions of the Berkeley Campus Code of Student Conduct.

Staff and faculty are allowed to request that students wear a face covering in the classroom, and campus buildings but it is not okay to exclude, retaliate or penalize those who choose not to if [campus face-coverings policy](#) does not require face coverings.

To report a case regarding individuals or groups who are not following the current COVID-19 guidelines please share the information [via our online Incident Report Form](#). Once a report is received, a staff member in the CSC will address the report. When reporting please include the following:

- I. Reporting party's name: This form is an official communication with the University and if requested, the information is accessible to the named student. Anonymous reporting limits the University's ability to follow up and may impact the ability to respond.
- II. Date & Approximate Time
- III. Location
- IV. Student name(s) (please note that our response will be limited when the name of a reported student is unknown to the reporter, or known to the reporter but not disclosed by the reporter)
- V. Short Narrative: Context of concern, number of individuals impacted, any documentary evidence and other information deemed important. Be mindful that making an audio recording of someone without their consent is generally unlawful in California.

*Please note that this is not an immediate response mechanism. Please contact UCPD non-emergency for immediate support at (510) 642-6760. Face covering violations should not be reported to UCPD.

Student discipline is addressed, consistent with Federal law and UC policy, as a private matter between the University and the student, so those who make reports will generally not be made aware of the outcome of the report.

Off-campus

The Code generally does not provide for discipline of individual students who violate the law off-campus unless harm results to a member of the University community. Reports that students are not complying with Public Health orders while off-campus should therefore generally be made to the Berkeley Public Health Officer or the Berkeley City Police Department, if the reporter desires that enforcement activity or discipline occur.

Contract tracing and discipline

In order to avoid disincentivizing student participation in contact tracing, information reported to CSC that is derived from public health contact tracing (and University Health Center inquiries) will not be used to discipline students unless there is a clear record that a student was aware that the student was contagious with COVID-19 and knowingly intended to infect (or did knowingly and intentionally infect) another member of the University community.