Residential Code of Student Conduct – CSU, Bakersfield

As residents of California State University, Bakersfield Housing you are responsible for abiding by all Residence Life Policies (RLP) as well as the Student Conduct Code as described in the CSUB Undergraduate and Graduate Catalogs. These policies are designed to benefit individual students as well as the entire residential community. Failure to abide by Residence Life and/or University Policies may result in disciplinary action, revocation of your Housing License Agreement, or criminal and/or civil action.

I. Alcoholic Beverages: It is our goal to establish and sustain an environment on campus that is conducive to the intellectual, emotional, and social growth of all members of our community. The Office of Residence Life is committed to the preservation of individual freedoms and the promotion of the health, safety and welfare of the community. Pursuant to these commitments, we have established the following policies governing the possession and consumption of alcoholic beverages in on-campus housing. Residential Life will enforce all state and local laws as well as Residential Life Policies relative to the consumption of alcohol. The following list of regulations comprise all appropriate local and state laws, as well as University and Residential Life Policies governing the use of alcohol in on-campus housing:

a. Residents who are under the age of 21 are not permitted to use, possess, or be in the presence of alcohol.

b. A resident of the legal drinking age may possess and consume alcohol in his/her residential unit with the room door closed so long as they are not in the presence of anyone under 21 years of age. If a resident is of the legal drinking age but their roommate(s) is not, they cannot consume alcohol in their residential unit if their underage roommate(s) is present. Please remember that all students have a right to be in their residential unit at all times.

c. A resident of the legal drinking age may possess and consume alcohol in the residential unit of another resident who is at least 21 years of age. The host resident must be present, the door must be closed and no one under the age of 21 may be present.

d. Open containers of alcohol are not permitted in ANY public area. This would include lounges, lobbies, outside of the residence halls, etc. Closed containers of alcohol are allowed in public areas only if they are being transported to the residential unit of a legal-aged resident.

e. Large-group drinking parties, or parties where the focus of the gathering appears to be mainly for the purpose of consuming alcohol, are not permitted in residential units even if the residents are of legal age.

f. Kegs, beer balls (empty or filled in any portion), or other large containers or quantities of alcohol are prohibited in housing.

g. Per State law, students assume all legal responsibilities for actions and costs related to failure to comply with State laws regarding alcohol use.
h. Any resident regardless of age found to be intoxicated and/or unable to exercise care for one’s own safety and/or the safety of others due to intoxication is in violation of Residence Life Policy. Residents who violate any other university policy while under the influence of alcohol are also in violation of this policy.

i. Drinking games or simulated drinking games are prohibited. These include water pong, flip cups and quarters and other variants.

j. Possession of empty containers of alcohol will be interpreted as consumption of alcohol. Certain alcohol-related paraphernalia and alcohol-related decorations that contain or once served as containers for alcohol may be called into question, particularly in units where students who are under 21 are residing.

k. Containers that originally contained alcohol and alcohol paraphernalia, including, but not limited to, cans, bottles, boxes, beer bongs, kegs, lighted signs, etc., are not permitted, should not be displayed and will be disposed of.

l. 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.

II. Cleanliness: Because we live in a community that is in close proximity to each other, all residents are expected to maintain cleanliness and hygiene in their living unit. Some causes for concern would include but are not limited to a significant odor, excessive trash rotting, or spoiling food left in the open, debris covering exit ways, etc.

III. Computer Use: The Recording Industry Association of America (RIAA) has begun an effort to subpoena information about individuals who are believed to have engaged in unauthorized peer-to-peer file sharing of copyrighted music and other works. Unauthorized downloading and uploading of copyrighted music, movies, and software constitutes as an illegal copyright infringement. Students should be aware that the unauthorized sharing of peer-to-peer file copyrighted works, including music, pictures, movies, and software is a violation of campus computer use policy. It is also illegal and may carry significant monetary and/or criminal sanctions. It is the responsibility of students who are downloading or uploading documents to make certain that they are not copyrighted works, or that the student has the permission of the copyright holder. Students who violate copyright laws are subject to university discipline as per Title 5, Section 41301 of the California Code of Regulations and may face criminal charges with the RIAA. Copyright infringement is a violation of subsection 15 (G) of the CSUB Student Code of Conduct which states: Use of computing facilities and resources in violation of copyright laws. If the university receives multiple complaints about a single user, their use of the university’s wireless system will be disabled. Please refer to Residential Network (ResNet) Acceptable Use Policy for further explanation.

- If students are found to be violating this policy:
  - 1st Offense: A judicial hearing and a $72 fine if the student is not compliant and does not attend the hearing.
  - 2nd Offense: A judicial hearing, an automatic $72 fine, and loss of internet use (length of time determined in hearing)
  - 3rd Offense: A judicial hearing, an automatic $72 fine, and loss of internet for the academic year or longer.

Misuse of computer facilities or resources also include:
  (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.

IV. Communicable Diseases: Any violations may result in eviction from housing property on the first offense.

a. Any Licensee diagnosed with a communicable disease by Student Health Center or by his/her health care provider will be sent home during the infectious period, or isolated in an assigned room as directed by the University Housing in consultation with the Student Health Services, and/or the Licensee’s health care provider (as permitted by the resident). Non-campus housing and travel arrangements are made at the student’s expense. Student Health Center and/or the Licensee’s health care provider will clear the Licensee to return the housing facility, dining services and classes (in consultation with the Licensee’s health care provider, as appropriate).

b. Any Licensee suspected of having a communicable disease could be quarantined in his/her room or another assigned room while waiting for a diagnosis. Any Licensee exposed to a communicable disease should make an appointment with a physician at Student Health Center, to discuss the possible exposure, symptoms and treatment (if any treatment is available). Examples of communicable and infectious diseases may include: chicken pox, hepatitis, measles, tuberculosis, and influenza-like illnesses.

c. In the instance of an outbreak, University Housing will follow university and local emergency protocols.

V. Dangerous Behavior: Any activity, which can be interpreted as endangering to or harming oneself, any community member, or guest is prohibited.

VI. Destruction/Misuse/Theft of Property: Property damage is inappropriate and demonstrates a lack of respect for the community and the property of others.

a. Unauthorized possession, use or misuse, removal, defacement and/or tampering of University owned property or leased property or equipment or any property belonging to a community member or guest is prohibited.

b. Any resident who maliciously or accidentally damages University owned property will be held responsible for the cost of the damage and/or the cost of the labor to restore or repair the property to its original condition.

c. Residents will also be held responsible for the actions of and/or damages incurred by their guests.

d. Residents are prohibited from physically repairing damages to University property. If property is damaged, please report the damage to Residence Life staff immediately.

e. Common area damage charges not readily assigned to a particular individual may be charged to a group or floor of residents. University furniture may not be removed from student rooms or common areas.
VII. Disorderly Conduct: Behaviors whether through conduct or expression which are not civil or respectful and which breach the peace within or around the residence halls or at any residence hall related function are not permitted. This includes 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.

VIII. Drugs, Narcotics, and Paraphernalia: Possession, usage, or manufacture of controlled substances (including paraphernalia for intended or implied use) of any sort is illegal and prohibited. Residents suspected of violating this policy may be confronted by staff members and/or by civil authorities. The following consist of additional violations under this policy:

a. Use of products that resemble or smell like marijuana, including but not limited to Spice, K2, any type of synthetic marijuana or other types of herbal cigarettes and/or incense.

b. The misuse, sharing or sale of prescription medication, legal pharmaceutical drugs and/or cleaning products or fumes. Also, the use of marijuana, even with a prescription, is prohibited.

c. Possession, use, distribution, or being under the influence of any State or Federally banned drugs is prohibited in or around the immediate area of on campus housing.

d. Using any legal substance in a manner which may impair normal functioning is not permitted.

e. Inability to exercise care for one’s own safety and/or the safety of others while under the influence of controlled substances or being under the influence of a combination of alcohol and drugs (itself potentially fatal), may result in an increase in criminal sanctions and penalties.

f. Suspicion of using illegal drugs and/or marijuana which includes, but is not limited to, marijuana odor emanating from a room or person, drug paraphernalia seen in a room or common area, etc.

g. Drug paraphernalia, or any object used as drug paraphernalia; including, but not limited to, pipes, water pipes/bongs, vaporizers, scales, grinders, hookahs, rolling papers and hollowed-out cigars, is prohibited in and around the immediate area of the on-campus housing. Residents in the presence of any State or Federally banned drugs or drug paraphernalia are subject to disciplinary action.

h. The sale and/or distribution of drugs and/or paraphernalia are prohibited.

i. Possession of medical marijuana cards does not permit resident to violate any of the above policies.

IX. Elevators: In order to keep elevators in safe working conditions, the following are prohibited and may result in disciplinary action: Intentional damage/and or vandalism, misuse, or tampering with elevators; smoking in elevators; overloading; use of emergency alarms and emergency stops in non-emergency situations.

X. Failure to Comply with an Administrative Request
a. Failure to comply with an administrative request when a University staff member or any public safety officer while acting in his/her official capacity including: failure to appear/meet, to vacate a room, to cease inappropriate behavior, to produce identification, and/or to exit a facility when requested.

b. Providing fabricated, falsified, misrepresented, or non-negotiable information or documents.

XI. **Fire Hazards and Safety:** The following constitutes a list of violations that could also result in prosecution and/or fines:

a. Tampering or damaging fire equipment or intentionally misusing fire alarms, smoke detectors, fire sprinklers, fire extinguishers, emergency exit signs or pulling the fire alarm when the cause is unrelated to notification of a fire.

b. Intentionally or negligently causing and/or creating a fire, explosion or release of poisonous gas or fumes.

c. Failure to evacuate a building immediately following the sounding of an alarm, unless otherwise instructed by Residential Life staff, fire-safety or other emergency response personnel.

d. Possessing or storing gasoline, fireworks and/or combustible decorations and dangerous chemicals.

e. Due to fire safety regulations, gasoline-powered motorcycles, scooters, mopeds, battery operated hover boards, etc. are not allowed in the residence halls at any time, but may be parked in parking lots as long as they follow all University Police and Parking Services guidelines. Bicycles, motorized skateboards, and motorcycle operators must follow all state, local, and university rules and regulations.

f. Bicycles, skateboards, scooters, or any other motorized vehicle (unless medically necessary) should not be ridden inside the residence hall. All bicycles should be registered with the University Police Department. Motorized engines including motorcycles, mopeds, etc. are prohibited.

g. Open flames (including candles and incense), combustible decorations and chemicals, deep fat fryers, electric fry pans, toasters, toaster ovens, grills, space heaters and halogen lamps are prohibited.

h. Disabling, opening, damaging, or propping exits used exclusively as fire exits is prohibited (unless being used properly as an exit during an emergency situation).

XII. **Gambling:** All forms of gambling are prohibited on state property. This would include but is not limited to activities played for money, checks, or some other representative value.

XIII. **Grill Usage:** The use of the Residential Grill located in the Residential Courtyard is not permitted without prior approval from the housing office. Requests to use the grill must be made 48 hours in advance of the intended use.
XIV. Guest Policy: This visitation policy is designed with the safety and consideration of our community members and property in mind. In addition, these policies are dictated by California law in Title V of the California Code of Regulations. Residents are permitted to host guests as long as the rights and privacy of the other persons living in the room and residential halls are taken into consideration. Residents wishing to host a guest will need to submit an Overnight Guest Registration Request and the request has to be approved by the Student Housing and Residence Life Office prior to hosting the overnight guest. The definition of a guest is any person who does not hold a Housing license agreement for a bed space within on-campus housing for that particular unit. An overnight guest is defined as any person, including a visitor but other than a licensee, who is permitted by a licensee, the President of the university or her designee to make use of any housing facility after 1:00am. Consequences to violating this policy included a judicial hearing and judicial fine of up to $30 per night of violations. The following is a list of policy guidelines for hosting guests:

a. Roommates must give their approval before a guest may be hosted in the unit. In cases where roommates cannot agree, the right of a person to occupy her/his room without the presence of a guest must take precedence over the right of a roommate to host guests.

b. No resident is authorized to extend residency to their guests or other students and/or authorize visitation beyond five nights per 30-day period.

c. Residents are responsible for the guest’s conduct at all times and any damages incurred by that guest. All guests must comply with all University and Student Housing policies. Guests may be asked by University staff to provide identification or leave the premises at any time. The guest must comply.

d. A guest must be accompanied by their host at all times. Guests are not permitted to be unescorted and may not be left unattended in the host’s room or within the community.

e. Advertising for open parties or gatherings is not permitted under any circumstance.

XV. Harassment: Verbal, written, electronic, or other types of harassment - including, but not limited to, sexual, racial, ethnic, or religious harassment, intimidation or physical abuse that threatens, endangers, causes injury, distress, or emotional and/or physical discomfort of community members and/or Residential Life staff members will be considered a violation of this policy. Threatening remarks towards one’s family or loved ones is also prohibited under this policy.

XVI. Harm or Threat of Harm to Self or Another: Committing acts of physical or mental abuse or engaging in actions that intimidate, harass, threaten, coerce, or otherwise endanger the health or safety of self or another person (including threats or attempts of suicide) is prohibited. This includes but is not limited to physical harm or threat of physical harm to any person and/or to self.

XVII. Intolerance: Acts of intolerance towards a community member or any Residence Life staff member disrupts the educational environment necessary for furthering the mission of the university. Acts of intolerance or bias-related incidents are behaviors, which by intent, action and/or outcome harm or threaten to harm a person or a group of people. Acts of intolerance include but are not limited to:

a. Acts motivated by prejudice toward a person or a group of people because of their race, religion, ethnicity, disability, national origin, age, gender, and/or sexual orientation, and/or any other protected class.

b. Overt actions such as verbal attacks and physical assaults on students, University staff and/or their property.
c. Physical or written defacement or destruction of residential property and/or Residence Life postings and posters.

XVIII. Littering/Trash Removal: Littering, inappropriate disposal of trash, and/or sweeping debris into a public hallway or area in the residence communities or the surrounding grounds is not permitted. If the problem is persistent and not able to be resolved by the community, fines may be issued for violations of this policy.

XIX. Locks: Installation on any door locks other than those provided by Student Housing and approved by such staff is prohibited. Unauthorized duplication of keys is also prohibited.

XX. Occupancy: Students may only occupy their room during the specified dates as listed on your Student Housing License Agreement. Unauthorized entry during the break period may result in judicial action and appropriate financial accountability. Residents shall not permit any other person to occupy their living unit. A late charge may be assessed to any resident who has not left by the 12 noon deadline during specified move-out dates. Residents must maintain status as a student registered at CSUB, with a minimum of twelve (12) semester units for undergraduate students and nine (9) semester units for graduate students. If a resident fails to enroll in the minimum required class units or drops below the minimum unit requirement after the beginning of the academic fee period, Student Housing and Residence Life may, at its sole option and discretion, revoke the student’s housing license agreement.

XXI. Pets: Animals are not allowed in campus housing at any time. The only exceptions are non-carnivorous fish and assisted living animals verified by our department. Fish tanks should not exceed 10 gallons. Prior to having a service or emotional support animal within the residential facility, residents must receive prior approval from the Services for Students with Disabilities office. In addition, the resident must also receive written approval by the Office of Student Housing & Residence Life, pursuant to the Service and Emotional Support Animal Guidelines. Room assignment may be subject to change to accommodate the request.

XXII. Privacy Recording: Personal Facilities: Making, attempting to make, transmitting, or attempting to transmit audio or video of any person(s) on Housing property in bathrooms, showers, bedrooms, or other premises where there is an explicit expectation of privacy, without the knowledge and consent of all participants’ subject to such recordings, is prohibited.

XXIII. Privacy Recording: Communication: Students are expected to respect the reasonable expectations of privacy of other individuals within the Housing community. Accordingly, students are not permitted to make or attempt to make audio or video recording of private, non-public conversations and/or meetings on University premises, without the knowledge and consent of all participants’ subject to such recordings. In such circumstances, the use of undisclosed hidden recording devices is prohibited, as is the transmission and/or distribution of any such recordings. This provision does not extend to the recording of public events or discussions, or to recordings made for law enforcement purposes.

XXIV. Posting: Residential community members and residential student groups may post materials with the permission of the Residence Life staff member. Non-residential individuals and groups must obtain permission from the Student Union and Residence Life Office. No offensive or alcohol/drug-related materials may be posted in a public area or a place where they can be viewed from a public area (e.g.
external door, in a visible place from windows, etc.).

XXV. Quiet Hours:
   a. All musical and percussion instruments must be registered with our office before being played in the residence halls. Permission must be obtained in writing from roommates and neighboring rooms.
   b. Quiet hours mean that community members must keep noise at a very minimal level in all of our housing, surrounding grounds, and recreation areas. Courtesy hours mean that residents are expected to maintain a reasonable or moderate noise level.
   c. During quiet and courtesy hours, requests for less noise from community members and Housing staff members will be respected in our community. Quiet and courtesy hours:
      i. 10:00pm - 8:00 am Sunday night to Friday morning
      ii. Midnight – 8:00 am Friday thru Sunday
      iii. 24 hour quiet hours – in effect the last week 2 weeks of each academic semester
      iv. Courtesy hours are in effect at all other times.
      v. Violation of the noise policy can result in termination of the Housing License Agreement, University disciplinary action and/or legal action.

XXVI. Room Capacity: For fire safety reasons, there is a limit for room occupancy. Fire Code regulations established by the Fire Marshall restrict occupancy to a total of 12 residents per suite.

XXVII. Room Transfers/Swaps & Cohabitation: Unauthorized room transfers are strictly prohibited. Housing must ask that residents not change rooms without authorization. Instead, please contact your Residence Life Coordinator to file a room change request and avoid unnecessary charges later in the year.

Rooms and suites are to be occupied only by the students who have signed a license agreement with the University for that space. No student shall live with a person other than their assigned room/suite mate(s). Students must follow all Residence Life administrative guidelines regarding room/apartment transfers or other changes in housing status

XXVIII. Safety/Security: Safety/Security policies are necessary for the safety of residents and therefore must be followed. The following is a list of security/security violations:
   a. The unauthorized use, possession, or duplication of room or master keys including lending keys to any person;
   b. Bypassing or tampering with the locking mechanisms for the lobby or room doors. Propping of any door, other than your own room door, is prohibited.
   c. Unauthorized entry into a room or building other than the one in which a resident has key access;
   d. Unauthorized presence on rooftops, ledges, or areas marked for restricted access;
e. Unauthorized use of or entry/attempted entry into computer or telecommunications systems;

f. Providing access to buildings or rooms within buildings to those other than residents with key access, staff, or attended guests by any means;

g. Failure to lock or secure doors, entrance doors, or allowing a person entrance into a building and leaving them unattended in a public area;

h. Removal of any window screens (except for evacuation due to a fire). All residents of a living unit may be fined if a screen is removed for a non-emergency purpose;

i. Throwing, dropping, or projecting any objects from any residence hall building, doorway, or window;

j. Using one’s window as a means of entry or exit; or using your room to store unsightly articles, garbage, or university owned or leased furniture is not permitted.

k. Use of sporting and recreation equipment are prohibited in indoor common areas such as lobbies, hallways, and entrances.

l. Bicycles, skateboards, scooters, hover boards, or any other motorized vehicle (unless medically necessary and approved) should not be ridden inside the residence hall. Due to fire safety regulations, gasoline-powered motorcycles, scooters, mopeds, etc. are not allowed in the residence halls at any time. Bicycles, motorized skateboards, and motorcycle operators must follow all state, local, and university rules and regulations.

XXIX. Sexual Assault: Sexual assault, sexual battery, sexual misconduct, or rape of a community member or guest thereof is prohibited. Note: This behavior is defined as any sexual activity that carried out without the expressed consent of the parties involved.

XXX. Smoking: In compliance with Executive Order 1108, all California State Universities have adopted a campus-wide “Smoke Free” policy.

a. Smoke Free: “Smoke Free” means the use of cigarettes, pipes, cigars, and other “smoke” emanating products including e-cigarettes, vapor devices and other like products are prohibited on all University properties.

b. Smoking: “Smoke” or “Smoking” means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, cigarillo, pipe, hookah, or any other lighted or heated tobacco or plant product intended for inhalation, whether natural or synthetic, in any manner or in any form. “Smoke” or “Smoking” also includes the use of an electronic smoking device that creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking.

c. Tobacco Free: “Tobacco Free” means the use of cigarettes, pipes, cigars, smokeless tobacco, snuffs, and other tobacco products are prohibited on all University properties.

d. Tobacco Product: A product containing, made or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved,
inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, and snuff.

e. Tobacco Device: An electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, pipe, or hookah. Any component, part, accessory of a tobacco product, whether or not sold separately. “Tobacco product” does not include a product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where the product is market and sold solely for such an approved purpose.

XXXI. Social Media: When using all social media outlets, including but not limited to Facebook, Twitter, Instagram, Yik Yak, messaging apps etc., all students are required to, in their posts and comments or pictures, or referencing another CSUB student, staff, or faculty member:

- Make no personal attacks, direct or implied
- Do not post content that is hateful, threatening or incites violence
- If someone requests that you remove a post or picture, about or involving them, you must comply immediately

XXXII. Solicitation: Door-to-door solicitation for commercial purposes is prohibited. Any nonprofit, political, and/or campus organization/group desiring to solicit in campus communities must secure permission in advance from the Assistant Director for Residence Life. Residential Life will never grant permission to any individual or organization not affiliated with the Housing Office to sell or advertise door to door within the buildings or parking lots.

XXXIII. Weapons, Firearms or Ammunition: The possession or use of firearms or guns, replicas, ammunition, explosive or combustible materials, pistols, revolvers, pellet guns, air guns, and/or injury-threatening weapons deemed by law enforcement to be deadly are strictly prohibited. This also includes but is not limited to dirks, daggers, machetes, slingshots, switchblade knives, weapons commonly known as blackjacks, sand-clubs, billy-clubs, and metal/brass knuckles. Metal pipes, bars, razors with an unguarded edge or any knife being used for a purpose other than the purpose for which it was intended (i.e. a kitchen knife being used as a weapon or to instill fear in another.)