

# STUDENT CONDUCT

## TITLE 5, CALIFORNIA CODE OF REGULATIONS, § 41301. STANDARDS FOR STUDENT CONDUCT

### 1. Campus Community Values

The university is committed to maintaining a safe and healthy living and learning environment for students, faculty, and staff. Each member of the campus community should choose behaviors that contribute toward this end. Students are expected to be good citizens and to engage in responsible behaviors that reflect well upon their university, to be civil to one another and others in the campus community, and contribute positively to student and university life.

### 2. Grounds for Student Discipline

Student behavior that is not consistent with the Student Conduct Code is addressed through an educational process that is designed to promote safety and good citizenship and, when necessary, impose appropriate consequences.

The following are the grounds upon which student discipline can be based:

- a. Dishonesty, including:
  - i. Cheating, plagiarism, or other forms of academic dishonesty that are intended to gain unfair academic advantage.
  - ii. Furnishing false information to a university official, faculty member, or campus office.
  - iii. Forgery, alteration, or misuse of a university document, key, or identification instrument.
  - iv. Misrepresenting one's self to be an authorized agent of the university or one of its auxiliaries.
- b. Unauthorized entry into, presence in, use of, or misuse of university property.
- c. Willful, material and substantial disruption or obstruction of a University-related activity, or any on-campus activity.
- d. Participating in an activity that substantially and materially disrupts the normal operations of the university, or infringes on the rights of members of the university community.
- e. Willful, material and substantial obstruction of the free flow of pedestrian or other traffic, on or leading to campus property or off-campus university-related activity.
- f. Disorderly, lewd, indecent, or obscene behavior at a University related activity or directed toward a member of the university community.
- g. Conduct that threatens or endangers the health or safety of any person within or related to the university community, including physical abuse, threats, intimidation, harassment, or sexual misconduct.
- h. Hazing or conspiracy to haze. Hazing is defined as any method of initiation or pre-initiation into a student organization or student body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury to any former, current, or prospective student of any school, community college, college, university or other educational institution in this state (Penal Code 245.6), and in addition, any act likely to cause physical harm, personal degradation or disgrace resulting in physical or mental harm, to any former, current, or prospective student of any school, community college, college, university or other educational institution. The term "hazing" does not include customary athletic events or school-sanctioned events. Neither the express or implied consent of a victim of hazing, nor the lack of active participation in a particular hazing incident is a defense. Apathy or acquiescence in the presence of hazing is not a neutral act and is also a violation of this section.
- i. Use, possession, manufacture, or distribution of illegal drugs or drug-related paraphernalia, (except as expressly permitted by law and university regulations) or the misuse of legal pharmaceutical drugs.
- j. Use, possession, manufacture, or distribution of alcoholic beverages (except as expressly permitted by law and university regulations), or public intoxication while on campus or at a university-related activity.
- k. Theft of property or services from the university community, or misappropriation of university resources.
  - l. Unauthorized destruction or damage to university property or other property in the university community.
- m. Possession or misuse of firearms or guns, replicas, ammunition, explosives, fireworks, knives, other weapons, or dangerous chemicals (without the prior authorization of the campus president) on campus or at a university-related activity.
- n. Unauthorized recording, dissemination, or publication of academic presentations (including handwritten notes) for a commercial purpose.
- o. Misuse of computer facilities or resources, including:
  - i. Unauthorized entry into a file, for any purpose.
  - ii. Unauthorized transfer of a file.
  - iii. Use of another's identification or password.
  - iv. Use of computing facilities, campus network, or other resources to interfere with the work of another member of the university community.
  - v. Use of computing facilities and resources to send obscene or intimidating and abusive messages.
  - vi. Use of computing facilities and resources to interfere with normal university operations.
  - vii. Use of computing facilities and resources in violation of copyright laws.
  - viii. Violation of a campus computer use policy.
- p. Violation of any published university policy, rule, regulation or presidential order.
- q. Failure to comply with directions or, or interference with, any university official or any public safety officer while acting in the performance of his/her duties.
- r. Any act chargeable as a violation of a federal, state, or local law that poses a substantial threat to the safety or well-being of members of the university community, to property within the university community or poses a significant threat of disruption or interference with university operations.
- s. Violation of the Student Conduct Procedures, including:
  - i. Falsification distortion, or misrepresentation of information related to a student discipline matter.
  - ii. Disruption or interference with the orderly progress of a student discipline proceeding.
  - iii. Initiation of a student discipline proceeding in bad faith.
  - iv. Attempting to discourage another from participating in the student discipline matter.
  - v. Attempting to influence the impartiality of any participant in a student discipline matter.

- vi. Verbal or physical harassment or intimidation of any participant in a student discipline matter.
- vii. Failure to comply with the sanction(s) imposed under a student discipline proceeding.
- t. Encouraging, permitting, or assisting another to do any act that could subject him or her to discipline.

### 3. Procedures for Enforcing This Code

The chancellor shall adopt procedures to ensure students are afforded appropriate notice and an opportunity to be heard before the University imposes any sanction for a violation of the Student Conduct Code. [Note: At the time of publication, such procedures are set forth in California State University Executive Order 1098 (Revised June 23, 2015), available at [www.calstate.edu/eo/EO-1098-rev-6-23-15.html](http://www.calstate.edu/eo/EO-1098-rev-6-23-15.html) (<http://www.calstate.edu/eo/EO-1098-rev-6-23-15.html>).

### 4. Application of This Code

Sanctions for the conduct listed above can be imposed on applicants, enrolled students, students between academic terms, graduates awaiting degrees, and students who withdraw from school while a disciplinary matter is pending. Conduct that threatens the safety or security of the campus community, or substantially disrupts the functions or operation of the university is within the jurisdiction of this Article regardless of whether it occurs on or off campus. Nothing in this Code may conflict with Education Code Section 66301 that prohibits disciplinary action against students based on behavior protected by the First Amendment.

## **TITLE 5, CALIFORNIA CODE OF REGULATIONS, § 41302.**

### **DISPOSITION OF FEES: CAMPUS EMERGENCY; INTERIM SUSPENSION.**

The president of the campus may place on probation, suspend, or expel a student for one or more of the causes enumerated in Section 41301. No fees or tuition paid by or for such student for the semester, quarter, or summer session in which he or she is suspended or expelled shall be refunded. If the student is readmitted before the close of the semester, quarter, or summer session in which he or she is suspended, no additional tuition or fees shall be required of the student on account of the suspension.

During periods of campus emergency, as determined by the president of the individual campus, the president may, after consultation with the Chancellor, place into immediate effect any emergency regulations, procedures, and other measures deemed necessary or appropriate to meet the emergency, safeguard persons and property, and maintain educational activities.

The president may immediately impose an interim suspension in all cases in which there is reasonable cause to believe that such an immediate suspension is required to protect lives or property and to ensure the maintenance of order. A student so placed on interim suspension shall be given prompt notice of charges and the opportunity for a hearing within 10 days of the imposition of interim suspension. During the period of interim suspension, the student shall not, without prior written permission of the president or designated representative, enter any campus of the CSU other than to attend the hearing. Violation of any condition of interim suspension shall be grounds for expulsion.

## **SECTION XXIII CIVIL AND CRIMINAL PENALTIES FOR VIOLATION OF FEDERAL COPYRIGHT LAWS**

Anyone who is found to be liable for copyright infringement may be liable for either the owner's actual damages along with any profits of the infringer or statutory damages of up to \$30,000 per work infringed. In the case of a willful infringement, a court may award up to \$150,000 per work infringed. (See 17 U.S.C. §504.) Courts also have discretion to award costs and attorneys' fees to the prevailing party. (See 17 U.S.C. §505.) Willful copyright infringement can also result in criminal penalties, including imprisonment and fines. (See 17 U.S.C. §506 and 18 U.S.C. §2319.)

## **SECTION XXIV CANCELLATION OF REGISTRATION OR WITHDRAWAL FROM THE INSTITUTION**

Students who find it necessary to cancel their registration or to withdraw from all classes after enrolling for any academic term are required to follow the University's official withdrawal procedures. Failure to follow formal University procedures may result in an obligation to pay fees as well as the assignment of failing grades in all courses and the need to apply for readmission before being permitted to enroll in another academic term. Students who withdraw during the first three weeks of instruction are not considered enrolled for the current semester. Students who do not enroll for two consecutive semesters (excluding summer) must apply for readmission to the University. Information on canceling registration and withdrawal procedures is available from the Registrar's Office, in person, or on the Registrar's Office website (<http://registrar.sfsu.edu/>).

Students who receive financial aid funds must consult with the Office of Student Financial Aid prior to withdrawing from the University regarding any required return or repayment of grant or loan assistance received for that academic term or payment period. Students who have received financial aid and withdraw from the institution during the academic term or payment period may need to return or repay some or all of the funds received, which may result in a debt owed to the institution.

## **SECTION XXV CREDIT HOUR**

As of July 1, 2011, federal law (Title 34, Code of Federal Regulations, sections 600.2 and 600.4) requires all accredited institutions to comply with the federal definition of the credit hour. For all CSU degree programs and courses bearing academic credit, the "credit hour" is defined as "the amount of work represented in intended learning outcomes and verified by evidence of student achievement that is an institutionally established equivalency that reasonably approximates not less than:

1. One hour of classroom or direct faculty instruction and a minimum of two hours of out-of-class student work each week for approximately fifteen weeks for one semester or trimester hour of credit, or ten to twelve weeks for one quarter hour of credit, or the equivalent amount of work over a different amount of time; or
2. At least an equivalent amount of work as required in paragraph (1) of this definition for other academic activities as established by the institution, including laboratory work, internships, practica, studio work, and other academic work leading to the award of credit hours."

A credit hour is assumed to be a 50-minute period. In courses in which "seat time" does not apply, a credit hour may be measured by an equivalent amount of work, as demonstrated by student achievement.