



# CAL MARITIME

## Clubs and Organizations

A HANDBOOK FOR RECOGNIZED CAMPUS CLUBS AND ORGANIZATIONS



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## INTRODUCTION

This handbook is designed to assist all Recognized Student Organizations (RSOs) with understanding University policies, identifying resources available through the Associated Students and obtaining information that will help make your activities function efficiently. This handbook is not intended to be all-inclusive, and much of the information is in excerpt or abbreviated form. Most campus-based policies that RSO will need to adhere to are maintained within the Office of the President. However, there are many other policies and requirements applicable to RSOs, including system-wide CSU policies and executive orders.

If you have any questions or would like further information on a specific topic, please contact the Executive Director of the Associated Students. Contents in this handbook are reviewed and approved by the Executive Director of the Associated Students and the Dean of Student's Office.

*\*The contents of this handbook are subject to change in response to updates to Cal Maritime or CSU policy.*

## MEMBERSHIP

Every student organization and club should make a conscious effort to undertake recruitment efforts to ensure diversity within the group's membership and to reach populations currently underrepresented. Recruitment materials and activities should be designed to promote and embrace diversity.

### Membership Development

Joining a recognized student organization or club should be a positive experience; therefore, membership development should focus on the positive aspects of both the organization and the individual. Groups must carefully examine their screening criteria to ensure that it is inclusive of all students on campus. Abusive behavior toward, or hazing of, a member of the campus community is strictly forbidden. (Please see sections on Hazing and RSO Code of Conduct).

## FREEDOM OF EXPRESSION AND THE CAMPUS COMMUNITY

Freedom of expression is a cornerstone of a democratic society and is essential to the educational process. Universities have a special obligation not only to tolerate but also to encourage and support the free expression of ideas, values, and opinions, even where they may be unpopular or controversial. Cal Maritime accepts and embraces this obligation, recognizing that such expression may take a variety of forms, such as speeches, signs, written materials, public assemblies, parades, demonstrations, and artistic representation.

Acknowledging the central role - the unfettered exchange of information and ideas, plays in learning and in a free society - the University shall ensure that individuals and groups are afforded wide latitude in exercising the right of free expression and that their constitutionally protected right to free expression is not abridged. Freedom of expression, however, is not an absolute right. It coexists with other rights and the need for lawful public order.

To ensure that exercise of the right of free expression does not interfere with University functions, imperil public safety, obstruct, or damage University facilities, the University will establish and enforce campus regulations in accordance with the [CSU's Interim Time, Place and Manner Policy](#).

The University recognizes that causing discomfort and even causing offense is not, of itself, a basis for limiting free speech. At the same time, all members of the University community should recognize that freedom of expression includes a responsibility to respect the dignity of others, and to acknowledge the right of others to express differing opinions.

We recognize the right to freedom of expression and challenge all students to express themselves in a manner that promotes and maintains the ideals of respect, equality, diversity, and freedom from unlawful harassment. While the University does not approve or disapprove student organization or club activities based on content or expression, student organizations or clubs are strongly encouraged to be sensitive in selection of event themes, costumes, t-shirt designs, and promotional materials that might portray an offensive or unintended stereotype based on race, color, ethnicity, culture, national origin, ancestry, citizenship, religion, gender, gender identity or expression, sexual orientation, disability, or other personal characteristic. Programs and activities should contribute to creating a campus community that is free of conduct that interferes with any person's academic efforts or creates an unlawful hostile, intimidating, exploitative, or demeaning environment. A student or student organization that participates in unlawful harassment (see section on RSO Code of Conduct) is subject to University discipline. Anyone who believes their rights to freedom of speech or expression have been violated may submit a complaint to the Dean of Students Office.

## **On-Campus Recognition**

### **Privileges of On-Campus Status**

A student club or organization with on-campus status becomes an official member of the campus community and enjoys the following privileges:

- Official recognition
- Use of campus facilities for meetings and events (currently coordinated through the Club Advisor or Executive Director of the Associated Students)
- On-campus fundraising opportunities, with prior approval from the ASCMA Board, the Executive Director of ASI, and the Office of Advancement
- Scheduling and publicizing of campus activities and events
- Use of ASCMA equipment and services
- Inclusion in ASCMA insurance coverage
- Access to ASCMA funding and on campus banking services
- Inclusion in the ASCMA Directory
- Opportunity to meet new people, enhance personal skills, and participate in leadership opportunities

### **Responsibilities of On-Campus Status**

On-campus status carries with it the following responsibilities:

1. Membership: 80% of members of an on-campus club must be a registered student of the University. Student organizations fall under their own rules or bylaws in regard to membership.
2. The club agrees to participate in the following events held on campus:
  - Club Rush
  - Preview Day
  - Cal Maritime Day

3. On-campus status must be renewed each academic year.
4. Each club and organization (when applicable) must have a copy of its current constitution on file in the Office of the Executive Director of the Associated Students.
5. Club and organization officers must maintain a semester and cumulative grade point average of at least 2.0.
6. Clubs and Organizations are required to comply with applicable federal and state laws, CSU Executive Orders, Cal Maritime policies, and all requirements for recognition of on-campus clubs and organizations.
7. Clubs engaging in sports competition are required to comply with additional regulations developed by ASCMA.
8. Clubs and organizations must comply with ASCMA fiscal regulations pertaining to documentation and records of revenue, expenditures, and receipts.
9. Clubs and organizations are responsible for planning/participating in a community service project or campus service project during each academic year. The ASCMA Community Engaged Learning Liaison is available to assist in the coordination of the service project.
10. Clubs and organizations are encouraged to present proposals for campus service projects and encourage student body participation. In some instances, additional funding may be granted for such projects.
11. An annual club due amount for each member must be determined and specified in the Club application. The club due amount for each member must be a minimum of \$5 per member.
12. Clubs will not restrict membership based on race, gender, ethnicity, sexual orientation, disability, color, citizenship, age, religion, marital status, or national origin.
13. Clubs must make membership available to every student on the campus regardless of the nature of the club (Title 5 states that social sororities and fraternities may impose gender limitations on membership).
14. Official recognition of a club or student organization may be withdrawn for hazing or conspiracy to haze as defined in the California Code of Regulations, Title 5, *Standards for Student Conduct*, Section 41301(b)(8). Individual students may be disciplined for hazing under Section 41301(b)(8).
15. Clubs must have at least five (5) Cal Maritime students enrolled in at least six units to be recognized as an on-campus organization.
16. Clubs may not delegate the process of approving or managing student organizations or their activities to Auxiliaries (food services, etc.). Advising must come from a full or part time California State University employee (Faculty or staff member).

#### **Procedures for Obtaining On-Campus recognition and funding**

Any student club or organization desiring to operate on the Cal Maritime campus must apply for recognition initially and thereafter on an annual basis. The Club Constitution must be submitted and approved before official recognition or funding can occur. Active clubs seeking to renew their official status for the current academic year may submit a previously approved constitution, which will be subject to review by the ASCMA Director of Student Affairs.

Appendices A-D of this document should be completed. The appendices are as follows:

- Appendix A: Club Constitution (Sample provided)
- Appendix B: ASCMA Informational Form for Student Clubs/Organization
- Appendix C: ASCMA Inventory of Club Officers and Contact Information
- Appendix D: Memorandum of Understanding for Club Approval

New clubs must not conflict with the purpose of already established active clubs. All new clubs will be required to present their requests for approval and funding in person to the ASCMA Board in coordination with the Director of Student Affairs, and the Vice President of Finance. Additionally, a meeting with the Executive Director of the Associated Students may be required. Club officers may also be required to go through financial training as dictated by the ASCMA Vice President of Finance. Counseling is available for constitution creation and club creation.

### **Student Organizations**

Student organizations are defined in different terms than clubs. Organizations are generally governed under authorities other than the ASCMA Board, however, they can request funding from ASCMA. Because of this they fall into their own categories and will tend to have their own requirements.

## **Event Approval**

### **Event Approval Process**

Events are subject to approval by the Executive Director of the Associated Students. Clubs and Organizations may hold or sponsor events on campus at any time during the academic year with the exception of final exam week(s). Clubs and Organizations are required to submit all the proper paperwork to the ASCMA Director of Student Affairs. Depending on the type of event, approval may be needed from other factions of the campus. Additionally, fund requests for divisional events during the Summer Training Cruise must be presented and approved by the ASCMA Board at least two (2) weeks prior to the final meeting of the Spring semester.

### **Requirements**

Event requests must be made by submitting the proper paperwork five to seven (5-7) business days or more of the requested event, including, but not limited to, the [ASCMA Event Request Form](#). Depending on the scale of the event, more time may be needed or required. At that time a decision will be made regarding the event, availability of space, additional costs, and other obligations associated with the event. Clubs or Organizations may be required to present a proposal to the ASCMA Board. The last day for requests of the fall semester will be the last Friday two (2) weeks before finals. All final requests for the spring semester will be the last Friday three (3) weeks before finals.

### **Publicity**

No publicity may include vulgarity, graffiti, or demeaning artwork. Clubs and Organizations may contact ASCMA's Marketing Coordinator to request marketing services. The Executive Director of the Associated Students must approve publicity outside of campus for sponsored events in advance.

Campus posting of notices and other publicity items shall only be done on bulletin boards, Fantail website, or kiosks at the following designated areas on campus:

- Morrow Cove
- Physical Education and Aquatic Center (PEAC) with proper approval
- Residence Halls with proper Housing Approval
- Classroom Building (Not on any glass)

Any postings in Residence Halls and Resident Assistants (RA) boards must be approved by the housing department before advertisements are placed.

### **Travel**

Only members and/or advisors may travel on behalf of their club or organization. ASCMA carries insurance for approved events but not for vehicular coverage. Clubs must arrange for rental of vehicles individually through the Executive Director of the Associated Students.

Any vehicle rentals require the appropriate forms signed by the designated club executive, and the Executive Director of the Associated Students. Any person driving a vehicle rented through Cal Maritime must be 21 years of age, complete the CSU Defensive Driving online course, and submit a copy of their certificate of completion and valid CA Driver's License to the Executive Director prior to any vehicle rental. All students attending any event off campus must complete the Liability Waiver before departing on any trip.

## **Funding**

Clubs and student organizations may be granted funding by submitting a proposal of funds needed to the VP of Finance by Wednesday of each week and request for the proposal to be placed on the ASCMA agenda at the next upcoming ASCMA Board Meeting. Funding requests need to be made at least three (3) weeks before funding is needed. Request for funding takes at least two weeks for approval. Funding is supplied at the discretion of the ASCMA Board and the Office of the Executive Director of the Associated Students. Mismanagement or misuse of funds may result in loss of additional funding and depending on the case conduct or criminal charges.

### **(1) Obtaining Funds**

Renewing clubs and student organizations should complete the Informational Form when turning in their club/organization packet to claim funds from the previous year, subject to AS Board approval.

### **(2) Using Funds**

A club must submit the proper forms to use funds. Depending on the intent of use, additional forms may be required. All forms must be filed with the ASCMA Vice President of Finance prior to the desired use date.

### **(3) Limitations of funding use**

Funding supplied or managed by ASCMA is subject to approval by the ASCMA Board and the Executive Director of the Associated Students. Funds should be used and planned to be used for the benefit of the entire club/organization. Exclusion of individuals in the club/organization or abuse of funds may result in disciplinary action.

Funding may not be used for the following items:

- Alcohol and related paraphernalia
- Drugs and related paraphernalia
- Items that conflict with established campus policy

## **Fundraising**

Student clubs and organizations may hold fundraising activities to support the club. Permission for the sale of items, and their designs, must be obtained from the ASCMA Board, the Executive Director of the Associated Students, and the Office of Public Affairs prior to the sale. Failure to obtain such permission may result in loss of recognition as a club and forfeiture of allocated club/organization funding. Fundraising off campus must be approved by the ASCMA Board, the Office of Public Affairs, and the Executive Director of the Associated Students.



## **Deadlines**

All spending requests must be made at a minimum of ten (10) business days prior to the requested date. Some requests may take longer, and consideration must be taken by all involved parties for such instances. The last day for requests of the fall semester will be the last Friday two (2) weeks before finals. All final requests for the spring semester will be the last Friday three (3) weeks before finals.

## **Advisors**

### **Role of Advisors**

Each club and organization must be represented by an advisor(s). The advisor may be selected from either Cal Maritime faculty or staff members, who is willing to represent the interests of the members whenever required to do so by these requirements.

Advisors are responsible for supporting and advising the efforts and activities of student club and organization officers and ensure that the club or organization adheres to the ASCMA handbook in all matters. Whenever possible, the advisor should attend scheduled meetings and events. The advisor will be the recognized representative for issues of organizational conduct and adherence to regulations and policies that apply to the student club and organization. No limitations will be placed on the tenure of an advisor.

### **Club and Organization Responsibility to the Advisor**

It is the responsibility of the recognized club or organization to utilize their advisor and maintain open communications. The following are requirements for the club/organization advisor relationship:

- a. Notices for meetings and any meeting materials or minutes should be given to the advisor.  
When a designated meeting time is set for the semester or the year, every attempt should be made to set a time that is convenient for the advisor.
- b. If executive meetings are established to determine agendas for the meetings, the advisor should be invited to those meetings. If the advisor is unable to attend, the advisor should be informed about what is discussed and requested to submit additional items.
- c. The officers of the club or organization should provide opportunities for the advisor to meet with as many members as possible.
- d. Clubs and organizations should always invite the advisor to all events, as a way of keeping the advisor informed of activities sponsored by the organization.
- e. If situations arise that may cause problems for the club or organization or any member thereof, the advisor should be informed immediately.
- f. Clubs and Organizations should involve the advisor with the finances and financial condition of the club/organization.
- g. Clubs and Organizations should recognize that an advisor should not be committed to any type of obligation unless there has been prior agreement to the commitment.
- h. Clubs and Organizations should be aware that the advisor is providing services without compensation. Although advisors do not expect special recognition, they like to know that their services are appreciated.

If there is a disagreement between the advisor and membership of the club or organization, the problem should be reported to the Executive Director of the Associated Students for review and resolution.

## **Club/Organization Officers**

## Requirements

All student representatives, candidates, and incumbents for major and minor office positions must:

- Be matriculated at Cal Maritime.
- Maintaining a minimum campus term grade point average (GPA) of 2.0.
- Be in good standing, and must not be on academic, disciplinary or administrative probation.

## Selection

Club officers are selected based on the rules and bylaws in the club's constitution. Student Organization officers are selected under their own rules or regulations.

## Club & Organization Misconduct

Recognized clubs and organizations are required to carry out the responsibilities of on-campus status, including following all procedures for obtaining on-campus recognition and funding, event approval, and expenditure of ASCMA funds. In addition, recognized clubs and organizations will be held to a standard of conduct applicable to all Cal Maritime students, as set forth in the Student Handbook and Rules & Regulations governing the Corps of Cadets.

## Recognized Student Organization Code of Conduct (RSOCC)

All student clubs/organizations are required to be recognized by the University through a process administered by the Dean of Students Office and Associated Students of the California Maritime Academy (ASCMA).

Recognized Student Organizations are subject to all University policies and rules and are responsible for the conduct of their members. Policies and procedures developed by external Greek councils or other external organizations are managed separately as outlined by their respective organizations and do not preclude action under this RSOCC.

In accordance with California State University (CSU) Executive Order 1068, Cal Maritime's president has the responsibility for implementing campus policies, procedures, and/or guidelines for student organizations and activities. This Recognized Student Organization Code of Conduct (RSOCC) is in compliance with EO 1068 and sets forth the Code of Conduct for Cal Maritime's Recognized Student Organizations (RSOs). All campus RSOs are subject to this Code of Conduct. This RSOCC complies with all student organization requirements described in Title 5 of the California Code of Regulations, Sections 41500 (Withholding Recognition), 41501 (Definition of Recognition), 41503 (Filing Requisites), and 41504 (Penalties); CSU Executive Orders 868 and 1109 regarding Alcohol; CSU Executive Order 1068 (Student Activities); and Cal Maritime Alcohol Policy.

Authority and responsibility for administering this RSO Code of Conduct is delegated by the campus President to the Vice President for Student Affairs, the Dean of Students, and the Student Conduct Administrator.

Cal Maritime is committed to maintaining a safe and healthy living and learning environment for students and employees. All campus community members should engage in activities that contribute toward this end. Student organization behavior that is not consistent with the RSOCC is addressed through an educational process that is designed to promote safety and good citizenship, and when necessary, impose appropriate consequences.

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 Code, regardless of whether it occurs on or off campus. Nothing in this code is intended to conflict with California Education Code Section 66301 that prohibits disciplinary action against students based on behavior protected by the First Amendment.

### **Equal Access**

Cal Maritime RSOs shall not discriminate either in the content of bylaws or in practice against any person on the basis of age, disability, gender, gender identity, genetic information, nationality, race or ethnicity, religion, sexual orientation, citizenship, or veteran status.

### **Member Responsibilities**

Members of RSOs are expected to be good citizens and to engage in responsible behaviors that reflect well upon their student organization and the University. Cal Maritime has established this Code of Conduct to ensure that all student organization officers and members understand and accept responsibility for their actions, and the actions of their members and guests.

### **Application of This Code**

The Office of Student Conduct & Ethical Development (OSCED) will exercise jurisdiction over the conduct of all recognized student organizations and sports clubs.

Action by the OSCED does not preclude action by the Associated Students of the California Maritime Academy, or other external governing bodies.

Sanctions for the conduct listed below may be imposed on student organizations found responsible for violating this RSOCC. The Office of Student Conduct & Ethical Development uses a preponderance of evidence standard when making determinations regarding violations of this RSOCC in accordance with the policy and procedures set forth in CSU Executive Order 1098. Misconduct by members of student organizations may also subject the members, in their role as a student, to discipline under the CSU Student Code of Conduct. Individual student discipline is addressed elsewhere; this Code focuses on discipline against the organization.

### **Interim Sanctions**

The Dean of Students or designee may immediately impose interim sanctions where there is reasonable cause to believe that such an action is required to protect the health, safety, and well-being of members of the campus community, to protect University resources and property, and/or to ensure the maintenance of order. This may include, but is not limited to, cases involving hazing, incidents involving injury or violence, sexual misconduct, illegal alcohol or drug activity, or an ongoing pattern of serious violations. Interim sanctions may include a temporary suspension of official recognition and/or restrictions on specific activities including, but not limited to, social probation, participation in campus events, hosting activities, conducting meetings, and recruiting members. Interim sanctions may remain in effect until a final sanction's decision has been reached at the discretion of the Dean of Students or designee.

### **Procedure**

OSCED has responsibility for handling all allegations of RSO misconduct on behalf of the University. When OSCED receives a report or information about a student organization's alleged misconduct, an investigation

may occur if warranted (as determined by OSRR). OSCED will send the president of the student organization a written letter to schedule an informal conference as well as to notify the president of the charges and the range of potential sanctions. Allegations involving discrimination, harassment, and/or retaliation based on a protected status, or allegations of sex/gender discrimination, harassment, retaliation, sexual misconduct, dating or domestic violence, or stalking, will be handled by the campus Title IX Coordinator/ DHR Administrator in accordance with the policy and procedures set forth in CSU Executive Order 1097, in coordination with OSCED.

During the informal conference, the Student Conduct Administrator will meet with the president of the RSO to discuss the allegations and charges, as well as the proposed sanctions. The RSO president may have one advisor of their choice. The RSO charged may elect to be accompanied by an advisor of their choice to a meeting, interview, or hearing regarding the allegations, subject to the same limitations set forth in Executive Order 1098 Article II. C (pertaining to individual student conduct proceedings). The advisor may not answer questions regarding the subject matter of the proceedings for the RSO charged. Where attorneys are permitted, the RSO charged may elect an attorney as an advisor. However, an advisor is limited to observing, consulting with, and providing support to the RSO. RSO Code of Conduct matters are not legal processes, and attorneys may not participate directly in the process. If the RSO is found responsible for misconduct by the Student Conduct Administrator, the Student Conduct Administrator will issue a written notice to the RSO president setting forth the final charges and related sanctions. Outcome letters from the Office of Student Conduct & Ethical Development are Administrative Actions and, therefore, are not required to be memorialized in writing by the RSO president. An opportunity to speak into the proposed sanctions will be provided to the RSO president prior to the office outcome letter being submitted. The University does not have appeals process for RSOs.

The RSO president may view their organization's disciplinary file by contacting the Office of Student Conduct & Ethical Development. Organization conduct files will not be released during an open investigation. Conduct files may contain the following documents: photographs, supporting documents, memos, police reports, and official letters submitted to the RSO president. Each case is unique, and not all files will contain each of these components. If necessary, the Office of Student Conduct & Ethical Development may redact documents to protect any student/witness identities as appropriate. The University will not release the Student Conduct Administrator's investigation notes. RSO disciplinary files must remain in the Office of Student Conduct & Ethical Development and will not be sent to RSO president via email. These files will remain part of the RSO's indefinitely.

### **Unacceptable Student Organization/Member**

The following conduct is unacceptable and may subject the student organization to disciplinary sanctions:

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 the organization to be an authorized agent of the University or one of its auxiliaries. Recognized student organizations and their operations are legally separate, independent organizations, do not represent the University, and are not agents of the

University.

2. **Unauthorized entry** into, presence in, or use of any facility, property, or equipment owned or operated by the University or a University auxiliary organization, including but not limited to violation of visitation policies of University or University auxiliary owned or operated student residential facilities.
3. **Disruption.** Willful, material, and substantial disruption or obstruction of University operations, University-related activities or on-campus activities; or sponsoring or encouraging activity that substantially and materially disrupts the operations of the University or that infringes on the rights of members of the University community.
4. **Noise**
  - a. Violation of municipal noise ordinances.
  - b. Violation of municipal unruly gathering ordinances.
  - c. Excessive noise which disrupts the campus or surrounding community, including violation of campus amplified sound policy.
5. **Obstruction.** Willful, material, and substantial obstruction of the free flow of pedestrian or other traffic, on or leading to or from campus property, or an off-campus University authorized activity.
6. **Disorderly Behavior.** Disorderly, lewd, indecent, or obscene behavior at a University-related activity, or directed toward a member of the University community.
7. **Health & Safety.** 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, sexual misconduct, throwing bottles or objects that could result in personal injury, or where three or more members of a student organization engage in group violence or taunt others to engage in violence.
8. **Hazing and Conspiracy to Haze.** Hazing is defined as any method of indoctrination, 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. **Drugs.** Use, possession, manufacture, or distribution of illegal drugs or drug-related paraphernalia (except as expressly permitted by law and University regulation) or the misuse of legal

pharmaceutical drugs at an organization-related event or facility.

10. **Alcohol.** Use, possession, manufacture, or distribution of alcoholic beverages (except as expressly permitted by law and University policy) or public intoxication while on campus or at a University-related activity (see Cal Maritime's Alcohol Policy regarding on- and off-campus use, service, sale, and consumption for more detailed information).
11. **Theft or Misappropriation of University Resources and Property.**
  - a. Theft of property or services from the University community, or misappropriation of University resources. Unauthorized removal of University property from common use areas.
  - b. Possession by the student organization or presence at organization-related activities or facilities of stolen property or University property that has been removed without University authorization.
12. **Property Damage.** Unauthorized destruction, defacement, or damage to University property or other property in the University community, including removal, alteration, or damage to University signs or banners.
13. **Weapons.** Possession, use, or misuse of firearms or guns, replicas, ammunition, explosives, fireworks, knives, other weapons, or dangerous chemicals at a University-related activity or at a student organization facility, function, or activity.
14. **Misuse of Computers.** Misuse of University 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 of 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 policy.
15. **Violation of Policies.** Violation of any University policy, rule, regulation, or presidential order.
16. **Commercial Purpose.** Unauthorized recording, dissemination, or publication of academic presentations (including handwritten notes) for a commercial purpose.
17. **Failure to Comply.** Failure to comply with directions or interference with any University official or any public safety officer while acting in the performance of their duties.
18. **Violations of Law.** Any organization-related act chargeable as a violation of 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 this RSOCC**, including:
  - a. Falsification, distortion, or misrepresentation of information related to a student organization discipline matter.
  - b. Disruption or interference with the orderly progress of a student organization disciplinary matter.
  - c. Attempting to discourage a person from participating in a student organization disciplinary matter.
  - d. Attempting to influence the impartiality of any participant in a student organization disciplinary matter.
  - e. Verbal or physical harassment or intimidation of any participant in a student organization disciplinary matter.
  - f. Failure to comply with the sanction(s) imposed under a student organization disciplinary proceeding.
20. **Aiding and Abetting.** Aiding, abetting, encouraging, permitting, or assisting a student or student organization to do any act that would violate a University policy or applicable law or that could subject the student or student organization to discipline.
21. **Debts.** Failure of the organization to pay when due debts owed to the University or a University auxiliary organization.
22. **Discrimination.** Discrimination in membership policies on the basis of race, religion, national origin, ethnicity, color, age, gender, marital status, citizenship, sexual orientation, gender identity or expression, or disability (the prohibition on membership policies that discriminate on the basis of gender does not apply to social fraternities or sororities or to other university living groups).
23. **Student Organization Events.**
  - a. Failure to comply with event approval conditions imposed by the Clubs and Organizations Office or other University offices.
  - b. Failure to comply with the policies governing student organization events held on campus or funded by the University or a University auxiliary organization.
24. **Use of Cal Maritime name and logo.** Unauthorized use of California State University Maritime Academy or Cal Maritime name, logo, or symbols, or use not in compliance with University policies and authorization.

### Sanctions

Student organizations that violate the RSOCC are subject to sanctions. Sanctions may include, but are not limited to, one or more of the following:

1. **Withdrawal of recognition** – includes but is not limited to the student organization being denied use of University facilities, use of the University name, and use of Associated Student services. Withdrawal of recognition may be permanent, indefinite, or for a specified time.
2. **Suspension** – suspends all privileges granted to the student organization for a specific

time. An organization under suspension must continue to fulfill the responsibilities required of the student organization and its respective governing council.

3. **Suspension of specific privileges** –suspends specific privileges of the student organization for a specific period of time.
4. **Suspension in abeyance** – places the organization on suspension, but the University does not implement the suspension. The organization retains privileges but must meet specified conditions. If the organization does not meet the conditions, the suspension immediately takes effect.
5. **Probation** – places the organization on probation for a period of time during which the organization is expected to demonstrate exemplary compliance with University policies. Probation may include conditions that the organization must meet to be removed from probation. The probationary conditions may specify the sanctions to be imposed should the organization not comply with the term(s) of probation.
6. **Reprimand** – states that the student organization’s actions were inappropriate and a warning that future infractions shall not occur.
7. **Restitution** –orders compensation for loss, damages, or injury that may include service, monetary, or material replacement.
8. **Educational and remedial sanctions** – orders attendance at education seminars by organization members or requires the organization to prepare presentation(s) to educate others.
9. **Social restrictions** – prohibits the student organization from holding social events for a specific period.
10. **Alcohol restrictions** – prohibits the student organization from having alcoholic beverages present at organization-related activities.
11. **Community service** – orders the organization to perform a specific number of hours of community service to be coordinated and/or approved by the Office of Dean of Students.
12. **Fines** – requires the student organization to pay fines not to exceed \$1000, to be used for educational or charitable purposes or to be paid directly to a charitable organization or a designated University or Associated Students program.

### Recognition Reinstatement

Student organizations with recognition suspended or removed for a specified period of time must make a formal written request to be reinstated to the Dean of Students or designee before recognition will be considered. If the sanction was a permanent removal of recognition, the RSO may not make such a request.

### Sexual Misconduct

**If any community member has immediate safety concerns, please contact the Police Department by dialing 911.** Sexual Misconduct (including sexual harassment as well as any sexual activity without **affirmative consent**, including but not limited to sexual assault, sexual battery, rape, acquaintance rape, stalking, domestic/dating violence as defined in Executive Orders 1095, 1096, and 1097) by students, employees or third parties is a form



of discrimination prohibited by University policy, and state and federal laws, including Title IX. Students may also have a right to file a concurrent criminal complaint for the same incident with law enforcement. It is important to note that the University's administrative process is entirely separate from the criminal process, applying different procedures, standards of proof, and possible penalties.

- If you are a student, your rights are covered in Executive Order 1097.
- If you are an employee or third party, your rights are covered in Executive Order 1096.
- Executive Order 1095 contains general information.

## **AFFIRMATIVE CONSENT & CAPACITY**

Affirmative Consent means an informed, affirmative, conscious, voluntary, and mutual agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure Affirmative Consent has been obtained from the other participant(s) to engage in the sexual activity. Lack of protest or resistance does not mean Affirmative Consent, nor does silence mean Affirmative Consent. Affirmative Consent must be voluntary and given without coercion, force, threats, or intimidation. The existence of a dating or social relationship between those involved, or the fact of past sexual activities between them, should never by itself be assumed to be an indicator of Affirmative Consent. A request for someone to use a condom or birth control does not, in and of itself, constitute Affirmative Consent. Affirmative Consent can be withdrawn or revoked. Consent to one form of sexual activity (or one sexual act) does not constitute consent to other forms of sexual activity.

Consent given to sexual activity on one occasion does not constitute consent on another occasion. There must always be mutual and affirmative consent to engage in sexual activity. Consent must be ongoing throughout a sexual activity and can be revoked at any time, including after penetration. Once consent is withdrawn or revoked, the sexual activity must stop immediately.

Affirmative Consent cannot be given by a person who is incapacitated. A person is unable to consent when asleep, unconscious, or incapacitated due to the influence of drugs, alcohol, or medication so that the person could not understand the fact, nature, or extent of the sexual activity. A person is incapacitated if the person lacks the physical and/or mental ability to make informed, rational decisions. Whether an intoxicated person (as a result of using alcohol or other drugs) is incapacitated depends on the extent to which the alcohol or other drugs impact the person's decision-making ability, awareness of consequences, and ability to make informed judgments. A person's own intoxication or incapacitation from drugs or alcohol does not diminish that person's responsibility to obtain Affirmative Consent before engaging in sexual activity. A person with a medical or mental disability may also lack the capacity to give consent. Sexual activity with a minor (a person under 18 years old) is not consensual, because a minor is considered incapable of giving consent due to age.

It shall not be a valid excuse that a person affirmatively consented to the sexual activity if the Respondent knew or reasonably should have known that the person was unable to consent to the sexual activity under any of the following circumstances: the person was asleep or unconscious; the person was incapacitated due to the influence of drugs, alcohol, or medication so that the person could not understand the fact, nature, or extent of the sexual activity; or the person was unable to communicate due to a mental or physical condition. It shall not be a valid excuse that the Respondent believed that the person consented to the sexual activity under either of the following circumstances: the Respondent's belief in Affirmative Consent arose from the intoxication or recklessness of the Respondent the Respondent did not take reasonable steps in the circumstances known to the

Respondent at the time to ascertain whether the person affirmatively consented.

The use of alcohol or drugs does not make the complainant at fault for sexual misconduct. A complainant should not be deterred from reporting incidents of sexual misconduct out of a concern that there might be disciplinary charges for related violations of drug, alcohol, or other university policies. Except in extreme circumstances, complainants in sexual misconduct charges shall not be subject to discipline for related violations of the Standards for Student Conduct. Please note, this information above is summarized from the applicable policies, linked above

### **Where to Report**

#### **OFFICE OF TITLE IX**

Dr. Carol Branch. 707.654.1178

#### **CAL MARITIME UNIVERSITY POLICE**

Emergency: Dial 911

Non-emergency: 707.7654.1176

#### **ON-CAMPUS OFF-THE-RECORD/UNOFFICIAL REPORTING**

Counseling Services at 707.654.1170

Confidential Advocate at 707.724.9606

SafeQuest Solano 24/7 Crisis Line at 866.487.7233

### **Applicable Campus Policies**

All policies set forth by the campus including, but not limited to, the Student Code of Conduct, Student Handbook, Hazing and Sexual Harassment Policy, CSU Time, Place and Manner, Corps of Cadets Rules & Regulations, Financial Requirements, as well as policies outlined by California State University Chancellor's office, also apply to recognized campus clubs and organizations. It is the responsibility of the club or organization and its members to always abide by these rules and regulations.

### **Non-Discrimination**

It is the policy of The California State University Maritime Academy that no discrimination on the grounds of race, gender, age, creed, color, national origin, or sexual orientation will exist in any area of the Academy. This policy of non-discrimination is applicable both to the admission of students and employment in all aspects of the Academy operation. The Academy's policies are guided by, but not limited to, the requirements of Federal Executive Orders 11246 and 11375, as amended; Titles VI and VII of the Civil Rights Act, as amended; and Title IX of the Higher education Act of 1972.

The California State University Maritime Academy subscribes to the provisions of Section 504 of the Rehabilitation Act of 1973 pertaining to the hiring and admission of persons with disabilities insofar as these regulations are compatible with the U.S. Coast Guard requirements governing physical qualifications for merchant marine officers.

### **Procedure for Filing and Resolution of Complaints Against an RSO**

Complaints regarding alleged violations of campus policies, rules, regulations and/or local, state and federal laws by a registered student organization should be directed to the Dean of Student's Office, located in Mayo Hall first floor.

Complaints should be submitted in writing, but can be made in person as well, as soon as possible after the alleged misconduct has occurred and/or has become known to the complainant and should include a specific, detailed

description of the grounds for the complaint including names, dates, places, times and other information necessary for complete understanding.

The Dean of Students Office has the authority to determine that an investigation should be initiated even in the absence of a formal complaint. Once it is determined that an organization is under investigation, the RSO will be temporarily suspended until the investigation is complete.

Complaints are investigated by the Dean of Student's Office generally through interviews with all parties involved. Information is kept confidential, and students are made aware of their rights and responsibilities. All shared information will be kept in an electronic drive, in addition to any assigned sanctions. RSO leaders will be sent a letter outlining complaints, charges, and resolutions.

#### **IMPORTANT:**

- Any complaints alleging violations of Discrimination shall be immediately referred to the Title IX Coordinator and DHR Prevention Administrator.
- Complaints alleging Hazing or Student Code of Conduct shall be immediately referred to the Dean of Students Affairs Office.

If the Dean of Students determines that an investigation is warranted, the Dean will commence the **investigation no later than 10 business days after receipt of a complaint**. Investigation at this point involves the gathering of information through interviews with involved members of the RSO. If a student organization has been found responsible for violation of a student organization code of conduct, the student code of conduct, University policy, rule, or regulation, or local, state or federal law, the Dean of Students shall determine the appropriate sanction.

If the RSO wishes to appeal a finding or sanction, they may appeal to the Dean of Student Affairs Office. Appeals shall be submitted in writing to the Dean of Student Affairs **within 5 business days after receiving a copy of the findings and sanction** determined by the Office of Dean of Students. It is important that the protocol is followed regarding the receipt of a complaint. The Dean of Student Affairs will decide whether or not to grant an appeal meeting. Reasons that appeals could be granted are 1) the outcome was determined without sufficient information/insight, 2) the Dean of Students did not provide due process, defined as not following the process outlined in this document, notice was given, opportunity to present information at the meeting, 3) sanction assigned was inappropriate in relation to the student organizations record and/or nature of the violation, 4) new information/insight becomes available that would have likely made a substantive difference in the outcome.

#### **Registered Student Organizations Investigation Process**

Once a complaint against a student organization has been submitted to the Dean of Students Office, it will have an initial review. Depending on the severity of the complaint, the organization may be put on temporary suspension until the investigation has been completed. The decision to impose a temporary suspension, if any, on a RSO will be made on a case by case basis, at the discretion of the Dean of Students Office. This is not subject to appeal.

In addition to sanctions imposed upon the RSO, individual students may be cited and disciplined for taking part in such misconduct. Student behavior that is inconsistent with the Code of Conduct is addressed through an educational process, which is designed to promote safety and good citizenship and, when necessary, impose appropriate consequences. Individual students may be referred to the University Student Conduct Administrator and disciplined

for violations of the Code of Conduct in addition to any sanctions imposed on a student club or organization for university policy violations.

If the complaint is related to Title IX, Hazing, or is determined to be an imminent threat to student safety and well-being, then the case will be referred to the appropriate office: either the Dean of Students Office or the Title IX coordinator. If the Registered Student Organization complaint falls within the oversight of the Office of Student Life, it will follow the following procedures:

1. The organization will be notified within ten (10) business days of the complaint and informed of the next steps of the investigation process.
2. The Dean of Students will start the investigation process including gathering information from the complainant about the identified conduct violation.
3. The student organization President, Advisor, and any other identified parties will be asked to a meet with the Dean of Students to discuss the complaint and get further information.
4. Based on the initial meetings with the identified members of the organizations, the Dean of Students will determine if additional meetings will be needed.
5. Once the investigation is complete, the Student Organization will be notified if they were found liable for the conduct violations. If the Organization is determined to not be liable, they retain all the rights of being a Registered Student Organization
6. If an organization is found liable for a conduct violation, they will be sanctioned in accordance with the severity of the violation.
7. In addition to sanctions that may be imposed on a RSO, individual students may also be disciplined for their part in such misconduct.