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# STUDENT CONDUCT

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## 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 a 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

## STUDENT CONDUCT (continued)

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. 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

## STUDENT CONDUCT (continued)

(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 Office 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

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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

## STUDENT CONDUCT (continued)

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, if 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**

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(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 Procedures. Charges of discrimination, harassment, or retaliation filed by students or applicants for admission to the University are addressed in a separate policy.

Faculty members at CSULA have the sole right and responsibility to assign grades. It is assumed that the grades assigned by faculty members are free from error, prejudice, or capriciousness. In the absence of compelling reasons to believe that one of these criteria is missing, the grade assigned by the instructor of record is to be considered final and correct. 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 Friday, 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 demonstrate 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 disagreement 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-ridden merely because of a difference of opinion or evaluative judgment, provided it is formed in accordance with the generally 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 decision/final grade was based on:

- (1) Clerical error;
- (2) Capricious or prejudicial evaluation;
- (3) Inconsistent or inequitably applied standards for evaluation; or
- (4) A finding of academic dishonesty that the student disputes.

The burden of proof in the appeal of a grade or other academic decision is on the student. In every appeal, the student must present evidence that the grade/decision being appealed was based on one of the first three conditions articulated 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 exhibition) 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 dishonesty; and academic probation, suspension, or disqualification.

#### III. Process

Before a student may initiate a formal Grade Appeal based on a clerical error, capricious or prejudicial evaluation, inconsistent 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 appeal (as outlined in Section II) should notify the course instructor in writing, within twenty (20) days of the beginning of the term (excluding summer) immediately following the formal posting of the grade. If the Instructor is not responsive or is unavailable to respond to a student's good faith efforts to contact him/her, the student should contact the Department/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 intervention of the chair, the Formal Appeal process may be initiated. If the student and instructor are not able to resolve the problem to the satisfaction of both parties, the student should discuss 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

## STUDENT CONDUCT (continued)

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

## STUDENT CONDUCT (continued)

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 pro-

cedural 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**

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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 2009-2011 University Catalog)

## **NON ACADEMIC STUDENT GRIEVANCES**

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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 117.

## **NONDISCRIMINATION STATEMENT**

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California State University, Los Angeles affirms its commitment to equality of opportunity for all individuals. This commitment

## STUDENT CONDUCT (continued)

requires that no discrimination shall occur in admission to, access to, or operation of its instruction, programs, services, or activities, in the operation of any program of this University on the grounds of race, color, religious creed, sex, sexual orientation, pregnancy, national origin, ancestry, age (over 40), marital status, physical disability (including HIV and AIDS), mental disability, medical condition, genetic information, political affiliation, disabled veteran, recently separated veteran, armed forces service medal veteran and other protected veteran, or for opposing discrimination, or any other classification that precludes a person from consideration as an individual. Further, the University's commitment requires that no retaliation shall occur because an individual filed a complaint of discrimination or in some other way opposed discriminatory practices, or participated in an investigation related to such a complaint. This policy is in accord with 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, The Vietnam era Veterans' Readjustment Assistance Act of 1974, and related administrative regulations and executive orders. Inquiries concerning the application of Title IX, Sections 503 and 504, and other nondiscrimination laws may be referred to the Office for Equity and Diversity, (telephone (323) 343-3040), the campus office assigned the administrative responsibility for reviewing such matters. Title IX inquiries may also be directed to the regional director of the Office for Civil Rights, Region 9, (old Federal building) 50 United Nations Plaza, Room 239, San Francisco, CA 94102.

### **Discrimination Complaint**

If you feel you have experienced discrimination, harassment or retaliation due to race, color, religion, national origin, gender, sexual orientation, 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 and Diversity. The Office for Equity and Diversity 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 treated carefully and 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. The Office for Equity and Diversity 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].

### **NOTIFICATION OF COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA)**

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 harassment based on a protected disability. In addition, the University does not permit discrimination or 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 reasonable accommodation when needed to facilitate the participation of persons with a protected disability. Reasonable accommodations will be considered to permit 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 the Office for Equity and Diversity, the campus office assigned responsibility for compliance with the ADA. The Office for Equity and Diversity 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].

### ***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 and Diversity. The Office for Equity and Diversity 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 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://www.calstatela.edu/univ/studentrecords>.

### **SEXUAL HARASSMENT PROHIBITION POLICY**

California State University, Los Angeles will take action to prevent and eliminate sexual harassment\*, as mandated by the Chancellor's Executive Order No. 927.

Sexual harassment is conduct subject to disciplinary action, including termination. Sexual harassment includes but is not limited to:

## STUDENT CONDUCT (continued)

- Unwanted sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature.
- Any act which contributes to a workplace or learning environment that is hostile, intimidating, offensive, or adverse to persons because of the sexual nature of the conduct.
- Conditioning an act, decision, evaluation, or recommendation on the submission to or tolerance of any act of a sexual nature.

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 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.

The prohibition against sexual harassment applies to all transactions of University business, whether on or off campus.

Individuals with supervisory authority are responsible for reporting a formal complaint about sexual harassment to The Office for Equity and Diversity. Failure to do so may lead to appropriate administrative action.

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\*The parameters of 'sexual harassment' are legally defined by State and Federal statutes and Court decisions. While the policy set forth above describes actions which fall generally within the scope of 'sexual harassment' all CSU employees and students are required to conduct themselves in a manner that avoids sexual harassment as defined by State and Federal law.

### 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 and Diversity. The Office for Equity and Diversity 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.

### Appeal Procedures

- If a complaint is not satisfied with the outcome of the complaint process described above, he/she may file a written appeal with the President or the President's designee within five (5) working days of receipt of the decision from the Equity and Diversity Specialist. The appeal shall outline the basis upon which the complainant believes the appeal should be granted.
- The President or the President's designee will acknowledge receipt of the appeal within five (5) working days and will, within twenty (20) working days, provide a written decision to the complainant and respondent. The President's decision will be the final University decision.

### SMOKING

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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

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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:
  - (A) Cheating, plagiarism, or other forms of academic dishonesty that are intended to gain unfair academic advantage.
  - (B) Furnishing false information to a University official, faculty member, or campus office.
  - (C) Forgery, alteration, or misuse of a University document, key, or identification instrument.
  - (D) 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 any 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

## STUDENT CONDUCT (continued)

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) Violation of any published University policy, rule, regulation or presidential order.
- (17) 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.

- (18) 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.
- (19) 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.