STUDENT CONDUCT

ACADEMIC HONESTY

Preamble

The University in its quest for truth and knowledge embraces honesty and integrity. These fundamental values must not be compromised. The trust and respect among professors, students and the society need to be vigilantly protected. Cheating and plagiarism can be neither justified nor condoned, as this would destroy the ideals and purposes of higher education. Students enter the University to gain the knowledge and tools necessary for participation in society. Academic integrity is one foundation for a society based on trust and honesty. Therefore, the University takes seriously its responsibility for academic honesty.

I. Definitions

A. Cheating

At Cal State L. A., cheating is defined as the act of obtaining or attempting to obtain credit for academic work through the use of any dishonest, deceptive, or fraudulent means. The following examples are intended to be representative, but not all-inclusive:

(a) Examinations/Tests Administered by Faculty or the University

• Copying from another student’s paper
• Employing signals to obtain answers from or provide answers to others
• Stealing or arranging for the theft of an examination
• Knowingly reviewing an unauthorized copy of an examination
• Using lecture notes or textbooks during an examination when prohibited
• Possessing crib notes at the location and during the time of the examination
• Having someone else take an examination in your place
• Feigning illness or telling falsehoods to avoid taking an examination at the scheduled time
• Claiming falsely that you took an examination at the scheduled time
• Storing and/or accessing course subject matter in a calculator, computer or recording device, without authorization from the instructor, when such instruments are otherwise permitted to be used during an examination period
• Utilizing calculators and/or other learning aids forbidden by the instructor
• Obtaining assistance in answering questions on a take-home examination, when such action is specifically prohibited
• Attempting to use or using bribery to obtain an undeserved grade
• Changing an answer on a graded test and claiming the student’s response to the question was incorrectly marked wrong

(b) Papers/Reports, Laboratory/Homework

• Copying the work of other persons in whole or in part and claiming authorship
• Submitting a paper obtained from any source that provides research/term papers
• Using a ghost writer to compose a paper and claiming authorship
• Claiming an assigned share of a team report, toward which insufficient or no contribution was made
• Lying about the reason for not submitting a report on time
• Pretending to have submitted a paper to an instructor
• Stealing another student’s report and submitting it as one’s own work
• Submitting the same term paper to two or more different instructors for credit in their courses without their prior permission
• Inventing, falsifying, or altering data for a research survey or laboratory experiment
• Misrepresenting the authorship of an experiment or exercise
• Depending upon others to complete laboratory assignments or homework when instructions call for independent work
• Sabotaging someone else’s laboratory work or other exercise
• Fabricating bibliographic references

Cheating on any academic assignment, including course work, comprehensive exams, or theses, is subject to discipline for academic dishonesty.

B. Plagiarism

At Cal State L. A., plagiarism is defined as the act of using ideas, words, or work of another person or persons as if they were one’s own, without giving proper credit to the original sources.

The following examples of plagiarism are intended to be representative, but not all-inclusive:

• Failing to give credit via proper citations for others’ ideas and concepts, data and information, statements and phrases, and/or interpretations and conclusions
• Failing to use quotation marks when quoting directly from another, whether it be a paragraph, a sentence, or a part thereof
• Paraphrasing the expressions of thought by others without appropriate quotation marks or attribution
• Assembling parts from various works and submitting the synthesis or single paper as one’s own creation
• Representing another’s artistic/scholarly works, such as musical compositions, computer programs, photographs, paintings, drawings, sculptures, or similar works as one’s own
Plagiarizing on any academic assignment, including course work, comprehensive exam, or thesis, in whole or in part, is subject to discipline for academic dishonesty.

C. Misrepresentation
Knowingly furnishing false academic information to a University official, faculty member, or campus office is subject to discipline for academic dishonesty.

D. Collusion
Any student who intentionally helps another student perform any of the above acts of cheating, plagiarism or misrepresentation is subject to discipline for academic dishonesty.

II. Consequences and Sanctions
Violations of academic honesty have a dual aspect, constituting both a breach of ethics and a form of academic non-performance. Hence the consequences of violating this policy may fall into two categories. Addressing the violation as an academic matter does not preclude the imposition of further administrative sanctions.

Academic Consequences
Faculty have the right to establish the standards by which the academic performance of students will be evaluated, including the consequences of students not meeting some portion or all of the academic requirements of a course through acts of cheating, plagiarism, misrepresentation or collusion. These consequences may include but are not limited to assigning a lowered grade, zero or “F” on an individual assignment, or lowering the student’s grade or assigning an “F” in the course. Faculty may alternatively permit the student to repeat an assignment/test or complete and submit additional assignments. Furthermore, before these consequences can be effected, the faculty member must have verified instances of academic dishonesty by personal observation and/or documentation.

Administrative Sanctions:
In addition to academic consequences imposed by faculty members or other reporting parties, the University can impose administrative sanctions. Faculty may also recommend as to whether or not disciplinary action should be considered. Cheating, plagiarism, misrepresentation or collusion, in connection with an academic program or campus may warrant actions such as, but not necessarily limited to,

- Expulsion
- Suspension
- Probation
- Withdrawal of a degree
- Restitution

Although sanctions can be imposed for a single offense, repeat offenders will receive particular consideration for administrative sanctions. Multiple offenses committed in more than one course, even when discovered simultaneously, shall be considered repeat offenses.

III. Reporting Procedures
For the purposes of reporting findings of academic dishonesty, the ‘reporting party’ may refer to a probationary, tenured or temporary faculty member, a librarian, a person in an academic administrative position, a counselor, coach, administrator of a testing center or another person in a position of authority over a student’s academic work. Throughout this policy, the term ‘faculty member’ shall be used to stand in for any reporting party. Teaching assistants, graduate assistants and staff should report allegations of academic dishonesty to their authorized university supervisor. Allegations shall be made against individual students rather than groups of students.

When a faculty member suspects that a student has committed an academically dishonest act, it is the faculty member’s responsibility to take the following steps:

1. The faculty member must first carefully consider the evidence of the apparent dishonesty. A perception that is not supported by reasonable evidence, will not suffice. Examples (not necessarily comprehensive) of evidence sufficient to pursue action are:

   - Documentation regarding the source of text which the student has used without proper attribution or has attempted to represent as his/her own work
   - A demonstrably marked difference in the writing style of the student, as compared to his/her work on previous assignments
   - Testimony from others regarding a student’s use of dishonest means to fulfill the assignment at hand
   - Firsthand observation of the student engaging in a dishonest act, in a situation in which the student cannot effectively deny that the act took place
   - Admission by the student that he or she undertook a dishonest act in fulfillment of the assignment at hand
   - A suspicious degree of similarity in work done by different students

   Faculty members are encouraged to discuss any perception of dishonesty and the evidentiary basis for an action with their department/division chair or school director and/or associate dean prior to discussing perceptions of wrongdoing with the affected student.

2. When satisfied that a reasonable evidentiary standard has been met and as soon as possible after discovering the alleged violation, the faculty member should arrange an office conference in order to inform the student of the allegations and the intended academic consequences of the violations. At the conference, the student should be informed of the supporting evidence, the intended consequences, and the Academic Honesty Policy.

   In the event that the student disputes the findings of academic dishonesty, he or she shall be given the opportunity to respond (orally or writing). The faculty member must consider any information or evidence that the student presents during or after the conference, and determine whether or not such information or evidence mitigates or refutes the charge of academic dishonesty. In every case the student shall have ten
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(10) days beyond the date of the conference to respond to the allegations, before a report is made (as outlined in #3, below).

At the conference, the student should also be informed of the University’s Grade Appeals/Academic Grievance Policy. Under that policy, the student may appeal the determination that he or she has committed academic dishonesty, the academic consequences stemming from such a determination, or the administrative sanctions.

3. If after consideration of all evidence (including any provided by the student), it is determined that a preponderance of the evidence favors a finding of academic dishonesty, the faculty member shall proceed as directed below.

The faculty member shall use the Academic Dishonesty Report Form to report the finding of academic dishonesty. This report shall be the statement of charges against the student and the record of the academic consequence(s) imposed; all supporting documentation shall be attached to the form and submitted to the University Judicial Affairs Officer and made available to the student. If a student appeals a grade or other adverse consequence of an allegation of academic dishonesty, this report and the related documentation shall be subject to review.

In cases where the student fails to attend the scheduled conference to discuss the alleged dishonesty, or when the alleged dishonesty is detected at the close of the quarter and the faculty member has not been successful in a good-faith effort to contact the student, an Academic Dishonesty Report Form describing the alleged incident and documents supporting the allegation shall be sent to the University Judicial Affairs Officer and made available to the student.

In cases where the faculty member cannot, for serious and compelling reasons, participate in any one or more parts of the above process, the department/division chair or school director shall represent the reporting party.

IV. Confidentiality

All parties to the initial conference between a faculty member and a student accused of academic dishonesty and all subsequent deliberations regarding incidents of academic dishonesty have the right to expect that such deliberations will occur in a setting of strictest confidentiality.

Concomitant with this right of confidentiality is the obligation of all parties to refrain from any discussions of these issues regarding cheating, plagiarism, misrepresentation or collusion outside of the informal and formal conferences and meetings as outlined elsewhere in this document and in related policies (including the Grade Appeal/Academic Grievance Policy). Confidentiality shall be maintained unless a legitimate need to know is established by the department/division chair or school director in order for the faculty to complete their responsibilities as University employees or in any legal action, and in a manner consistent with the Family Educational Rights and Privacy Act (FERPA) (Student Records Administration - 011, Sec 5.8) and any other applicable law. The department/division chair or school director may consult with, or request documentation of a student’s history of academic dishonesty from the Judicial Affairs Officer only on a strict need to know basis. Violators of this principle of confidentiality are themselves subject to university disciplinary action.

In the matter of student records and according to Federal and State privacy laws, students have the right to protections against improper disclosure of personal information. However, it is permissible for transcripts of student academic records to contain information regarding a student’s academic status including such disciplinary actions as suspension or expulsion. Being a temporary action, suspension may be expunged from the record upon the student’s reinstatement.

Threats/Retaliation:

Any threats or acts of retaliation against any member of the faculty or staff as a consequence of implementing this policy on Academic Honesty will be cause for disciplinary action under section 41301, Title 5, California Code of Regulations, in addition to civil and criminal liabilities.

CAMPUS VIOLENCE POLICY

California State University, Los Angeles is committed to creating and maintaining a working, learning, and social environment for all members of the University community which is free from violence.

Civility, understanding, and mutual respect toward all members of the University community are intrinsic to excellence in teaching and learning, to the existence of a safe and healthful workplace, and to maintenance of a campus culture and environment which serves the needs of its many constituencies. Threats of violence or acts of violence not only impact the individuals concerned, but also the mission of the University to foster higher education through open dialogue and the free exchange of ideas. The University prohibits and will take decisive action to eliminate verbal harassment, violent acts, threats of violence, or any other behavior which by intent, action, or outcome harms another person. Such conduct is subject to disciplinary action up to and including dismissal from employment, expulsion from the University, or civil or criminal prosecution as appropriate.

The University has no tolerance for violence against and by members of the University community. To fulfill this policy, the University will work to prevent violence from occurring and will ensure that federal and state laws, as well as University regulations prohibiting violence, are fully enforced. In determining whether conduct constitutes a credible threat or act of violence, the circumstances surrounding the conduct will be considered.

Established University faculty, staff, and student and Department of Public Safety procedures will serve as mechanisms for resolving situations of violence or threats of violence. Each allegation of violence or threat of violence will be taken seriously. Individuals are encouraged to report acts
of violence, threats of violence, or any other behavior which
by intent, act or outcome harms another person. Complaints
alleging a violation by a staff member should be directed to
Human Resources, complaints alleging a violation by a faculty
member should be directed to the Associate Vice President
for Academic Affairs, and complaints alleging a violation by
a student should be directed to the Student Judicial Affairs
Officer. In addition, in the event that a person feels that he/she
has been the victim of a criminal threat, assault, or battery, he/she should report that to the Department of Public Safety.

GRADE APPEALS/
ACADEMIC GRIEVANCE POLICY

(Senate: 6/1/10; President: 6/21/10)
Governing Document: E.O. 1037

I. Introduction

The purpose of this policy is to establish fair and equitable
means by which matriculated students may appeal assigned
course grades and other Academic decisions. Non-Academic
grievances filed by matriculated students should follow
the procedures outlined in the Student Grievance Proce-
dures. Charges of discrimination, harassment, or retaliation
filed by students or applicants for admission to the Univer-
sity are addressed in a separate policy.

Faculty members at CSULA have the sole right and respon-
sibility to assign grades. It is assumed that the grades as-
signed by faculty members are free from error, prejudice, or
capriciousness. In the absence of compelling reasons to be-
lieve that one of these criteria is missing, the grade assigned
by the instructor of record is to be considered final and cor-
rect. It is the responsibility of anyone appealing a grade to
demonstrate otherwise.

Throughout this policy, the terms ‘day’ and ‘days’ shall refer
to academic work days (i.e., any day, Monday through Fri-
day, on which the University is open for business and faculty
are on duty). Academic work days do not include holidays
or term breaks.

II. Basis for Appeal

It is presumed that the assignment of final course grades and
other academic decisions result from consistent, fair, and
 equitable application of clearly articulated standards and
procedures. Students appealing such decisions must dem-
onstrate that the standards and procedures were not clearly
stated or that they were not applied in a consistent, fair and
 equitable manner. An appeal may not be based on a dis-
agreement with the standards and procedures themselves.
Further, an instructor’s evaluation of a student’s work and
performance in that instructor’s course must not be over-rid-
den merely because of a difference of opinion or evaluative
judgment, provided it is formed in accordance with the gen-
erally accepted canons of the relevant discipline and of the
University and the Department/Division/School wherein
said course is offered.

An appeal may be initiated only on a claim that the deci-
sion/final grade was based on:

1. Clerical error;
2. Capricious or prejudicial evaluation;
3. Inconsistent or inequitably applied standards for evalu-
ation;
or
4. A finding of academic dishonesty that the student dis-
putes.

The burden of proof in the appeal of a grade or other aca-
demic decision is on the student. In every appeal, the stu-
dent must present evidence that the grade/decision being
appealed was based on one of the first three conditions arti-
culated above, or (in the case of the fourth possible basis),
evidence that the allegation of academic dishonesty was not
warranted.

A student may appeal a final course grade or a grade on a
Comprehensive Examination or a project (e.g., art exhibi-
tion) or thesis required for graduation. Students who believe
that individual exams and/or assignments demonstrate
evidence of prejudicial, capricious, or arbitrary grading may
appeal the grade assigned in individual assignments only
insofar as those grades had direct bearing on the final grade.
In every case, the student must attempt to resolve a grade
dispute informally before filing a formal Grade Appeal.

Students may also appeal other types of academic decisions.
These include, but are not limited to: the decision to refuse
admission to or to disqualify a matriculated student from
a major or program; academic consequences (in addition to
course grades) that result from accusations of academic dis-
honesty; and academic probation, suspension, or disqualifi-
cation.

III. Process

Before a student may initiate a formal Grade Appeal based
on a clerical error, capricious or prejudicial evaluation, in-
consistent or inequitably applied evaluation standards, he or
she must attempt to resolve the issue informally. All other
Academic appeals, including findings of academic dishonesty,
shall proceed immediately to the Formal Appeal Process,
outlined in Section B, below.

A. Informal Process

Students who believe that they have a basis for a grade ap-
peal (as outlined in Section II) should notify the course in-
structor in writing, within twenty (20) days of the begin-
ing of the term (excluding summer) immediately following
the formal posting of the grade. If the Instructor is not respon-
sive or is unavailable to respond to a student’s good faith ef-
forts to contact him/her, the student should contact the De-
partment/Division Chair or School Director (hereafter the
Chair) in which the course was offered. In the event that the
instructor is not available to discuss informal resolution of
the Grade Dispute with the student even with the interven-
tion of the chair, the Formal Appeal process may be initiated.
If the student and instructor are not able to resolve the prob-
lem to the satisfaction of both parties, the student should dis-
cuss the assigned grade with the Chair or other appropriate
supervisor. This discussion is a prerequisite to proceeding
To the Formal Appeal Process. However, if the chair is the
instructor against whom the student wishes to file the Grade
Appeal, the student may bypass this step of the informal
resolution process and either request mediation by the college Dean or proceed directly to the Formal Appeal Process. The Chair shall reasonably attempt to facilitate a resolution to the grade dispute. The involved parties are strongly encouraged to participate and cooperate with the chair’s attempt to resolve the dispute. The chair may consult an appropriate department/division/school committee to hear Grade Appeals or other Academic Grievances. This Department/Division/School committee shall recommend a resolution to the Chair, who will share this information with the student and the instructor.

If the grade dispute cannot be informally resolved within the department/division/school, any of parties may request mediation from the Dean or designee.

If the grade dispute is informally resolved to the mutual satisfaction of the two parties and the resolution is that the final course grade is to be changed, the instructor shall complete a Change of Grade form within three (3) academic days of resolving the matter. No further action under this policy need be taken. If the grade dispute cannot be informally resolved or is not completed by the end of the term during which it was initiated, the student may elect to proceed to the formal grade appeal process.

B. Formal Appeal Process

A formal appeal of a course grade or other academic decision must be initiated no later than the end of the academic term (excluding summer) following formal notification to the student of the decision or grade. For the purposes of this policy, the posting of course grades constitutes formal notification to students of course grades. For all other decisions, formal notification will normally be in the form of written correspondence from the appropriate University, College, or Department/Division/School authority.

A formal appeal is to be filed in the office of the Provost and Vice President for Academic Affairs (hereafter, the Provost). A formal appeal must include (1) the Academic Grievance Appeal Form (2) a copy of the grade report (for grade appeals) or notification of the decision being appealed (for all other academic appeals); (3) a written statement clearly presenting the basis for the appeal; and (4) any documentation that supports the appeal (such as the course syllabus, exams, papers, assignments, or other corroborating documents).

The University Academic Appeals Board shall review all appeals. The Board shall determine, within twenty (20) days of receipt of the written request, whether or not the grievance or appeal warrants further review. If the Board determines that the case does not warrant further review, the board shall notify the student of this decision, in writing. With the exception of appeals as described in Section V, below, this decision shall be final and binding.

If the Board determines that a hearing is warranted, the chairman of the Board shall notify, in writing, both the student and the Respondent of this determination; notice to the Respondent shall invite a written response prior to the date of the hearing. When the Appeal concerns a course grade, the Respondent shall be the instructor of record for the course. When an appeal concerns the grade on a comprehensive exam or a thesis or project, the Respondent shall be the chair of the exam, thesis, or project committee. For all other academic appeals, the Respondent shall be the person upon whose authority the decision was rendered (e.g., the Chair if the decision was to disqualify the appellant from the program or major). In the event that an instructor is not available to participate in the formal process, the Department/Division Chair or School Director shall appoint another instructor whose area of expertise most closely approximates that of the instructor of record (and/or that most closely matches the material covered in the course), to represent the interests of the instructor of record. Where the Respondent is not clearly identified, the Dean of the College or the Provost shall designate the appropriate party to respond on behalf of the College or the University, respectively.

The notification shall specify the proposed date and time of the hearing and shall invite both parties to appear at that time, if they wish to present testimony or further evidence not already included in the written record. The Board shall appoint, from among its membership, a Hearing Committee consisting of two faculty members and one student member (if the student appellant has authorized student participation in the hearing). In no case shall a member of a hearing committee be from the same department/division/school from which the appeal originated.

The Hearing Committee shall convene and, if necessary, hold any hearing(s) within twenty (20) days of the determination that a hearing is warranted. The Committee shall consider the documentation submitted by the appellant, as well as any written response submitted by the respondent. The committee may call witnesses before them, if they determine that such witnesses could provide relevant information not available in the written documents before them. If a student is given a hearing before the committee, the respondent must also be offered the opportunity to be heard by the committee.

Although in grade appeals the presumption is that the assigned grade is correct, should the Hearing Committee find (after conducting a hearing) that the evidence indicates otherwise, the Hearing Committee may determine that the grade should be changed. Similarly, the presumption is that the academic decisions are made fairly, equitably, and in good faith; however, should the evidence indicate otherwise (after a hearing has been conducted), the Hearing Committee may determine that a decision should be reversed. In all cases, the Appeal Board’s authority (as well as that of convened Hearing Committees) is limited to actions consistent with the policies of the California State University system and those of California State University, Los Angeles.

The Hearing Committee’s deliberations and decision(s) in Academic Appeals shall be limited to the following issues: (1) whether, in fact, the evidence presented establishes that the grade assigned or the academic decision in question was erroneous, capricious, or prejudicial, or involved the inconsistent or inequitable application of standards for evaluation; and if it is judged that the evidence does establish that one of these conditions was operative, (2) the appropriate academic remedy.

Student members of the Hearing Committee shall be limited to discussion of (1). Only faculty members of the Committee
shall establish the answer to (2). In every case, the Committee’s decision shall be bound by any other relevant campus or CSU system policies.

The Hearing Committee shall deliberate on the case and issue a finding within ten (10) days of the conclusion of the hearing(s) related to the case. The Hearing Committee’s decision shall be formalized in writing and addressed to the Appellant, with copies to the Respondent, the College Dean, and the Provost (or designee, as the Executive Secretary of the Academic Appeals Board), and shall include a summary of their findings, the final decision, and the reason(s) for this decision. A copy of the Hearing Committee’s findings shall be placed in a file in the Provost’s office. At the subsequent meeting of the Academic Appeals Board, the Executive Secretary shall report on all matters resolved by the Hearing Committee(s) convened since the previous meeting.

In the event that the Hearing Committee finds in the appellant’s favor, the Provost or designee shall ensure that within ten (10) academic days of receipt of the Committee’s finding a Change of Grade form is completed or other remedy initiated. In cases in which the instructor of record of a course refuses to sign the change of grade form, the College Dean shall complete the form in his/her place.

IV. Confidentiality

All discussions and deliberations of the Academic Appeals Board and of Hearing Committees shall be held in strict confidentiality. Confidentiality shall be maintained unless a legitimate need to know is established by the Hearing Committee chair or in order for the committee members to complete their deliberations in the matter at hand or as required by any legal action, and in a manner consistent with the Family Educational Rights and Privacy Act (FERPA) (Student Records Administration - 011, Sec 5.8) and any other applicable law. The Hearing Committee chair may consult with or request documentation of a student’s history of academic dishonesty from the Judicial Affairs Officer, and may apprise Hearing Committee Members of such information only on a strict need to know basis.

No student member of the Academic Appeals Board or a Hearing Committee may be apprised of any academic information concerning another student (including grades or other confidential information) unless that student has expressly permitted such disclosure by signing the disclosure statement on the formal Academic Appeals Form.

V. Finality of Hearing Committee Decisions and Conditions under which Appeals are Allowed

The Hearing Committee’s decision is final and binding on all parties. However, any party to the dispute (either the student or the respondent) may appeal a Committee decision on grounds of procedural violations. If either party alleges that the procedures outlined in this policy were violated, they must present a written appeal to the President outlining their allegations within ten (10) days of notification of the decision. The President (or designee) shall then investigate only the issue as to whether there were procedural violations in the handling of the Appeal; if there is a finding of procedural violations, the President shall send the case back to the first step of the formal appeal (outlined in Section III B, above) to begin again.

VI. Annual Reports and Record Retention

The Provost shall retain for a period of three years after the appeal has been exhausted each appeal that has been filed with the Academic Appeals Board, and a copy of all documentation submitted initially as well as at any time during the proceedings. After three years, the file shall be destroyed. Annually, at the end of each Academic Year, the Provost shall report to the President and to the Academic Senate the number of formal academic appeals received, as well as the nature and resolution of each appeal.

VII. Timelines

The timelines in this policy may be extended by the Provost, if the appellant can present documentation of extenuating circumstances that prevented a timely filing of the appeal (or a timely response at a later stage) or if the Appeals Board or hearing committee provides compelling reasons that warrant such an extension.

INTELLECTUAL PROPERTY

As defined by the CSU Chancellor’s office is as follows:

- Unauthorized recording, dissemination, and publication of academic presentations for commercial purposes. This prohibition applies to a recording made in any medium, including, but not limited to, handwritten or typewritten class notes.

1. The term “academic presentation” means any lecture, speech, performance, exhibition, or other form of academic or aesthetic presentation, made by an instructor of record as part of an authorized course of instruction that is not fixed in a tangible medium of expression.

2. The term “commercial purpose” means any purpose that has financial or economic gain as an objective.

3. “Instructor of record” means any teacher of staff member employed to teach courses and authorize credit for the successful completion of courses. (See the Student Discipline Policy, Appendix E. in the 2011-2014 University Catalog

NON ACADEMIC STUDENT GRIEVANCES

Non-Academic grievances filed by matriculated students should follow the procedures outlined in the Student Grievance Procedures. These procedures can be found in Appendix I in the University Catalog or view them online at http://www.calstatela.edu/univ/stuaffrs/jao/. Hard copies of the Student Grievance Procedures are also available in the Judicial Affairs Office, Student Affairs Building, Room 115A.

NONDISCRIMINATION STATEMENT

California State University, Los Angeles, affirms its commitment to equality of opportunity for all individuals. This
commitment requires that no discrimination shall occur in any program or activity of the University on the basis of race, color, religion, national origin, sex, gender identity, gender expression, ancestry, physical or mental disability, medical condition, pregnancy, age (over 40), marital status, political affiliation, sexual orientation, genetic information, covered veteran status, or any other classification prohibited by state or federal laws. Further, the University’s commitment requires that no retaliation shall occur because an individual filed a complaint of discrimination or in some way opposed discriminatory practices, or participated in an investigation or administrative or judicial proceeding related to such a complaint. This policy is in accord with Title VII of the Civil Rights Act of 1964, as amended, Title IX of the Educational Amendments of 1972, as amended, Sections 503 and 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, as amended, the Vietnam Era Veterans’ Readjustment Assistance Act of 1974, as amended, Genetic Information Nondiscrimination Act of 2008, related California state laws, and related administrative regulations and executive orders. Inquiries concerning the application of these and other non-discrimination laws may be referred to the Office for Equity, Diversity and Inclusion, Human Resources Management, telephone: (323) 343-3040, the campus office assigned the administrative responsibility of reviewing such matters. Title IX inquiries may also be directed to the Regional Director of the Office for Civil Rights, Region IX, Old Federal Building, 50 Beale St., Suite 7200, San Francisco, CA 94105.

Discrimination Complaint
If you feel you have experienced discrimination, harassment or retaliation due to race, color, religion, national origin, gender, sexual orientation, gender identity and expression, marital status, pregnancy, age, disability, or veteran status in connection with your association with the University, please make your concerns known. You may file a complaint with the Office for Equity, Diversity and Inclusion. The Office for Equity, Diversity and Inclusion is located in Administration 606 and is open Monday through Friday, 8 a.m. to 5 p.m., (323) 343-3040, or TDD: (323) 343-3670.

Your concerns will be treated carefully, and investigated promptly, thoroughly, and objectively. If corrective action is appropriate, it will be taken. No action will be taken against you for filing your complaint, so long as you believe the complaint to be valid.

NOTIFICATION OF COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA) OF 1990, AS AMENDED
California State University, Los Angeles, does not permit discrimination on the basis of disability in admission to, access to, or operation of its instruction, programs, services, or activities, or in its hiring and employment practices. Also, the University does not permit unlawful harassment based on a protected disability. In addition, the University does not permit discrimination or unlawful harassment based on an applicant’s, employee’s, or student’s relationship with or association with anyone with a known protected disability. Upon request, the University will consider a request for reasonable accommodation(s) when needed to facilitate the participation of qualified individuals with protected disabilities. Reasonable accommodations will be considered to permit qualified individuals with protected disabilities to: (a) complete the admission/employment process; (b) perform essential job functions; (c) participate in instruction, programs, services or activities; and, (d) enjoy other benefits and privileges of similarly situated individuals without disabilities.

Questions, concerns, complaints and requests for reasonable accommodation or additional information may be forwarded to Human Resources Management, Office for Equity, Diversity and Inclusion, the campus office assigned responsibility for compliance with the ADA in relation with employment. Requests for academic accommodations should be addressed to the Office for Students with Disabilities located in Administration 127. The Office for Equity, Diversity and Inclusion is located in Administration 606 and is open Monday through Friday, 8 a.m. to 5 p.m., (323) 343-3040, or TDD: (323) 343-3670.

ADA Complaint
If you feel you have experienced discrimination, harassment or retaliation due to your protected disability in connection with your association with the University, please make your concerns known. You may file a complaint with the Office for Equity, Diversity and Inclusion. The Office for Equity, Diversity and Inclusion is located in Administration 606 and is open Monday through Friday, 8 a.m. to 5 p.m., (323) 343-3040, or TDD: (323) 343-3670.

Your concerns will be treated carefully, and investigated promptly, thoroughly, and objectively. If corrective action is appropriate, it will be taken. No action will be taken against you for filing your complaint, so long as you believe the complaint to be valid.

Notification of Student’s Rights under the Family Education Rights and Privacy Act (FERPA)
California State University, Los Angeles abides by the Family Educational Rights and Privacy Act of 1974 (FERPA), and in so doing, provides students a number of rights with respect to their education records.

Among these rights are: the right to inspect and review personal education records, the right to request the amendment of education records in the case of inaccurate or misleading information, the right to consent to disclosures of personally identifiable information contained in these records, and the right to file a complaint with the U.S. Department of Education concerning alleged failures by the University to comply with the requirements of FERPA.

Copies of the campus policy, Administrative Procedure for Student Records Administration, can be found in the office of the Vice President for Student Affairs, in SA 108 and on the web at http://web.calstatela.edu/univ/admfin/procedures/011.pdf.
Notification Regarding Compliance With Title IX Of The Education Amendments Act Of 1972, Violence Against Women Act/Campus Save Act, Related State Laws And University Policy On The Prohibition Of Sexual Harassment

California State University, Los Angeles, does not discriminate on the basis of sex, gender or sexual orientation in its education programs or activities. Title IX of the Education Amendments of 1972, and certain other federal and state laws, prohibit discrimination on the basis of sex in all education programs and activities operated by the University (both on and off campus). Title IX protects all people regardless of their gender or gender identity from sex discrimination, which includes sex stereotyping, even if those acts do not involve conduct of a sexual nature, sexual harassment, sexual assault, dating violence, domestic violence, and stalking.

California State University, Los Angeles, will take action to eliminate and prevent sexual harassment and to address its effects, as mandated by the Chancellor’s Executive Order No. 1095, 1096 and 1097.

http://web.calstatela.edu/univ/hrm/docs/eqty_div/eo1095.pdf - Implementation of Title IX, VAWA/Campus SaVE Act, and Related Sex Discrimination, Sexual Harassment and Sexual Violence Legislation

http://www.calstate.edu/EO/EO-1096.pdf - Systemwide Policy Prohibiting Discrimination, Harassment and Retaliation Against Employees and Third Parties and Procedure for Handling Discrimination, Harassment and Retaliation Allegations by Employees and Third Parties


Sexual harassment is conduct subject to disciplinary action, including termination.

Sex Discrimination means an adverse action taken against an individual because of gender or sex (including sexual harassment, sexual violence, domestic violence, dating violence, and stalking) as prohibited by Title IX; Title IV; VAWA/Campus SaVE Act; California Education Code § 66250 et seq.; and/or California Government Code § 11135. See also Title VII of the Civil Rights Act of 1964, the California Fair Employment and Housing Act (Cal. Govt. Code § 12940 et seq.), and other applicable laws. Both men and women can be victims of Sex Discrimination.

Sexual Harassment, a form of Sex Discrimination, is unwelcome verbal, nonverbal or physical conduct of a sexual nature that includes, but is not limited to sexual violence, sexual advances, requests for sexual favors, and indecent exposure, where:

a. Submission to, or rejection of, the conduct is explicitly or implicitly used as the basis for any decision affecting a student’s academic status or progress, or access to benefits and services, honors, programs, or activities available at or through the University; or

b. Such conduct is sufficiently severe, persistent or pervasive that its effect, whether or not intended, could be considered by a reasonable person in the shoes of the student, and is in fact considered by the student, as limiting the student’s ability to participate in or benefit from the services, activities or opportunities offered by the University; or

c. Submission to, or rejection of, the conduct by a University employee is explicitly or implicitly used as the basis for any decision affecting a term or condition of employment, or an employment decision or action; or

d. Such conduct is sufficiently severe, persistent or pervasive that its effect, whether or not intended, could be considered by a reasonable person in the shoes of the University employee or third party, and is in fact considered by the University employee or third party, as intimidating, hostile or offensive.

Sexual Harassment also includes acts of verbal, non-verbal or physical aggression, intimidation or hostility based on gender or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

Sexual Violence is a form of Sexual Harassment and means physical sexual acts, such as unwelcome sexual touching, sexual assault, sexual battery, rape, domestic violence, dating violence, and stalking (when based on gender or sex), perpetrated against an individual against his or her will and without consent or against an individual who is incapable of giving consent due to that individual’s use of drugs or alcohol, status as a minor, or disability. Sexual Violence may include physical force, violence, threat, or intimidation, ignoring the objections of the other person, causing the other person’s intoxication or incapacitation through the use of drugs or alcohol, or taking advantage of the other person’s incapacitation (including voluntary intoxication).

Men as well as women can be victims of these forms of Sexual Violence. Unlawful sexual intercourse with a minor (statutory rape) occurs even if the intercourse is consensual when the victim is under 18 years old, because the victim is considered incapable of giving legal consent due to age.

Sexual Assault is a form of Sexual Violence and is an attempt, coupled with the ability, to commit a violent injury on the person of another because of that person’s gender or sex.

Sexual Battery is a form of Sexual Violence and is any willful and unlawful use of force or violence upon the person of another because of that person’s gender or sex.

Rape is a form of Sexual Violence, and is non-consensual sexual intercourse that may also involve the use of threat of force, violence, or immediate and unlawful bodily injury or threats of future retaliation and duress. Any sexual penetration, however slight, is sufficient to constitute rape. Sexual acts including intercourse are considered non-consensual when the person is incapable of giving consent because s/he is incapacitated from alcohol and/or drugs, is under 18 years old, or if a mental disorder or developmental or physical disability renders the person incapable of giving consent. The accused’s relationship to the person (such as family member, spouse, friend, acquaintance or stranger) is irrelevant. (See complete definition of Consent below.)

Acquaintance Rape is a form of Sexual Violence committed by an individual known to the victim. This includes a person the victim may have just met; i.e., at a party, introduced through a friend, or on a social networking website. (See above for definition of Rape.)
Consent means an informed, affirmative, conscious decision by each participant to engage in mutually agreed-upon sexual activity.

- Consent must be voluntary, and given without coercion, force, threats, or intimidation. Consent requires positive cooperation in a particular sexual act, or expression of intent to engage in that sexual act through the exercise of free will.
- Consent can be withdrawn or revoked. Consent to one form of sexual activity (or one sexual act) does not constitute consent to other forms of sexual activity (or other sexual acts). Consent to sexual activity given on one occasion does not constitute consent to sexual activity on another occasion. The fact that two people are or were in a dating or sexual relationship does not constitute consent to engage in sexual activity. There must always be mutual and affirmative consent to engage in sexual activity. Consent to a sexual act may be withdrawn or revoked at any time, including after penetration. The victim’s request for the perpetrator to use a condom or birth control does not, in and of itself, constitute consent. Once consent is withdrawn or revoked, the sexual activity must stop immediately.
- Consent cannot be given by a person who is incapacitated. For example, a person cannot give consent if s/he is unconscious or coming in and out of consciousness. A person is incapacitated if s/he lacks the physical and/or mental ability to make informed, rational judgments. Examples of incapacitation include unconsciousness, sleep and blackouts. Whether an intoxicated person (as a result of using alcohol or other drugs) is incapacitated depends on the extent to which the alcohol or other drugs impact the person’s decision-making capacity, awareness of consequences, and ability to make fully informed judgments. A person with a medical or mental disability may also lack the capacity to give consent.
- Being intoxicated by drugs or alcohol does not diminish a person’s responsibility to obtain consent from the other party before engaging in sexual activity. Factors to be considered include whether the person knew, or whether a reasonable person in the accused’s position should have known, that the victim did not give, or revoked, consent; was incapacitated; or was otherwise incapable of giving consent.
- Sexual intercourse with a minor is never consensual when the victim is under 18 years old, because the victim is considered incapable of giving legal consent due to age.

Domestic Violence is a form of Sexual Violence and is abuse committed against someone who is a current or former spouse, current or former cohabitant, someone with whom the abuser has a child, someone with whom the abuser has or had a dating or engagement relationship, or a person similarly situated under California domestic or family violence law. Cohabitant means two unrelated persons living together for a substantial period of time, resulting in some permanency of relationship. Factors that may determine whether persons are cohabiting include, but are not limited to (1) sexual relations between the parties while sharing the same living quarters, (2) sharing of income or expenses, (3) joint use or ownership of property, (4) whether the parties hold themselves out as husband and wife, (5) the continuity of the relationship, and (6) the length of the relationship.

Dating Violence is a form of Sexual Violence, and is abuse committed by a person who is or has been in a social or dating relationship of a romantic or intimate nature with the victim. This may include someone the victim just met; i.e., at a party, introduced through a friend, or on a social networking website.

Stalking means a repeated course of conduct directed at a specific person (when based on gender or sex) that places that person in reasonable fear for his/her or others’ safety, or to suffer substantial emotional distress.

Although this policy focuses on the treatment of persons lacking or holding lesser authority by persons possessing greater authority, it does not preclude the possibility that sexual harassment may also be perpetrated by or between persons lacking or holding lesser authority, e.g., employee, student, or applicant. In determining whether conduct constitutes sexual harassment, the circumstances surrounding the conduct are considered.

Certain University employees, such as physicians, psychotherapists, professional counselors and clergy who work or volunteer on or off campus and who provide medical or mental health treatment or counseling, and sexual assault and domestic violence counselors and advocates who work or volunteer on or off campus in sexual assault centers, victim advocacy offices, women’s centers, and health centers (including all individuals who work or volunteer in these centers and offices, as well as non-professional counselors or advocates, and those who act in that role under their supervision) are required by law to maintain near or complete confidentiality; talking to them is sometimes called a “privileged communication.” University law enforcement employees may maintain the victim’s identity as confidential, if requested by the victim, but will report the facts of the incident to the Title IX Coordinator, including the identity of the perpetrator. Most other University employees are required to report all details of a Sexual Violence incident (including the identities of both the victim and alleged perpetrator) to the Title IX Coordinator so the University can take immediate action to protect the victim, and take steps to correct and eliminate the cause of Sexual Violence.

In addition, all individuals with supervisory authority are responsible for reporting a complaint about sexual harassment to the Office for Equity, Diversity and Inclusion/Title IX Coordinator. Failure to do so may lead to appropriate administrative action.

Please see specific rules and procedures for reporting complaints of sexual harassment and for pursuing available remedies in the links to applicable Executive Orders listed above. Additional information is available in the following locations:
- Human Resources Management; Office for Equity, Diversity and Inclusion; Office of the Vice President for Student Affairs; and the University Student Health Center.
- Contact the following University personnel or departments for help or to report a violation:

  University Title IX Coordinator
  Mariel S. Mulet
  Director, Equity, Diversity and Inclusion
  Human Resources Management
  (323) 343-3040
  Mariel.Mulet@calstatela.edu
STUDENT CONDUCT
(continued)

Deputy Title IX Coordinators
Letycia Gomez
Judicial Affairs Officer
Student Affairs
(323) 343-3812
LTGomez@cslanet.calstatela.edu

Sheila Hudson
Associate Athletics Director
Intercollegiate Athletics
(323) 343-5240
shudson@calstatela.edu

Rebecca Palmer
Housing Services
Associate Director, Housing Services
(323) 343-4812
rpalmer@cslanet.calstatela.edu

University Police
(323) 343-3700
Student Health Center
Counseling and Psychological Services
(323) 343-3314

SEXUAL HARASSMENT COMPLAINT
If you feel you have experienced sexual harassment, please make your concerns known. You may file a complaint with the Office of Equity, Diversity and Inclusion. The Office for Equity, Diversity and Inclusion is located in Administration 606 and open Monday through Friday, 8:00 a.m. to 5:00 p.m., (323) 343-3040 [TDD: (323) 343-3670].

Your concerns will be investigated promptly, thoroughly, and objectively. If corrective action is appropriate, it will be taken. No action will be taken against you for filing your complaint, so long as you believe the complaint to be valid.

SMOKING
For the health of all members of the university community, smoking is prohibited in all enclosed indoor areas on campus, and within 20 feet of any building.

STANDARDS FOR STUDENT CONDUCT
Inappropriate conduct by students or by applicants for admission is subject to student discipline as described in the California Code of Regulations, Title 5, Subsections 41301 and 41302.

(a) Campus Community Values
The University is committed to maintaining a safe and healthy living and learning environment for students, faculty, and staff. Each member of the campus community should choose behaviors that contribute toward this end. Students are expected to be good citizens and to engage in responsible behaviors that reflect well upon their university, to be civil to one another and to others in the campus community, and contribute positively to student and university life.

(b) Grounds for Student Discipline
Student behavior that is not consistent with the Student Conduct Code is addressed through an educational process that is designed to promote safety and good citizenship and, when necessary, impose appropriate consequences.

The following are the grounds upon which student discipline can be based:

1. Dishonesty, including:
   - Cheating, plagiarism, or other forms of academic dishonesty that are intended to gain unfair academic advantage.
   - Furnishing false information to a University official, faculty member, or campus office.
   - Forgery, alteration, or misuse of a University document, key, or identification instrument.
   - Misrepresenting one’s self to be an authorized agent of the University or one of its auxiliaries.

2. Unauthorized entry into, presence in, use of, or misuse of University property.

3. Willful, material and substantial disruption or obstruction of a University-related activity, or on-campus activity.

4. Participating in an activity that substantially and materially disrupts the normal operations of the University, or infringes on the rights of members of the University community.

5. Willful, material and substantial obstruction of the free flow of pedestrian or other traffic, on or leading to campus property or an off-campus University related activity.

6. Disorderly, lewd, indecent, or obscene behavior at a University related activity, or directed toward a member of the University community.

7. Conduct that threatens or endangers the health or safety of any person within or related to the University community, including physical abuse, threats, intimidation, harassment, or sexual misconduct.

8. Hazing, or conspiracy to haze. Hazing is defined as any method of initiation or pre-initiation 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 injury 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 harm, personal degradation or disgrace resulting in 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 sanctioned 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.

9. Use, possession, manufacture, or distribution of illegal drugs or drug-related paraphernalia, (except as expressly permitted by law and University regulations) or the misuse of legal pharmaceutical drugs.
(10) Use, possession, manufacture, or distribution of alcoholic beverages (except as expressly permitted by law and University regulations), or public intoxication while on campus or at a University related activity.

(11) Theft of property or services from the University community, or misappropriation of University resources.

(12) Unauthorized destruction, or damage to University property or other property in the University community.

(13) Possession or misuse of firearms or guns, replicas, ammunition, explosives, fireworks, knives, other weapons, or dangerous chemicals (without the prior authorization of the campus president) on campus or at a University related activity.

(14) Unauthorized recording, dissemination, or publication of academic presentations (including handwritten notes) for a commercial purpose.

(15) Misuse of computer facilities or resources, including:
   (A) Unauthorized entry into a file, for any purpose.
   (B) Unauthorized transfer of a file.
   (C) Use of another’s identification or password.
   (D) Use of computing facilities, campus network, or other resources to interfere with the work of an other member of the University community.
   (E) Use of computing facilities and resources to send obscene or intimidating and abusive messages.
   (F) Use of computing facilities and resources to interfere with normal University operations.
   (G) Use of computing facilities and resources in violation of copyright laws.
   (H) Violation of a campus computer use policy.

(16) Failure to comply with directions or, or interference with, any University official or any public safety officer while acting in the performance of his/her duties.

(17) Any act chargeable as a violation of a federal, state, or local law that poses a substantial threat to the safety or well being of members of the University community, to property within the University community or poses a significant threat of disruption or interference with University operations.

(18) Violation of the Student Conduct Procedures, including:
   (A) Falsification, distortion, or misrepresentation of information related to a student discipline matter.
   (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.

(c) 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.

(d) 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.

Note: Authority cited: Sections 66017, 66452, 66600, 69810, 89030, 89030.1 and 89035, Education Code. Reference: Sections 66450, 69813 et seq. and 89030, Education Code; and Section 245.6, Penal Code.