

The California State University:
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Northridge
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San Bernardino
San Diego
San Francisco
San José
San Luis Obispo
San Marcos
Sonoma
Stanislaus

Arnold Air Society

Case Creation Date:

- May 26, 2021

Incident Summary:

- *(a) endangering the well-being of others and abusive behavior, including hazing; and*
(b) disorderly conduct including harassment, intimidation, or bias-related incidents.

Student Organization Code of Conduct Violations:

- (8) Failure to Comply.
 - (C) Failure to follow all policies and procedures established by the University pertaining to student organizations, including fraternities and sororities, as outlined in the Student Organizations Handbook.
- (14) Hazing.
 - Hazing in every form, or conspiracy to haze is prohibited. San José State University takes a zero-tolerance approach to hazing. Commission of hazing can be considered either a misdemeanor or a felony, punishable by up to one year in jail and up to a \$5000 fine. Participation in a hazing practice may result in both individual and organizational disciplinary action. Hazing is defined in Section 41301 of Title 5 of the California Code of Regulations as “any method of initiation or preinitiation 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 danger 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 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 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.” The following non-exhaustive list of

activities meet this criterion. Accordingly, they are considered forms of hazing:

- (A) Physical activities such as calisthenics, jogging, sit-ups, push-ups, or carrying of objects such as bricks, stones, blocks, or any other item(s) which serve to create physical hardships, discomfort, and/or distress,
- (C) Physical exposure or abuse such as nudity, paddling, pushing, shoving, hitting, punching, tackling, or throwing any substance at another person; submerging or dunking in water or other substances; marking, branding or tattooing; or any activity which has the potential for the exchange of blood or other bodily fluids,
- (D) Forced or required consumption of any substance, including food, drugs, alcohol, water, or any beverage; or any items individually or in a combination that may or could induce vomiting, psychological abuse and/ or humiliation,
- (G) Exposing individuals to extremely uncomfortable or dangerous environments (e.g., too loud, dark, small, hot, or cold); blindfolding where there is a potential for danger,
- (I) Requiring individuals to perform any act(s) which are construed to be humiliating or degrading in nature,
- (K) Peer pressure to engage in activities against the individual's will,
- (M) Forced servitude such as shining shoes or boots; cleaning rooms, apartments, houses, cars, etc.; washing clothes or dishes; running personal errands; or other services or duties not normally shared by initiated members; requiring individuals to purchase items or services for other members,
- (N) Required activities that are prohibited by law or University policy or procedure, such as trespassing, stealing of any item(s), including personal effects or organizational property (banners, composites, food, paddles, etc.); stealing of any item(s) for scavenger hunts; kidnapping; lewd, obscene, threatening, intimidating, or harassing behavior,
- (O) Requiring activities that interfere with academic studies, assignments, or classes such as awakening individuals in the night for organizational activities, interfering with normal sleep or study schedules, food or sleep deprivation; requiring "take-home" assignments that interfere with academic work; serenading or addressing houses/apartments. At no time may a group violate the City noise ordinance.

Sanctions:

- **Organization Formal Written Warning effective August 26, 2021.** The organization shall be placed on formal written warning. A written notice or reprimand to the organization that a violation of specified University policies or campus regulations has occurred and that continued or repeated violations of University

policies or campus regulations may be cause for further disciplinary action.

- **Redevelopment and review of Candidate Training Program effective Fall 2021 through Fall 2023 with Director of Student Involvement and Organization Advisor.** Prior to the end of the recruitment period, organizational leadership must meet with the Director of Student Involvement, or the person's designee, as well as the organization advisor, to redevelop a University-approved new Candidate Training Program. The organization shall not be permitted to host, or participate in, any future activities related to recruitment or candidate training without approval from the Director of Student Involvement, or the person's designee, and the Organization's Advisor.
- **Hazing Education Workshop due by January 26, 2022.** All active members of Arnold Air Society will be required to complete an online educational hazing workshop facilitated by Student Involvement at San Jose State University. Arnold Air Society is required to make arrangements to complete this workshop through Student Involvement. This workshop must occur prior to any recruitment or new candidate activities.
- **Meeting with the Director of Student Involvement, or the person's designee, and Organization Advisor twice (2) a semester through Fall 2023.** The organization's president is required to attend a twice (2) a semester check-in meeting with the Director of Student Involvement, or the person's designee, as well as the Organization's Advisor to discuss organization activities and to review and establish an approved Candidate Training Program.