

-CALIFORNIA YOUNG DEMOCRATS: CODE OF CONDUCT-

California Young Democrats ("CYD") is committed to providing an atmosphere free of harassment, exploitation, or violence, for any reason. CYD strictly prohibits harassment, sexual violence, and domestic violence. This behavior is in contrast with CYD's core tenants of tolerance, inclusion, and community. CYD will respond promptly and effectively to reports of harassment, sexual violence, and domestic violence, and will take appropriate action to prevent, to remedy, and when necessary, to discipline, members that violates the Code of Conduct (hereinafter, the "Code"). CYD will cooperate with law enforcement when behavior violates local, state or federal laws.

Code of Conduct

1. Members are to conduct themselves with civility and respect towards all other members while attending CYD events or acting in an official capacity as a representative of CYD or at any CYD Event.
2. Members shall not engage in harassment.
3. Members shall not discriminate against nor use discriminating language on the basis of race, color, ancestry, national origin, religion, sex, disability, age, genetic information, marital status, sexual orientation, gender identity, gender expression, medical condition, immigration status, physical appearance, military or veteran status or the status as a victim of domestic violence, assault or stalking.
4. Members shall observe and abide by the rules of order and shall maintain decorum during meetings.
5. Members shall observe and abide by the Bylaws of the California Young Democrats

Definition of Harassment

Harassment means any inappropriate conduct, comment, display, action or gesture by a person that is either based on race, religion, gender, gender identity, gender expression, sex, sexual orientation, marital status, family status, pregnancy, disability, physical size or weight, age, nationality, ancestry or place of origin.

Examples of harassment may include (but not limited to):

- Inappropriate or unwelcome touching, suggestive or abusive remarks of a sexual nature, compromising invitations, sexual assault, coarse language of a sexual nature, displaying pornographic or demeaning material or seeking sexual favors;
- Unwelcome remarks, jokes, innuendos or taunts of sexual, racial, gender-based or an ethnic nature;
- Displaying materials, pictures or graffiti that degrades one's race, gender, or ethnic background; and
- Insulting gestures, jokes, disparaging written material based on race, ethnic background or gender that causes embarrassment or humiliation.

Harassment between members is prohibited not only at CYD meetings, retreats, conferences and events, but is prohibited between members at any time, even outside of the context of CYD, such as on campus or in the general public.

Definition of Sexual Violence

Sexual violence is any act of a sexual nature--including the touching, fondling, or penetration of another individual or the use of an object to touch, fondle, or penetrate--performed on an individual, or in which an individual is made to perform on another, without his or her freely given, voluntary, and conscious consent to such act. Sexual violence includes rape, sexual battery, and sexual assault. An individual cannot consent if that individual is underage, unconscious, asleep, intoxicated due to alcohol, drugs, or another substance, or is otherwise incapacitated. Lack of protest, silence, or lack of resistance do not by themselves constitute consent. A prior sexual or romantic relationship between the persons involved is not by itself an indicator of consent.

Definition of Domestic Violence

Conduct by a current or former spouse or intimate partner of the victim--or a person with whom the victim shares a child in common--that intentionally or recklessly causes bodily injury to the victim, another, or an animal, or places the victim or another in reasonable fear of serious bodily injury.

Procedures for Harassment Complaints

The Executive Board will take complaints of harassment seriously in regard to members. Complaints of discrimination or harassment shall be handled to protect the confidentiality of those involved.

Complaints will be dealt with in the following manner:

1. Members have a right to make a report verbally or in writing to any CYD Board Member or Judicial Council member.
2. Complaints will be investigated by Committee comprised of three members of the Judicial Council who have no involvement or role in the complaint, and preferably have little relationship with those involved.
3. The Committee shall attempt to investigate the complaint and submit a report and suggested course of action to the Executive Board as quickly as possible. The Executive Board will impose disciplinary sanction on the respondent as recommended. If an Executive Board Member is a Complainant or Respondent, (s)he must recuse her/himself from the decision-making process.
4. Disciplinary action may include suspension, expulsion from the Club, expulsion from an event, or any other penalty deemed appropriate.
5. A Respondent under this policy shall be entitled to notice, verbal or written, of the substance of a complaint under this policy.
6. Both a Complainant and Respondent under this policy shall be entitled to a statement of reasons for the final disposition of the investigation. Any decision made or penalty imposed shall not be arbitrary or discriminatory.

Both parties have the right to request an appeal of the decision made by the Executive Board.

Filing a Complaint

Members may initiate a complaint verbally or in writing to any Executive Board Member or Judicial Council Member by identifying the Complainant and Respondent and providing a detailed description of the occurrence including the time, date and location of the incident, along with the names of any other persons involved and witnesses.

Filing an Appeal

A Complainant or Respondent may appeal to the Executive Board within thirty (30) calendar days after notification of the final disposition. The appeal must be in writing and specify why the decision is unsatisfactory.

The right to appeal is limited to:

1. Significant procedural lapses
2. The appearance of substantive new evidence not available at the time of the original decision

An appellate decision will be determined by the State Leadership Committee.