



## Student Organization Code of Conduct

**This document borrows extensively from and replicates significant portions of the University of Southern California, U.C. Berkeley and the San Jose State University Student Codes of Conduct.**

San Jose State University has established the following Student Organization Code of Conduct to ensure that student organization officers understand and accept responsibility for the actions of their members and guests. The Office of Student Judicial Affairs will exercise jurisdiction over student organizations. Disciplinary sanctions may be imposed on the organization when its members or guests violate one or more of the following articles of conduct:

1. Unauthorized presentation of oneself and one's organization as a representative of the University for the purpose of gaining or attempting to gain privilege, convenience, goods or services.
2. Possession, manufacture or distribution of false or altered instruments of identification.
3. Theft (or attempted theft) of property or of services within the University community; possession of stolen property regardless of origin; misappropriation of University resources.
4. Causing physical harm to any person in the University community.
5. Causing reasonable apprehension of harm to any person in the University community or at University-sponsored activities.
6. Destroying, damaging or defacing the property of others, whether in the University community or at University-sponsored activities or assignments.
7. Behavior which disrupts or interferes with normal University or University-sponsored activities, including, but not limited to, study, teaching, research, officially invited speakers, university administration, public safety, or fire, police or emergency services or other authorized activity.

8. Failure to comply with directions of University officials acting in the performance of their duties while in the University community or at University-sponsored activities, or resisting or obstructing such university officials in the performance of their duties, including failure to carry and/or provide upon request appropriate SJSU student identification.
9. Unauthorized use, possession or dissemination of alcohol.
10. Use, possession or dissemination of illegal drugs or drug-related paraphernalia.
11. Behavior, which disrupts or interferes with the freedom of expression of others.
12. Participation in or promotion of a disturbance of the peace or unlawful assembly in the University community or at University-sponsored activities.
13. Engaging in disorderly conduct or lewd, indecent or obscene behavior in the University community or at University-sponsored activities.
14. Encouraging or permitting others to engage in misconduct prohibited within the University community. Failing to confront and prevent the misconduct, notify an appropriate University official of the misconduct, or remove oneself from the situation (if appropriate).
15. Initiating or causing to be initiated any false report, warning or threat, such as that of fire, explosion or other emergency in the University community.
16. Use or possession of firearms or replicas, ammunition, explosives, knives or other weapons or fireworks in the University community. Any exception requires prior authorization from the SJSU Department of Public Safety.
17. Knowingly violating the terms of any disciplinary sanction imposed in accordance with the Student Organization Code of Conduct. This includes further violations during a period of disciplinary sanction.
18. Verbal comments which are individually directed and which are harassing, intimidating or threatening and/or interfere with work or learning.
19. Any act chargeable as a violation of local, state or federal law may be cited as a violation of the Student Organization Code of Conduct, whether or not charges are brought by civil authorities.

20. Participation in rape or any other kind of sexual assault by an individual student or in concert with others. For the purposes of this section, students should understand that:
- a. Forced intercourse, or other sexual contact, which is not consensual is defined as rape or sexual assault whether the assailant is a stranger or an acquaintance of the complainant;
  - b. Intoxication of the accused does not diminish his/her responsibility for a sexual assault;
  - c. In situations where the complainant is incapable of giving consent, which includes but is not limited to when the complainant is prevented from resisting due to consumption of alcohol or drugs, the accused is responsible for misconduct if the accused sexually assaults the complainant.
21. Any act that intimidates or threatens a student, staff or faculty member because of his/her intending to file, filing and/or proceeding with a SJSU Department of Public Safety police report.
22. Hazing or any method of pre-initiation or initiation into a student organization or any pastime or amusement engaged in with respect to such an organization which causes or is likely to cause bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm.
23. Obstruction or disruption, of the campus educational process, administrative process, or other campus function.
24. Physical abuse of the person or property of any member of the campus community or of members of his or her family or the threat of such physical abuse.
25. Denial of membership in the organization to anyone on the basis of race, religion, national origin, age, sex, disability, veteran's status, or sexual orientation, except as sanctioned by law (California Administrative Code, Title 5, Section 41500; Education Amendments of 1972, Title IX).
26. Inappropriate use of organization and/or University funds.
27. Violation of any other University policy or campus regulations.

NOTE: Individual students may also be subject to disciplinary action depending upon the situation.