

**SAN JOSE STATE UNIVERSITY
ONE WASHINGTON SQUARE
SAN JOSE, CA 95192**

S10-3, Policy Recommendation, Inappropriate Sexual Behavior Policy

Legislative History:

At its meeting of March 15, 2010, the Academic Senate approved the following policy recommendation presented by Senator Gleixner for the Instruction and Student Affairs Committee.

Action by University President: Approved by President Jon Whitmore

Date: April 5, 2010

**Policy Recommendation
Inappropriate Sexual Behavior Policy**

- Whereas San José State University is committed to supporting a healthy sexual and social climate, and
- Whereas San José State University is committed to creating an environment safe from sexual violence and any inappropriate sexual behavior as defined by federal and state law, and
- Whereas San José State University will not tolerate any form of illegal sexual behavior or sexual violence, and
- Whereas San José State University recognizes that all illegal sexual behavior and sexual violence are serious issues; and
- Whereas There is no current campus policy for inappropriate sexual behavior; therefore be it
- Resolved that the following policy be adopted.

San José State University strongly encourages all students, staff, faculty, and administrators to report to the University Police Department any incident(s) of sexual violence or inappropriate sexual behavior perpetrated against themselves. All reported instances of sexual violence and inappropriate sexual behavior will be investigated by the University Police Department and could result in possible criminal, civil, and/or campus disciplinary action.

San José State University is committed to educating our students about creating a healthy sexual and social climate in accordance with State of California's ACR 46 (1987), AB 3098 (1990), AB 1088 (2005) and to provide opportunities to educate faculty and staff.

San José State University will vigorously prosecute and discipline persons identified as responsible for acts of illegal sexual behavior or sexual violence as described by federal and California state law. Violations to the California Code of Re