

Responding to Disruptive or
Threatening Student Behavior:
A Guide for Faculty

San Jose State University

Adapted from CSU Northridge, with permission

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Responding to Disruptive or Threatening Student Behavior: A Guide For Faculty

Introduction

In an ideal world, we would not experience misconduct that disrupts or obstructs the educational process. Such behavior undermines instruction and, thereby, negatively impacts student learning. Yet, the unfortunate reality is that a small number of our students will exhibit disruptive behavior in classrooms, lab areas, offices, field sites and other educational settings. Should you find yourself confronted with this behavior, you may benefit from the guidance and support this publication seeks to provide. If you are presently in need of immediate assistance, consider consulting with your department chair as quickly as possible. Department chairs often have unique insights into classroom culture and a great deal of knowledge about relevant campus procedures and practices. The following support services are also available to assist you.

If you need immediate assistance in responding to a threat to your safety, or the safety of others, contact the University Policy Department (408)924-2222. The department is staffed 24 hours per day and can dispatch law enforcement personnel to assist you at your campus location.

If you need to consult with someone about a student who seems to be showing signs of emotional distress, unusual behavior, or difficulty in adjusting to college life, contact Counseling Services at (408) 924-5910. Counseling Services is conveniently located in Administration Building 218, Room 201. Its experienced and well-trained staff of psychologists and counselors can assist you in determining an appropriate response to your concern. The Director is available to discuss difficult situations with you. The staff is also available to present interactive workshops for faculty and staff on assisting emotionally distressed students.

If you are in need of assistance with submitting an incident report with the Office of Student Conduct, contact the office at (408)-924-5985.

CAIT Crisis Assessment and Intervention Team
CAIT members work together to detect, track, and intervene within the campus community in order to reduce, if not completely avoid, violence and tragedy on the SJSU campus. Don't Minimize the behavior! Believe It! Report It!

Report the behavior to the following:

The Office of Student Conduct & Ethical Development
(408) 924-5985

University Police Department (408)924-2222

Or any CAIT member

CAIT Membership

Jason Laker, VP, Student Affairs (408) 924-5900
Jason.Laker@sjsu.edu

Peter Decena, Chief of Police, UPD (408) 924-2222
Peter.Decena@sjsu.edu

Terri Thames AVP, Student Affairs (408) 924-5900
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Kell Fujimoto, Interim Director, Counseling Services
(408) 924-5910 Kell.Fujimoto@sjsu.edu

Natalie King, AAVP for Faculty Affairs,
Natalie.King@sjsu.edu, (408) 924-2450

Responding to Disruptive Behavior

As the course instructor, you serve as the primary source of authority in your classroom. You are authorized to establish appropriate academic and behavioral standards. There are a number of ways you can influence how individual student behavior impacts the learning environment. Some strategies that might prove helpful include:

- articulate a commitment to student learning,
- set and communicate standards,
- personally model the behaviors students are expected to exhibit,
- lead your conversation with empathy
- firmly and fairly address disruptive behavior, and
- hold students accountable for their actions.

A learning environment that incorporates the above elements may better support students in their intellectual and personal growth while contributing to your own sense of safety and well-being.

University Standards

All students of the California State University system are required to adhere to the Student Conduct Code as stated in Section 41301 of Title 5 of the California Code of Regulations (see appendix A). The Student Conduct Code and various SJSU policies covering areas such as discrimination, harassment, and the use of computing resources are published in the Schedule of Classes and the University Catalog. Students are responsible for adhering to campus codes and policies. A number of new student orientation programs and classes are available at SJSU to assist students in their understanding of campus life, including University standards of conduct.

In the Student Conduct Code the CSU Board of Trustees articulated an expectation that students contribute to a positive learning environment. In describing student responsibilities the Code states:

“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 to contribute positively to student and university life.”

Classroom Standards

In addition to the various University standards and policies referred to above, students are subject to the academic and behavioral standards set by the course instructor.

Behavioral standards that are thoughtfully developed and effectively communicated at the start of the semester, and reinforced when needed, may exert a positive influence on classroom conduct. Behavioral concerns that, in your judgment, require special emphasis should be addressed in your course syllabus. It is quite common to include a statement of warning about cheating and plagiarism and the consequences of these forms of misconduct. Examples of other behaviors that may be addressed in your syllabus include:

- challenging the instructor’s authority in class
- inappropriate, disrespectful, or uncivil responses to the comments or opinions of others in the classroom
- threats/challenges to do physical harm (even when stated in a joking manner)
- use of obscene or profane language
- excessive talking
- late arrival to, or early departure from, class without permission
- use of personal electronic devices such as pagers, cell phones, PDAs
- consumption of food
- coming to class under the influence of alcohol or another controlled substance
- bringing individuals to class who are not enrolled, including infants/children
- improper use of equipment, materials or resources
- inappropriate conduct while on field assignments or off-campus placements connected with a course

When discussing standards at the beginning of the semester, you might want to consider an approach that does not discourage your students from forming and expressing ideas and opinions that are relevant to the course objectives. Appropriate behavioral standards tend to ensure and protect everyone’s free speech while promoting student learning.

Taking Action

A number of factors, such as the severity and frequency of a student’s misconduct, influence the action that might be appropriate to a specific instance of disruptive behavior. Thus, the following measures do not constitute a fixed procedure that must be followed in each instance. Rather, these strategies should be pursued based on your own assessment of their suitability to the situation with which you are dealing.

Give a Warning

A rare instance of rude, annoying, or irritating behavior could simply be a sign of a student’s immaturity or lack of familiarity with campus

culture. When this first occurs, you might choose to ignore such behaviors, or address them by modeling the proper conduct, or use an informal means to get a message to the student. However, recurrent acts of disruptive behavior should be addressed in a direct manner. When disruptive behavior first becomes evident, consider reminding the entire class of the need to follow the applicable standard. If the disruption involves a behavior that has not been previously addressed, take the time to communicate your expectations.

Speak individually with any student who exhibits a pattern of disruptive behavior or who commits a single incident of what you believe to be serious misconduct. Ask the student to remain after class for a conversation or to schedule a meeting. A private meeting will provide the best opportunity to discuss your concerns while avoiding the embarrassment or defensiveness the student might display if publicly addressed. However, do not meet alone with any student you believe to be a threat to your personal safety. (See the following section on Responding to Threatening or Potentially Violent Students). During the meeting, discuss the disruptive behavior, clarify your expectations, gain cooperation in adhering to class standards, and state the consequences of failing to make necessary adjustments (e.g., the filing of a misconduct complaint as discussed on page 6 of this publication). If a meeting cannot be arranged, don't hesitate to communicate by phone, email, letter, fax, or any method that allows you to reach the student before the next class session. Make a written record of any meeting to discuss disruptive behavior. If the meeting concerned a serious incident, send a letter to the student summarizing the conversation.

Involve Others

Even when there is no threat of harm, you may find it helpful to involve your department chair, supervisor, or associate dean when meeting with a student to discuss seriously disruptive behavior. In many instances the added perspective of a campus official will serve to reinforce the importance of your standards and help keep the conversation focused on behaviors rather than personalities.

In meeting with the student you may learn that the disruptive behavior is the result of some underlying conflict between the student and you or other individuals in the class. If the conflict cannot be resolved, consider utilizing the services of the mediation program, a program of the Office of Student Conduct & Ethical Development. The mediation program mediates conflict by seeking to achieve a mutually agreed upon plan addressing each party's concern. For further information on how the program might assist you, call (408) 924-5985.

Seek a Voluntary Course Withdrawal

In some cases, a student's withdrawal from a course provides the most expeditious way to end disruptive behavior that is having a negative impact on the learning environment. Conversations with students to seek their voluntary course withdrawal should be thoughtfully considered. Withdrawals should not be pursued as a substitute for discipline when a student has committed a serious act of misconduct. Withdrawals are most appropriate when there is a genuine personal conflict that cannot be readily resolved, and when any necessary administrative approvals have been secured in advance. Students will often respond negatively when they believe they have been given an ultimatum to withdraw from a class. If necessary, enlist the assistance of your department chair, associate dean, or a counselor.

If Necessary, Remove the Student from a Single Class Session

On rare occasion a student's conduct may be so seriously disruptive or threatening that immediate action is required. Begin by firmly warning the student that the behavior must stop or he/she will be asked to leave class. If the behavior persists, direct the student to leave the room for the remainder of the class session. Faculty can eject a student from a single class when necessary to end a seriously disruptive or threatening situation.

If a student refuses to leave class when directed, get to a phone and call the University Police Department at (408) 924-5985 for assistance. If necessary, temporarily adjourn the class or send a student to call UPD for assistance. A UPD Officer will be dispatched to your location and, at your request, will remove the student. Please cooperate with the Officer in making a report of the incident. It is very important that you report any immediate class removal to your department chair. The Office of Student Conduct & Ethical Development should also be notified of this action as quickly as possible by calling (408) 924-5985. The Office of Student Conduct & Ethical Development will help you develop a plan of action to be taken prior to the next class meeting.

If it becomes necessary to remove a student from class for the second time, you should do so as discussed above and then proceed with the **Student Conduct Procedures** as discussed beginning on **page 7** of this publication. Students warned of the need to correct disruptive behavior should be held accountable if the behavior continues. Corrective measures are also appropriate when a student commits what you believe to be a single act of serious misconduct. You may initiate formal disciplinary action by filing an incident report form (**Appendix B**) with the Office

of Student Conduct & Ethical Development. Students may be warned, placed on disciplinary probation, suspended, or expelled from the University for any behavior that violates the Student Conduct Code.

Responding to Threatening or Potentially Violent Students

Each of us responds differently to the behaviors of others. Encounters with students that leave you frightened and in fear for your personal safety should be taken very seriously. Direct or implied threats of violence, challenges to fight, shoving, physical attacks, stalking, threatening phone calls or correspondence, acts of harassment and similar behaviors should be immediately discussed with your department chair, UPD, and a member of CAIT. Your department chair will provide advice and support and will ensure that the college dean and other appropriate campus officials are notified. UPD, at (408) 924-5985, will assist you in assessing the threat, determining the most appropriate steps to be taken and, if necessary, will dispatch law enforcement personnel.

Meeting With a Threatening or Potentially Violent Student

Do not meet alone with an angry or hostile student. Arrange a specific appointment to meet with the student; thereby giving you time to develop a strategy.

The Office of Risk Management at CSU Bakersfield has developed a list of helpful suggestions for meeting with threatening or potentially violent individuals. With permission, their suggestions are shared below.

Do not meet with anyone who has threatened you or is an obvious danger to you. When meeting with a difficult student, co-worker, or campus visitor observe the following:

- Alert a colleague that you will be meeting with the potentially violent person and have that colleague ready to assist. Have a Public Safety Officer “on call” or with you as circumstances dictate.
- Keep the door of your meeting place open and position yourself in an area that gives you an easy exit.
- Move away any object that can be used as a weapon.
- Terminate the session immediately if your “sixth sense” tells you something is wrong.
- Avoid body language that appears challenging such as placing your hands on your hips, moving into the

other person’s territory or using aggressive facial expressions.

- Slow your speaking rate down and use a low pitch and volume to reduce the momentum of the situation.
- Ask to include a supervisor or administrator to help satisfy the agitated person’s need to feel heard.
- Listen carefully by really paying attention to what is said. Let the person know you will help within your ability to do so.
- Ask questions to help regain control of the conversation and to understand the situation.
- Neither agrees with distorted statements nor attempt to argue. Avoid defensiveness.
- Terminate the conference if the person remains belligerent and does not respond to your efforts to quiet the confrontation.
- Never physically touch an outraged person or try to force them to leave.
- If a weapon becomes evident, try to leave. If that is not possible, calmly ask the person to leave any weapon in a neutral position as you continue talking calmly. (Notify Public Safety as soon as you are able!)
- Let the person know the consequences of any violent behavior.
- Never agree to go to an unmonitored location with a potentially violent person.

In addition, it is recommended that you refrain from using words or phrases such as: you are overreacting, naïve, crazy or immature when meeting with difficult students.

Temporary Removal of a Student from Campus

There are two formal procedures for temporarily removing a student from our campus. Each of these procedures is used only under the most severe circumstances. Actual violence or a direct threat of violence against a specific individual would be grounds to consider either of these procedures.

Interim Suspension: A student may be temporarily suspended from campus when there is reasonable cause to believe that such an action is necessary to protect lives or property, and maintain order on the campus. Authority to impose an interim suspension rests with the Vice President for Student Affairs, who serves as the President’s designee for student discipline. The conditions for imposition of an interim suspension are provided in CSU Executive Order 1043, Student Disciplinary Procedures for the California State University. While on interim suspension a student is denied entry to any campus of the

CSU, except to attend a disciplinary hearing. Interim suspensions are not for the purpose of removing a student from a single class or campus location while the student is otherwise allowed to attend all other classes or locations. Contact the Vice President for Student Affairs to seek an interim suspension.

Withdrawal of Consent to Remain on

Campus: Pursuant to Section 626.4 of the California Penal Code, consent to remain on campus may be withdrawn from any student or employee of a campus when there is reasonable cause to believe that the individual willfully disrupted the orderly operation of a campus. The Vice President for Student Affairs administers this procedure as it applies to students. Once consent to remain on campus is withdrawn, a student may only come on campus to attend a disciplinary hearing. Each withdrawal of consent last for a maximum of 14 days.

Student Discipline Procedures

Serious consideration should be given to filing an incident report with against any student who, following clear warning, persists in exhibiting disruptive behavior, or who threatens or commits an act of violence or abuse. The University's student discipline procedure begins with the filing of a complaint. You are encouraged to contact the Office of Student Conduct & Ethical Development for advice in filing a complaint.

Authority for Student Discipline

Pursuant to CSU Executive Order 1043, each President of the CSU is responsible for the execution of student discipline procedures on his/her campus. At San Jose State University the Vice President for Student Affairs serves as the President's designee for student discipline. Day-to-day administration is delegated to the Office of Student Conduct & Ethical Development.

Grounds for Student Discipline

Section 41301 of Title 5 of the California Code of Regulations provides the specific reasons for which disciplinary action can be taken against a student of the CSU. These reasons are referred to as the Student Conduct Code (see Appendix A). The following infractions relate to disruptive, threatening, abusive or violent student behavior, the focus of this publication.

- Unauthorized entry into, presence in, use of, or

misuse of University property.

- Willful, material and substantial disruption or obstruction of a University related activity, or any on-campus activity.
- 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.
- Disorderly, lewd, indecent, or obscene behavior at a University related activity, or directed toward a member of the University community.
- 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.
- 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.
- 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.
- Unauthorized recording, dissemination, or publication of academic presentation (including handwritten notes) for a commercial purpose.

Filing a Report with the Office of Student Conduct & Ethical Development

Anyone can file a complaint alleging a violation of the Student Conduct Code. A complaint exists once it is put into writing, signed by the complainant, and received by the Office of Student Conduct. For your convenience, the Reporting Form (see appendix B) is available through the Office of Student Conduct & Ethical Development (408) 924-5985. However, a written complaint may be submitted in any form as long as it includes the following information:

- Name and, if known, identification number, phone number and email address of the student against whom the complaint is filed.
- A description of the misconduct, including the date, time and place of the occurrence.
- Names of witnesses, an explanation of what they can testify to, and how to reach them
- Supporting documentation/evidence of the misconduct.
- Information concerning any previous incidents involving the student against whom the complaint is filed.
- Your name and how you may be reached by phone

and email.

Please review the complaint with your department chair before submitting it to the Office of the Vice President for Student Affairs. While the department chair's agreement with the complaint is not required, experience indicates that such consultation assists in promoting internal coordination and support.

Initiation of Student Discipline

The Office of Student Conduct & Ethical Development initiates formal disciplinary action against students. Upon review of a written complaint a determination is made as to whether there is sufficient evidence to suggest a Code violation. If so, the following steps are taken:

1. The student is notified in writing of the alleged violation.
2. The student meets with the conduct administrator and is given an opportunity to respond to the alleged misconduct. If the charge is not dropped, the student is given an opportunity to accept a disciplinary sanction (e.g. written admonishment, probation, suspension or expulsion), or request a formal hearing.
3. Formal hearings are conducted before a University Hearing Officer who issues findings and recommendations to the President's Designee for Student Discipline, the Vice President for Student Affairs.
4. Following review with the President, if appropriate, the Vice President for Student Affairs issues a final determination.

The University carries the burden of proof when charging a student with violation of the Student Conduct Code. If a case proceeds to formal hearing, the testimony of the individual bringing the complaint will normally be required. Such hearings are closed and confidential except as to the participants.

The results of complaints initiated against students charged with acts that are disruptive, abusive or threatening are normally communicated back to the complainant or any individual who may have been a victim of a violent act.

What to do While Disciplinary Proceedings are Under Way

A number of factors influence the length of time it takes to conclude the disciplinary process. The most significant factors include the student's timely response to official notices, the student's willingness to resolve the complaint in conference with the Office of Student Conduct & Ethical Development, and the procedures for conducting a formal hearing, if so requested by the student. The student

discipline process moves relatively quickly (i.e., 1-3 weeks) when the student immediately responds to notices and resolves the matter in the informal conference with the student conduct administrator. A longer process (i.e., 4-8 weeks) should be anticipated when the student requests a formal hearing.

Students do not automatically lose the right to continue attending their classes upon being charged with a violation of the Student Conduct Code. When the alleged violation involves a verified threat of harm to you or another member of the class, every effort will be made to prevent the student from returning to class while the case is being adjudicated. This could include the imposition of an interim suspension, if appropriate. Less severe cases will be evaluated on a case-by-case basis. While the University's goal in these circumstances is to protect your safety and the integrity of the educational process, there is also a need to mitigate the effects of missed class time while the accused student receives due process. As such, you may be asked to propose alternate ways that the student's educational interest can be preserved between the time that they have been asked not to return to class and the conclusion of disciplinary proceedings.

Use of Attorneys

San Jose State University does not permit the use of attorneys in the student discipline process unless the student is currently subject to criminal proceedings based on the same allegations. Faculty should contact the Office of Student Conduct & Ethical Development for guidance if contacted by a student's attorney. Students are permitted to have an advisor or observer present when meeting with the conduct administrator, but that individual normally cannot be an attorney.

Special Issues

Student Complaints against Students

When students report classroom misconduct that you did not witness, you should gather as much information as possible, and determine whether you believe a violation has occurred. Next, contact the UPD and the Office of Student Conduct & Ethical Development or your department chair and determine whether to file a complaint in accordance with the procedures discussed in this publication.

Students may independently initiate a complaint against another student for violation of the Student Conduct Code. Please assist your students in understanding the

procedures for filing a complaint as discussed in this publication, or refer the individual to the Office of Student Conduct & Ethical Development, UPD or Counseling Services.

Student Complaints Against Faculty

Faculty should be aware of existing complaint procedures and how students may make use of them. Complaint procedures provide important opportunities for systematic problem solving and can minimize personal conflicts. As a general rule, students should first attempt to resolve their concern with the appropriate faculty member. Students who are dissatisfied with the outcome of that effort should be directed to the appropriate department chair, associate dean, or the University Ombudsman. Students who wish to file a formal complaint about an academic decision or a grade may use the Academic Grievance and Grade Appeal Procedures, which are available through the University Ombudsman. Students wishing to file a complaint about discrimination may do so through the Office for Equal and Opportunity at (408) 924-2250. Faculty should also contact these offices or their department chair for assistance in responding to such complaints.

Disruptions Caused by Students with Disabilities

All students, including those who have a disability, are expected to adhere to the Student Conduct Code. If you believe a student is genuinely experiencing difficulty in exhibiting appropriate behavior because of a disabling condition, you may wish to contact Counseling Services at (408) 924-5910 or the Disability Resource Center, at (408) 924-6000, for assistance. Contact UPD at (408) 924-2222 if your concern involves an immediate threat of health or safety. Normally, a disabling condition will not constitute an acceptable excuse for violating the Student Conduct Code. Your decision to initiate a complaint against a student should be based on the student's behavior and not his/her disability.

Student Records Access

Federal law and campus policy protect students against third party access to information contained in their records. Except as permitted by University policy, students must provide written authorization for release of information in their student record to a third party, including matters of student discipline. Inquiries into student discipline records should be directed to the Office of Student Conduct & Ethical Development. Additionally, do not convey the content of a student record to any member of our faculty or

staff who does not have a legitimate need to know the information as a result of his/her official duties.

With few exceptions, students have a right to access most records (including email correspondence) in which they are identified by name or other distinguishing characteristic such as student identification or social security number. (Note that such access does not extend to your personal notes that are only available for your personal use.) Therefore, you should draft all written correspondence as though the student will eventually gain access to it. With this in mind, refrain from unnecessary opinions, personal insults or derogatory characterizations in any written correspondence.

STUDENT CONDUCT CODE

California Code of Regulations

Title 5 Article 2

Section 41301/Standards of Student Conduct

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

(b) 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 behavior is subject to disciplinary sanctions 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 education 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 athletics events or school sanction 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 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 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.

(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.

Note: Authority cited: Sections 66017, 66452, 66600, 69810, 89030 and 89035, Education Code. Reference: Sections 66450, 69813 et seq. and 89030, Education Code.

STUDENT CONDUCT CODE VIOLATION REPORTING FORM

Office of Student Conduct & Ethical Development One Washington Square. San José, CA 95192-0031 (408) 924-5985

For all cases of alleged violations to the Student Conduct Code, please complete and return this form to the Office of Student Conduct & Ethical Development, Administration Building, Room 218, Phone Number 4-5985, and Extended Zip 0031. This report will enable the University to identify students who violate the Student Conduct Code.

REPORTING PARTY

Last Name:	First Name:	Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female	SJSU Identification #: <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	
Street Address:	Apt. #:	City:	State:	Zip Code:

OFFENDER

Faculty/Staff Name:	Contact Phone #:	E-mail Address:
Department:	College:	Dept. Extended Zip:

DESCRIPTION & DATE OF INCIDENT

Date of incident: _____

Please include all pertinent documentation with this report.

If you have any questions, please call the Office of Student Conduct & Ethical Development at (408) 924-5985 or refer to the Academic Senate Policy on Academic Integrity at http://sa.sjsu.edu/student_conduct. You may also email the Office of Student Conduct & Ethical Development at studentconduct@sjsu.edu.

Office of Student Conduct & Ethical Development Use ONLY:

SAJUD: Yes No PAVESYSTEMS: Yes No

Adapted from CSU Northridge