

- b. Disruption or interference with the orderly progress of a student discipline proceeding.
  - c. Initiation of a student discipline proceeding in bad faith.
  - d. Attempting to discourage another from participating in the student discipline matter.
  - e. Attempting to influence the impartiality of any participant in a student discipline matter.
  - f. Verbal or physical harassment or intimidation of any participant in a student discipline matter.
  - g. Failure to comply with the sanction(s) imposed under a student discipline proceeding.
20. Encouraging, permitting, or assisting another to do any act that could subject him or her to discipline.

**Application of this Code.** Sanctions for the conduct listed above can be imposed on applicants, enrolled students, students between academic terms, graduates awaiting degrees, and students who withdraw from school while a disciplinary matter is pending. Conduct that threatens the safety or security of the campus community, or substantially disrupts the functions or operation of the university, is within the jurisdiction of this article regardless of whether it occurs on or off campus. Nothing in this code may conflict with Education Code section 66301 that prohibits disciplinary action against students based on behavior protected by the First Amendment.

**Procedures for Enforcing this Code.** The chancellor shall adopt procedures to ensure students are afforded appropriate notice and an opportunity to be heard before the university imposes any sanction for a violation of the Student Conduct Code.

**Summary of Civil and Criminal Penalties for Violation of Federal Copyright Laws.** Anyone who is found to be liable for copyright infringement may be ordered to pay either actual damages suffered as a result of the infringement along with any profits of the infringer attributable to the infringement that are not already taken into account in computing the actual damages, or "statutory" damages between \$750 and \$30,000 per work infringed. In the case of a "willful" infringement, a court may award up to \$150,000 per work infringed. (See 17 U.S.C. §504.) Courts also have discretion to award costs and attorneys' fees to the prevailing party. (See 17 U.S.C. §505.) Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offense. Criminal penalties may vary depending on the nature of the offense and whether the infringer has previously been convicted of criminal copyright infringement under 18 U.S.C. §2319. (See 17 U.S.C. §506 and 18 U.S.C. §2319.)

## Disposition of Fees

**Title 5, California Code of Regulations, § 41302. Disposition of Fees: Campus Emergency; Interim Suspension.** The president of the campus may place on probation, suspend, or expel a student for one or more of the causes enumerated in Section 41301. No fees or tuition paid by or for such student for the semester, quarter, or summer session in which he or she is suspended or expelled shall be refunded. If the student is readmitted before the close of the semester, quarter, or summer session in which he or she is suspended, no additional tuition or fees shall be required of the student on account of the suspension.

During periods of campus emergency, as determined by the president of the individual campus, the president may, after consultation with the chancellor, place into immediate effect any emergency regulations, procedures, and other measures deemed necessary or appropriate to meet the emergency, safeguard persons and property, and maintain educational activities.

The president may immediately impose an interim suspension in all cases in which there is reasonable cause to believe that such an immediate suspension is required in order to protect lives or property and to insure the maintenance of order. A student so placed on interim suspension shall be given prompt notice of charges and the opportunity for a hearing within 10 days of the imposition of interim suspension. During the period of interim suspension, the student shall not, without prior written permission of the president or designated representative, enter any campus of the California State University other than to attend the hearing. Violation of any condition of interim suspension shall be grounds for expulsion.

## Cheating and Plagiarism

**Cheating.** Cheating is the actual or attempted practice of fraudulent or deceptive acts for the purpose of improving a grade or obtaining course credit. Typically, such acts occur in relation to examinations. It is the intent of this definition that the term cheating not be limited to examinations situations only, but that it include any and all actions by a student that are intended to gain an unearned academic advantage by fraudulent or deceptive means.

**Plagiarism.** Plagiarism is a specific form of cheating that consists of the misuse of the published and/or unpublished works of others by misrepresenting the material so used as one's own work. Grade substitution shall not be applicable to courses for which the original grade was the result of a finding of academic dishonesty.