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MEMORANDUM

DATE: September 24, 2020

TO: CSU Vice Presidents for Student Affairs and/or Enrollment Management

FROM: Luoluo Hong, Associate Vice Chancellor for Student Affairs & Enrollment Management 

RE: Adjudication of Off-Campus Student Conduct in the Context of COVID-19

Digitally signed by Luoluo Hong, PhD, MPH
DN: cn=Luoluo Hong, PhD, MPH, o=California
State University Chancellors Office,
ou=Associate Vice Chancellor for Student Affairs
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Date: 2020.09.23 17:20:06 -07'00'

As the COVID-19 pandemic continues to pose challenges to even limited repopulation of our 23 CSU campuses, questions have arisen with regard to off-campus student conduct, in particular when students are not complying with public health directives designed to reduce the risk of COVID-19 infection, with the hosting of large events and parties being of primary concern.

[CSU Executive Order 1098, Student Conduct Procedures](#) continues to be the prevailing policy which governs how campuses investigate and sanction individual students, when warranted, for violations of application CSU rules and regulations. In addition, [§ 41301\(d\), Student Code of Conduct, of Title 5 California Code of Regulations](#) states the following:

“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.”

Campuses are advised that as long as COVID-19 remains a public health threat to our communities, they may elect to investigate off-campus behavior as it relates to risk-reduction efforts to mitigate the risk of viral transmission. The decision about whether to do so is delegated to the campus President. When making this decision, campuses should consider the impact on staff responsible for the student conduct function and adjust levels of administrative support accordingly.

The CSU Chancellor’s Office also offers the following considerations:

1. Educational and cultural change efforts should continue to comprise the primary approaches for promoting public health, including encouraging behaviors that reduce the risk of COVID-19 transmission, including but not limited to wearing of face coverings,

engaging in physical distancing, refraining from attending or hosting large gatherings, and practicing hand hygiene.

2. The intention to adjudicate off-campus behaviors related to COVID-19 risk mitigation efforts should be proactively communicated to students through a variety of modalities.
3. Registered student organizations, such as fraternities and sororities, who violate campus rules and regulations may be warned and sanctioned in accordance with established campus procedures.
4. Campuses should clearly define the circumstances under which off-campus behaviors related to COVID-19 risk mitigation will and will not be adjudicated; effective criteria are actionable and clearly stated. The CSU Chancellor's Office also recommends that a timeframe be stipulated, which can be extended as needed.

In addition to your respective campus counsel, I am available for consultation with regard to student conduct activities in this time of global pandemic by emailing lhong@calstate.edu or calling (415) 666-6313.

cc: Timothy White, Chancellor
Loren Blanchard, Executive Vice Chancellor for Academic & Student Affairs
Andrew Jones, Executive Vice Chancellor & General Counsel
CSU Presidents
Monique Shay, Assistant Vice Chancellor & Chief Counsel for Academic & Student Affairs
Ray Murillo, Systemwide Director, Student Affairs Programs
CSU Student Conduct Administrators