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Student Conduct Process

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Article I. Authority, Scope and Purpose

This Process is established pursuant to California Code of Regulations, Title 5, Section 41301 et seq., and governs all Student disciplinary matters systemwide, except that as noted in Article IV of this Policy and in the CSU Nondiscrimination Policy.[2]

Pursuant to California Code of Regulations, Title 5, Section 41301 et seq., the Standards of Student Conduct outline grounds upon which student discipline can be based. This policy outlines the manner in which student conduct discipline will be enforced. See Appendix A for the Standards for Student Conduct.

All provisions of this policy, with the exception of Article IV, are expected to be implemented by the 2025/2026 academic year. Provisions in Article IV shall be implemented immediately. Campuses are authorized to set earlier implementations timelines for any of the provisions.

Article II. General Provisions for Cases *Not* Involving the CSU's Nondiscrimination Policy

A. **Student Conduct Administrator**
Each Campus president shall assign an MPP employee to be the Student Conduct Administrator, whose responsibilities are to perform and oversee the duties as prescribed in this policy.

1. All Student Conduct Administrators shall receive appropriate training regarding: (a) the student discipline process (including investigation skills and procedures); (b) the law governing Discrimination, Harassment and Retaliation; (c) Student and witness

privacy rights; and (d) the Family Educational Rights and Privacy Act of 1974 (FERPA).

2. All Student Conduct Administrators shall also receive annual training on issues related to: (a) Title IX, VAWA/Campus SaVE Act, and other related state and federal laws prohibiting Discrimination, Harassment and Retaliation based on Gender, including Sex Discrimination, Sexual Harassment, Sexual Misconduct, Sexual Exploitation, Domestic Violence, Dating Violence, and Stalking; and, (b) how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
3. A Student Conduct Administrator at one CSU may serve as a Student Conduct Administrator at another CSU if there is a conflict of interest in the matter.

B. **Hearing Officers**

1. Each Campus president shall appoint one or more persons to serve as Hearing Officers. They may be University employees with MPP appointments (current or retired); managers or directors (current or retired) of a recognized campus auxiliary organization; attorneys licensed to practice in California; or administrative law judges from the Office of Administrative Hearings. Student Conduct Administrators and all persons working under or reporting to them, persons with a conflict of interest in the matter, and percipient witnesses to the events giving rise to the matter are ineligible to serve as Hearing Officers. A Student Conduct Administrator from one CSU may serve as a Hearing Officer for another CSU.
2. Except as provided in Article IV, the Hearing Officer conducts the hearing, determines whether a Student has violated the Student Conduct Code, and prepares a report that includes findings and conclusions about whether the Student violated the Student Conduct Code and any recommended sanctions.
3. All Hearing Officers shall receive appropriate training regarding: (a) the student discipline process; (b) the law governing Discrimination, Harassment and Retaliation; (c) student and witness privacy rights; and (d) FERPA, and the responsibilities of a Hearing Officer.
4. All Hearing Officers shall also receive annual training on issues related to: (a) Title IX, VAWA/Campus SaVE Act, and other related state and federal laws prohibiting Discrimination, Harassment and Retaliation based on Gender, including Sex Discrimination, Sexual Harassment, Sexual Misconduct, Sexual Exploitation, Domestic Violence, Dating Violence, and Stalking; and (b) the duties of the Hearing Officer (including impartiality, confidentiality and the duty to conduct hearings in a manner that protects the safety of victims and promotes accountability).

C. **Advisors**

1. Both the Complainant and the Student charged may elect to be accompanied by an Advisor of their choice, subject to the limitations set forth in this section, to any meetings, conferences, interviews or hearings.
2. A Student charged shall be informed for their right to an Advisor when they receive the initial notice of an alleged violation. A Student charged may select an Advisor of their choosing or request the University provide them one. Should the Student

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charged elect to have an Advisor, the Advisor may, with written permission from the Student charged, receive updates during the conduct process for the alleged violation. The Advisor shall be provided with training from the University on the student conduct process and their role during the process. The Student charged shall be informed that they must inform the Student Conduct Administrator no later than five (5) days that they would like a University appointed advisor. An Advisor may not delay the timelines of any meetings, conferences, interviews or hearings.

3. Any witnesses who are alleged to be victims of the Discrimination, Harassment, Retaliation, Sexual Misconduct, Sexual Exploitation, Domestic Violence, Dating Violence, or Stalking at issue may likewise elect to be accompanied by an Advisor of their choice.
4. Student conduct proceedings are not meant to be formal court-like trials. Although University-related sanctions may be imposed, the process is intended to provide an opportunity for learning. Whoever is selected as an Advisor shall be limited to observing and consulting with, and providing support to, the Complainant, witness, or Student charged. An Advisor may not speak on a Student's or Complainant's behalf. Advisors may engage in comforting gestures such as passing tissue or a bottle of water to the Party, giving gentle words of encouragement, such as "It's okay," but otherwise should not interact with the Party during the hearing (absent a break). The Hearing Officer may note on the record any inappropriate assistance from an Advisor. If an Advisor is disruptive and the behavior continues despite warnings from the Hearing Officer, then as stated in Article III. D. 7 of the Student Conduct Process Policy. The Hearing Office may take appropriate actions including ejecting them from the conference or hearing.
5. In student conduct proceedings, excluding cases involving the CSU's Nondiscrimination Policy, each Campus president determines by Campus directive whether attorneys are permitted to be present in all or some Student conduct proceedings.
6. Notwithstanding any Campus directive, attorneys may attend hearings as Advisors: (a) where there are pending criminal charges arising out of the same facts that are the subject of the disciplinary proceeding; or (b) where expulsion is a possible sanction.
7. The Advisor may not be a person with information relevant to the allegations who may be interviewed or called upon to testify during any related investigation or hearing.
8. Any person who wishes to have an attorney present at the hearing as an Advisor must notify the Student Conduct Administrator in writing of the attorney's name, address and phone number at least **five (5) Working Days** prior to the hearing.

D. **Correspondence**
The Student Conduct Administrator (who may act through designees) shall deliver all correspondence to Students (including the Student charged) at the University-assigned, or other primary email address linked to the Student's account in the Office of the Registrar.

E. **Interpretation of the Student Conduct Code and this Student Conduct Process**
All issues regarding the hearing described in Article III. D or Article IV. G except those

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specifically noted are within the purview of the Hearing Officer for final determination. Questions of interpretation of the Student Conduct Code or this Student Conduct Procedure are outside the purview of the Hearing Officer and are determined by the Campus vice president for Student Affairs or designee.

F. **Delegation of Duties**
The duties of the president in these proceedings may be delegated to an appropriate vice president but not be further delegated.

G. **Timelines**
The Campus may (but is not required to) extend timelines set forth in this Policy. Extensions shall be determined by the Campus president, vice president for Student Affairs, or a designee. The Student Conduct Administrator shall notify the Student charged, Complainant, and involved Campus administrators of any revised timeline.

H. **Parallel Judicial Proceedings**
Student Conduct Code proceedings are independent from court or other administrative proceedings. Discipline may be instituted against a Student also charged in civil or criminal courts based on the same facts that constitute the alleged violation of the Student Conduct Code. The Campus may proceed before, simultaneously with, or after any judicial or other administrative proceedings or hold in abeyance, except in cases involving CSU's Nondiscrimination Policy. In such cases, the Campus shall proceed without delay pursuant to Article IV below.

I. **Cases Involving Academic Dishonesty**
Academic dishonesty cases that occur in the classroom shall be handled according to applicable Campus procedures. After action has been taken in any such case, the faculty member shall promptly notify the Student Conduct Administrator of the matter so that the circumstances of the misconduct can be considered in their totality. A department's procedure for responding to cases of academic dishonesty is, by its nature, limited to the instance presented in a particular class. The Student Conduct Code process provides each Campus with an opportunity to consider the Student's entire circumstances, including whether the reported instance is part of a larger pattern of misconduct.

J. **Expectation to Report Cases Involving Violations of the CSU Standards for Student Conduct**
For the safety of the campus and student well-being, all employees who know or have reason to know of incidents that may violate the CSU Standards for Student Conduct are expected to disclose all information available including the name of the Parties involved, when the person has request anonymity. The report should be made promptly to the Student Conduct Administrator.

K. **Student Organizations**
This policy is only applicable to individuals. Recognized student organizations who are found in violation of University regulations will be subject to the University conduct process for student organizations per the CSU's Student Activities Policy.

Article III. Proceedings In Cases *Not* Involving the CSU's Nondiscrimination Policy

This Article sets forth the procedures that govern all student disciplinary matters systemwide not

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involving allegations the CSU's Nondiscrimination Policy.

A. **Complaint Intake/Investigation**

1. Whenever it appears that the Student Conduct Code has been violated, an oral or written complaint should be directed to the Student Conduct Administrator as soon as possible after the event takes place. Reports from third parties should generally be stated in writing.
2. The Student Conduct Administrator shall promptly: investigate each complaint submitted; determine whether it is appropriate to charge a Student with violation of the Student Conduct Code; determine whether it is appropriate to implement interim actions pursuant to Article VI; withdrawal of consent to remain on Campus[3], or no contact directives concerning one or more members of the University community.
3. Investigations shall be concluded within **40 Working Days** after a complaint has been made. The Student Conduct Administrator may extend the timeline for good cause.
4. The University may continue proceedings for Students who withdraw or are unresponsive while a disciplinary matter is in process.

B. **Notice of Conference and Conference**

1. Within **10 Working Days** after the investigation is complete, the Student Conduct Administrator shall notify the Student in writing that a conference has been scheduled or that the Student is directed to promptly schedule a conference with the Student Conduct Administrator. The Student Conduct Administrator may extend the timeline for good cause.
2. The Notice of Conference shall include the following information:
    a. The sections of the Student Conduct Code and other Campus policies that are the subject of the charges;
    b. A factual description of the Student's alleged conduct that forms the basis for the charges;
    c. The proposed sanction or range of sanctions;
    d. The location on the Campus where the Student can view their discipline file, including the location (or copies) of the Campus policies that were violated;
    e. Notification of any immediate, interim measures or an interim suspension (see Article VI) and/or withdrawal of consent to remain on Campus[4];
    f. Notification of the Student's right to be accompanied at the conference by an Advisor and the Campus policy regarding use of attorneys;
    g. Statement for accessibility and how to request accommodations; and
    h. A copy of this Student Conduct Process or notice of where the Student may obtain a copy. If an interim suspension has been imposed or consent to remain on Campus has been withdrawn by the time the Notice of Conference is sent, a copy of this Student Conduct Process shall be

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enclosed, along with any other Campus policy referenced in the Notice of Conference.

3. The conference with the Student shall be conducted as follows:
    a. The conference shall not be recorded.
    b. The Student Conduct Administrator controls the conference and may exclude any Advisor who materially disrupts the conference.
    c. The conference requirement is waived if the Student fails to attend the conference or otherwise declines to cooperate.
4. The Student shall respond to the charges of misconduct at the conference. The Student Conduct Administrator shall determine which cases are appropriate for resolution (via written resolution agreement), taking into consideration the results of the investigation and any additional information provided by the Student during any conferences. If agreement can be reached with the Student as to an appropriate disposition, the matter shall be closed, and the terms of the disposition shall be put in writing and signed by the Student and the University after the Student has been given a reasonable opportunity to review the proposed resolution agreement with an Advisor of the Student's choice or a University appointed Advisor pursuant to Article II, section C. Electronic signatures are accepted. A suspension of one academic year or more, expulsion, withdrawal in lieu of suspension or expulsion, or permanent withdrawal in lieu of suspension or expulsion shall be entered on the Student's transcript permanently, without exception; this requirement shall not be waived in connection with any resolution agreement. Withdrawals or stoppage of active progress with pending misconduct investigations or disciplinary proceedings shall be entered on the Student's transcript and remain until a final outcome is rendered in the matter.
5. If the Student admits violating the Student Conduct Code, but no agreement can be reached with respect to the sanction, the Student may request a hearing on the sanction only.
6. Nothing in this Student Conduct Process shall prevent the Student and the University from entering into a voluntary resolution of an actual or anticipated student disciplinary case at any time, provided that the Student is first given a reasonable opportunity to review any proposed resolution agreement with an Advisor of their choice.

C. **Notice of Hearing**

1. The Student Conduct Administrator shall issue a Notice of Hearing within **10 Working Days** after the conference has concluded. The Student Conduct Administrator may extend the timeline for good cause.
2. The Notice of Hearing shall be issued under the following circumstances:
    a. If the Student fails to attend the conference or otherwise declines to cooperate;
    b. If the outcome from the conference is not promptly resolved or documented in writing; or

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c. If the Student admits violating the Student Conduct Code, but no agreement can be reached with respect to the sanction.

3. The Notice of Hearing shall include the following information:
    a. The sections of the Student Conduct Code and other Campus policies that are the subject of the charges;
    b. A factual description of the Student's alleged conduct that forms the basis for the charges;
    c. The proposed sanctions;
    d. Notification that neither the Hearing Officer nor the president, or designee, is bound by the proposed sanction, and that the Hearing Officer may recommend, and/or the president, or designee, may set, a more severe sanction;
    e. The date, time and place of the hearing;
    f. The location on the Campus where the Student may view their discipline file, including the location (or copies) of the Campus policies that were violated and any related investigation report;
    g. Statement for accessibility and how to request accommodations;
    h. Notification that the Student may be accompanied at the hearing by an Advisor, and the Campus policy regarding use of attorneys. If attorneys are allowed, notification shall be given that any person who intends to bring an attorney as their Advisor must inform the Student Conduct Administrator of the attorney's name, address and phone number at least **5 Working Days** before the hearing. Failure to provide this notice in a timely manner will result in exclusion of the attorney from the hearing;
    i. Notification that the Student can waive the right to a hearing by accepting the proposed sanction;
    j. Notification of any immediate, interim measures or an interim suspension (see Article VI) and/or withdrawal of consent to remain on Campus5; and,
    k. A copy of this Student Conduct Process or notice of where the Student may obtain a copy. If an interim suspension has been imposed or consent to remain on Campus has been withdrawn by the time the Notice of Hearing is sent, a copy of this Student Conduct Process shall be enclosed, along with any other Campus policy referenced in the Notice of Hearing.

4. The Student Conduct Administrator shall schedule the hearing promptly, but in any event no sooner than **ten 10 Working Days** after, and no later than **twenty (20) Working Days** after, the date of the Notice of Hearing. The Student Conduct Administrator may extend the timeline for good cause.
5. A notice to appear at the hearing shall be sent to any University-related witnesses at least **five 5 Working Days** before the hearing at the University-assigned or other primary e-mail addresses linked to these persons' University accounts.
6. The Notice of Hearing may be amended at any time, and the Student Conduct

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Administrator may (but is not required to) postpone the hearing for a reasonable period of time. If the notice is amended after a hearing is underway, the Hearing Officer may (but is not required to) postpone the hearing for a reasonable period of time.

D. **Hearing**

1. The hearing is closed to all persons except the Student Conduct Administrator and/or MPP designee; the Student charged; an Advisor; the Hearing Officer; and one person to assist the Hearing Officer in recording the hearing. Any party or witnesses who will be testifying shall attend the hearing in person unless the Student Conduct Administrator permits an exception (e.g., participation via videoconference or telephone). A police or security officer may also be present if deemed appropriate or necessary by the Student Conduct Administrator or Hearing Officer. The University will cooperate in providing University witnesses wherever possible, provided that they are identified at least **five** (**5) Working Days** before the hearing.
2. Hearings are intended to be educational rather than adversarial. The Hearing Officer controls the hearing. The Student Conduct Administrator and the Student charged each put on the evidence in their case and may each ask questions of the witnesses in whatever manner the Hearing Officer deems appropriate.
3. The Hearing Officer may ask questions of any witness, the Student charged, the Complainant, or the Student Conduct Administrator.
4. Formal rules of evidence applied in courtroom proceedings (e.g., California Evidence Code) do not apply in the hearing. All information that responsible persons are accustomed to rely upon in the conduct of serious affairs is considered. Hearsay may be considered and will be given the weight appropriate under all of the circumstances. Unduly repetitive information may be excluded.
5. The Hearing Officer shall make an official audio recording of the hearing (with assistance, at the Hearing Officer's discretion). The recording is University Property. No other recording of the hearing is permitted. The audio recording shall be retained by the Student Conduct Administrator in accordance with the Campus records/information retention and disposition schedule.
6. If the Student charged or Complainant fails to appear at the hearing without good cause, the hearing shall nevertheless proceed. The Student charged may not be found to have violated the Student Conduct Code solely because the Student charged failed to appear at the hearing. Nor may the Student charged be found not to have violated the Student Conduct Code solely because a Complainant or witness failed to appear at the hearing.
7. The Hearing Officer is responsible for maintaining order during the hearing and makes whatever rulings are necessary to ensure a fair hearing. Abusive or otherwise disorderly behavior that causes a material disruption is not tolerated. The Hearing Officer may eject or exclude anyone (including the Student charged and/or the Student's Advisor) whose behavior causes a material disruption.
8. The Hearing Officer's decisions regarding procedural issues are final.
9. Where there is more than one Student charged with misconduct in connection with a

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single occurrence or related multiple occurrences, the Student Conduct Administrator and the Students charged may agree to a single hearing. A Student may request consolidation of their case with others, or the Student Conduct Administrator may initiate the consolidation (subject to FERPA and other applicable privacy laws). The Student Conduct Administrator makes consolidation decisions, which are subject to review by the Hearing Officer and thereafter are final.

10. At any time during the hearing, the Student may waive the right to a hearing and accept the proposed sanction. Such a waiver must be in writing.

E. **Standard of Proof; Report and Recommendations of the Hearing Officer**

1. After the hearing, the Hearing Officer shall make findings of fact and conclusions about whether the Student violated the Student Conduct Code. The standard of proof the Hearing Officer shall use is whether the University's charge is sustained by a Preponderance of the Evidence. It is the University's burden to show that it is "more likely than not" that the Student violated the Student Conduct Code.
2. The Hearing Officer's report shall be based only on the information received at the hearing. The Hearing Officer shall not, prior to preparing the report, have substantive communications about the facts of the case with the Student Conduct Administrator, the Complainant, the Student charged, or the witnesses, unless both the Student Conduct Administrator and the Student charged are present.
3. The Hearing Officer shall submit a written report of findings and conclusions to the president, or designee, along with any recommended sanctions. The report shall be submitted to the Campus president within **ten (10) Working Days** after the hearing.

F. **Final Decision/Notification**

The president, or designee, shall review the Hearing Officer's report and issue a final decision.

1. The president, or designee, may impose the recommended sanctions, adopt a different sanction or sanctions, reject sanctions altogether, or refer the matter back for further findings on specified issues. If the president, or desginee, adopts a different sanction than what is recommended by the Hearing Officer, the president, or designee, must set forth the reasons in the final decision letter. The president's, or designee's, final decision letter shall be issued within **ten (10) Working Days** after receipt of the Hearing Officer's report.
2. The president, or designee, shall send their decision electronically to the Student at the University-assigned or other primary e-mail address linked to the Student's University account.

Article IV. Student Conduct Sanction Proceedings Related to the CSU Nondiscrimination Policy

This Article explains the procedures that apply to all sanctioning process for cases that do **not** involve Sex-based Harassment as defined in the CSU Nondiscrimination Policy - Student Procedures. These procedures are effective August 1, 2024 and are not retroactive. These procedures below should be used

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for alleged misconduct that occurs on or after August 1, 2024.

A. **Discrimination, Harassment, and Retaliation (DHR) Administrator**
The DHR Administrator, or designee, is responsible for investigating complaints of Discrimination, Harassment, and Retaliation based on all Protected Statuses except Gender. (See the Nondiscrimination Policy - Student Procedures) Additionally, the DHR Administrator determines whether a Student violated the CSU Nondiscrimination Policy and prepares a report that includes findings and conclusions in accordance with the CSU Nondiscrimination Policy. Unless the determination is appealed as provided in the CSU Nondiscrimination Policy, it is final and binding in all subsequent proceedings.

B. **Title IX Coordinator**
The Title IX Coordinator (or designee) is responsible for investigating Complaints of Gender Discrimination, Harassment and Retaliation, including Sex Discrimination and Sexual Harassment, as well as Complaints of Sexual Misconduct, Sexual Exploitation, Domestic and Dating Violence, and Stalking. (See the CSU Nondiscrimination Policy). Additionally, the Title IX Coordinator determines whether a Student violated the CSU Nondiscrimination Policy, and prepares a report that includes the findings of facts and conclusions in accordance with the CSU Nondiscrimination Policy. Unless the determination is appealed as provided in the CSU Nondiscrimination Policy, it is final and binding in all subsequent proceedings. (In some cases, the report does not include findings of fact and conclusions and instead those are made following a hearing under the CSU Nondiscrimination Policy; but those cases are not addressed in the Student Conduct Process.)

C. **Advisors**
In cases subject to Article IV of this policy, the Parties may choose to have an Advisor. The Advisor may be anyone, including an attorney, or in the case of a Complainant, a Sexual Assault Victim's Advocate. The Advisor may not answer questions regarding the subject matter of the case for the Complainant or Respondent.

D. **Emergency Removal**
Applies only to Reports or Complaints of Sex-based Harassment

The University may remove a Respondent from its education programs or activities, including Student employment, on an emergency basis in the absence of a Complaint, before an investigation concludes or where no investigation or hearing is pending. Prior to the removal, an individualized safety and risk analysis will be conducted. The removal is referred to as an "Emergency Removal," and has the effect of an Interim Suspension, as set forth in the Student Conduct Process, including that during the period of the Emergency Removal, the Student may not, without prior written permission from the University president or designee, enter any campus of the CSU. As with Interim Suspensions in the Student Conduct Process, the president or vice president designee, in consultation with the Title IX Coordinator/DHR Administrator, will determine whether there is an imminent and serious threat to the health or safety of a Complainant or any Students, Employees, or other persons arising from the allegations of Sex-based Harassment that justifies removal.

Where a determination is made that justifies Emergency Removal, the Respondent will be provided with notice and given an opportunity to challenge the decision immediately following the removal, in accordance with the procedures in the Student Conduct Process. This includes

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the right to a hearing within **ten (10)** Working Days of a request by the Respondent for such a hearing to determine if there is an imminent and serious threat to the health or safety of a Complainant or any Students, Employees, or other persons arising from the allegations of Sex-based Harassment that justifies removal. The hearing will be conducted under the Student Conduct Process and not these Procedures as they relate to hearings.

E. **Interim Suspension**

1. **Grounds**
   A president, or designee, may impose an interim suspension pursuant to Title 5, California Code of Regulations, section 41302 where there is reasonable cause to believe that separation of a Student is necessary to protect the personal safety of persons within the University community or University Property, and to ensure the maintenance of order.

2. **Notice and Opportunity for Hearing**
   A Student placed on interim suspension shall be given prompt notice of the charges pending against them as enumerated in Title 5, California Code of Regulations, section 41302 and a factual description of the conduct alleged to form the basis for the charges. The Student may request a hearing to determine whether continued interim suspension is appropriate by filing a request with the Student Conduct Administrator. The Student Conduct Administrator will notify the Hearing Officer.

   In matters subject to Article IV this article, the Student Conduct Administrator will also notify the Complainant and the Title IX Coordinator or DHR Administrator. The Complainant may participate in any hearing conducted pursuant to this section.

   Within **ten (10)** Working Days of the request, the Hearing Officer shall conduct a hearing to determine whether there is reasonable cause to believe that the continued interim separation of the Student is necessary to protect the personal safety of persons within the University community or University Property, and to ensure the maintenance of order. 11

   The hearing is conducted pursuant to the provisions of Article IV. G this article of these procedures, as appropriate.

   The president, or designee, shall review the Hearing Officer's report and shall promptly issue a final decision regarding interim suspension. Notice to the Respondent and to the Complainant (in matters subject to Article IV this article) shall be sent to the University-assigned or other primary e-mail address linked to the party's University account. The final decision shall also be provided to the DHR Administrator or the Title IX Coordinator where appropriate.

   If the University establishes that there is reasonable cause for the interim suspension to continue, it shall remain in effect until the University closes the disciplinary matter, whether by resolution agreement, final decision or dropped charges, but in no case longer than the president has determined is required to protect the personal safety of persons within the University community or University Property, and to ensure the maintenance of order.

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3. **Denial of Presence on Campus**
   During the period of an interim suspension, the Respondent may not, without prior written permission from the Campus president, enter any Campus of the California State University other than to attend the hearing regarding the merits of their interim suspension and any disciplinary hearing. The president, or designee, may also restrict the Student's participation in University-related activities on a case-by-case basis, such as attending off-Campus activities and/or participating in on-line classes. Violation of any condition of interim suspension shall be grounds for expulsion.12

F. **Confidentiality**
The University will maintain confidentiality of reports, Complaints, and associated processes whenever possible. When necessary, to protect the campus community and to facilitate investigations and/or Supportive Measures, certain information may be shared on a "need-to-know" basis. Therefore, the University cannot guarantee confidentiality. Questions about rights and options with respect to confidentiality should be directed to the Campus Title IX Coordinator or DHR Administrator.

G. **Complaint/Investigation/Findings**

1. Complaints by Students against Students and Complaints by California State University (CSU) employees or Third Parties as defined in the CSU Nondiscrimination Policy - Student Procedures (e.g., vendors, auxiliary, employees or Campus visitors) against Students shall be investigated according to the procedures set forth in the CSU Nondiscrimination Policy - Student Procedures. The DHR Administrator or the Title IX Coordinator shall notify the Student Conduct Administrator of the status of any such Complaint, including any appeal to the Chancellor's Office (CO), as well as the investigation results (including findings, conclusions, and any Interim Remedies afforded to the Complainant). Where the investigative report finds a violation or the finding of a violation is sustained after appeal (if an appeal is filed), the Student Conduct Administrator will initiate proceedings for sanctions under this Student Conduct Process. The Student Conduct Administrator and the DHR Administrator or Title IX Coordinator will consult with respect to appropriate sanctions and Remedies.
2. Unless the CO notifies the Campus that an appeal has been filed, investigative findings pursuant to the CSU Nondiscrimination Policy become final **eleven (11) working days** after the date of the Notice of Investigation Outcome issued pursuant to the Student Conduct Process Policy. If an appeal is filed, the investigative findings do not become final until the appeal has been exhausted.

H. **Conference with Complainant**
Once the investigative findings are final, the Student Conduct Administrator shall offer the Complainant(s) the opportunity to meet with the Student Conduct Administrator. Any conference with the Complainant(s) shall occur within **ten (10) Working Days** after the Student Conduct Administrator receives confirmation that no appeal was filed with the Chancellor's Office - or, if an appeal was filed, the final appeal outcome. The purpose of the conference is to provide an opportunity for the Complainant to provide input concerning appropriate sanctions and Remedies in light of the investigative findings. Therefore, it should take place before the Notice of Hearing on Sanctions, described in section G, is provided to the Respondent. The Complainant may be accompanied by an Advisor.

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I. **Notice of Conference and Conference with the Respondent**

1. Within **ten (10) Working Days** after the Student Conduct Administrator receives confirmation that no appeal was filed with the Chancellor's Office – or, if an appeal was filed, the final appeal outcome, and after the Complainant has been given **ten (10) Working Days** to have a Conference with the Student Conduct Administrator, the Student Conduct Administrator shall notify the Respondent in writing that a conference has been scheduled or that the Student is directed to promptly schedule a conference with the Student Conduct Administrator.
2. The Notice of Conference shall include:
    a. The sections of the Student Conduct Code and other Campus policies (including the CSU Nondiscrimination Policy) that are the subject of the proposed discipline;
    b. The proposed sanction or range of sanctions, including sanctions designed to provide Remedies to the Complainant(s);
    c. Statement for accessibility and how to request accommodations;
    d. The location on the Campus or method where the Student can view their discipline file, including the location (or copies) of the Campus policies that were violated;
    e. Documentation of any immediate, interim suspension (see Article VI) and/or withdrawal of consent to remain on Campus[7];
    f. Notification of the Student's right to be accompanied at the conference by an Advisor; and
    g. A copy of this Student Conduct Process. If an interim suspension has been imposed or consent to remain on Campus has been withdrawn by the time the Notice of Conference is sent, a copy of this Student Conduct Process shall be enclosed, along with any other Campus policy referenced in the Notice of Conference.
3. Conference with Respondent and/or Complainant
   The conference with the Respondent and any conference with the Complainant(s) shall be conducted as follows:
    a. The conference shall not be recorded.
    b. The Student Conduct Administrator will lead and oversee the conference and may exclude any Advisor who materially disrupts the conference.
    c. The conference requirement is waived if the Student or Complainant(s) fails to attend the conference or otherwise declines to cooperate.
4. The Student Conduct Administrator shall, in consultation with and agreement from the DHR Administrator or Title IX Coordinator, determine which cases are appropriate for resolution (via written resolution agreement), taking into consideration the investigation report and any additional information provided by the Respondent and the Complainant(s) during any conferences. If a proposed resolution agreement can be reached with the Respondent as to an appropriate

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disposition, the terms of the proposed disposition shall be put in writing and signed by the Student and the University after the Student has been given a reasonable opportunity to review the proposed resolution agreement with an Advisor of the Student's choice. The Respondent must be informed that any proposed resolution may be appealed by the Complainant and is not final until any such appeal is exhausted. A suspension of one academic year or more, expulsion, or permanent withdrawal in lieu of suspension or expulsion, shall be entered on the Student's transcript permanently without exception; this requirement shall not be waived in connection with any resolution agreement. Withdrawals with pending misconduct investigations or disciplinary proceedings shall be entered on the Student's transcript and remain until a final outcome is rendered in the matter.

5. The Student Conduct Administrator shall promptly notify the DHR Administrator or the Title IX Coordinator of the outcome of the conferences with the Student and the Complainant(s). If the case does not proceed to hearing, the DHR Administrator (or the Title IX Coordinator) shall at that time:
    a. Notify the Complainant(s) of the outcome of the conference, including any proposed resolution agreement as well as the Complainant's right to appeal any proposed resolution agreement to the CO pursuant to Article IV. M.
    b. Take any appropriate further steps to address the effects of any Discrimination, Harassment, Retaliation, Sexual Misconduct, Dating or Domestic Violence, or Stalking.
    c. Identify and address any remaining systemic or other patterns of Discrimination, Harassment, Retaliation, Sexual Misconduct, Dating or Domestic Violence, or Stalking at the Campus.
6. Sanctions may be resolved through the conference process. It is, however, not appropriate for a Complainant to be required to "work out the problem" directly with the Respondent, and in no event should any meeting between Complainant and the Student be required.

J. **Notice of Hearing on Sanctions**

1. If the case is not resolved through the conference process, the Student Conduct Administrator shall issue a Notice of Hearing within **five (5) Working Days** after the conference has concluded. Simultaneous notice shall also be provided to the Complainant and the DHR Administrator or the Title IX Coordinator.
2. The Notice of Hearing shall be issued under the following circumstances:
    a. If the Respondent fails to attend the conference or otherwise declines to cooperate;
    b. If the outcome from the conference is not resolved within **five (5) Working Days** after the conference has concluded and documented in writing; or
    c. No agreement can be reached with respect to the sanction.
3. The Notice of Hearing shall include the following information:
    a. The sections of the Student Conduct Code and other Campus policies

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(including the CSU Nondiscrimination Policy) that are the subject of the proposed sanctions;

b. The proposed sanctions, including sanctions designed to provide protection/Remedies to the Complainant(s);

c. Notification that neither the Hearing Officer nor the president is bound by the proposed sanction, and that the Hearing Officer may recommend, and/or the president may set, a more severe sanction;

d. The date, time and place or method of the hearing;

e. The campus contact that may provide access to their discipline file and any related investigation report;

f. Notification that the Respondent and the Complainant each may be accompanied at the hearing by an Advisor. Notification shall be given that any person who intends to bring an attorney must inform the Student Conduct Administrator of the attorney's name, address and phone number at least **5 Working Days** before the hearing. Failure to provide this notice in a timely manner will result in exclusion of the attorney from the hearing;

g. Notification that the Student can waive the right to a hearing by accepting the proposed sanction, subject to the approval of the DHR Administrator or Title IX Coordinator and the Complainant's right to appeal;

h. Documentation of any immediate, interim suspension (see Article VI) and/or withdrawal of consent to remain on Campus6; and

i. A copy of this Student Conduct Process or notice of where the Respondent and/or Complainant may obtain a copy. If an interim suspension has been imposed or consent to remain on Campus has been withdrawn by the time the Notice of Hearing is sent, a copy of this Student Conduct Process shall be enclosed, along with any other Campus policy referenced in the Notice of Hearing.

4. The Student Conduct Administrator shall schedule the hearing promptly, and provide at least **ten (10) Working Days'** notice of the hearing date. The hearing will occur no later than **twenty (20) Working Days** after, the date of the Notice of Hearing.

5. A notice to appear at hearing shall be sent to any University-related witnesses and to the Complainant(s) at least **five (5) Working Days** before the hearing at the University-assigned or other primary e-mail addresses linked to these persons' University accounts.

6. The Notice of Hearing may be amended at any time, and the Student Conduct Administrator may (but is not required to) postpone the hearing for a reasonable period of time. If the notice is amended after a hearing is underway, the Hearing Officer may (but is not required to) postpone the hearing for a reasonable period of time.

7. The DHR Administrator or Title IX Coordinator retain ultimate authority regarding whether a proposed resolution agreement may be entered into after the Notice of Hearing has been issued, or after the Hearing has commenced. Factors to consider

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will vary based on the facts and circumstances of the specific case.

K. **Hearing on Sanctions**

The findings and conclusions of the investigations conducted in accordance with the CSU Nondiscrimination Policy - Student Procedures once any appeals are exhausted, are final and binding. The hearing under this Student Conduct Process is limited to determining appropriate sanctions; the findings of the investigation are not under review.

1. The hearing is closed to all persons except the Student Conduct Administrator; the Respondent; the Complainant(s); their respective Advisors; relevant witnesses or impacted parties while they are testifying; the Hearing Officer; and one person to assist the Hearing Officer in recording the hearing. All parties and witnesses who will testify must attend the hearing in person unless the Student Conduct Administrator permits an exception (e.g., participation via videoconference or telephone). A police or security officer may also be present if deemed appropriate or necessary by the vice president for Student Affairs or Hearing Officer. The University will cooperate in providing University witnesses wherever possible, provided that they are identified at least **5 Working Days** before the hearing.
2. The Hearing Officer controls the hearing. The Student Conduct Administrator and the Respondent each provide evidence in support of their case and may request the Hearing Officer to ask questions of the Complainant, Respondent, witness, and the Title IX Coordinator or the DHR Administrator.
3. The Hearing Officer may ask questions of any witness, the Respondent, the Complainant, Student Conduct Administrator, the Title IX Coordinator or the DHR Administrator.
4. The Complainant(s) may be present while evidence is being presented concerning the charges that relate to them, unless the Hearing Officer grants a request that the Complainant(s) be excused during certain testimony to protect privacy rights and/or pursuant to FERPA.
5. The DHR Administrator or the Title IX Coordinator may attend the hearing in its entirety.
6. Questions may not be posed to Complainants about their past sexual behaviors involving any persons other than the Respondent.
7. Only the Hearing Officer shall ask any questions during the hearing process. The Hearing Officer will ask questions deemed acceptable. Questions that are unclear or harassing of a Respondent, a Complainant, or a witness being questioned will not be permitted.
8. The investigation report and any CO Appeal Response prepared pursuant to the Nondiscrimination Policy - Student Procedures shall be entered into evidence at the hearing, redacted as appropriate to protect private (e.g. contact) information or as otherwise required by law.
9. Formal rules of evidence applied in courtroom proceedings (e.g., California Evidence Code) do not apply in the hearing. All information that responsible persons are accustomed to rely upon in the conduct of serious affairs is considered. Hearsay may be considered and will be given the weight appropriate under all of the

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circumstances. Unduly repetitive information may be excluded.

10. The Hearing Officer shall make an official audio recording of the hearing (with assistance, at the Hearing Officer's discretion). The recording is University Property. No other recording of the hearing is permitted. The audio recording shall be retained by the Student Conduct Administrator in accordance with the Campus records/ information retention and disposition schedule.
11. If the Respondent fails to appear at the hearing without good cause, the hearing shall nevertheless proceed.
12. The Hearing Officer is responsible for maintaining order during the hearing and makes whatever rulings are necessary to ensure a fair hearing. Abusive or otherwise disorderly behavior that causes a material disruption is not tolerated. The Hearing Officer may excuse anyone (including the Respondent, the Complainant, and Advisors) whose behavior causes a material disruption.
13. Where there is more than one Student facing sanctions in connection with a single occurrence or related multiple occurrences, the Student Conduct Administrator and the Respondents may agree to a single hearing. A Student may request consolidation of their case with others, or the Student Conduct Administrator may initiate the consolidation (subject to FERPA and other applicable privacy laws). The Student Conduct Administrator makes consolidation decisions, which are subject to review by the Hearing Officer and thereafter are final.
14. At any time during the hearing, and subject to the approval of the DHR Administrator or Title IX Coordinator, the Respondent may waive the right to a hearing and accept the proposed sanction, subject to the Complainant's right to appeal. Such a waiver must be in writing. The DHR Administrator or Title IX Coordinator retain ultimate authority regarding whether a proposed resolution agreement may be entered into after the Notice of Hearing has been issued, or after the Hearing has commenced. Factors to consider will vary based on the facts and circumstances of the specific case.
15. The Hearing Officer shall submit a written report to the president, or designee, recommending sanctions, if any, as well as any recommendations regarding additional Remedies, including but not limited to restricting the Student's contact with, or physical proximity to, the Complainant or other persons. The report shall include any mitigating or aggravating factors relied upon by the Hearing Officer in reaching the recommendations. The report shall be submitted within **ten (10) Working Days** after the hearing.

    The Hearing Officer's report shall be based only on the investigative report and the information received at the hearing. The Hearing Officer shall not, prior to preparing the report, have substantive communications about the facts of the case with the Student Conduct Administrator, the Complainant, the Respondent, the witnesses, or DHR Administrator or the Title IX Coordinator, unless both the Student Conduct Administrator and the Respondent are present.

L. **President's, or designee's Sanction Decision/Notification**
The president, or designee, shall review the investigative report and the Hearing Officer's report

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and issue a decision concerning the appropriate sanction.

1. The president, or designee, may impose the recommended sanctions, adopt a different sanction or sanctions, or reject sanctions altogether. If the president, or designee, adopts a different sanction than what is recommended by the Hearing Officer, the president, or designee, must set forth the reasons in the decision letter. The president's, or designee's, decision letter shall be issued within **ten (10) Working Days** after receipt of the Hearing Officer's report.
2. The president, or designee, shall simultaneously send the decision electronically to the Student charged and Complainant(s) at the University-assigned or other primary e-mail address linked to their University accounts. The decision shall also be sent to the Student Conduct Administrator and the Hearing Officer.
3. The president, or designee, shall also send the decision to the DHR Administrator or Title IX Coordinator so that they may determine whether any additional Remedies or steps shall be afforded or undertaken in order to maintain a safe and nondiscriminatory University environment.
4. The decision letter shall include:
    a. The outcome of the hearing on sanctions, including any sanction imposed and the name of the Respondent; and
    b. A copy of the Hearing Officer's report, redacted as appropriate or as otherwise required by law.
    c. Notice of the Complainant's and Respondent's right to appeal the sanction decision to the Chancellor's Office.
5. Unless the CO notifies the campus that an appeal has been filed, the president's, or designee's, sanction decision become final **eleven (11) Working Days** after the date of the decision letter.

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M. **Appeal of Sanction to the Chancellor's Office**
The Complainant and Respondent each may file an appeal of the president's, or designee's, decision of appropriate sanctions to the CO no later than **ten (10) Working Days** after the date of the president's decision letter. The Complainant may also appeal any proposed sanctions agreed to as part of a proposed resolution agreement with the Respondent either in the conference procedure described above or at any time thereafter. Such an appeal must be filed within **ten (10) Working Days** after the date of notice to the Complainant of the proposed resolution agreement.

1. The appeal request shall be in writing and shall indicate the basis of the appeal. Sanction appeals are limited to a determination as to whether the sanction is reasonable under the facts and circumstances as determined by the investigation and whether any prejudicial procedural errors occurred during the hearing. The CO may conduct an interview with the appealing party to clarify the written appeal, at the CO's discretion.
2. A sanction decision appeal shall be addressed to:
Civil Rights Appeal Unit
Systemwide Human Resources
Office of the Chancellor

401 Golden Shore, 4th Floor
Long Beach, California 90802
CO-Appeals@calstate.edu

3. Acknowledgement of Appeal. The CO shall provide prompt written acknowledgement of the receipt of the appeal to the appealing party and will provide written notification of the appeal to the other party, the campus DHR Administrator or Title IX Coordinator, and the Campus president (or designee).
4. Reasonable Accommodations. The CO will provide reasonable accommodations to any individual in the appeal process with a qualified Disability upon request by the person needing the accommodation. A reasonable accommodation may include an extension of time under these procedures. The timeframe for the Civil Rights Appeals Unit Response will automatically be adjusted for the time needed, if any, to provide reasonable accommodations. The Civil Rights Appeals Unit will consult with the appropriate university administrator (for Students, the services for students with disabilities administrator, and for Employees the appropriate human resource administrator) to determine the reasonableness of a requested accommodation.
5. Scope of Review. The CO appeal review shall be limited in scope to determining whether the sanction is reasonable under the facts and circumstances as determined by the investigation and whether any prejudicial procedural errors occurred during the hearing. The CO appeal review will not involve a new investigation and will not consider evidence that was not introduced during the investigation or hearing. The record will be limited to the record at the hearing.
6. CO Appeal Response. The CO shall issue a final appeal response to the parties, the DHR Administrator or Title IX Coordinator, and the campus president (or designee) no later than **ten (10) Working Days** after receipt of the written appeal unless the timeline has been extended under the Nondiscrimination Policy.
7. The CO Appeal Response shall include a summary of the issues raised on appeal, a summary of the evidence considered, the determination(s) reached regarding the issues identified within the written appeal, a decision about whether the president's sanction decision is reasonable, and, where applicable, a decision regarding the final sanction.
8. Notification of CO Appeal Response. A copy of the CO final appeal response shall be forwarded to the Complainant and Respondent, the DHR Administrator or Title IX Coordinator, and the president (or designee).

N. **Other Student Conduct Code Violations Related to Incidents of Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, or Stalking**
Alleged victims and witnesses should not be deterred from reporting any incidents of Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, or Stalking out of a concern that they might be disciplined for related violations of drug, alcohol, or other University policies. The University's primary concern is the safety of the Campus community; therefore, a person who participates as a Complainant or witness in investigations or proceedings involving Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, or Stalking shall not be subject to discipline for related violations of the Student Conduct Code at or near the time of the incident unless the University determines the violation was egregious,

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including but not limited to plagiarism, cheating, academic dishonesty, or conduct that places the health and safety of another person at risk.

Article V. Sanctions

A. The following sanctions may be imposed for violations of the Student Conduct Code:

1. **Restitution**. Compensation for loss, damages or injury. This may include appropriate service and/or monetary material replacement.
2. **Loss of Privilege**. Removal from participation in recognized student clubs and organizations (e.g. fraternities and sororities), and/or University events.
3. **Educational and Remedial Sanctions**. Assignments, such as work, research, essays, service to the University or the community, training, counseling, or other remedies intended to discourage similar misconduct or as deemed appropriate based upon the nature of the violation.
4. **Denial of Access to Campus or Persons**. A designated period of time during which the Student is not permitted: (i) on University Property or specified areas of Campus[9], or (ii) to have contact (physical or otherwise) with the Complainant, witnesses or other specified persons.
5. **Disciplinary Probation**. A designated period of time during which privileges of continuing in Student status are conditioned upon future behavior. Conditions may include the potential loss of specified privileges to which a current Student would otherwise be entitled, or the probability of more severe disciplinary sanctions if the Student is found to violate the Student Conduct Code or any University policy during the probationary period.
6. **Suspension**. Temporary separation of the Student from Student status from the California State University system.
    a. A Student who is suspended for less than one year shall be placed on inactive Student (or equivalent) status (subject to individual Campus policies) and remains eligible to re-enroll at the University or another campus (subject to individual Campus enrollment policies) once the suspension has been served. Conditions for re-enrollment may be specified.
    b. A Student who is suspended for one year or more shall be separated from Student status but remains eligible to reapply to the University or another campus (subject to individual Campus application polices) once the suspension has been served. Conditions for readmission may be specified.
    c. Suspension of one year or more, withdrawals in lieu of suspension, and withdrawals with pending misconduct investigations or disciplinary proceedings shall be entered on the Student's transcript permanently without exception; this requirement shall not be waived in connection with a resolution agreement.
7. **Expulsion**. Permanent separation of the Student from Student status from the

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California State University system. Expulsion, withdrawal in lieu of expulsion, and withdrawal with pending misconduct investigation or disciplinary proceeding shall be entered on the Student's transcript permanently, without exception; this requirement shall not be waived in connection with a resolution agreement.

B. **Multiple Sanctions**
More than one sanction may be imposed for a single violation.

C. **Good Standing**
A Student is not considered to be in good standing for purposes of admission to the University while under a sanction of interim suspension, suspension or expulsion, or while their admission or re-admission has been qualified[10].

D. **Administrative Hold and Withholding a Degree**
The University may place an administrative hold on registration transactions and release of records and transcripts of a Student who has been sent written notice of a pending investigation or disciplinary case concerning that Student, and may withhold awarding a degree otherwise earned until the completion of the process set forth herein, including the completion of all sanctions imposed.

E. **Record of Discipline**
A record of disciplinary probation or suspension is entered on a Student's transcript, with beginning and end date, for the duration of the sanction. A record of expulsion or suspension for one year or more or a withdrawal in lieu of suspension or expulsion shall note the effective date of discipline and remains on the transcript permanently, without exception. A withdrawal with pending misconduct investigation or disciplinary proceeding remains on the transcript until a final outcome is rendered in the matter. These requirements shall not be waived in connection with any resolution agreement.

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Article VI. Interim Actions

A. **Interim Measures**
Interim measures are individualized actions imposed during the initial receipt of a report or while a student conduct proceeding is underway. The vice president of student affairs, or designee, may impose interim measure(s) (as defined in Article V, Section A) if it is deemed necessary to protect the personal safety of persons within the University community or University property, or to ensure the maintenance of order. Interim measures are not disciplinary actions and do not remove the student's rights to a student conduct proceeding as outlined in Article III. Interim measures may include: loss of privilege or denial of access to campus or persons.

Upon interim measure(s) being imposed, the student charged shall be given prompt notice. Interim measures will remain in place pending the resolution of a student conduct proceeding. The vice president of student affairs, or designee, may modify or revoke imposed interim measures at any time.

B. **Interim Suspension**

1. **Grounds**
A president, or designee, may impose an interim suspension pursuant to Title 5,

California Code of Regulations, section 41302 where there is reasonable cause to believe that separation of a Student is necessary to protect the personal safety of persons within the University community or University Property, and to ensure the maintenance of order. An interim suspension may be modified by the president, or designee, at any time.

2. **Notice and Opportunity for Hearing**
   A Student placed on interim suspension shall be given prompt notice of the charges pending against them as enumerated in Title 5, California Code of Regulations, section 41302 and a factual description of the conduct alleged to form the basis for the charges. The Student may request a hearing to determine whether continued interim suspension is appropriate by filing a request with the Student Conduct Administrator. The Student Conduct Administrator will notify the Hearing Officer.

   Within **10 Working Days** of the request, the Hearing Officer shall conduct a hearing to determine whether there is reasonable cause to believe that the continued interim separation of the Student is necessary to protect the personal safety of persons within the University community or University Property, and to ensure the maintenance of order[11].

   The hearing is conducted pursuant to the provisions of Article III. D.

   The president, or designee, shall review the Hearing Officer's report and shall promptly issue a final decision regarding interim suspension. Notice to the Student charged shall be sent to the University-assigned or other primary e-mail address linked to the party's University account.

   If the University establishes that there is reasonable cause for the interim suspension to continue, it shall remain in effect until the University closes the disciplinary matter, whether by resolution agreement, final decision or dropped charges, but in no case longer than the president has determined is required to protect the personal safety of persons within the University community or University Property, and to ensure the maintenance of order.

3. **Denial of Presence on Campus**
   During the period of an interim suspension, the Student charged may not, without prior written permission from the Campus president, or designee, enter any Campus of the California State University other than to attend the hearing regarding the merits of their interim suspension and any disciplinary hearing. The president, or designee, may also restrict the Student's participation in University-related activities on a case-by-case basis, such as attending off-Campus activities and/or participating in on-line classes. Violation of any condition of interim suspension shall be grounds for expulsion[12].

Article VII. Admission or Readmission

Applicants for admission or readmission into any University program are subject to appropriate sanctions for violations of the Student Conduct Code, including qualification, revocation or denial of

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admission or readmission. Any such sanction shall be determined by a hearing held pursuant to Article III or Article IV, as appropriate. For Students who withdraw while a disciplinary matter is proceeding, the Campus has discretion whether to continue proceedings or hold proceedings in abeyance.

Article VIII. Definitions

Capitalized terms in this Policy are defined in Article V of the CSU Nondiscrimination Policy.

Authority

This policy is issued pursuant to Section II of the Standing Orders of the Board of Trustees of the California State University, and as further delegated by the Standing Delegations of Administrative Authority.

Endnotes

2 Key capitalized terms are defined in Article VIII and in Article V or the CSU Nondiscrimination Policy. Terms contained within this policy are intended to be gender neutral.

3 See Cal. Penal Code § 626.4.

4 See Cal. Penal Code § 626.4.

5 See Cal. Penal Code § 626.4.

6 See Cal. Penal Code § 626.4.

7 See Cal. Penal Code § 626.4.

8 See Cal. Educ. Code § 69810 *et seq*.

9 See Cal. Penal Code § 626.2.

10 See 5 Cal. Code Regs. § 40601(g).

11 See 5 Cal. Code Regs. § 41302.

12 See 5 Cal. Code Regs. § 41302.

Appendix A: Standards for Student Conduct

Pursuant to California Code of Regulations, Title 5, Section 41301 et seq., the Standards of Student Conduct outline the following:

"(a) 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 to others in the campus community and contribute positively to student and university life.

(b) Grounds for Student Discipline

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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:

(1) Dishonesty, including:

(A) Cheating, plagiarism, or other forms of academic dishonesty that are intended to gain unfair academic advantage.

(B) Furnishing false information to a University official, faculty member, or campus office.

(C) Forgery, alteration, or misuse of a University document, key, or identification instrument.

(D) Misrepresenting one's self to be an authorized agent of the University or one of its auxiliaries.

(2) Unauthorized entry into, presence in, use of, or misuse of University property.

(3) Willful, material and substantial disruption or obstruction of a University-related activity, or any on-campus activity.

(4) 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.

(5) Willful, material and substantial obstruction of the free flow of pedestrian or other traffic, on or leading to campus property or an off-campus University related activity.

(6) Disorderly, lewd, indecent, or obscene behavior at a University related activity, or directed toward a member of the University community.

(7) 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.

(8) 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.

(9) 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.

(10) Use, possession, manufacture, or distribution of alcoholic beverages (except as expressly permitted

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by law and University regulations), or public intoxication while on campus or at a University related activity.

(11) Theft of property or services from the University community, or misappropriation of University resources.

(12) Unauthorized destruction, or damage to University property or other property in the University community.

(13) 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.

(14) Unauthorized recording, dissemination, or publication of academic presentations (including handwritten notes) for a commercial purpose.

(15) Misuse of computer facilities or resources, including:

(A) Unauthorized entry into a file, for any purpose.

(B) Unauthorized transfer of a file.

(C) Use of another's identification or password.

(D) Use of computing facilities, campus network, or other resources to interfere with the work of another member of the University community.

(E) Use of computing facilities and resources to send obscene or intimidating and abusive messages.

(F) Use of computing facilities and resources to interfere with normal University operations.

(G) Use of computing facilities and resources in violation of copyright laws.

(H) Violation of a campus computer use policy.

(16) Violation of any published University policy, rule, regulation or presidential order.

(17) 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.

(18) 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.

(19) Violation of the Student Conduct Procedures, including:

(A) Falsification, distortion, or misrepresentation of information related to a student discipline matter.

(B) Disruption or interference with the orderly progress of a student discipline proceeding.

(C) Initiation of a student discipline proceeding in bad faith.

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(D) Attempting to discourage another from participating in the student discipline matter.

(E) Attempting to influence the impartiality of any participant in a student discipline matter.

(F) Verbal or physical harassment or intimidation of any participant in a student discipline matter.

(G) Failure to comply with the sanction(s) imposed under a student discipline proceeding.

(20) Encouraging, permitting, or assisting another to do any act that could subject him or her to discipline.

(c) 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.

(d) 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."

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All Revision Dates

6/5/2025, 10/6/2023, 8/14/2020, 3/29/2019, 6/23/2015, 6/3/2014, 4/6/2012, 8/3/2009, 2/2/2006, 9/30/1994, 3/8/1972

Attachments

- Superseded Policy (EO 0148) Dated 03-08-1972.pdf
- Superseded Policy (EO 0628) Dated 09-30-1994.pdf
- Superseded Policy (EO 0970) Dated 02-02-2006.pdf
- Superseded Policy (EO 1043) Dated 08-03-2009.pdf
- Superseded Policy (EO 1073) Dated 04-06-2012.pdf
- Superseded Policy (EO 1098 Revised) Dated 06-23-2015.pdf
- Superseded Policy (EO 1098 Revised) Dated 3-29-2019.pdf
- Superseded Policy (EO 1098) Dated 06-03-2014.pdf

Approval Signatures

Step Description	Approver	Date
DVC	Nathan Evans: Deputy VC, ASA, Chief Acad Off	6/5/2025
Area Manager	Christina Cruz: Comm Spclst, Acad & Sdnt Affrs	6/5/2025
Owner	Ray Murillo: Asst VC for SA, Equi & Belong	3/26/2025

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