Doctor of Audiology (AuD) Program Handbook

Introduction

This Handbook is a compilation of information and policies concerning the AuD Program at Cal State LA. Nothing in this Handbook should be construed as superceding AuD Program governance language found in Executive Order 1112 or in the appropriate sections of the Cal State LA University catalog.

DOCTOR OF AUDIOLOGY (AUD) PROGRAM

DEPARTMENT OF COMMUNICATION DISORDERS
CALIFORNIA STATE UNIVERSITY, LOS ANGELES

MISSION

The mission of the Doctor of Audiology (AuD) Program at California State University, Los Angeles is to prepare audiologists to be highly skilled, independent practitioners and leaders in the diagnosis and rehabilitation of patients with hearing loss and balance disorders.

VISION

To develop audiologists who will make a difference in the lives of the patients they serve…and their families and the community.

VALUES

The values of the AuD Program echo and expand the values of the University and of Xu College:

- Students First, Students Second, Students Third
- Engagement, Service, and the Public Good
- Diversity, Equity, and Inclusion
- Academic Distinction
- Clinical Excellence
- Community of Scholars
- Compassionate Patient- and Family- Centric Care

AuD PROGRAM KEY INITIATIVES

STRATEGIC PRIORITY AREA #1: ACADEMIC DISTINCTION

AuD Program Key Initiatives:

Strengthen the preparation of future Audiologists to meet the needs of multilingual/multicultural populations in the greater Los Angeles region by providing diverse clinical experiences.

Develop critical thinking and adoption of evidence-based practice through meaningful research and clinical projects.

STRATEGIC PRIORITY AREA #2: STUDENT SUCCESS

AuD Program Key Initiatives:

Recruit and support AuD students from diverse backgrounds.

Expand networking and mentoring opportunities for AuD students.

Increase awareness of and access to a range of career options within Audiology.

Increase the AuD Program's visibility in the local communities.

Executive Order 1112 - Doctor of Audiology Degree Programs

THE CALIFORNIA STATE UNIVERSITY
OFFICE OF THE CHANCELLOR

BAKERSFIELD
CHANNEL ISLANDS
CHICO
DOMINGUEZ HILLS
EAST BAY
FRESNO
FULLERTON
HUMBOLDT
LONG BEACH
LOS ANGELES
MARITIME ACADEMY
MONTEREY BAY
NORTHRIDGE
POMONA
SACRAMENTO
SAN BERNARDINO
SAN DIEGO
SAN FRANCISCO
SAN JOSÉ
SAN LUIS OBISPO
SAN MARCOS
SONOMA
STANISLAUS

July 13, 2018

MEMORANDUM

TO: CSU Presidents

FROM: Timothy P. White
Chancellor

SUBJECT: Doctor of Audiology Degree Programs — Executive Order 1112

Attached is a copy of Executive Order 1112, Doctor of Audiology (AuD) degree programs. This executive order is issued in conformity with the California Education Code and Title 5 of the California Code of Regulations. The requirements, policies and procedures specified within this executive order shall apply exclusively to AuD degree programs offered solely by the California State University; it does not address requirements of AuD programs offered jointly with other institutions.

In accordance with policy of the California State University, the campus president has the responsibility for implementing executive orders where applicable and for maintaining the campus repository and index for all executive orders.

If you have questions regarding this executive order, please call CSU Academic Programs and Faculty Development at (562) 951-4722.

TPW/amw

Attachment

c: CSU Office of the Chancellor Leadership
Provosts/Vice Presidents of Academic Affairs
Associate Provosts/Associate Vice Presidents of Academic Affairs
Deans of Education
Deans of Graduate Studies
Deans of Health and Human Services
Directors of Admissions and Records
Chairs of Communication Disorders

THE CALIFORNIA STATE UNIVERSITY
Office of the Chancellor
401 Golden Shore
Long Beach, California 90802
(562) 951-4722

Executive Order: 1112

Effective Date: July 13, 2018

Supersedes: No Prior Executive Order

Title: Doctor of Audiology Degree Programs

This executive order is issued in conformity with Sections 66041, 66041.1, 89030, 89030.1 and 89035 of the California Education Code and Sections 40050.4, 40517, 40518, 41023 and 41300 of Title 5 of the California Code of Regulations. This executive order establishes minimum requirements, policies and procedures that shall apply to all Doctor of Audiology (AuD) degree programs offered solely by the California State University (CSU); however, this policy does not address requirements of AuD programs offered jointly with other institutions. Campuses may establish policies in addition to those stated herein.

Article 1. Authorization

In accordance with Education Code Section 66041 and Title 5 of the California Code of Regulations Section 40050.4, the California State University is authorized to award the AuD degree independently of any other institution of higher education, provided that the program leading to the degree satisfies the criteria in Title 5 Section 40517. The degree shall be offered only in the discipline of audiology and shall provide curriculum grounded in evidence-based practice, prepare graduates to enter the field of audiology practice and shall be consistent with the requirements of the professional accreditation organizations.

Article 2. Admission

2.1 Each campus offering a program leading to an AuD degree shall establish admission requirements that, at minimum, meet the requirements established in Title 5 of the California Code of Regulations Section 41023. Admission shall be granted on a competitive basis; meeting the minimum requirements qualifies an individual for, but does not guarantee, admission to the program. Requirements for admission shall apply to all AuD applicants and shall include, at minimum, the following:

a. The applicant holds an acceptable baccalaureate degree earned at an institution accredited by a regional accrediting association, or the applicant has completed equivalent academic preparation as determined by the appropriate campus authority.

b. The applicant has completed all required prerequisite coursework for the campus program(s) to which she or he has applied, with a cumulative grade point average of at least 3.00.

c. The applicant has demonstrated sufficient preparation to successfully undertake the coursework and clinical education required to practice as an audiologist. Evidence considered in the admission process shall include, but not be limited to:

   i. Graduate Record Examination (GRE) scores taken within five years of application.

   ii. An applicant-authored statement of purpose reflecting a commitment to audiology, including applicant's preparation for training in this profession, aptitude and motivation, commitment to working with diverse populations and the basis for interest in audiology.

   iii. Personal interview or letters of recommendation.

d. The applicant has met any additional requirements established by the chancellor in consultation with the faculty and any additional requirements prescribed by the appropriate campus authority.

2.2 Classified Standing

Per Title 5, Section 41011, an applicant who has met all admission criteria and who has been recommended by the program for admission shall be placed in classified standing.

2.3 Admission by Special Action

An applicant who does not qualify for admission under Article 2.1 may be admitted with classified graduate standing by special action if on the basis of acceptable evidence the applicant is judged by the appropriate campus authority to possess sufficient academic and professional potential pertinent to audiology education, and if the applicant is recommended by the program faculty for admission. The number of applicants admitted by special action shall not exceed fifteen percent of the applicants regularly admitted to the program in any one academic year.

2.4 Admission with Conditionally Classified Graduate Standing

An applicant who is ineligible for admission in accordance with Article 2.1 – because of deficiencies in prerequisite preparation – may be admitted with conditionally classified graduate standing if in the judgment of the program faculty the deficiencies could reasonably be rectified within the first year of the program. The student shall thereafter be granted classified graduate standing provided that the program faculty determine that the student had rectified all deficiencies within one year of beginning the program.

Article 3. Curricula

3.1 CSU AuD degree programs shall be structured as four-year, 11-semester programs (including summer terms) requiring a minimum of 110 semester units earned in graduate standing.

3.2 CSU AuD program curricula shall balance research, theory and practice, including clinical education.

3.3 Each CSU AuD program shall include a core curriculum that provides professional preparation for clinical practice and that includes, but is not limited to, foundational science, clinical sciences, behavioral sciences, professional practice, patient/client management and practice management. The core curriculum shall incorporate evidence-based practice, critical thinking and decision-making concepts.

Article 4. Degree Requirements

4.1 Program of Study

To be eligible for the AuD degree, the candidate shall have completed a program of study that includes both a qualifying examination or other doctoral qualifying assessment and a doctoral project that is consistent with the requirements specified in Title 5 Section 40517, within this executive order, and approved by the appropriate campus authority. Doctoral project requirements are specified in Article 5. Each campus shall establish policies and procedures for creating and amending a student's plan of study and shall disseminate them in the AuD student handbook or manual, pursuant to Article 9.2.

4.1.1 Grade Point Average

An overall grade point average of 3.00 (grade of B on a 4.00 scale) or better shall have been earned in aggregate across the courses taken to satisfy the requirements for the degree. A course for which no letter grade is assigned shall not be used in computing the grade point average.

4.1.2 Unit Requirements

At least 110 semester units (165 quarter units) required for the degree shall be in courses organized primarily for doctoral students. The remaining units required for the degree shall be in courses organized primarily for doctoral students or courses organized primarily for master's and doctoral students. The appropriate campus authority may authorize the substitution of credit earned by alternate means.

4.2 Academic Residence

No fewer than 75 semester (112 quarter) units shall be completed in residence at the campus awarding the degree. Campus-established residence requirements shall be specified in the AuD student handbook. At the discretion of the appropriate campus authority, courses required for CSU AuD programs that are completed at another CSU campus may apply toward the residence requirement at the CSU campus that awards the degree.

4.3 Transfer of Units

The campus may establish a transfer policy allowing the application to degree requirements of relevant graduate-level credits completed at another appropriately accredited institution.

4.4 Petitions for Variance in Degree Requirements

Each AuD degree program shall establish and implement policies regarding student petitions for variance in degree requirements. The AuD handbook shall specify policies and procedures by which a student may petition for a variance in degree requirements.

4.5 Comprehensive Exam

AuD programs may require a comprehensive examination. Students shall be required to pass a comprehensive examination within two attempts.

Article 5. Doctoral Project

5.1 The pattern of study shall include successful completion of an individual doctoral (not group) project that is expected to contribute to knowledge in hearing science or to an improvement in audiology practice, policy, or client outcomes.

5.2 The doctoral project shall demonstrate the student's doctoral-level mastery of research skills, hearing science and/or current evidence-based practice. It shall demonstrate critical and independent thinking and a command of the research literature.

5.3 The written component of the doctoral project shall demonstrate originality, evidencing critical and independent thinking. It shall be organized in an appropriate form and shall identify the research problem and question(s), state the major theoretical perspectives, explain the significance of the undertaking, relate it to the relevant scholarly and professional literature, identify the methods of gathering and analyzing the data, analyze and interpret data, and offer a conclusion or recommendation.

5.4 An oral defense or presentation of the doctoral project shall be required.

5.5 No more than 8 semester units (12 quarter units) shall be allowed for the doctoral project.

5.6 Appropriate Institutional Review Board (IRB) approvals shall be obtained prior to conducting any research involving human subjects. All doctoral projects must also adhere to Health Insurance Portability and Accountability Act requirements involving human subjects. Failure to obtain required IRB approval prior to collection of data on human subjects may disqualify a student from further use of those data.

5.7 Doctoral Project Options

A doctoral project proposal must be approved by program faculty. Approved proposals may be undertaken as projects that are developed under the guidance of faculty and approved by the doctoral project committee, as defined in section 5.9.2. Project options may include, but are not limited to, one or more of the following:

a. Evidence-Based Project

Evidence-based projects shall demonstrate a thorough synthesis of evidence related to a defined clinical question pertinent to the profession of audiology. Students shall produce a critical analysis of the literature, addressing the strength of evidence, synthesizing the findings of individual studies, interpreting the results, and applying the evidence to audiology practice. Both the written document and oral presentation will be reviewed according to a set of defined criteria specified in the AuD student handbook.

b. Hearing Science Project

Projects shall demonstrate a thorough synthesis of evidence. Students shall produce a critical analysis of the literature, addressing the strength of evidence, synthesizing the findings of individual studies and interpreting the results. Both the written document and oral presentation will be reviewed according to a set of defined criteria specified in the AuD student handbook.

c. Clinical Research Project

CSU AuD programs may use a clinical research project significant to the field of audiology. The project may be in the form of a meta-analysis, systematic review, clinical research project, or single-case research design project. Both the written document and oral presentation shall be reviewed according to a set of defined criteria specified in the AuD student handbook.

5.8 Doctoral Project Proposal

The program faculty shall establish policies, procedures and timelines for submission and approval of a doctoral project proposal. AuD program faculty shall assign the student project to a committee charged with reviewing and responding to doctoral project proposals.

5.8.1 Decision Regarding the Doctoral Project Proposal

The committee shall communicate in writing to the student, indicating approval to continue with the project, required modifications and the need to resubmit, or lack of approval to proceed with the project.

5.8.2 Resubmission of a Doctoral Project Proposal

If the doctoral project committee decision requires modification, the committee shall communicate to the student in writing the process and expectations for resubmission. The committee shall review the revised and resubmitted proposal and convey the committee's decision to the student in writing.

5.9 Doctoral Project Committee

5.9.1 Function of the Doctoral Project Committee

The student's doctoral project committee shall provide guidance and supervision for the development, completion and approval of the student's work. Both the written document and oral presentation shall be reviewed according to a set of defined criteria.

5.9.2 Membership of the Student's Doctoral Project Committee

The doctoral project committee shall have membership and qualifications as determined by the campus policy for forming such committees. Committee membership shall include at least three members with expertise appropriate to the project; at least two members shall be core faculty (see 10.1); and at least one of the members shall be tenured or tenure-track in the program. Faculty from other CSU campuses may be included in the committee membership.

5.9.2.1 Student's Doctoral Project Committee Chair

The chair shall be a tenured or tenure-track faculty member on the campus administering the AuD program and, in most cases, shall be a member of the core doctoral faculty as defined in Article 10.1. The doctoral project committee chair shall provide primary supervision for the student's project.

5.9.2.2 Appointment of Student's Doctoral Project Committee

The department's core faculty make the appointment of the student's committee chair and member(s). The AuD program director may allow the replacement of one or more committee members, based on the evaluation of a rationale provided by the student or a committee member.

Article 6. Satisfactory Progress

6.1 Requirement for Satisfactory Progress

Each AuD student shall be required to maintain satisfactory progress toward degree completion. The student shall be expected to complete satisfactorily all courses and examinations and shall complete the doctoral project within the time frame specified by the AuD program faculty.

6.2 Criteria for Satisfactory Progress

The AuD program faculty shall establish academic and other program criteria for satisfactory progress in the program. The academic criteria shall include, at a minimum, the following:

a. the student shall maintain at least a 3.00 cumulative grade point average in the program;

b. the student shall not have earned a grade point average below 3.00 in any two successive terms; and

c. the student must earn a grade of C or better, or earn credit in a credit/no credit course, in all courses required for completion of the degree.

6.3 Credit/No Credit

The AuD program may accept credit/no credit in graduate work conducted toward satisfaction of degree requirements. Each campus program shall establish a policy regarding credit/no credit courses.

6.4 Probation

6.4.1 Students who fall below a 3.00 cumulative grade point average shall be placed on academic probation and notified in writing of this placement.

6.4.2 Students who fail to comply with a program requirement or regulation that is routine for all AuD students or for a defined group of students shall be placed on academic probation and notified in writing of this placement.

6.4.3 Students shall raise the cumulative GPA to a minimum of 3.00 in the following academic term in order to be removed from academic probation.

6.5 Disqualification

A student who fails to make satisfactory progress may be disqualified officially from the program, based on the recommendation of the AuD program faculty and in accordance with policies and procedures established by the campus.

6.5.1 A student may be disqualified only after a thorough review of the case, including appropriate consultation and submission of a written recommendation by the AuD program faculty. The student shall be notified in writing of the disqualification. The student shall have the opportunity to appeal the decision.

6.5.2 A student who has been disqualified from an AuD program shall not be allowed to enroll in doctoral-level courses in the same program or otherwise continue in an AuD program on that campus without formal re-application and re-admission.

Article 7. Advancement to Candidacy

For advancement to candidacy for the AuD degree, the student shall have achieved classified graduate standing and shall have met such particular requirements as the appropriate campus authority may prescribe. The requirements shall include a qualifying examination or other qualifying doctoral assessment.

Article 8. Time to Degree

8.1 The student shall have completed all requirements for the degree within five years of achieving classified standing in the doctoral program. The appropriate campus authority, consistent with campus policy, may extend by up to two years the time allowed for completion of the requirements under the following circumstances:

a. the student is in good standing;

b. the extension is warranted by compelling individual circumstances; and

c. the student demonstrates current knowledge of research and practice in audiology as required by the campus.

8.2 During any period of approved extension, the AuD program faculty, at the conclusion of each term, shall determine whether an enrolled student has made satisfactory progress.

Article 9. Doctoral Advising and Mentoring

9.1 Definitions

Objectives appear below for advising (which is primarily an academic activity) and mentoring (for which the focus is on professional development).

9.1.1 AuD Advising shall be arranged by the AuD program and conducted by campus faculty members to address:

a. promoting a well-planned and efficient AuD course of study that can be completed within the specified time; and

b. creating a doctoral culture typified by:

i. scholarly discussion and dialogue that fosters critical inquiry;

ii. supervision of AuD candidates in the conduct of a doctoral project;

iii. guidance and information that foster professional development;

iv. advising students in their academic development; and

v. developing policies that address the objectives of advising, roles of faculty advisors, assignment of faculty advisors (including the student role in assigning faculty advisors) and advising responsibilities of doctoral project committee chairs.

9.1.2 AuD Mentoring shall be arranged by the AuD program to:

a. support the development of expertise in research, theory, clinical education and practice;

b. support and enhance professional experiences that foster clinical knowledge and skills;

c. provide guidance and model professionalism to assist students as they apply what is learned in coursework toward audiology practice, policy and client outcomes;

d. foster informal assessment and feedback designed to enhance student reflection on their own audiology skills, knowledge, and practice to become an entry-level practitioner.

9.2 Each program shall make available to enrolled students an AuD student handbook. In addition to information and policies specific to the program, the handbook shall expressly advise program participants that they are also governed by the campus catalog, which includes policies and other information applicable to all CSU students.

Article 10. Doctoral Faculty and Administrator: Definition and Roles

10.1 Core Doctoral Faculty

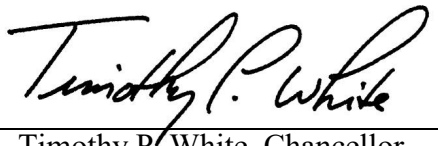
The term *core doctoral faculty* refers only to those audiology faculty and other campus faculty members who have disciplinary expertise and a scholarly record relevant to audiology and/or hearing science. Core members are eligible to serve in all AuD faculty roles: as primary doctoral course instructors, members of a student's doctoral project committee, advisors and mentors to doctoral students, and members of Doctor of Audiology degree program governance groups.

10.2 Program Administrator

The AuD program administrator shall be a doctorate-prepared core faculty member employed full-time by the institution. The qualifications, appointment and removal procedures for this position shall be determined by the institution and the program, and shall be fully consistent with requirements of the national professional accreditation agencies.

10.3 Faculty from Other California State University Campuses

Faculty members affiliated primarily with other CSU campuses may teach or otherwise serve in the program, subject to rules and regulations governing such activity. These faculty members may serve as members of AuD examination committees or students' doctoral project committees, subject to campus policy and the Collective Bargaining Agreement.



Timothy P. White, Chancellor

Dated: July 13, 2018

Code of Ethics of the American Academy of Audiology

All students in the Cal State LA AuD Program are expected to perform according to the principles and rules established by the American Academy of Audiology and incorporated into the Code of Ethics of the American Academy of Audiology. The Code of Ethics is provided on the following pages.

The Code of Ethics specifies professional standards that allow for the proper discharge of audiologists' responsibilities to those served, and that protect the integrity of the profession. The Code of Ethics consists of two parts. The first part, the Statement of Principles and Rules, presents precepts that members (all categories of members, including Student Members) of the Academy agree to uphold. The second part, the Procedures, provides the process that enables enforcement of the Principles and Rules.

The Code of Ethics is available at: https://www.audiology.org/clinical-resources/code-of-ethics/

CODE OF ETHICS OF THE AMERICAN ACADEMY OF AUDIOLOGY

PREAMBLE

The Code of Ethics of the American Academy of Audiology specifies professional standards that allow for the proper discharge of audiologists' responsibilities to those served, and that protect the integrity of the profession. The Code of Ethics consists of two parts. The first part, the Statement of Principles and Rules, presents precepts that all categories of members of the Academy agree to uphold. The second part, the Procedures, provides the process that enables compliance with and enforcement of the Principles and Rules.

PART I. STATEMENT OF PRINCIPLES AND RULES

PRINCIPLE 1: Members shall provide professional services and conduct research with honesty and compassion, and shall respect the dignity, worth, and rights of those served.
Rule 1a: Individuals shall not limit the delivery of professional services on any basis that is unjustifiable or irrelevant to the need for the potential benefit from such services.
Rule 1b: Individuals shall not provide services except in a professional relationship and shall not discriminate in the provision of services to individuals on the basis of sex, race, religion, national origin, sexual orientation, or general health.

PRINCIPLE 2: Members shall maintain the highest standards of professional competence in rendering services.
Rule 2a: Members shall provide only those professional services for which they are qualified by education and experience.
Rule 2b: Individuals shall use available resources, including referrals to other specialists, and shall not give or accept benefits or items of value for receiving or making referrals.
Rule 2c: Individuals shall exercise all reasonable precautions to avoid injury to persons in the delivery of professional services or execution of research.
Rule 2d: Individuals shall provide appropriate supervision and assume full responsibility for services delegated to supportive personnel. Individuals shall not delegate any service requiring professional competence to unqualified persons.
Rule 2e: Individuals shall not knowingly permit personnel under their direct or indirect supervision to engage in any practice that is not in compliance with the Code of Ethics.
Rule 2f: Individuals shall maintain professional competence, including participation in continuing education.

PRINCIPLE 3: Members shall maintain the confidentiality of the information and records of those receiving services or involved in research.
Rule 3a: Individuals shall not reveal to unauthorized persons any professional or personal information obtained from the person served professionally, unless required by law.

PRINCIPLE 4: Members shall provide only services and products that are in the best interest of those served.
Rule 4a: Individuals shall not exploit persons in the delivery of professional services.
Rule 4b: Individuals shall not charge for services not rendered.
Rule 4c: Individuals shall not participate in activities that constitute a conflict of professional interest.
Rule 4d: Individuals using investigational procedures with human participants or prospectively collecting research data from human participants shall obtain full informed consent from the participants or legal representatives. Members conducting research with human participants or animals shall follow accepted standards, such as those promulgated in the current Responsible Conduct of Research by the U.S. Office of Research Integrity.

PRINCIPLE 5: Members shall provide accurate information about the nature and management of communicative disorders and about the services and products offered.
Rule 5a: Individuals shall provide persons served with the information a reasonable person would want to know about the nature and possible effects of services rendered or products provided or research being conducted.
Rule 5b: Individuals may make a statement of prognosis, but shall not guarantee results, mislead, or misinform persons served or studied.
Rule 5c: Individuals shall conduct and report product-related research only according to accepted standards of research practice.
Rule 5d: Individuals shall not carry out teaching or research activities in a manner that constitutes an invasion of privacy or that fails to inform persons fully about the nature and possible effects of these activities, affording all persons informed free choice of participation.
Rule 5e: Individuals shall maintain accurate documentation of services rendered according to accepted medical, legal and professional standards and requirements.

PRINCIPLE 6: Members shall comply with the ethical standards of the Academy with regard to public statements or publication.
Rule 6a: Individuals shall not misrepresent their educational degrees, training, credentials, or competence. Only degrees earned from regionally accredited institutions in which training was obtained in audiology, or a directly related discipline, may be used in public statements concerning professional services.
Rule 6b: Individuals' public statements about professional services, products or research results shall not contain representations or claims that are false, misleading, or deceptive.

PRINCIPLE 7: Members shall honor their responsibilities to the public and to professional colleagues.
Rule 7a: Individuals shall not use professional or commercial affiliations in any way that would limit services to or mislead patients or colleagues.
Rule 7b: Individuals shall inform colleagues and the public in an objective manner consistent with professional standards about products and services they have developed or research they have conducted.

PRINCIPLE 8: Members shall uphold the dignity of the profession and freely accept the Academy's self-imposed standards.
Rule 8a: Individuals shall not violate these Principles and Rules nor attempt to circumvent them.
Rule 8b: Individuals shall not engage in dishonesty or illegal conduct that adversely reflects on the profession.
Rule 8c: Individuals shall inform the Ethical Practices Committee when there are reasons to believe that a member of the Academy may have been in noncompliance with the Code of Ethics.
Rule 8d: Individuals shall fully cooperate with reviews being conducted by the Ethical Practices Committee in any matter related to the Code of Ethics.

Signature: _____ Date: _____

PART II.
PROCEDURES FOR THE MANAGEMENT OF ALLEGED NONCOMPLIANCE

INTRODUCTION

Members of the American Academy of Audiology are obligated to uphold the Code of Ethics of the Academy in their personal conduct and in the performance of their professional duties. To this end, it is the responsibility of each Academy member to inform the Ethical Practices Committee of possible noncompliance with the Ethics Code. The processing of alleged noncompliance with the Code of Ethics will follow the procedures specified below in an expeditious manner to ensure that behaviors of noncompliant ethical conduct by members of the Academy are halted in the shortest time possible.

The Ethical Practices Committee's primary role is to educate and increase member awareness of the Academy's Code of Ethics and the practical application of the Code, rules, and advisory opinions. As such, its objective is to help members who are unknowingly not in compliance to become compliant through education. In cases of blatant disregard of the Code of Ethics the Committee may revoke membership.

PROCEDURES

1. Suspected noncompliance with the Code of Ethics shall be reported using the Academy's "Complaint Form for Alleged Noncompliance with The AAA Code of Ethics", giving documentation sufficient to support the alleged noncompliance. The form must include the specific section of the Code of Ethics of the alleged violation. The form should be addressed to:

   American Academy of Audiology
   Chair, Ethical Practices Committee
   11480 Commerce Park Dr. Suite 220
   Reston, Virginia 20191

2. Following receipt of a report of suspected noncompliance, the Ethical Practice Committee will convene to evaluate the merit of the alleged noncompliance as it relates to the Code of Ethics. The Committee will use established criteria to evaluate whether it can or should proceed including: (1) noncompliance with a specific Code of Ethics principle or rule; (2) no current or pending litigation; and, (3) the evidence provided supports the allegation.
   a. The Ethical Practices Committee shall meet to discuss the case, either in person or by electronic means, at its regularly scheduled quarterly meeting.

   b. The Committee will determine if, based on the allegation, a specific principle or rule of the Code of Ethics has potentially been violated. If not, the complaint will not be acted upon.
   c. If a complaint is already being acted upon or may potentially be acted upon through legal action or licensing board or other regulatory body review, the Ethical Practices Committee will decline further deliberation to avoid influencing those actions/ proceedings.
3. For cases that proceed, at the discretion of the Chair, the Ethical Practices Committee will request a signed Waiver of Confidentiality from the complainant indicating that the complainant will allow the Ethical Practices Committee to disclose his/her name and complaint details should this become necessary during investigation of the allegation. The Chair may communicate with other individuals, agencies, and/or programs for additional information as may be required for Committee review at any time during the deliberation.
4. If there is sufficient evidence that indicates noncompliance with the Code of Ethics has occurred, upon majority vote, the member will be forwarded a "Notification of Potential Ethics Concern" including.
   a. The specific Code of Ethics principle(s) and/or rule(s) that may conflict with the member's behavior.
   b. The circumstances of the alleged noncompliance will be described, and all evidence intended to support the allegation provided.
   c. Supporting AAA documents that may serve to further educate the member about the ethical implications of his/her alleged actions will be included, as appropriate.
   d. A list of potential sanctions for ethical violations.
   e. The member's right to present a defense to the allegations including the right to a hearing, in person or by teleconference, before the Ethical Practices Committee.
5. The member will be asked to respond fully to the allegation and submit all supporting evidence within 30 calendar days. At this time the member should provide any additional relevant information. As this is the final opportunity for a member to provide new information, the member should carefully prepare all documentation.
6. The Ethical Practices Committee will meet either in person or by electronic means:
   a. at its next regularly scheduled quarterly meeting after receiving a response from the member to the "Notification of Potential Ethics Concern" to review the response and all information pertaining to the alleged noncompliance, or
   b. at its next regularly scheduled quarterly meeting after the deadline to respond to the "Notification of Potential Ethics Concern" if no response is received from the member to review the information received from the complainant.
7. Potential Rulings.
   a. When the Ethical Practices Committee determines there is insufficient evidence of ethical noncompliance, the parties to the complaint will be notified that the case will be closed.
   b. When the evidence supports the allegation of Code noncompliance, the Code(s)/Rule(s) will be cited, and the sanction(s) will be specified.
8. The Committee shall sanction members based on the severity of the noncompliance and history of ethical noncompliance. A simple majority of voting Ethical Practices Committee members is required to institute a sanction unless otherwise noted. Sanctions may include one or more of the following:
   a. Education
      1. Educative Letter. This sanction alone is appropriate when:
         I. The ethics noncompliance appears to have been inadvertent.
         II. The member's response to Notification of Potential Ethics Concern indicates a credible, new awareness of the problem and the member resolves to refrain from future ethical noncompliance.
      2. Mandatory Continuing Education. This sanction is appropriate when the member is aware of the ethical practice(s) in question but is not following it appropriately.
         I. The Ethical Practices Committee will determine the type of education needed to reduce chances of recurrence of noncompliance and identify an end date for the member to complete the education.
         II. The member will be responsible for submitting documentation of continuing education within the period designated by the Ethical Practices Committee.
         III. All costs associated with compliance will be borne by the member.
         IV. Failure to demonstrate achievement of the identified education may result in the Ethical Practices Committee revisiting the case to determine if further action is required.
   b. Revocation of Membership. Revocation of membership is the maximum consequence for noncompliance with the Code of Ethics. This sanction is appropriate when the member displayed a clear disregard for the ethical practice(s) in question.

1. Revocation requires a two-thirds majority of the voting members of the Ethical Practices Committee.
2. Individuals whose memberships are revoked are not entitled to a refund of dues or fees.
3. One year following the date of membership revocation the individual may reapply for, but is not guaranteed, membership through normal channels, and must meet the membership qualifications in effect at the time of reapplication.

9. All final findings, decisions, sanctions, and durations will be communicated to the member in writing. The Board liaison to the Ethical Practices Committee will report to the Board any new or concluded cases.
10. The member may appeal the Final Finding and Decision of the Ethical Practices Committee to the Academy Board of Directors. The route of Appeal is by letter format through the Ethical Practices Committee to the Board of Directors of the Academy. Requests for Appeal must:
    a. be received by the Chair of the Ethical Practices Committee within 30 days of the Ethical Practices Committee notification of the Final Finding and Decision;
    b. state the basis for the appeal and the reason(s) that the Final Finding and Decision of the Ethical Practices Committee should be changed; and,
    c. not offer new documentation.
11. The EPC chair will communicate with the Executive Director of the Academy to schedule the appeal at the earliest feasible Board of Director's meeting.
    a. The Board of Directors will review the documents and written summaries and deliberate the case.
    b. The decision of the Board of Directors regarding the member's appeal shall be final.
12. In order to educate the Academy membership, upon majority vote of the Ethical Practices Committee, the general circumstances and nature of cases and associated principles and rules violated may be used as a basis for education in Audiology Today and on the Ethics page of the AAA website. The member's identity will not be made public (see Confidentiality and Records below).
13. No Ethical Practices Committee member nor Academy staff shall give access to records, act or speak independently, or on behalf of the Ethical Practices Committee, without the expressed permission of the committee members then active. No member may impose the sanction of the Ethical Practices Committee or interpret the findings of the Ethical Practices Committee in any manner that may place members of the Ethical Practices Committee or Board of Directors, collectively or singly, at financial, professional, or personal risk.
14. The Ethical Practices Committee Chair and Staff Liaison shall maintain electronic records that shall form the basis for future findings of the Committee.

CONFIDENTIALITY AND RECORDS

Confidentiality shall be maintained in all Ethical Practices Committee discussion, correspondence, communication, deliberation, and records pertaining to members reviewed by the Ethical Practices Committee.

The Academy will not disclose member compliance or noncompliance with the Academy's Code of Ethics. All information concerning investigations or complaints against Academy members, historical and current, shall be confidential and may only be shared with the Ethical Practices Committee and other Academy members involved in the review of ethics complaints, the complainant and respondent and their legal representative, if any. Non-disclosure will extend to members who have never been alleged to have violated the Code of Ethics.

Notwithstanding the foregoing, the Executive Director may disclose such information when compelled by a valid subpoena, in response to a request from a state or local board or similar entity, when otherwise required by law, to protect the interests of the Association, or as otherwise provided in these Rules and Procedures.

Patient Identifiable Information. Under no circumstances shall either complainants or respondents submit any individually identifiable patient information to the Association without a valid patient authorization, except for documents that are in the public domain, such as news articles or court documents that are not subject to a protective order. Any individually identifiable patient information (including but not limited to name, social security number, address, telephone number, or email address) submitted without a patient authorization must be redacted from non-public documents that are submitted as part of an ethics proceeding, including court documents that are subject to a protective order. The Association will return or destroy any non-public documents that it receives as part of an investigation or complaint that contain patient identifiable information without an accompanying patient authorization.

The Academy is not liable for third party disclosure of individually identifiable patient information.

Links to Important Resources

University Catalog
https://ecatalog.calstatela.edu/

CA License Board Audiology License Applicant Main Page
https://www.speechandhearing.ca.gov/applicants/audiology.shtml

Accreditation Commission for Audiology Education (ACAE)
https://acaeaccred.org/

Graduate Student Handbook
https://www.calstatela.edu/sites/default/files/groups/Office%20of%20Graduate%20Studies/grad-student-handbook_2021-2022.pdf

Academic Policies and Procedures; and Technical Standards

REFERENCE: CAL STATE LA CATALOG, ACCESSED 12-26-21

Degree Requirements

Students will complete a minimum of 66 units of academic coursework and a minimum of 45 units of clinical experience. Students will complete a minimum of 1820 hours of supervised clinical experience.

Audiology Didactic Courses (66 units minimum)

COUN 5005 - Individual Counseling Strategies (4)

AUD 6030 - Diagnostic Audiology (3)

AUD 6040 - Psychoacoustics and Speech Perception (3)

AUD 6050 - Instrumentation and Hearing Conservation (3)

AUD 6060 - Speech and Language of Children with Hearing Loss (3)

AUD 6070 - Research Methods in Audiology (3)

AUD 6110 - Hearing Aids I (3)

AUD 6120 - Hearing Aids II (3)

AUD 6180 - Implantable Auditory Devices (3)

AUD 6190 - Adult and Geriatric Rehabilitative Audiology (3)

AUD 6200 - Pediatric Audiology (3)

AUD 6250 - Auditory Processing Disorders (3)

AUD 6320 - Medical Aspects of Audiology (3)

AUD 6330 - Genetics of Hearing Loss (3)

AUD 6370 - Physiological Assessment Of The Auditory System I (3)

AUD 6371 - Physiological Assessment Of The Auditory System II (3)

AUD 6380 - Vestibular System Assessment (3)

AUD 6400 - Professional And Business Issues In Audiology (3)

AUD 6500 - Clinical Procedures In Audiology (3)

AUD 6800 - Doctoral Preliminary Examination In Audiology (0)

AUD 6850 - Doctoral Qualifying Examination In Audiology (0)

AUD 6910 - Doctoral Project In Audiology I (2)

AUD 6920 - Doctoral Project In Audiology II (2)

AUD 6930 - Doctoral Project In Audiology III (2)

AUD 6981 - Grand Rounds And Seminar In Audiology I (1)

AUD 6982 - Grand Rounds And Seminar In Audiology II (1)

Audiology Clinical Courses (45 units minimum)

AUD 6510 - Clinical Practicum In Audiology I (2)

AUD 6520 - Clinical Practicum In Audiology II (2)

AUD 6530 - Clinical Practicum In Audiology III (2)

AUD 6610 - Clinical Externship In Audiology I (4)

AUD 6620 - Clinical Externship In Audiology II (4)

AUD 6630 - Clinical Externship In Audiology III (4)

AUD 6710 - Clinical Residency In Audiology I (9)

AUD 6720 - Clinical Residency In Audiology II (9)

AUD 6730 - Clinical Residency In Audiology III (9)

In Years 1 and 2, students complete AUD 6510, 6520, and 6530 (Clinic Practical on campus) and then complete the first off-campus clinical experience, AUD 6610, Clinical Externship I.
In Year 3, the student completes the remaining externship experiences, AUD 6620 and 6630. In Year 4, the student completes a year-long (three term sequence) of full-time clinical experience in AUD 6710, 6720, and 6730 (Clinical Residency I, II, III)

Additional Requirements

Successful completion of the doctoral preliminary examination after the completion of Year 1 of doctoral study.

Successful completion of the doctoral qualifying examination after the completion of Year 2 of doctoral study.

Successful completion of the PRAXIS examination in Audiology at the end of Year 3 of doctoral study.

Doctoral Investigative Project completed via enrollment in AUD 6910. 6920, and 6930. The project is begun in Year 3 and culminates in the Summer term of Year 4.

Acceptance and adherence to Program Technical Standards.

SOURCE: Executive Order 1112

Satisfactory Progress in the AuD Program

Article 6. Satisfactory Progress

6.1 Requirement for Satisfactory Progress
Each AuD student shall be required to maintain satisfactory progress toward degree completion. The student shall be expected to complete satisfactorily all courses and examinations and shall complete the doctoral project within the time frame specified by the AuD program faculty.

6.2 Criteria for Satisfactory Progress

The AuD program faculty shall establish academic and other program criteria for satisfactory progress in the program. The academic criteria shall include, at a minimum, the following:

a. the student shall maintain at least a 3.00 cumulative grade point average in the program;

b. the student shall not have earned a grade point average below 3.00 in any two successive terms; and

c. the student must earn a grade of C or better, or earn credit in a credit/no credit course, in all courses required for completion of the degree.

6.4 Probation

6.4.1 Students who fall below a 3.00 cumulative grade point average shall be placed on academic probation and notified in writing of this placement.

6.4.2. Students who fail to comply with a program requirement or regulation that is routine for all AuD students or for a defined group of students shall be placed on academic probation and notified in writing of this placement.

6.4.3. Students shall raise the cumulative GPA to a minimum of 3.00 in the following academic term in order to be removed from academic probation.

6.5 Disqualification
A student who fails to make satisfactory progress may be disqualified officially from the program, based on the recommendation of the AuD program faculty and in accordance with policies and procedures established by the campus.

6.5.1. A student may be disqualified only after a thorough review of the case, including appropriate consultation and submission of a written recommendation by the AuD program faculty. The student shall be notified in writing of the disqualification. The student shall have the opportunity to appeal the decision.

6.5.2. A student who has been disqualified from an AuD program shall not be allowed to enroll in doctoral-level courses in the same program or otherwise continue in an AuD program on that campus without formal re-application and re-admission.

Technical Standards for the Doctor of Audiology

Students and graduates of the Cal State LA AuD Program must possess the essential knowledge and skills to function in a broad variety of clinical situations and to render a wide spectrum of patient care safely and effectively. The Cal State LA AuD Program has specified the following nonacademic criteria ("technical standards") that applicants and enrolled students must meet to participate in the education program and the practice of audiology.

1. Observation
   - The student must participate actively in all demonstrations and laboratory exercises in the academic and clinical curricula. The student must assess and comprehend the condition of all patients assigned to him or her for examination, diagnosis and treatment.
   - Such observation and information acquisition usually requires the functional use of visual, auditory and somatic sensation.

2. Communication
   - The student must be able to communicate effectively and sensitively with patients in order to elicit information, describe changes in mood, activity and posture, and assess non-verbal communications.
   - The student must be able to effectively and efficiently transmit information to patients, fellow students, faculty, staff, family and other professionals.
   - Required communication skills include speaking, reading and writing, as well as the observation skills described above.

3. Motor
   - The student must have sufficient motor function to elicit information from patients.
   - Students must be capable of performing basic diagnostic tests, possess all skills necessary to carry out diagnostic procedures, and execute the movements reasonably required to provide care to patients.

4. Intellectual-Conceptual, Integrative and Quantitative Abilities
   - The student must be able to measure, calculate, reason, analyze and synthesize, and apply the critical thinking skills required of a health care professional.
   - The student must have the capacity to problem-solve in a timely fashion.

5. Behavioral and Social Attributes
   - The student must be able to fully utilize his/her intellectual abilities and exercise good judgment. Prompt completion of all responsibilities attendant to the diagnosis and care of patients is required.
   - Students must be capable of developing mature, sensitive and effective relationships with patients and others.
   - Students must also be able to tolerate taxing workloads, function effectively under stress, adapt to changing environments, display flexibility, and learn to function in the face of uncertainties inherent in the clinical problems of many patients.
   - Compassion, integrity, concern for others, commitment and motivation are personal qualities which each student should possess.
   - The student must show respect for individuals with disabilities and for persons with different age, ethnic background, race, religion and/or sexual orientation.

Admission to the AuD Program at Cal State LA

REFERENCE: CAL STATE LA WEBPAGE, ACCESSED 12-26-21

Admission Requirements

The Department of Communication Disorders will only admit full-time students to the AuD program. Students who have completed (or will complete by the following Fall) an undergraduate degree in Communicative Disorders or the equivalent (i.e., prerequisite courses) are eligible to apply to the AuD Program.

Requirements for admission to the Audiology Doctoral program include the following:

- Completion of a baccalaureate degree in audiology or communication sciences and disorders. If the baccalaureate degree is not in the area of audiology or communication sciences and disorders, applicants should have completed six courses in the following content areas prior to the first semester of the program (or their equivalents, as determined by the AuD Program Director)
  o COMD 4000 (Hearing Science)
  o COMD 4020 (Audiology and Audiometry)
  o COMD 4200 (Rehabilitative Audiology)
  o COMD 4630 (Neuroscience of Communication)
  o a course in Statistics
  and at least one course from among the following:
  o COMD 4220 (Advanced Audiology)
  o COMD 4560 (Language Development)
  o COMD 4610 (Descriptive Phonetics)
  o COMD 4620 (Anatomy and Physiology of the Speech Mechanism)

- A minimum 3.0 grade point average (GPA) in undergraduate coursework
- A minimum 3.0 GPA in undergraduate or prerequisite audiology and communication sciences coursework
- Completion of an on-campus interview, if selected for an interview

Achievement of minimum criteria does not guarantee admission to the AuD program. Admission to the program is a competitive process whereby a committee composed of faculty evaluates the credentials of all applicants.

Prospective students are admitted, placed on a waiting list, or denied admission based on an evaluation of their grade point average in audiology and communications sciences and disorders coursework, grade point average in undergraduate coursework, GRE scores (**GRE waived for Fall 2022 admission**), letters of recommendation, letter of intent, and an on-campus interview if selected for an interview.

REFERENCE: CAL STATE LA WEBPAGE, ACCESSED 12-26-21

GRADUATE PROGRAM IN AUD

AUD PROGRAM

The Department of Communication Disorders is pleased to announce the new Doctor of Audiology (AuD) Program at Cal State LA.

The purpose of this clinical doctoral program in Audiology is to prepare audiologists to be highly skilled, independent practitioners and leaders in the diagnosis and rehabilitation of patients with hearing loss and balance disorders.

This AuD degree program is designed to prepare students with a strong background in the scientific basis of audiology, evidence-based practice, and clinical competencies. The educational objectives of this program are to provide the knowledge base required to better prepare audiologists to competently meet the demands of increasingly complex diagnostic questions, and to learn to use more complex equipment in the diagnosis and rehabilitation of hearing loss and balance disorder patients of all ages.

Students who complete this four-year AuD curriculum will be well prepared to pass the national examination in Audiology, as well as to fulfill the didactic and clinical clock hour requirements for licensure and national certification. The doctoral degree in Audiology at Cal State LA requires the completion of a minimum of 111 semester units of graduate coursework and clinical practicum over 11 terms. Click here for a complete list of required coursework.

Admission Requirements
How to Apply

Admission to the Doctor of Audiology Program takes place once a year (Fall admission only). Students wishing to apply to the AuD Program must complete two separate applications. You must complete both applications concurrently.

1) University Application through Cal State Apply

An on-line application to the University must be submitted by the stated deadline via Cal State Apply (see Office of Admissions and Recruitment). All students must submit the university application via Cal State Apply, including current Cal State LA undergraduate and Certificate students. For questions regarding the university application, please contact the Office of Admissions and Recruitment at (323) 343-3901.

Tips

In your profile, be sure to select "Graduate" as your Degree Goal.

- Please do not submit your letter of intent and GRE scores through Cal State Apply. You will submit those documents with your department application using CSDCAS. Letter of intent (aka "Statement of Purpose"), type "N/A" in the textbox so that the system marks this item as complete. Please note, if you are applying to other CSUs, be aware that they may have different requirements for the Statement of Purpose. GRE scores: go to the Academic History section, go to "Standardized Tests", and click on "I Am Not Adding Any Standardized Tests". NOTE: International students may have to submit other test scores. Please contact Admissions for more details.
- Be sure to submit official transcripts to the University by the indicated deadline. See FAQs for more information.

Cal State Apply Fall 2022 Deadlines

Application opens: **October 1, 2021**

Application deadline: **January 14, 2022**

2) Department Application through CSDCAS

A separate on-line application must be submitted via CSDCAS (Communication Sciences and Disorders Centralized Application Service). CSDCAS is administered by an independent third party provider and is not associated with Cal State LA. It is a fee-based service that enables applicants to apply to multiple institutions.

The CSDCAS application is available at https://csdcas.liaisoncas.com/applicant-ux/ and requires:

- A letter of professional goals and intent
- Three letters of recommendation
- Official transcripts
- GRE scores (use Designated Institution [DI] Code 1747) - **GRE waived for Fall 2022 admission**

CSDCAS Fall 2022 Deadlines

Application opens: **October 1, 2021**

Application deadline: **January 14, 2022**

Technical Standards of the Cal State LA AuD Program

The AuD program at Cal State LA has a responsibility to the public to assure that its graduates can become fully competent and caring audiologists, capable of providing benefit and committed to doing no harm. It is important that persons admitted and retained in the AuD program possess the intelligence, integrity, compassion, humanitarian concern, physical and emotional capacity, communication skills, and professionalism necessary to practice audiology.

Graduates of the Cal State LA AuD Program must possess the essential knowledge and skills to function in a broad variety of clinical situations and to render a wide spectrum of patient care safely and effectively. The Cal State LA AuD Program has specified the following nonacademic criteria ("technical standards") that applicants and enrolled students must meet with or without accommodations to participate in the education program and the practice of audiology. To this end, the AuD Program may dismiss a student who is unable to perform any of the essential functions, skills, and abilities, with or without a reasonable accommodation.

1. Observation
    - The student must participate actively in all demonstrations and laboratory exercises in the academic and clinical curricula. The student must assess and comprehend the condition of all patients assigned to him or her for examination, diagnosis and treatment.
    - Such observation and information acquisition usually requires the functional use of visual, auditory and somatic sensation.

2. Communication
    - The student must be able to communicate effectively and sensitively with patients in order to elicit information, describe changes in mood, activity and posture, and assess non-verbal communications.
    - The student must be able to effectively and efficiently transmit information to patients, fellow students, faculty, staff, family and other professionals.
    - Required communication skills include speaking, reading and writing, as well as the observation skills described above.

Text approved by University Counsel, 3-1-22

3. Motor
   - The student must have sufficient motor function to elicit information from patients.
   - Students must be capable of performing basic diagnostic tests, possess all skills necessary to carry out diagnostic procedures, and execute the movements reasonably required to provide care to patients.

4. Intellectual-Conceptual, Integrative and Quantitative Abilities
   - The student must be able to measure, calculate, reason, analyze and synthesize, and apply the critical thinking skills required of a health care professional.
   - The student must have the capacity to problem-solve in a timely fashion.

5. Behavioral and Social Attributes
   - The student must be able to fully utilize his/her intellectual abilities and exercise good judgment. Prompt completion of all responsibilities attendant to the diagnosis and care of patients is required.
   - Students must be capable of developing mature, sensitive and effective relationships with patients and others.
   - Students must also be able to tolerate taxing workloads, function effectively under stress, adapt to changing environments, display flexibility, and learn to function in the face of uncertainties inherent in the clinical problems of many patients.
   - Compassion, integrity, concern for others, commitment and motivation are personal qualities which each student should possess.
   - The student must show respect for individuals with disabilities and for persons with different age, ethnic background, race, religion and/or sexual orientation.

Students are required to notify the program of any changes in their ability to perform the essential functions of AuD students.

At Cal State LA, we recognize that some students may need accommodations to meet these standards. Students who are unsure of their capacity to meet these standards may inquire about reasonable accommodations through the office of student disabilities (https://www.calstatela.edu/osd). Cal State LA will engage in an interactive process with the student to determine if an accommodation, one that will help the student but not fundamentally alter the nature of the AuD program or cause an undue burden, is appropriate.

AuD Program Fact Sheet and Curriculum

California State University, Los Angeles
Doctor of Audiology (Au.D.) Fact Sheet

The planning for a stand-alone AuD degree began when authorization was granted to the California State University in 2016 subsequent to the passage of AB 2317 by the state legislature and approval by the Governor. At Cal State LA, core tenured audiology faculty and the Chair of the COMD Department immediately agreed to pursue the approval for the AuD Program on this campus. The request by audiology faculty and the Chair of COMD to pursue a stand-alone audiology doctoral program was supported by the Dean of the Xu College of HHS, by the Provost, and by the President as it fit the mission of our university. Accordingly, the University President presented the proposal to the Chancellor of the CSU System which was subsequently approved by the CSU Board of Trustees. In this way, the COMD Department at Cal State LA became the first academic unit in the CSU to receive approval for the stand-alone doctor of audiology degree.

The initial intent was to house the program on campus, but more space was required and we looked for appropriate accommodations. The solution was to move the program to a 45 acre site known as the Alhambra located 1.2 miles from Cal State LA in the city of Alhambra. The Alhambra site was identified as an ideal location because of its proximity to the Cal State LA main campus and because it had several spaces available for rent and renovation to fit program needs. The Alhambra property includes more than 20 office buildings, a central courtyard and gardens, and even a helipad. Tenants at the Alhambra are from six institutions of higher learning, including USC Keck School of Medicine, DeVry University, and Platt University, and others.

An approximate 12,000 sq. ft space at the Alhambra was identified and this space was examined by our Provost, Vice President for Finance, Vice Provost for Academic Affairs, Xu College Dean and Associate Dean, Audiology faculty, Communication Disorders Chair, Campus Facilities Director, Health and Safety Director, Campus Chief of Police, and the Director of IT. When the space was approved by all university personnel, the design was created by our University department of facilities and planning in concert with the AuD faculty, chair, dean, and Alhambra's architect. The design carefully considered areas for the classroom, research, hearing test suites, hearing aid fitting, computer lab, patient waiting room, faculty offices, bathrooms, design lab, and reception area. A 10 year lease was approved by the president and signed by Alhambra's administration. Permits were submitted, approved, and construction began.

In this space, all faculty, staff, and AuD students have wifi or cable access to the internet and are connected to the main campus. All technological systems that are available on the main campus are accessible in this space. Security systems were installed and are monitored by main campus Office of Public Safety. Parking on the property is ample and there is also excellent free parking off-the-property on adjacent streets.

In addition to the AuD Program, it was decided that the Mobility Center of the School of Kinesiology, a long-standing and highly popular community serving program, would also be re-located to this space which was re-imagined as “The Wellness, Education, and Research Center of the Xu College of HSS.”

The purpose of this clinical doctoral program in Audiology is to prepare audiologists to be highly skilled, independent practitioners and leaders in the diagnosis and rehabilitation of patients with hearing loss and balance disorders. This AuD degree program is designed to prepare students with a strong background in the scientific basis of audiology, evidence-based practice, and clinical competencies.

The educational objectives of this program are to provide the knowledge base required to better prepare audiologists to competently meet the demands of increasingly complex diagnostic questions, and to learn to use more complex equipment in the diagnosis and rehabilitation of hearing loss and balance disorder patients of all ages. Students who complete this four year AuD curriculum will be well-prepared to pass the national examination in Audiology, as well as to fulfill the didactic and clinical clock hour requirements for licensure and national certification.

AuD CURRICULUM

Catalog #	Course Title	Units
COUN 5005	Individual Counseling Strategies	4
AUD 6030	Diagnostic Audiology	3
AUD 6040	Psychoacoustics and Speech Perception	3
AUD 6050	Instrumentation and Hearing Conservation	3
AUD 6060	Speech and Language of Child with Hearing Loss	3
AUD 6070	Research Methods in Audiology	3
AUD 6110	Hearing Aids I	3
AUD 6120	Hearing Aids II	3
AUD 6180	Implantable Auditory Devices	3
AUD 6190	Adult and Geriatric Rehabilitative Audiology	3
AUD 6200	Pediatric Audiology	3
AUD 6250	Auditory Processing Disorders	3
AUD 6320	Medical Aspects of Audiology	3
AUD 6330	Genetics of Hearing Loss	3
AUD 6370	Physiological Assessment of the Auditory System I	3
AUD 6371	Physiological Assessment of the Auditory System II	3
AUD 6380	Vestibular System Assessment	3

AUD 6400	Professional and Business Issues in Audiology	3
AUD 6500	Clinical Procedures in Audiology	3
AUD 6510	Clinical Practicum I	2
AUD 6520	Clinical Practicum II	2
AUD 6530	Clinical Practicum III	2
AUD 6610	Clinical Externship I	4
AUD 6620	Clinical Externship II	4
AUD 6630	Clinical Externship III	4
AUD 6710	Clinical Residency I	9
AUD 6720	Clinical Residency II	9
AUD 6730	Clinical Residency III	9
AUD 6800	Doctoral Preliminary Exams	0
AUD 6850	Doctoral Qualifying Exams	0
AUD 6910	Doctoral Project in Audiology I	2
AUD 6920	Doctoral Project in Audiology II	2
AUD 6930	Doctoral Project in Audiology III	2
AUD 6981	Grand Rounds and Seminar in Audiology I	1
AUD 6982	Grand Rounds and Seminar in Audiology II	1

Sequence of Courses in the AuD Program

AuD Four Year Curriculum

COHORT #4/C'25

(Academic Units/Practicum Units)

YEAR 1		
	Fall 2021	**Spring 2022**
	6030 - Diagnostic Audiology	COUN 5005 (4 units)
	6040 - Psychoacous & Spch Perc	6120 - Hearing Aids II
	6110 - Hearing Aids I	6330 - Genetics of HL
	6500 - Clinical Procedures	
		6510 Clinic Prac I (2 units)
	12 Units (12/0)	12 Units (10/2)

YEAR 2		
Summer 2022	**Fall 2022**	**Spring 2023**
6060 - S&L of Children with HL	6200 - Pediatric Audiology	6180 - Implantable Aud Devices
6800 -Doctoral Preliminary Exams	6320 - Medical Aspects	6371 - Phys Assmt Aud Sys II
	6370 - Phys Assmt Aud Sys I	6380 -Vestibular System Assmt
6520 Clinic Prac II (2 units)	6530 Clinic Prac III (2 units)	6610 Externship I (4 units)
	EDU 235A - JTC	
5 Units (3/2)	11 Units (9/2)	13 Units (9/4)

YEAR 3		
Summer 2023	**Fall 2023**	**Spring 2024**
6070 - Research Methods Aud	6050 - Instr and Hear Conserv	6190 - Adult Ger Rehab Aud
6850 - Doctoral Qualifying Exams	6250 - Aud. Proc. Disorders	6400 - Prof. & Business Issues
EDU 229 - JTC	6910 Doctoral Project	6920 Doctoral Project
6620 Externship II (4 units)	6630 Externship III (4 units)	
7 Units (3/4)	12 Units (8/4)	8 Units (8/0)

YEAR 4		
Summer 2024	**Fall 2024**	**Spring 2025**
6930 Doctoral Project	6981 Grand Rounds/Sem (1 unit)	6982 Grand Rnds/Sem (1 unit)
6710 - Clinical Residency I (9)	6720 - Clinical Residency II (9)	6730 - Clinical Residency III (9)
11 Units (2/9)	10 Units (1/9)	10 Units (1/9)
Nat. Avg. Academic Units - 73	CSULA Academic Units - 66	
Nat. Avg. Practicum Units - 39	CSULA Practicum Units - 45	
Nat. Avg. Total Units - 112	CSULA Total Units - 111	
	State Minimum - 110	

Didactic (All 3 units)	Clinic
Exams (0 units)	Doctoral Project (2 units)

Campus and CSU Notifications

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The California State University

California State University to Implement COVID-19 Vaccination Requirement for Fall 2021 Term

7/27/2021



The California State University announced today that it will require faculty, staff and students who are accessing campus facilities at any university location to be immunized against SARS-CoV-2, the virus that causes COVID-19. Because of evolving circumstances, the university is announcing the pending requirement now without waiting for any further action by the U.S. Food and Drug Administration. Dates by which faculty, staff and students must certify vaccination will vary by campus due to differences in academic calendars, but all certifications must be completed no later than September 30.

“The current surge in COVID cases due to the spread of the highly infectious Delta variant is an alarming new factor that we must consider as we look to maintain the health and well-being of students, employees and visitors to our campuses this fall," said CSU Chancellor Joseph I. Castro. “Receiving a COVID vaccine continues to be the best way to mitigate the spread of the virus. We urge all members of the CSU community to get vaccinated as soon as possible, and announcing this requirement now allows members of the CSU community to receive multiple doses of a vaccine as we head into the beginning of the fall term."

Several CSU campuses are serving as host facilities for vaccine distribution. CSU employees or students who wish to receive a COVID-19 vaccine should contact their campus for availability.

For students who plan to continue their studies but do not wish to come to campus during the fall, it is expected that most campuses will have a more expansive offering of virtual courses as compared to before the pandemic, though resource limitations do not allow for a campus' or even a program's full offerings to be made available virtually.

The CSU's COVID-19 vaccination policy will allow students and employees to seek medical and religious exemptions.

For represented employees the university's requirement will take effect immediately upon implementation of the policy; however, represented employees will not be subject to disciplinary action while the CSU is in the meet and confer process with its labor unions.

The university will share a final policy in the coming days.

# # #

About the California State University

The California State University (http://calstate.edu/) *is the largest system o f four-year higher education in the country, with 23 campuses, 56,000 faculty and staff and 486,000 students. Half of the CSU's students transfer from California community colleges. Created in 1960, the mission of the CSU is to provide high-quality, affordable education to meet the ever-changing needs of California. With its commitment to quality, opportunity and student success, the CSU is renowned for superb teaching, innovative research and for producing job-ready graduates. Each year, the CSU awards nearly 129,000 degrees. One in every 20 Americans holding a college degree is a graduate of the CSU and our alumni are 4 million strong. Connect with and learn more about the CSU in the CSU NewsCenter* (/csu-system/news).

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The California State University

PRESS RELEASE : POLICY (/CSU-SYSTEM/NEWS/PAGES/NEWSFILTER.ASPX?&FILTERFIELD1=CSU_NEWSTOPIC&FILTERVALUE1=POLICY)

Share:

The California State University to Require COVID-19 Vaccination Booster for Spring 2022 Term

12/22/2021



The California State University announced today that it will require faculty, staff and students who are accessing university facilities or programs to receive a vaccine booster shot in order to be fully immunized against SARS-CoV-2, the virus that causes COVID-19, and in compliance with the university's COVID-19 vaccination policy.

The new requirement calls for boosters to be received by February 28, 2022 or six months after an individual received the final dose of the original vaccination, whichever is later. However, individual campuses may establish an earlier date for compliance for students and non-represented employees based on local circumstances.

“Vaccination, including a booster when eligible, remains our most effective strategy against infection and severe disease," said CSU Chancellor Joseph I. Castro. “This is particularly important in light of the rapid rise of cases of COVID-19 throughout the state and nation as the Omicron variant spreads. Implementing the booster requirement now will help mitigate the potential spread of the variant on campuses as they repopulate in January after the winter break."

As announced previously (/csu-system/news/Pages/California-State-University-to-Implement-COVID-19-Vaccination-Requirement-for-Fall-2021-Term.aspx), the CSU's COVID-19 vaccination policy allows students and employees to seek exemptions on medical and religious grounds.

The university's new requirement will take effect immediately upon implementation of the policy; however, represented employees will not be subject to the booster requirement until the CSU concludes its meet-and-confer process with its labor unions.

The university will share the revised university policy as soon as it is finalized.

# # #

About the California State University

The California State University (http://calstate.edu/) *is the largest system of four-year higher education in the country, with 23 campuses, 56,000 faculty and staff and 477,000 students. Nearly 40 percent of the CSU's undergraduate students transfer from California Community Colleges. Created in 1960, the mission of the CSU is to provide high-quality, affordable education to meet the ever-changing needs of California. With its commitment to quality, opportunity and student success, the CSU is renowned for superb teaching, innovative research and for producing job-ready graduates. Each year, the CSU awards more than 132,000 degrees. One in every 20 Americans holding a college degree is a graduate of the CSU and our alumni are 4 million strong. Connect with and learn more about the CSU in the CSU NewsCenter* (/csu-system/news).

Want to Learn More?

Please contact:

Public Affairs Department
(562) 951-4800

Immunization Requirements & Recommendations

The California State University (CSU) is committed to the protection of health and wellness of all students. To comply with this overarching goal, CSU campuses implement procedures to ensure that students are educated about and receive immunizations to prevent potentially serious and contagious diseases.

Immunizations, Screening Requirements, and Recommendations are adopted from the California Department of Public Health (**CDPH**) IMMUNIZATION & SCREENING RECOMMENDATIONS FOR COLLEGE STUDENTS.

NOTE: *Any revisions of the CDPH recommendations for colleges and universities as of February 1st each year will be reflected in CSU requirements for the subsequent fall academic term.*

CSU students are REQUIRED to obtain the following vaccines and undergo screening/risk assessment for Tuberculosis:

Required Immunizations & Screenings	***Required Dosage & Screening Information***
Measles, Mumps and Rubella (MMR)	Two (2) doses with first dose on or after 1st birthday; OR positive titer (laboratory evidence of immunity to disease)
Varicella (Chickenpox)	Two (2) doses with first dose on or after 1st birthday; OR positive titer. History of contracting the disease does not meet compliance.
Tetanus, Diphtheria and Pertussis (Tdap)	One (1) dose after age 7
Meningococcal conjugate (Serogroups A, C, Y, & W-135)	One (1) dose on or after age 16 for all students and age 21 or younger
Hepatitis B (Hep B)	Students age 18 and younger (CA Health & Safety Code, Sec. 120390.5)
Screening/Risk Assessment: Tuberculosis (TB)	All incoming students must complete a Tuberculosis risk questionnaire. Incoming students who are at higher risk* for TB infection, as indicated by answering "yes" to any of the screening questions, should undergo either skin of blood testing for TB infection within 1 year of CSU entry. **Higher risk include travel to or living in South and Central America, Africa, Asia, Eastern Europe, and the Middle East; prior positive TB test; or exposure to someone with active TB disease.*

CSU students are STRONGLY ENCOURAGED to obtain the following immunizations (*please discuss with your provider*):

Recommended Immunizations	***Recommended Groups***
Hepatitis A (Hep A)	All students regardless of age
Hepatitis B (Hep B)	Students age 19 and older
Human papillomavirus (HPV)	For women and men through age 26
Influenza (Flu)	Annually; All students regardless of age
Meningococcal B (Meningitis B)	Students age 16 – 23 who elect vaccination after discussion with their healthcare provider
Meningococcal conjugate (Meningitis)	Students up to age 23
Pneumococcal	For students with certain medical conditions (e.g., severe asthma, diabetes, chronic liver or kidney disease)
Poliovirus (Polio)	Regardless of age, if the series was not completed as a child
Immunizations for international travel	Based on destination

There were many preventable diseases that were common before widespread vaccination programs began. Brief descriptions of common vaccine preventable diseases are listed below:

Diphtheria	Causes a thick covering in the back of the throat. It can lead to breathing problems, paralysis, heart failure, and even death.
Hepatitis A	A serious liver disease that is usually spread by close personal contact or by eating contaminated food or water. Hepatitis A can cause mild, "flu-like" illness, jaundice (yellow skin or eyes), and severe stomach pains and diarrhea. Teens and adults are most likely to have a severe case.
Hepatitis B	Another serious liver disease that can cause short-term (acute) appetite loss, diarrhea, vomiting, fatigue, jaundice (yellow skin or eyes), and/or pain in muscles, joints, and stomach. It also can cause long-term (chronic) illness that leads to liver damage (cirrhosis), liver cancer, and death.
Human Papillomavirus	A virus that causes genital warts and a variety of cancers, and is spread by direct skin-to-skin contact.
Influenza (flu)	A contagious viral disease spread through coughing or sneezing. Influenza can lead to pneumonia, sinus or ear infections, worsening of chronic conditions such as asthma or diabetes, and even death.
Measles	This virus causes a rash, cough, runny nose, eye irritation, and fever. It can lead to ear infections, pneumonia, seizures, brain damage, and even death.
Meningococcal Disease	A typically severe bacterial infection that can cause hearing loss, learning problems, brain damage, or loss of limbs. About 1 in 10 people with meningococcal disease will die from it. The disease is spread when people live in close contact or through other close contact such as partying or kissing. Teens and young adults have a higher risk for meningococcal disease.
Mumps	This virus causes fever, headache, swollen glands and painful swelling of the testicles or ovaries. It can lead to deafness, meningitis (infection of the brain and spinal cord covering), and, rarely, death.
Pertussis	Also called *whooping cough*, causes prolonged coughing spells for weeks to months that can end in vomiting. It can lead to pneumonia, seizures (jerking and staring spells), brain damage, and death.
Polio	A disease caused by a virus which can cause paralysis (cannot move arms or legs). It can kill people who get it, usually by paralyzing the muscles that help them breathe.
Pneumococcal disease	A leading cause of bacterial meningitis in the United States. It causes many health problems in, including pneumonia, meningitis, blood infections, sinus infections, ear infections, and even death.
Rubella	Also known as *German Measles,* this virus usually causes mild fever and a rash. However, if a woman gets rubella while pregnant, she could have a miscarriage or her baby could have serious birth defects.
Tetanus	Also called *Lockjaw,* this is a painful tightening of the muscles, usually all over the body. It can lead to "locking" of the jaw so the person cannot open their mouth or swallow. Tetanus can be fatal.
Tuberculosis	A disease caused by a bacterium called Mycobacterium tuberculosis. The bacteria usually attack the lungs, but can infect any part of the body, such as the kidney, spine, and brain. If not treated properly over several months, tuberculosis can be fatal.
Varicella	Also known as *Chickenpox,* this virus causes a rash, itching, fever, and tiredness. While chickenpox is usually a mild illness, it also can lead to severe skin infections, scars, pneumonia, brain damage, or death.

SOURCE: CALSTATE.EDU website. Accessed 1-2-22.
https://www.calstate.edu/attend/professional-and-continuing-education/Pages/Accreditation-and-State-Regulatory.aspx

Notice to Students Re: Professional Licensure and Certification

California State University programs for professions that require licensure or certification are intended to prepare the student for California licensure and certification requirements. Admission into programs for professions that require licensure and certification does not guarantee that students will obtain a license or certificate. Licensure and certification requirements are set by agencies that are not controlled by or affiliated with the California State University and licensure and certification requirements can change at any time.

The California State University has not determined whether its programs meet other states' educational or professional requirements for licensure and certification. Students planning to pursue licensure or certification in other states are responsible for determining whether, if they complete a California State University program, they will meet their state's requirements for licensure or certification. This disclosure is made pursuant to 34 CFR §668.43(a)(5)(v)(C).

NOTICE OF NON-DISCRIMINATION ON THE BASIS OF GENDER OR SEX

The California State University does not discriminate on the basis of gender, which includes sex and gender identity or expression, 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 gender or sexual orientation in employment, as well as in all education programs and activities operated by the University (both on and off campus). The protection against discrimination on the basis of gender or sexual orientation includes sexual harassment, sexual misconduct and gender based dating and domestic violence and stalking. The following person has been designated to handle inquiries regarding the non-discrimination policies:

Title IX Officer
Aundreia M. Cameron
Director of Human Resources Equity and Diversity Policies and Procedures
Location: Administration, Room 606
Phone: 323-343-3040 or Email: acamero6@calstatela.edu

Deputy Title IX Coordinator for Athletics
Demetrus Caldwell, Assistant Athletic Director for Compliance & Student-Athlete Services
Location: Physical Education, Room 110
Phone: 323-343-5240 or Email: dcaldwe3@calstatela.edu

Deputy Title IX Coordinator
Carol Roberts-Corb, Assistant Dean of Student Conduct
Location: Student Affairs, Room 115A
Phone: 323-343-3103 or Email: carol.roberts-corb@calstatela.edu

Deputy Title IX Coordinator
Hannah Passano, Investigator/ADA Compliance Specialist
Location: Administration, Room 606
Phone: 323-343-3679 or Email: hpassan@calstatela.edu

Questions may also be addressed to:

Office for Civil Rights
U.S. Department of Education
50 Beale Street, Suite 7200
San Francisco, CA 94105-1813
Telephone: 415-486-5555
FAX: 415-486-5570; TDD: 800-877-8339; Email: ocr.sanfrancisco@ed.gov

Current Status: *Active* **PolicyStat ID:** *10454581*

Origination:	*10/5/2016*
Last Revised:	*10/1/2021*
Next Review:	*10/1/2023*
Owner:	*Sue McCarthy: SW Title IX CO & Sr SW DR*
Area:	*Human Resources*
Codes:	*EO 1097*

Systemwide Policy Prohibiting Discrimination, Harassment & Retaliation, Sexual Misconduct, Dating & Domestic Violence, & Stalking Against Students & Procedure for Addressing

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Executive Order 1097 (Revised August 24, 2021) supersedes Executive Order 1097 (Revised August 14, 2020). This policy and procedure applies systemwide, in conjunction with Executive Orders 1095 (Revised June 2, 2015) and 1098 (Revised August 24, 2021) and any superseding executive orders.

This executive order (EO 1097) has been revised in response to Federal Regulations and a recent California court of appeal decision and includes addenda that apply to cases involving students and employees that fall within the scope of the Federal Regulations or where a student has been accused of sexual misconduct or dating and domestic violence as defined by CSU policy.[1] **Addendum B: Federal Mandated Hearing Addendum supersedes this Executive Order's investigation and resolution process for cases that are defined by the Title IX federal regulations as sexual harassment in an education program or activity against a person (including, but not limited to students and employees) in the United States.**

Where the Federal Mandated Hearing Addendum is not applicable, Addendum A: State Mandated Hearing Addendum supersedes Article III.B.7-9 and Article IV of this Executive Order with respect to cases (i) alleging sexual misconduct or dating and domestic violence by a student that, (ii) if substantiated, could result in a severe sanction (suspension or expulsion), and (iii) where credibility of any party or witness is central to the finding.

Complaints that are in process as of the effective date of this executive order will be processed in accordance with the *procedures* outlined herein, however utilizing the *policy and definitions* set forth in the executive order in place at the time of the alleged misconduct. A Complaint is “in process” if the time to appeal to the Chancellor’s Office under Executive Orders 1097 or 1098 has not expired.

If you have questions regarding this executive order, please call systemwide Equal Opportunity and Compliance at (562) 951-4400.

[NOTE: THIS EXECUTIVE ORDER’S INVESTIGATION AND RESOLUTION PROCESS IS SUPERSEDED BY ADDENDUM B: FEDERAL MANDATED HEARING ADDENDUM FOR CASES THAT ARE DEFINED BY THE TITLE IX FEDERAL REGULATIONS AS SEXUAL HARASSMENT IN AN EDUCATION PROGRAM OR ACTIVITY AGAINST A PERSON (INCLUDING, BUT NOT LIMITED TO STUDENTS AND EMPLOYEES) IN THE UNITED STATES. THE TITLE IX COORDINATOR, WITH THE DHR ADMINISTRATOR, WILL ASSESS ALLEGATIONS OF OTHER NON-ADDENDUM B RELATED MISCONDUCT SET FORTH IN THE

SAME COMPLAINT THAT ARISE OUT OF THE SAME FACTS AND/OR INCIDENTS THAT MAY ALSO BE INVESTIGATED AND RESOLVED (INCLUDING SANCTIONS AND DISCIPLINE) IN ACCORDANCE WITH THIS ADDENDUM OR OTHER CSU POLICIES. SEE ADDENDUM B: FEDERAL MANDATED HEARING ADDENDUM]

[NOTE: ARTICLE III.B.7-9 AND ARTICLE IV OF THIS EXECUTIVE ORDER DO NOT APPLY IN CASES (I) ALLEGING SEXUAL MISCONDUCT OR DATING AND DOMESTIC VIOLENCE BY A STUDENT THAT, (II) IF SUBSTANTIATED, COULD RESULT IN A SEVERE SANCTION (SUSPENSION OR EXPULSION), AND (III) WHERE CREDIBILITY OF ANY PARTY OR WITNESS IS CENTRAL TO THE FINDING. SEE ADDENDUM A: STATE MANDATED HEARING ADDENDUM]

Article I. Policy Statement

The California State University (CSU) is committed to maintaining an inclusive community that values diversity and fosters tolerance and mutual respect. We embrace and encourage our community differences in Age, Disability (physical and mental), Gender (or sex), Gender Identity (including transgender), Gender Expression, Genetic Information, Marital Status, Medical Condition, Nationality, Race or Ethnicity (including color or ancestry), Religion (or Religious Creed), Sexual Orientation, and Veteran or Military Status, and other characteristics that make our community unique.[2] All Students have the right to participate fully in CSU programs and activities free from Discrimination, Harassment, and Retaliation. The CSU prohibits Harassment of any kind, including Sexual Harassment, as well as Sexual Misconduct, Dating and Domestic Violence, and Stalking. Such misconduct violates University policy and may also violate state or federal law.

All sexual activity between members of the CSU community must be based on Affirmative Consent. Engaging in any sexual activity without first obtaining Affirmative Consent to the specific sexual activity is Sexual Misconduct and constitutes a violation of this policy, whether or not the sexual activity violates any civil or criminal law.

This policy is established in compliance with the California Equity in Higher Education Act, Title IX of the Education Amendments of 1972, Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance (34 C.F.R. 106), the Violence Against Women Reauthorization Act of 2013 (which amends the Jeanne Clery Disclosure of Campus Security and Campus Crimes Statistics Act, commonly known as the Clery Act) (VAWA) under its Campus Sexual Violence Elimination Act provision (Campus SaVE Act), Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, and the Age Discrimination Act of 1975, among other applicable state and federal laws.

A. **Prohibited Conduct.** The CSU prohibits:

1. Discrimination, including Harassment, because of any Protected Status: i.e., age, Disability (physical and mental), Gender (or sex), Gender Identity (including transgender), Gender Expression, Genetic Information, Marital Status, Medical Condition, Nationality, Race or Ethnicity (including color or ancestry), Religion (or Religious Creed), Sexual Orientation, sex stereotype, and Veteran or Military Status;
2. Retaliation for exercising rights under this policy, opposing Discrimination or Harassment because of a Protected Status, or for participating in any manner in any related investigation or proceeding;
3. Dating and Domestic Violence, and Stalking;
4. Sexual Misconduct of any kind, which includes sexual activity engaged in without Affirmative Consent; and,

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5. Employees from entering into a consensual relationship with any Student over whom they exercise direct or otherwise significant academic, administrative, supervisory, evaluative, counseling, or extracurricular authority. See Article I. F.

The University shall respond promptly and effectively to all complaints of Discrimination, Harassment, Retaliation, Sexual Misconduct, Dating and Domestic Violence, and Stalking, and shall take appropriate action to prevent, correct, and discipline conduct that violates this policy. This Executive Order is intended to protect the rights and privacy of both the Complainant and the Respondent, as well as other involved individuals.

Employees and Students who are found to have violated this policy shall be subject to discipline commensurate to the violation. If Employee discipline is warranted, it shall be administered in a manner consistent with applicable collective bargaining agreements, CSU policies, and legal requirements. Student discipline shall be administered in accordance with 5 Cal. Code Regs. § 41301 and Executive Order 1098, or any superseding executive order.

B. **Discrimination.** The CSU strives to be free of all forms of Discrimination, including Harassment, because of a Protected Status. It is CSU policy that no Student shall be excluded from participation in, or be denied the benefits of, any CSU program or activity because of any Protected Status.

C. **Retaliation.** Retaliation against a Student for exercising any rights under this policy or for opposing Discrimination or Harassment because of a Protected Status, Sexual Misconduct, Dating and Domestic Violence, and Stalking, or for participating in any manner in any policy-related investigation or proceeding is prohibited.

No victim or witness in related investigations or proceedings will be subject to disciplinary sanctions by the University for related violations of conduct policies occurring at or near the time of the incident unless the University determines the violation was egregious, including but not limited to plagiarism, cheating, academic dishonesty or conduct that places the health and safety of any other person at risk.

D. **Dating and Domestic Violence, and Stalking.** The CSU prohibits Dating and Domestic Violence, and Stalking. Dating and Domestic Violence, and Stalking are often based on Gender. CSU prohibits all such misconduct whether or not it is based on Gender.

E. **Sexual Misconduct.** All sexual activity between members of the CSU community must be based on Affirmative Consent. Engaging in any sexual activity without first obtaining Affirmative Consent to the specific activity constitutes Sexual Misconduct and is a violation of this policy, whether or not the conduct violates any civil or criminal law.

Sexual Misconduct is a form of Sexual Harassment and may create a sexually hostile environment that affects access to or participation in CSU programs and activities. CSU prohibits all such conduct whether or not it also amounts to Sexual Harassment.

Sexual activity includes but is not limited to kissing, touching intimate body parts, fondling, intercourse, penetration of any body part, and oral sex.

Affirmative Consent means an informed, affirmative, conscious, voluntary, and mutual agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure Affirmative Consent has been obtained from the other participant(s) to engage in the sexual activity. Lack of protest or resistance does not mean Affirmative Consent, nor does silence mean Affirmative Consent.

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Affirmative Consent must be voluntary, and given without coercion, force, threats or intimidation.

The existence of a dating or social relationship between those involved, or the fact of past sexual activities between them, should never by itself be assumed to be an indicator of Affirmative Consent. A request for someone to use a condom or birth control does not, in and of itself, constitute Affirmative Consent.

Affirmative 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. Consent given to sexual activity on one occasion does not constitute consent on another occasion. There must always be mutual and affirmative consent to engage in sexual activity. Consent must be ongoing throughout a sexual activity and can be revoked at any time, including after penetration. Once consent is withdrawn or revoked, the sexual activity must stop immediately.

Affirmative Consent cannot be given by a person who is incapacitated. A person is unable to consent when asleep, unconscious or incapacitated due to the influence of drugs, alcohol or medication so that the person could not understand the fact, nature or extent of the sexual activity. A person is incapacitated if the person lacks the physical and/or mental ability to make informed, rational decisions.

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 ability, awareness of consequences, and ability to make informed judgments. A person's own intoxication or incapacitation from drugs or alcohol does not diminish that person's responsibility to obtain Affirmative Consent before engaging in sexual activity.

A person with a medical or mental disability may also lack the capacity to give consent.

Sexual activity with a minor (a person under 18 years old) is not consensual, because a minor is considered incapable of giving consent due to age.

It shall not be a valid excuse that a person affirmatively consented to the sexual activity if the Respondent knew or reasonably should have known that the person was unable to consent to the sexual activity under any of the following circumstances:

- The person was asleep or unconscious;
- The person was incapacitated due to the influence of drugs, alcohol or medication, so that the person could not understand the fact, nature or extent of the sexual activity;
- The person was unable to communicate due to a mental or physical condition.

It shall not be a valid excuse that the Respondent believed that the person consented to the sexual activity under either of the following circumstances:

- The Respondent's belief in Affirmative Consent arose from the intoxication or recklessness of the Respondent;
- The Respondent did not take reasonable steps, in the circumstances known to the Respondent at the time, to ascertain whether the person affirmatively consented.

F. **Consensual Relationships.** Consensual relationship means a sexual or romantic relationship between

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two persons who voluntarily enter into such a relationship. While sexual and/or romantic relationships between members of the University community may begin as consensual, they may evolve into situations that lead to Discrimination, Harassment, Retaliation, Sexual Misconduct, Dating or Domestic Violence, or Stalking subject to this policy.

A CSU Employee shall not enter into a consensual relationship with a Student or Employee over whom that employee exercises or influences direct or otherwise significant academic, administrative, supervisory, evaluative, counseling, or extracurricular authority. In the event such a relationship already exists, each Campus shall develop a procedure to reassign such authority to avoid violations of this policy.

This prohibition does not limit the right of an Employee to make a recommendation on personnel matters concerning a family or household member where the right to make recommendations on such personnel matters is explicitly provided for in the applicable collective bargaining agreement or MPP/confidential personnel plan.

G. **Reasonable Accommodations.** The CSU will provide reasonable accommodations to qualified individuals with a Disability. Reasonable accommodations will be determined by the Campus following an interactive process with those involved to identify the nature and extent of the restrictions and the appropriate accommodation.

H. **Duty to Report.** Except as provided below, **any** Employee who knows or has reason to know of allegations or acts that violate this policy shall promptly inform the DHR Administrator or Title IX Coordinator. These Employees are required to disclose all information including the names of the Parties, **even where the person has requested anonymity.** The DHR Administrator or Title IX Coordinator will determine whether such confidentiality is appropriate given the circumstances of each such incident.

Employees Who Do Not Have A Duty to Report:

1. The following Employees are **not** required to report **any** information about an incident of Discrimination, Harassment, Retaliation, Sexual Misconduct, Dating or Domestic Violence, or Stalking to the DHR Administrator or Title IX Coordinator:
    a. Physicians; psychotherapists; professional licensed counselors; licensed clinical social workers, and clergy who work on or off Campus, acting solely in those roles or capacities as part of their employment, in the provision of medical or mental health treatment or counseling (*and those who act under their supervision, including all individuals who work or volunteer in these centers and offices*); and
    b. 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 and who are acting solely in that role (*including those who act in that role under their supervision, along with non-professional counselors or advocates who work or volunteer in sexual assault centers, victim advocacy offices, women's centers, gender equity centers, or health centers*) in the provision of counseling or advocacy services.
    c. A CSU employee/union representative is not required to report a possible violation of this Executive Order if the information is provided to the union representative, acting in that role, in a confidential setting by a union member seeking advice about a possible violation or representation in a matter within the scope of representation. However, CSU employee/union representatives are **strongly encouraged** to report the information to the DHR Administrator or

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Title IX Coordinator.

2. University police are **not** required to report any **personally-identifiable information** about a victim of certain sex offenses,[3] **if the victim requests confidentiality of identity,** but must report all known facts of the incident, including the identity of the perpetrator (if known), to the Title IX Coordinator.

EXCEPTIONS: Under California law, any health practitioner employed in a health facility, clinic, physician's office, or local or state public health department or clinic is required to make a report to local law enforcement if medical services are provided for a ***physical condition*** to a patient/victim who the practitioner knows or reasonably suspects is suffering from: (1) a wound or physical injury inflicted by a firearm; or, (2) any wound or other physical injury inflicted upon a victim where the injury is the result of assaultive or abusive conduct.[4] This exception does ***not*** apply to sexual assault and domestic violence counselors and advocates. Health care practitioners should explain this limited exception to victims, if applicable.

Additionally, under California law, ***all*** physicians, psychotherapists, professional counselors, clergy, and sexual assault and domestic violence counselors and advocates are mandatory child abuse and neglect reporters, and are required to report incidents involving victims under 18 years of age to local law enforcement.[5] These professionals will explain this limited exception to victims, if applicable.

Finally, some or all of these professionals may also have reporting obligations under California law to: (1) local law enforcement in cases involving threats of immediate or imminent harm to self or others where disclosure of the information is necessary to prevent the threatened danger;[6] or, (2) to the court if compelled by court order or subpoena in a criminal proceeding related to the Sexual Misconduct, Dating or Domestic Violence, or Stalking incident.[7] If applicable, these professionals will explain this limited exception to victims.

I. **Grade Appeals.** Grade appeals that allege Discrimination, Harassment, Retaliation, Sexual Misconduct, Dating or Domestic Violence, or Stalking shall proceed concurrently: (i) under Campus procedures per Executive Order 1037 or any superseding executive order; and (ii) under this Executive Order. However, the Campus grade appeal procedure shall be placed in abeyance until such time as the Campus investigation and any appeal process under Article IV of this Executive Order have concluded. The final determination under this Executive Order regarding whether a violation occurred shall be provided to the Campus grade appeal committee. The committee shall be bound by such determination when considering the grade appeal request under Executive Order 1037.

Article II. Policy Implementation and Communication

Each Campus president shall designate a DHR Administrator and Title IX Coordinator who shall be responsible for the implementation of and compliance with this policy. The DHR Administrator is responsible for the implementation of and compliance with this policy with respect to all Discrimination, Harassment and Retaliation matters except those involving Sex Discrimination, Sexual Harassment, Sexual Misconduct, Dating and Domestic Violence, and Stalking. The DHR Administrator is responsible for publicizing this Executive Order, developing Campus training policies consistent with this Executive Order, conducting training, and establishing an administrative structure consistent with this Executive Order that facilitates the prevention and elimination of Discrimination, Harassment, and Retaliation. The Title IX Coordinator is responsible for the implementation of, and compliance with this policy with respect to Sex Discrimination, Sexual Harassment, Sexual Misconduct, Dating and Domestic Violence, and Stalking. The Title IX

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Coordinator is responsible for publicizing this Executive Order, developing Campus training policies consistent with this Executive Order, conducting training, and establishing an administrative structure consistent with this Executive Order that facilitates the prevention and elimination of Sex Discrimination, Sexual Harassment, Sexual Misconduct, Dating and Domestic Violence, and Stalking. Each Campus shall make the contact information for the DHR Administrator and Title IX Coordinator available to all members of the Campus community as well as Third Parties. The contact information shall be updated as necessary.

The requirements for training to promote awareness of CSU policies against Sex Discrimination, Sexual Harassment, Sexual Misconduct, Dating and Domestic Violence, and Stalking are set forth in Executive Order 1095.

This Executive Order shall be made readily available and distributed on an annual basis to all Students and Employees utilizing multiple media for communication, including email, Student orientations and catalogs, new Employee orientations, Campus websites and publications, and the webpages for the offices of Equity and Diversity, Student Affairs, Student Judicial Affairs, Disabled Student Services, Auxiliary Service Organizations, Academic Affairs, Extended Education, Athletics, Residential Life, and Human Resources.

Article III. Campus Procedure for Responding to Complaints

[NOTE: THIS EXECUTIVE ORDER'S INVESTIGATION AND RESOLUTION PROCESS IS SUPERSEDED BY ADDENDUM B: FEDERAL MANDATED HEARING ADDENDUM FOR CASES THAT ARE DEFINED BY THE TITLE IX FEDERAL REGULATIONS AS SEXUAL HARASSMENT IN AN EDUCATION PROGRAM OR ACTIVITY AGAINST A PERSON (INCLUDING, BUT NOT LIMITED TO STUDENTS AND EMPLOYEES) IN THE UNITED STATES. THE TITLE IX COORDINATOR, WITH THE DHR ADMINISTRATOR, WILL ASSESS ALLEGATIONS OF OTHER NON-ADDENDUM B RELATED MISCONDUCT SET FORTH IN THE SAME COMPLAINT THAT ARISE OUT OF THE SAME FACTS AND/OR INCIDENTS THAT MAY ALSO BE INVESTIGATED AND RESOLVED (INCLUDING SANCTIONS AND DISCIPLINE) IN ACCORDANCE WITH THIS ADDENDUM OR OTHER CSU POLICIES. SEE ADDENDUM B: FEDERAL MANDATED HEARING ADDENDUM]

[NOTE: ARTICLE III.B.7-9 OF THIS EXECUTIVE ORDER DOES NOT APPLY IN CASES (I) ALLEGING SEXUAL MISCONDUCT OR DATING AND DOMESTIC VIOLENCE BY A STUDENT THAT, (II) IF SUBSTANTIATED, COULD RESULT IN A SEVERE SANCTION (SUSPENSION OR EXPULSION), AND (III) WHERE CREDIBILITY OF ANY PARTY OR WITNESS IS CENTRAL TO THE FINDING. SEE ADDENDUM A: STATE MANDATED HEARING ADDENDUM]

This procedure provides Students a process to address alleged violations of this policy by the CSU, a CSU Employee, another Student, or a Third Party. Whenever a Campus determines that the allegation(s) are outside the scope of this policy, the Campus shall promptly notify the Student in writing. All Complaints and related investigations against Respondents who are sworn University public safety officers shall be governed by this policy, the applicable collective bargaining agreement, and by the Public Safety Officers Procedural Bill of Rights Act (POBR). [8] The campus DHR Administrator/Title IX Coordinator shall work with the campus Chief of Police, or designee, to investigate Complaints against sworn public safety officers. Consultation with the Office of General Counsel is recommended.

The University will respond to all Complaints and will take appropriate action to prevent, correct, and discipline conduct that violates this policy. To report alleged violations, a Student may submit a formal written Complaint to the DHR Administrator (Discrimination, Harassment, and Retaliation) or Title IX Coordinator (Sex

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Discrimination, Sexual Harassment, Sexual Misconduct, Dating and Domestic Violence, and Stalking). The date of receipt shall be deemed to be the Complaint filing date. The DHR Administrator/Title IX Coordinator shall offer reasonable accommodations to Students who are unable to submit a Complaint because of a qualified Disability.

Complaints should be brought forward as soon as possible after the conduct occurs. While there is no stated timeframe for making a Complaint, prompt reporting will better enable the Campus to respond to the Complaint, determine the relevant issues, and provide an appropriate remedy and/or action. All incidents should be reported even if a significant amount of time has passed. However, delaying a report or Complaint may impede the ability to conduct an investigation or take appropriate remedial actions.

Alleged victims and witnesses should not be deterred from reporting any incidents of Sexual Misconduct, Dating or Domestic Violence, or Stalking out of a concern that they might be disciplined for related violations of drug, alcohol, or other University policies. The University's primary concern is the safety of the Campus community; therefore, a person who participates as a Complainant or witness in investigations or proceedings involving Sexual Misconduct, Dating or Domestic Violence, or Stalking shall not be subject to discipline for related violations of the Student Conduct Code at or near the time of the incident unless the University determines the violation was egregious, including but not limited to plagiarism, cheating, academic dishonesty, or conduct that places the health and safety of another person at risk.

The Campus will respond to all reports of alleged violations of this policy, whether or not the report is submitted as a formal written Complaint. However, the response may be limited if information contained in the report is insufficient to verify violation(s) of this Executive Order.

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A. **Campus Informal Resolution Process.** Complainants who believe they have experienced Discrimination, Harassment, Retaliation, Sexual Misconduct, Dating or Domestic Violence, or Stalking under this policy may initiate the Informal Resolution process prior to, or instead of, filing a Complaint. The purpose of the Informal Resolution process is to explore whether the Complainant's concern can be resolved by the Campus without an investigation.

   This Executive Order neither prevents nor requires the use of the Informal Resolution process. Under no circumstance shall a Complainant be required to use the Informal Resolution process to address prohibited behaviors. It is not appropriate for a Complainant to be required to "work out the problem" directly or mediate with the Respondent. Mediation cannot be used, even on a voluntary basis, to resolve Sexual Misconduct, Dating or Domestic Violence, or Stalking Complaints. In other matters, where voluntary mediation is requested, no meeting between the Complainant and the Respondent should occur without involvement by appropriate Campus administrators, including the DHR Administrator or Title IX Coordinator.
   Where the allegations involve Sexual Misconduct, Dating or Domestic Violence, or Stalking, the Complainant shall be advised to immediately file a Complaint under Article III, B.

   1. **To initiate the Informal Resolution Process.** The Complainant should contact the Campus DHR Administrator (Discrimination, Harassment, or Retaliation) or Title IX Coordinator (Sex Discrimination, Sexual Harassment, Sexual Misconduct, Dating and Domestic Violence and Stalking) who shall promptly meet with the Complainant to discuss his or her concern and possible resolutions as appropriate.

      Complainants shall be informed about the range of possible outcomes, including Supportive Measures or disciplinary actions that might be taken against the Respondent, and information about the procedures leading to such outcomes.

2. **Participation in the Informal Resolution Process.** Participation is voluntary. It may include an inquiry into the facts, but does not include an investigation. Means for resolution shall be flexible. Resolution options include but are not limited to discussions with the Parties, a resolution facilitated by the DHR Administrator or Title IX Coordinator, separating the Parties, referring one or both of the Parties to counseling programs, an agreement between Campus and the Respondent regarding disciplinary action, conducting targeted preventive educational and training programs or providing Remedies to persons harmed by violations of this policy.

   The Campus shall attempt to resolve the Complainant's concern(s) quickly and effectively. The DHR Administrator or Title IX Coordinator shall meet with the Complainant, the Respondent, and any other persons or witnesses they may determine to be necessary.

3. **Final Informal Resolution.** If resolution is reached, a written record of the resolution shall be documented and maintained in accordance with applicable Campus recordkeeping policies. The matter shall be considered closed.

   Where the Respondent is another Student, the DHR Administrator/Title IX Coordinator shall inform the Student Conduct Administrator of the outcome of the Informal Resolution process, including any Supportive Measures afforded to the Complainant. Where the Respondent is an Employee, Human Resources or Academic Affairs shall be informed as appropriate.

   If resolution is not reached, the Campus shall promptly notify the Complainant and, where applicable, the Respondent in writing that the Informal Resolution process is terminated, and the termination effective date. The DHR Administrator/Title IX Coordinator shall also determine whether the matter is appropriate for investigation, and so notify the parties in writing. The Complainant shall be provided written notification of the right to file a Complaint pursuant to Article III, B. 1.

4. **Confidentiality.** Other than consulting with their respective Support Advisors, both the Complainant and the Respondent shall keep the details of the Informal Resolution process confidential until the process is concluded. If the matter is not resolved and an investigation is conducted, the Complainant and the Respondent shall maintain confidentiality until the conclusion of the Campus investigation and CO Appeal Review process, if any.

5. **Termination of Informal Resolution Process.** The Complainant shall be notified that the Complainant or the Campus may at any time elect to terminate the Informal Resolution process. In that event, the DHR Administrator/Title IX Coordinator shall promptly notify the Complainant and the Respondent in writing that the Informal Resolution process has terminated, the effective date thereof, and inform the Complainant of the right to file a Complaint pursuant to Article III, B. 1. The DHR Administrator/Title IX Coordinator shall also determine whether the matter is appropriate for investigation, and so notify the parties in writing.

B. **Campus Investigation Process.** Campuses will investigate Complaints of Discrimination, Harassment, Retaliation, Sexual Misconduct, Dating or Domestic Violence, or Stalking unless an Informal Resolution is reached, whether or not a formal written Complaint is submitted. The DHR Administrator/Title IX Coordinator will determine whether to open an investigation after making a preliminary inquiry into the allegations. An investigation may not be warranted where the reported information is insufficient. These determinations will be documented in writing by the DHR Administrator/Title IX Coordinator, and maintained in accordance with systemwide records retention policies.

   In cases where the Complainant does not want to pursue an investigation, the DHR Administrator/Title IX

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Coordinator should inform the Complainant that the ability to take corrective action may be limited. The Campus may determine that circumstances warrant initiating an investigation even if a Complaint has not been filed and independent of the intent or wishes of the Complainant. In cases involving Sexual Misconduct, Dating or Domestic Violence, or Stalking, when determining whether to go forward with an investigation, the Title IX Coordinator should consider the seriousness of the allegation(s), the age of the Complainant, whether there have been other Complaints against the Respondent, and the risk to the Campus community if the Respondent's alleged conduct remains unaddressed. These determinations will be documented in writing by the DHR Administrator/Title IX Coordinator, and maintained in accordance with systemwide records retention policies.

1. **Filing a Complaint.** Any Student may file a Complaint reporting Discrimination, Harassment, Retaliation, Sexual Misconduct, Dating or Domestic Violence, or Stalking under this policy subject to the following exceptions:
    a. Complaints of Student employees that arise out of their employment. Such Complaints shall be governed by Executive Order 1096, or any superseding executive order.
    b. Complaints by a Student about his/her academic adjustments and/or accommodations to a Campus's educational program related to his/her qualified Disability. Such inquiries and Complaints shall be directed to the Campus Director, Disabled Student Services (DSS), and shall be governed by CSU Coded Memorandum AA 2014-08, or any superseding policy.
    c. Complaints against a president shall be filed with the Chancellor's Office (CO). However, Complaints against a president shall be processed by the Campus if the president's role in the alleged incident was limited to a decision on a recommendation made by another administrator, and the president had no other substantial involvement in the matter.
    d. For Complaints against CO employees, the responsibilities identified in this Executive Order as those of the president are the responsibilities of the chancellor. Complaints that involve allegations against the chancellor or a member of the Board of Trustees shall be referred to the chair or vice chair of the Board and the CO Title IX Coordinator for processing and investigation.
2. **Complaint Requirements.** The Complainant may submit a written Complaint to the DHR Administrator or Title IX Coordinator. The date the Complaint is received in the appropriate office shall be deemed to be the Complaint filing date. The DHR Administrator/Title IX Coordinator shall offer reasonable accommodations to Complainants who are unable to submit a written Complaint because of a qualified Disability.

    The Complainant may complete the attached "CSU Student Complaint Form" or, in the alternative, submit a written signed statement containing the following information:
    a. The Complainant's full name, address (including email address) and telephone number(s);
    b. The name of the Respondent and job title, position or Student status, if known;
    c. The Protected Status that is the basis for any alleged Discrimination, Harassment, or Retaliation, the Respondent's activity that is the basis for the alleged Retaliation, or whether Dating or Domestic Violence, or Stalking is alleged;
    d. A clear, concise statement of the facts that constitute the allegations including pertinent date(s) and sufficient information to identify any individuals who may provide relevant information during the course of any investigation;
    e. A statement verifying that the information provided is true and accurate to the best of the

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Complainant's knowledge;

f. The term and year of the Complainant's most recent active academic status or the term and year in which the Complainant sought admission to the University;

g. The full name, address and telephone number of the Complainant's Support Advisor, if any;

h. The specific harm resulting from the allegations;

i. The specific remedy sought;

j. The Complainant's signature; and,

k. The date on which the Complaint is submitted.

3. **Intake interview.** The DHR Administrator or Title IX Coordinator shall meet with the Complainant as soon as possible, but no later than **10 Working Days** after the Complaint was received. The Complainant shall be available for and attend this meeting.

   a. The meeting shall serve as the initial intake interview with the Complainant and will:

      i. Explain the investigation procedure and timelines and answer any questions about them;

      ii. Inform the Complainant of rights and options under this Executive Order, including the right to have a Support Advisor throughout the process;

      iii. Provide the opportunity for the Complainant to complete and sign a Complaint form, if not already done; and,

      iv. Discuss Supportive Measures, as appropriate.

   b. In cases alleging Sexual Misconduct, Dating or Domestic Violence, or Stalking, the Title IX Coordinator shall also:

      i. Inform the Complainant of the right to file a criminal complaint;

      ii. Offer to assist the Complainant with filing a criminal complaint;

      iii. Assure the Complainant that such filing will not significantly delay the Campus investigation;

      iv. Advise the Complainant of available resources such as the Campus police, Campus Sexual Assault Victim's Advocate, student health service center or psychological counseling center; and

      v. Provide ***written*** information, as directed under Executive Order 1095, to any Student who makes a report to the Campus of Sexual Misconduct, Dating or Domestic Violence, or Stalking.

   c. Prior to or during the initial interview with the Respondent, the DHR Administrator or Title IX Coordinator shall:

      i. Explain the investigation procedure and timelines and answer any questions about them;

      ii. Inform the Respondent of rights and options under this Executive Order, including the right to have a Support Advisor throughout the process;

      iii. Provide the Respondent with a copy of this Executive Order;

      iv. Provide the Respondent with a description of the Complainant's allegations against the Respondent;

      v. Provide the Respondent a full opportunity to respond to the allegations, including

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scheduling other meeting(s), accepting documentary evidence, and accepting Respondent's list of potential witnesses; and,

vi. Discuss any Supportive Measures, as appropriate.

4. **Support Advisor.** The Complainant and the Respondent may elect to be accompanied by a Support Advisor to any meeting or interview regarding the Complaint. (See definition in Article VI.)

5. **Confidentiality.** Information regarding the Complaint may be shared on a "need to know" basis with other Campus Employees, and with law enforcement (with the Complainant's written consent), except for some limited exceptions. (See Executive Order 1095.) The DHR Administrator and/or Title IX Coordinator shall endeavor to honor any request for confidentiality; however, the DHR Administrator and/or Title IX Coordinator shall also weigh requests for confidentiality against the University's duty to provide a safe and nondiscriminatory environment for all members of the Campus community. **Confidentiality, therefore, cannot be ensured.**

   The Title IX Coordinator receives all Complainant requests for confidentiality involving cases of Sexual Misconduct, Dating or Domestic Violence, or Stalking, and determines if the request can be honored under the facts and circumstances of the particular case. (See Executive Order 1095.)

6. **Complaint Accepted for Investigation.** The DHR Administrator or Title IX Coordinator will review all written Complaints and the information received during the intake interview with the Complainant. If the DHR Administrator or Title IX Coordinator determines that the Complaint falls within the scope of this Executive Order, the Complainant will be notified within **10 Working Days** that the Complaint has been accepted for investigation and the timeline for completion of the investigation.

   If the DHR Administrator or Title IX Coordinator determines the Complainant has failed to state a Complaint within the scope of this Executive Order, the Complainant will be provided with written notice of this determination within **10 Working Days**. The DHR Administrator or Title IX Coordinator will also inform the Complainant that if additional information is provided, the Complaint will be reviewed again. The DHR Administrator or Title IX Coordinator will maintain a record of the Complaint and the reasons the Complaint was deemed not within the scope of this Executive Order.

   The DHR Administrator or Title IX Coordinator shall determine whether the Complaint should be processed through another Campus office or University procedure available to the Complainant. If appropriate, the DHR Administrator or Title IX Coordinator shall direct the Complainant to that procedure as soon as possible.

7. **Investigation Procedure.** The DHR Administrator or Title IX Coordinator shall promptly investigate the Complaint or assign this task to another Investigator on a case-by-case basis. If assigned to another Investigator, the DHR Administrator or Title IX Coordinator shall monitor, supervise, and oversee all such delegated tasks, including reviewing all investigation draft reports before they are final to ensure that the investigation was sufficient, appropriate, impartial, and in compliance with this Executive Order.

   The Complainant and the Respondent shall have equal opportunities to present relevant witnesses and evidence in connection with the investigation. Upon inquiry, the Complainant and Respondent shall be advised of the status of the investigation.

   Before reaching a final conclusion or issuing a final investigation report, the Investigator shall have:

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a) advised the Parties, or have offered to do so, verbally or in writing, of any evidence upon which the findings will be based; and, b) given the Parties an opportunity to respond to the evidence, including presenting further relevant evidence, information or arguments that could affect the outcome. The Investigator will not reach a final conclusion or issue an investigation report until giving careful consideration to any such relevant evidence, information or arguments provided by the Parties. The Investigator retains discretion and authority to determine relevance.

The investigation shall be completed no later than **60 Working Days** after the intake interview, unless the timeline has been extended pursuant to Article V. E. The timeline should not be extended for a period longer than an additional **30 Working Days** from the original due date.

On occasion, a criminal investigation may be initiated by a law enforcement agency over the same allegations that are reported in a Complaint filed under this policy. A pending (Campus or local) police investigation is a separate investigation and it does not relieve a Campus of its responsibility to timely investigate Complaints under this policy. Thus, a Campus may not wait until the conclusion of a police investigation to commence its own investigation. Although it may be necessary to temporarily delay the investigation while the police are gathering evidence, once notified that the police have completed the fact gathering portion of their investigation, the Campus must promptly resume and complete its own investigation. In cases involving Sexual Misconduct, Dating or Domestic Violence, or Stalking, see the "Coordination with Criminal Investigations and Proceedings" section of Executive Order 1095.

8. **Investigation Report.** Within the investigation period stated above, the Investigator shall prepare an investigation report. The report shall include a summary of the allegations, the investigation process, the Preponderance of the Evidence standard, a detailed description of the evidence considered, and appropriate findings. Relevant exhibits and documents, if any, shall be attached to the written report. The report shall be promptly provided to the DHR Administrator or Title IX Coordinator, if applicable. The DHR Administrator or Title IX Coordinator shall review the investigation report to assure compliance with this Executive Order before proceeding further.
9. **Notice of Investigation Outcome.** Within **10 Working Days** of issuance of the final investigation report, the DHR Administrator or Title IX Coordinator shall notify the Complainant and Respondent in writing of the outcome of the investigation. The notice shall include a summary of the allegations, the investigative process, the Preponderance of the Evidence standard, the evidence considered, the findings of fact, a determination as to whether this Executive Order was violated, and if so, any Remedies to be afforded to the Complainant (such as an order that the Accused not contact the Complainant). The notice shall advise the Complainant and Respondent of their right to file an appeal under this Executive order and to request a copy of the final investigation report with exhibits/ attachments, if any, redacted as appropriate. The Notice shall be delivered to the Parties in a manner which guarantees delivery within **2 Working Days** (email delivery is acceptable). Where a Complaint is made against another Student and this Executive Order is found to have been violated, the DHR Administrator or Title IX Coordinator shall also notify the Campus Student Conduct Administrator of the investigation outcome, and provide a copy of the investigation report. Where the Respondent is an Employee, Human Resources or Academic/Faculty Affairs shall be notified and provided a copy of the investigation report.

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Article IV. Appeal Review - Office of the Chancellor (CO)

[NOTE: THIS EXECUTIVE ORDER'S INVESTIGATION AND RESOLUTION PROCESS IS SUPERSEDED BY ADDENDUM B: FEDERAL MANDATED HEARING ADDENDUM FOR CASES THAT ARE DEFINED BY THE TITLE IX FEDERAL REGULATIONS AS SEXUAL HARASSMENT IN AN EDUCATION PROGRAM OR ACTIVITY AGAINST A PERSON (INCLUDING, BUT NOT LIMITED TO STUDENTS AND EMPLOYEES) IN THE UNITED STATES. THE TITLE IX COORDINATOR, WITH THE DHR ADMINISTRATOR, WILL ASSESS ALLEGATIONS OF OTHER NON-ADDENDUM B RELATED MISCONDUCT SET FORTH IN THE SAME COMPLAINT THAT ARISE OUT OF THE SAME FACTS AND/OR INCIDENTS THAT MAY ALSO BE INVESTIGATED AND RESOLVED (INCLUDING SANCTIONS AND DISCIPLINE) IN ACCORDANCE WITH THIS ADDENDUM OR OTHER CSU POLICIES. SEE ADDENDUM B: FEDERAL MANDATED HEARING ADDENDUM]

[NOTE: ARTICLE IV OF THIS EXECUTIVE ORDER DOES NOT APPLY IN CASES (I) ALLEGING SEXUAL MISCONDUCT OR DATING AND DOMESTIC VIOLENCE BY A STUDENT THAT, (II) IF SUBSTANTIATED, COULD RESULT IN A SEVERE SANCTION (SUSPENSION OR EXPULSION), AND (III) WHERE CREDIBILITY OF ANY PARTY OR WITNESS IS CENTRAL TO THE FINDING. SEE ADDENDUM A: STATE MANDATED HEARING ADDENDUM]

A. **Filing an Appeal to the CO.** Any Complainant or Respondent who is not satisfied with a Campus investigation outcome may file an appeal with the CO no later than **10 Working Days** after the date of the Notice of Investigation Outcome.

B. **Written Appeal.** The appeal shall be in writing and shall be based only on one or more of the appeal issues listed below:

   1. The investigation outcome is unsupported by the evidence, based on the Preponderance of the Evidence standard;
   2. Prejudicial procedural errors impacted the investigation outcome to such a degree that the investigation did not comply with this Executive Order; or
   3. New evidence not available at the time of the investigation.

C. **Issues and Evidence on Appeal.** The issues and evidence raised on appeal shall be limited to those raised and identified during the investigation, unless new evidence becomes available after the Campus investigation process and is made part of the appeal by the appealing party. The CO may conduct an interview, at the CO's discretion, with the appealing party to clarify the written appeal. Appeals shall be addressed to:

Equal Opportunity and Whistleblower Compliance Unit
Systemwide Human Resources
Office of the Chancellor
401 Golden Shore, 4th Floor
Long Beach, California 90802
eo-wbappeals@calstate.edu

D. **Acknowledgement of Appeal.** The CO shall provide prompt written acknowledgement of the receipt of the appeal to the appealing party, and will provide written notification of the appeal to the other party and

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the Campus DHR Administrator or Title IX Coordinator.

E. **Reasonable Accommodation.** The CO will provide reasonable accommodation(s) to any party or witness in the appeal process with a qualified Disability upon request by the person needing the accommodation. A reasonable accommodation may include an extension under these procedures. The timeframe for the CO Appeal Response will automatically be adjusted for the time needed, if any, to provide reasonable accommodation(s).

F. **Scope of CO Review.** The CO review will not involve a new investigation by the CO and will not consider evidence that was not introduced during the Campus investigation, unless the new evidence was not available at the time of the Campus investigation process. The CO may make reasonable inquiries to determine if the new evidence could have affected the investigation determination. If the CO review determines the investigation should be reopened to cure any defects in the investigation and/or consider new evidence introduced for the first time on appeal (that could have affected the investigation determination), the investigation will be remanded back to the Campus and the investigation reopened at the Campus level.

G. **Reopening a Campus Investigation.** The CO will return the matter to the Campus and will specify in writing the timeline by which a reopened investigation must be completed. The CO will notify the Parties of the reopening of the investigation and the timeline for completion of the reopened investigation. The Campus will complete the reopened investigation and provide the CO with an amended investigation report. The Campus will also provide the Parties with amended Notices of Investigation Outcome, and such Notices will provide the Parties the opportunity to appeal any new or amended findings, in accordance with this Executive Order. Upon receipt of the amended investigation report, the CO will contact the appealing party to determine whether that party wishes to continue with the appeal.

H. Timeline. The CO shall respond to the appealing party no later than 30 Working Days after receipt of the written appeal unless the timeline has been extended as specified in Article V, E. below.

I. **CO Appeal Response**. The CO Appeal Response shall include a summary of the issues raised on appeal, a summary of the evidence considered, the Preponderance of the Evidence standard, and the determination(s) reached regarding the issue(s) identified within the written appeal. A copy of the final CO Appeal Response shall be forwarded to the Complainant and Respondent, as well as the Campus DHR Administrator or Title IX Coordinator.

   The CO Appeal Response is final and concludes the Complaint and CO review process under this Executive Order.

Article V. General Provisions for Campus Investigation/CO Appeal Review

A. **Impartial Investigations**. All investigations and reviews shall be conducted impartially and in good faith.

B. **Cooperation in an Investigation**. Students and Employees are required to cooperate with the investigation and other processes set forth in this Executive Order, including but not limited to, attending meetings, being forthright and honest during the process, and keeping confidential the existence and details of the investigation/review. If a Complainant and/or Respondent refuse to cooperate, the CSU may draw all reasonable inferences and conclusions on the basis of all available evidence and conclude the investigation/review.

C. **False Allegations Prohibited.** A Complainant shall proceed with a Complaint in good faith. A

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Complainant who knowingly and intentionally files a false Complaint or any individual who is determined to have provided false statements or information during the investigation/appeal review shall be subject to discipline. Such disciplinary action shall not be deemed to be Retaliation.

D. **Input into the Investigation**. Both the Complainant and Respondent shall have the right to identify witnesses and other evidence for consideration; however, the CSU shall decide what evidence is relevant and significant to the issues raised.

E. **Timelines and Extensions.** The timeline for the procedures contained within this Executive Order may be extended for any reason deemed to be legitimate by the Campus Investigator/CO Appeal reviewer or by mutual agreement of the Parties. The timelines stated within this Executive Order will be automatically adjusted for a reasonable time period that should not exceed an additional **30 Working Days** for a Campus investigation or an additional **30 Working Days** for a reopened Campus investigation under Article IV. The Complainant and Respondent shall receive written notification of any period of extension.

F. **Delivery.** When submitting a Complaint or issuing any notices required by this Executive Order, personal delivery, overnight delivery services, electronic mail, or certified mail may be used. If personal delivery is used, a proof of service shall be prepared attesting to the calendar date of delivery, which will establish the date of filing or response. If certified mail delivery is used, the postmark shall establish the date of filing or response. Electronic communications must be sent to the designated CSU or Campus e-mail address unless the intended recipient has specified a different address. Electronic communications will be deemed received on the date sent.

G. **Investigation Not Warranted**. In the event that a Campus determines an investigation is not warranted, the reasons for that decision shall be reduced to writing and retained by the Campus according to appropriate record retention policies.

H. **Information Requests.** Where it is necessary for the Complainant or Respondent to have access to specific information for the purpose of filing a Complaint or CO Appeal, the Complainant or Respondent shall make a written request for such information to the Campus. The Complainant or Respondent shall have access to information within the policies, procedures and laws governing confidentiality and privacy that are relevant to any issue raised in the Complaint. This provision does not authorize a Complainant or Respondent access to the personnel files of another without the written consent of that person.

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Article VI. Definitions

For purposes of this Executive Order, the following definitions apply:

A. **Adverse Action** means an action that has a substantial and material adverse effect on the Complainant's ability to participate in a University program or activity free from Discrimination, Harassment or Retaliation. Minor or trivial actions or conduct not reasonably likely to do more than anger or upset a Complainant does not constitute an Adverse Action

B. **Affirmative Consent** means an informed, affirmative, conscious, voluntary, and mutual agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that Affirmative Consent has been obtained from the other participant(s) to engage in the sexual activity. Lack of protest or resistance does not mean consent nor does silence mean consent.

   Affirmative Consent can be withdrawn or revoked. Affirmative Consent cannot be given by a person who is incapacitated.

A person with a medical or mental Disability may also lack the capacity to give consent.

Sexual activity with a minor (under 18 years old) is never consensual because a minor is considered incapable of giving legal consent due to age.

See Article I, E. for more information.

C. **Age,** with respect to employment discrimination, refers to the chronological age of any individual who has reached his or her 40th birthday.[9] With respect to discrimination in non-employment programs and activities, Age means how old a person is, or the number of years from the date of a person's birth.[11] Age based stereotype refers to generalized opinions about matters including the qualifications, job performance, health, work habits, and productivity of individuals over forty.

Age is a Protected Status.

D. **Calendar Days** are defined as Monday through Sunday and include official holidays.

E. **California State University (CSU**) means the 23 Campus system of the California State University, including the CO.

F. **Campus or University** means any of the 23 Campuses of the CSU or the CO.

G. **CO Appeal Response** refers to the decision provided to the Complainant and the Respondent upon completion of the appeal process provided under Article IV.

H **Complainant** means an individual who is eligible to file a Complaint or to report a violation of this policy. See Article III. B. 1 for a description of those eligible to file a Complaint. It also includes any person who is reported to have experienced a violation of this policy in cases where some other person has made a report on that person's behalf. A Complainant may also be referred to as a party to the Complaint.

I. **Complaint** means a report of a violation of this policy or a written communication that complies with Article III. B. 2 alleging Discrimination, Harassment, Retaliation, Sexual Misconduct, Dating or Domestic Violence, or Stalking, against the CSU, an Employee, another Student, or a Third Party.

J. **Dating Violence** 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.[11] This may include someone the victim just met; i.e., at a party, introduced through a friend, or on a social networking website. For purposes of this definition, "abuse" means intentionally or recklessly causing or attempting to cause bodily injury or placing another person in reasonable apprehension of imminent serious bodily injury to self or another. Abuse does not include non-physical, emotional distress or injury.

K. **DHR (Discrimination, Harassment, and Retaliation) Administrator** means the Management Personnel Plan (MPP) Employee at each Campus who is designated to administer this Executive Order and coordinate compliance with the laws prohibiting Discrimination, Harassment and Retaliation. The DHR Administrator may delegate tasks to one or more designees, provided that any designee shall be a MPP Employee or an external consultant, and the DHR Administrator retains overall responsibility and authority. **MPP Employee** means an employee who has been designated as a "management" or "supervisory" employee under the provisions of the Higher Education Employer-Employee Relations Act.[12] The Campus president may assign the roles of the DHR Administrator and Title IX Coordinator

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to the same person. The names of, and contact information for the DHR Administrator and Title IX Coordinator shall be made readily available to the Campus community and Third Parties as described in Article II.

L. **Disability,** as defined in California Education Code §66260.5, Government Code § 12926 and the federal Americans with Disabilities Act (ADA), 2008 Amendments, means:

1. Having a physical or mental condition that limits a major life activity. "Limits" means making the achievement of a major life activity difficult. "Limits" is determined without regard to mitigating measures such as medications, assistive devices, prosthetics, or reasonable accommodations, unless the mitigating measure itself limits a major life activity. A "major life activity" is broadly construed and includes physical, mental, and social activities (such as walking, talking, seeing, hearing) and working; or
2. Having a known history of a qualifying impairment; or
3. Being regarded or treated as having or having had a qualifying impairment; or
4. Being regarded or treated as having or having had such an impairment that has no presently disabling effects but may become a qualifying impairment in the future.

Disability includes HIV and AIDS. Disability is a Protected Status.

M. **Discipline** means any disciplinary action taken to correct a violation of the prohibitions against Discrimination, Harassment, Retaliation, Sexual Misconduct, Dating and Domestic Violence, and Stalking set forth in this Executive Order. Discipline for Employees includes but is not limited to suspension, demotion, and termination of employment. Discipline for Students includes but is not limited to probation, suspension, and expulsion. Suspension of one academic year or more, expulsion, withdrawal in lieu of suspension or expulsion, and withdrawal with pending misconduct investigation or disciplinary proceeding shall be entered on the Student's transcript permanently without exception; this requirement cannot be waived in connection with any settlement agreement. See the definition of Remedies below.

N. **Discrimination** means Adverse Action taken against a Student by the CSU, a CSU employee, or another Student because of a Protected Status.

O. **Domestic Violence** is abuse committed against someone who is a current or former spouse; current or former cohabitant; someone with whom the Respondent has a child; someone with whom the Respondent 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. It does not include roommates who do not have a romantic, intimate, or sexual 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 spouses; (5) the continuity of the relationship; and, (6) the length of the relationship. For purposes of this definition, "abuse" means intentionally or recklessly causing or attempting to cause bodily injury or placing another person in reasonable apprehension of imminent serious bodily injury to self, or another.[13] Abuse does not include non-physical, emotional distress or injury.

P. **Employee** means a person legally holding a position in the CSU. This term includes full-time, part-time, permanent, tenured, probationary, temporary, intermittent, casual, and per-diem positions. This term does not include auxiliary or foundation Employees or other Third

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Parties.[14]

Q. **Gender** means sex, and includes Gender Identity, Gender Expression, and transgender. It also includes sex stereotyping.[15]
Sex includes, but is not limited to pregnancy, childbirth, breastfeeding or any related medical conditions.[16]

Gender Identity means a person's identification as male, female, a gender different from the person's sex at birth or transgender.

Gender Expression means a person's gender-related appearance or behavior whether or not stereotypically associated with the person's assigned sex at birth.

Sex stereotype means an assumption about a person's appearance or behavior or about an individual's ability or inability to perform certain kinds of work based on a myth, social expectation, or generalization about the individual's sex.

Transgender is a general term that refers to a person whose gender identity differs from the person's sex at birth. A transgender person may or may not have a gender expression that is different from the social expectation of the sex assigned at birth. A transgender person may or may not identify as transsexual.

Gender is a Protected Status.

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R. **Genetic Information** means[17]:
- The Student's genetic tests.
- The genetic tests of the Student's family members.
- The manifestation of a disease or disorder in the Student's family members.
- Any request for, or receipt of genetic services, or participation in clinical research that includes genetic services, by a Student or any Student's family member.
- Genetic Information does not include information about any Student's sex or age.

Genetic Information is a Protected Status.

S. **Harassment** means unwelcome conduct, based on the Complainant's Protected Status, that 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 Complainant, and is in fact considered by the Complainant, as limiting her/his ability to participate in or benefit from the services, activities or opportunities offered by the University.

T. **Investigator** means the person tasked by a Campus with investigating a Complaint. All Investigators shall receive annual training regarding such issues as the laws governing Discrimination, Harassment and Retaliation; Title IX and VAWA/Campus SaVE Act; as well as other related state and federal laws prohibiting Discrimination, Harassment and Retaliation based on Gender or Sex, including Sex Discrimination, Sexual Harassment, Sexual Misconduct, Dating and Domestic Violence, and Stalking; Complainant, Respondent, Employee, and witness privacy rights; and the Family Educational Rights and Privacy Act of 1974 (FERPA). For matters involving Sex Discrimination, Sexual Harassment, Sexual Misconduct, Dating or Domestic Violence or Stalking, the Investigator shall also receive annual training on how to conduct an investigation process that protects the safety of the Complainant(s) and the University community. (See also Executive Order 1095 regarding

required training for Sexual Harassment and Sexual Misconduct investigations.)

If delegated, the DHR Administrator or the Title IX Coordinator (for Complaints alleging Sex Discrimination, Sexual Harassment, Sexual Misconduct, Dating or Domestic Violence, or Stalking) shall monitor, supervise, and oversee the investigation to ensure that it is conducted in accordance with the standards, procedures and timelines set forth in this policy.

The Investigator shall not be within the administrative control or authority of any Respondent CSU Employee. The Investigator may be the DHR Administrator, the Title IX Coordinator, or their designee, provided that any designee shall be an MPP Employee or an external consultant.

U. **Marital Status** means an individual's state of marriage, non-marriage, divorce or dissolution, separation, widowhood, annulment, or other marital state.[18] Marital Status is a Protected Status.

V. **Medical Condition** means either of the following:

A. Any health impairment related to or associated with a diagnosis of cancer or a record or history of cancer; or

B. Genetic characteristics. For purposes of this section, "genetic characteristics" means either of the following:

1. Any scientifically or medically identifiable gene or chromosome, or combination or alteration thereof, that is known to be a cause of a disease or disorder in a person or offspring, or that is determined to be associated with a statistically increased risk of development of a disease or disorder, and that is presently not associated with any symptoms of any disease or disorder; or

2. Inherited characteristics that may derive from the individual or family member, that are known to be a cause of a disease or disorder in a person or offspring, or that are determined to be associated with a statistically increased risk of development of a disease or disorder, and that are presently not associated with any symptoms of any disease or disorder.[19]

Medical Condition is a Protected Status.

W **Nationality** includes citizenship, country of origin, and national origin. It also includes language use restrictions and holding or presenting a driver's license issued under section 12801.9 of the Vehicle Code.

Nationality is a Protected Status.[20]

X. **Parties** to a Complaint are the Complainant(s) and the Respondent(s).

Y. **Preponderance of the Evidence** means the greater weight of the evidence; i.e., that the evidence on one side outweighs, preponderates over, or is more than, the evidence on the other side. The Preponderance of the Evidence is the applicable standard for demonstrating facts and reaching conclusions in an investigation conducted pursuant to this Executive Order.

Z. **Protected Status** includes Age, Disability (physical or mental), Gender (or sex), Genetic Information, Gender Identity (including transgender), Gender Expression, Marital Status, Medical Condition, Nationality, Race or Ethnicity (including color or ancestry), Religion or Religious Creed, Sexual Orientation, and Veteran or Military Status.

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AA. **Race or Ethnicity** includes ancestry, color, ethnic group identification, and ethnic background.

Race or Ethnicity is a Protected Status.[21]

BB. **Religion** or Religious Creed and includes all aspects of religious belief, observance, and practice, including religious dress and grooming practices, and includes agnosticism and atheism. Religious dress and grooming practices, such as wearing religious clothing, head or face covering, jewelry, and artifacts, are part of a Complainant's religious observance or belief.[22]

Religion or Religious Creed is a Protected Status

CC. **Remedies** mean actions taken to correct allegations and/or reported violations of Discrimination, Harassment, Retaliation, Sexual Misconduct, Dating or Domestic Violence or Stalking as set forth in this Executive Order. Remedies can include Discipline or other corrective action.

Supportive Measures shall be offered prior to the conclusion of an investigation in order to immediately stop any wrong-doing and/or reduce or eliminate any negative impact, when appropriate. Persons reporting that they have been the victim of Sex Discrimination, Sexual Harassment, Sexual Misconduct, Dating or Domestic Violence or Stalking must be provided reasonable and available Supportive Measures, if requested, regardless of whether the person chooses to report the conduct to Campus police or local law enforcement, and regardless of whether an investigation is conducted under this Executive Order. Examples may include offering the option of psychological counseling services, changes to academic or living situations, completing a course and/or courses on-line (if otherwise appropriate), academic tutoring, arranging for the re-taking of a class or withdrawal from a class without penalty, and/or any measure as appropriate to stop further alleged harm until an investigation is concluded or a resolution is reached. The Title IX Coordinator shall assist and provide the Complainant with reasonable Remedies as requested throughout the reporting, investigation, appeal, and disciplinary processes, and thereafter.

DD. **Respondent** means the CSU, a CSU Employee, another Student, or a Third Party who is alleged to have violated this Executive Order.

EE. **Retaliation** means Adverse Action taken against a Student because the Student has or is believed to have:

A. Exercised rights under this Executive Order;

B. Reported or opposed conduct which was reasonably and in good faith believed to be in violation of this Executive Order;

C. Assisted or participated in a policy-related investigation/proceeding regardless of whether the Complaint was substantiated; or,

D. Assisted someone in reporting or opposing a violation of this Executive Order, or assisted someone in reporting or opposing Retaliation under this Executive Order.

Retaliation may occur whether or not there is a power or authority differential between the individuals involved.

FF. **Sexual Assault Victim's Advocate** refers to Employees or third party professionals appointed

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to support Complainants reporting Sexual Misconduct. They must be certified and have received specialized training to provide advice and assistance, including but not limited to the provision of information about available options in the Complaint, law enforcement, legal, and medical processes, and with emotional and decision making support. Sexual Assault Victim's Advocates may serve as the Complainant's Support Advisor and assist in seeking services. They are committed to maintain the highest possible level of confidentiality permissible under state and federal law in their communications with the persons they assist.[23] Sexual Assault Victim's Advocates are appointed based on experience and demonstrated ability to effectively provide services to victims/survivors/Complainants. See Executive Order 1095 for more detailed information.

GG. **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 advances, requests for sexual favors, and any other conduct of a sexual nature where:

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

B. The 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 Complainant, and is in fact considered by the Complainant, as limiting his or her ability to participate in or benefit from the services, activities or opportunities offered by the University; **or**

C. The 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 Complainant, and is in fact considered by the Complainant, as creating an intimidating, hostile or offensive environment.

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Sexual Harassment could include being forced to engage in unwanted sexual contact as a condition of membership in a student organization; being subjected to video exploitation or a campaign of sexually explicit graffiti; or frequently being exposed to unwanted images of a sexual nature in a classroom that are unrelated to the coursework.

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.

This policy covers unwelcome conduct of a sexual nature. While romantic, sexual, intimate, personal or social relationships between members of the University community may begin as consensual, they may evolve into situations that lead to Sexual Harassment or Sexual Misconduct, including Dating or Domestic Violence, or Stalking, subject to this policy.

Claiming that the conduct was not motivated by sexual desire is not a defense to a complaint of harassment based on Gender.

HH. **Sexual Misconduct**: All sexual activity between members of the CSU community must be based on Affirmative Consent. Engaging in any sexual activity without first obtaining Affirmative Consent to the specific activity is Sexual Misconduct, whether or not the conduct violates any civil or criminal law.

Sexual activity includes, but is not limited to, kissing, touching intimate body parts, fondling, intercourse, penetration of any body part, and oral sex. It also includes any unwelcome physical sexual acts, such as unwelcome sexual touching, Sexual Assault, Sexual Battery, Rape, and Dating Violence. Sexual Misconduct may include using 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) to engage in sexual activity. Men as well as women can be victims of these forms of Sexual Misconduct. Sexual activity with a minor is never consensual when the Complainant is under 18 years old, because the minor is considered incapable of giving legal consent due to age.

1. **Sexual Assault** is a form of Sexual Misconduct 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.[24]
2. **Sexual Battery** is a form of Sexual Misconduct and is any willful and unlawful use of force or violence upon the person of another because of that person's Gender or sex as well as touching an intimate part of another person against that person's will and for the purpose of sexual arousal, gratification, or abuse.[25]
3. **Rape** is a form of Sexual Misconduct 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 a 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 a person incapable of giving consent. The Respondent's relationship to the person (such as family member, spouse, friend, acquaintance or stranger) is irrelevant. (See complete definition of Affirmative Consent above.)[26]
4. **Acquaintance Rape** is a form of Sexual Misconduct 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.)

II. **Sexual Orientation** means one's preference in sexual partners and includes heterosexuality, homosexuality or bisexuality.[27] Sexual Orientation is a Protected Status.

JJ. **Stalking** means engaging in a repeated Course of Conduct directed at a specific person that would cause a Reasonable Person to fear for the safety of self or others' safety or to suffer Substantial Emotional Distress.[28] For purposes of this definition:

1. **Course of Conduct** means two or more acts, including but not limited to, acts in which the stalker directly, indirectly, or through Third Parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property;
2. **Reasonable Person** means a reasonable person under similar circumstances and with the same Protected Status(es) as the Complainant;
3. **Substantial Emotional Distress** means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

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KK. **Student** means an applicant for admission to the CSU, an admitted CSU Student, an enrolled CSU Student, a CSU extended education Student, a CSU Student between academic terms, a CSU graduate awaiting a degree, a CSU student currently serving a suspension or interim suspension, and a CSU Student who withdraws from the University while a disciplinary matter (including investigation) is pending.

LL. **Support Advisor**: The Complainant and the Respondent may each elect to be accompanied by a Support Advisor to any meeting or interview regarding the allegations. The Support Advisor may be anyone, including a union representative from the Complainant's or Respondent's collective bargaining unit, an attorney, or, in the case of the Complainant, a Sexual Assault Victim's Advocate, provided the Support Advisor is not a person with information relevant to the allegations who may be interviewed by the Investigator during the investigation. The Support Advisor may not answer questions regarding the subject matter of the investigation for the Complainant or the Respondent. However, the Support Advisor may observe and consult with the Complainant or Respondent and take appropriate action to ensure that the investigation does not violate applicable laws, policies, or collective bargaining agreements

MM. **Third Party** means a person other than an Employee or a Student. Examples include employees of auxiliary organizations[29], unpaid interns, volunteers, independent contractors, vendors, and their employees, and visitors.

NN. **Title IX** means Title IX of the Education Amendments of 1972.

OO. **Title IX Coordinator** means the Campus MPP Employee appointed by the Campus president to coordinate compliance with Title IX; VAWA/Campus SaVE Act; and other related state and federal laws prohibiting Discrimination, Harassment and Retaliation based on Gender or sex, including Sex Discrimination, Sexual Harassment, Sexual Misconduct, Dating and Domestic Violence and Stalking. (See Executive Order 1095.)

PP. **VAWA** means the Violence Against Women Reauthorization Act of 2013 (which amends the Jeanne Clery Disclosure of Campus Crimes Statistics Act, commonly known as the Clery Act) (20 U.S.C. 1092(f)), under its Campus Sexual Violence Elimination Act provision (Campus SaVE Act).

QQ. **Veteran or Military Status** means service in the uniformed services. Veteran or Military Service may be a Protected Status.

RR. **Working Days** are defined as Monday through Friday, excluding all official holidays or Campus closures at the Campus where the Complaint originated or at the CO where an Appeal is reviewed.

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ADDENDUM A: STATE MANDATED HEARING ADDENDUM

INVESTIGATION AND HEARING PROCESS – FOR STUDENTS ACCUSED OF SEXUAL MISCONDUCT OR DATING AND DOMESTIC VIOLENCE (WHEN ADDENDUM B DOES NOT APPLY)

This Addendum, entitled "Addendum A - State Hearing Addendum," supersedes Article III.C.7-9 and Article IV of California State University Executive Order 1096 (Revised March 29, 2019); Article III.B.7-9 and Article IV of California State University Executive Order 1097 (Revised March 29, 2019); and Article IV of California State University Executive Order 1098 (Revised March 29, 2019), and applies to

Complaints alleging Sexual Misconduct or Dating and Domestic Violence committed by a Student Respondent.[30]

Article I. Scope of this Addendum

This Addendum **supersedes** the existing investigation and resolution process under Article III.C.7-9 and Article IV of EO 1096 (Revised August 14, 2020); Article III.B.7-9 and Article IV of EO 1097 (Revised August 14, 2020); and Article IV of EO 1098 (Revised August 14, 2020) (sanctions) for cases (i) alleging Sexual Misconduct or Dating and Domestic Violence by a Student that, (ii) if substantiated, could result in a severe sanction (suspension or expulsion), ***and*** (iii) where credibility of any Party or witness is central to the finding.[31] Allegations of other misconduct set forth in the same Complaint that arise out of the same facts and/or incidents may also be investigated and resolved (including sanctions) in accordance with this Addendum.

Article II. Investigation Procedure

The Title IX Coordinator will either promptly investigate the Complaint or assign this task to another Investigator. If assigned to another Investigator, the Title IX Coordinator will monitor, supervise, and oversee all such delegated tasks, including reviewing all investigation draft reports before they are final to ensure that the investigation is sufficient, appropriate, impartial, and in compliance with the relevant Executive Order, including this Addendum.

At the onset of the investigation, the Title IX Coordinator will simultaneously provide both Parties a Notice of Investigation. The Notice of Investigation will include:

A. a summary of the Complaint (e.g., “who,” “what,” “when,” and “where”);

B. a copy of, or internet link to, the relevant Executive Order, including this Addendum;

C. a description of the investigation and resolution procedure (including the right to hearing and appeal);

D. the estimated timeline for completion of the investigation;

E. a description of the University’s policy against Retaliation; and

F. information about the Parties’ right to a Support Advisor. The Complainant and Respondent will have equal opportunities to present relevant witnesses and evidence in connection with the investigation and at any hearing. Upon request, the Complainant and Respondent will be advised of the status of the investigation. If new allegations are raised during the investigation that are materially different from those described in the Notice of Investigation, a revised Notice of Investigation will be issued to the Parties.

Article III. Evidence

A. Gathering of Evidence. The Investigator will take reasonable steps to gather all relevant evidence from the Parties, other witnesses or other sources. The Investigator will document the steps taken to gather evidence, even when those efforts are not successful.

The Investigator will notify the Parties in writing that they may:

A. submit documentary information to the Investigator;

B. submit a list of potential witnesses to the Investigator; and/or

C. request that the Investigator attempt to collect documents and other information that are not reasonably accessible to the requesting Party.

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B. Basis for Declining Request. The Investigator may decline a Party's request to gather information if:

A. the request seeks information about the Complainant's sexual history with anyone other than the Respondent (unless such evidence about the Complainant's sexual behavior is offered to prove that someone other than the Respondent committed the alleged misconduct, or if the evidence concerns specific incidents of the Complainant's sexual behavior with respect to the Respondent and is offered to prove consent);

B. the request seeks information about the Respondent's sexual history with anyone other than the Complainant unless such information is used to prove motive or pattern of conduct;

C. the request seeks information that is unreasonably duplicative of evidence in the Investigator's possession;

D. the Investigator determines that the information is not relevant to disputed issues;

E. the request seeks information that can be reasonably and adequately obtained by the requesting Party from other independent or publicly available sources;

F. the burden of obtaining the information is likely to substantially outweigh the benefit that the evidence bears on a disputed issue; or

G. the requested information can be reasonably obtained through other means less likely to intrude on a person's privacy.

In determining the relevance of evidence, consent to one form of sexual activity (or one sexual act) does not constitute consent to other forms of sexual activity, and consent given to sexual activity on one occasion does not constitute consent on another occasion.

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Article IV. Review of Evidence

Before issuing a final investigation report (Final Investigation Report), the Investigator will share with the Complainant and Respondent a preliminary report of the evidence, along with all relevant evidence gathered as described above (Preliminary Investigation Report), redacted if and to the extent required by law. The Preliminary Investigation Report will: (a) describe the allegations; (b) identify the material facts – undisputed and disputed – with explanations as to why any material fact is disputed; and (c) describe the evidence presented and considered.

The Investigator may use discretion in determining how to provide access to the Preliminary Investigation Report with the Parties in light of the particular circumstances and any Party or witness privacy concerns. The Preliminary Investigation Report will also identify any evidence offered by the Parties or any other witnesses that the Investigator concluded is not relevant to a material disputed fact. Such evidence need not be attached to the report, but will be available for reasonable review upon request during the review of evidence process.

This process is collectively referred to as the "Review of Evidence."

Each Party will be given a reasonable opportunity to respond to the list of disputed facts and evidence and ask questions. In particular, each Party may:

A. meet again with the Investigator;

B. identify additional disputed facts;

C. respond to the evidence in writing;

D. request that the Investigator ask specific questions to the other Party and other witnesses;

E. identify additional witnesses; and

F. request that the Investigator gather additional evidence.

The Investigator will share with the Parties the answers to questions posed during the Review of Evidence. If additional disputed material facts are identified or relevant evidence is gathered, it will be included in the Preliminary Investigation Report (or in a separate addendum) and shared with all Parties, who will be given a reasonable opportunity to respond to the new evidence and ask questions. The Investigator determines when it is appropriate to conclude the Review of Evidence.

Article V. Investigation Report, Pre-Hearing Disposition, and Scheduling of Hearing

A. The Final Investigation Report will include all of the information included in the Preliminary Investigation Report as well as additional relevant evidence received during the Review of Evidence. Any relevant documentary or other tangible evidence provided by the Parties or witnesses, or otherwise gathered by the Investigator will be attached to the Final Investigation Report as exhibits or otherwise made available for reasonable review by the Parties and at the hearing. Evidence offered by the Parties or any other witnesses that the Investigator concluded is not relevant to a material disputed fact will also be accessible to the Hearing Officer during the hearing.

B. Absent good cause (of which the Parties will receive written notice): (i) the investigation should be concluded within **100 Working Days** from the date that Notice of Investigation is provided to the Parties; and (ii) the Final Investigation Report should be completed and provided to the Parties within **10 Working Days** after the Review of Evidence has concluded. Any extensions will be granted, and notice to the Parties given, as set forth in Article V. E. of EO 1096 and EO 1097.

C. If assigned to another Investigator, the Title IX Coordinator will monitor, supervise, and oversee all delegated tasks, including reviewing all draft reports before they are finalized to ensure that the investigation was sufficient, appropriate, impartial, and in compliance with the relevant Executive Order, including this Addendum.

D. Within **10 Working Days** after the Parties have been provided the Final Investigation Report, the Parties will be informed of the timelines that will apply to the pre-hearing and hearing processes described in Article VII below.

Article VI. Informal Resolution[32]

If the Title IX Coordinator or either Party believes that it may be possible to resolve the Complaint in a prompt, fair, and reasonable manner without a hearing, the Title IX Coordinator may suggest that the Parties consider an Informal Resolution subject to the following:

A. both Parties must agree to engage in the Informal Resolution process;

B. any agreed-upon remedies and disciplinary sanctions will have the force and effect of sanctions imposed following a Hearing;

C. the terms of any resolution must be memorialized in writing and signed by the Parties and the Title IX Coordinator; and

D. the resolution will be final and not appealable by either Party.

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Article VII. Pre-Hearing and Hearing Processes

1. The Student Conduct Administrator, Title IX Coordinator, or other appropriate Administrator (Hearing Coordinator) will be responsible for coordinating the hearing process. The Hearing Coordinator's duties will include: scheduling the hearing; notifying witnesses of the hearing; ensuring that the Hearing Officer is provided with appropriate materials including a copy of the report and any exhibits; coordinating videoconferencing (if necessary); and securing a location for the hearing. The Hearing Coordinator will also act as liaison between the Parties and the Hearing Officer on procedural matters.

2. The Parties will be given written notice of the date, time, and location of the hearing as well as the identity of the Hearing Officer. Notification of the hearing will be sent to the designated CSU campus e-mail address, unless the recipient has specifically requested in writing to the Hearing Coordinator that notice be given to a different e-mail address. Communications will be deemed received on the date sent. The hearing will not be set sooner than **20 Working Days** after the date of notice of hearing.

3. Timelines:

Hearing Officer

Any objections to an appointed Hearing Officer will be made in writing to the Hearing Coordinator within **5 Working Days** after notice of the identity of the Hearing Officer has been provided.

The objection must be based on an actual conflict of interest. A conflict of interest exists if the Hearing Officer has a personal relationship with one of the

Parties or witnesses or has demonstrated actual bias towards a Party or witness. The fact that a Hearing Officer has previously served as a Hearing Officer in university proceedings will not constitute a conflict of interest. The Hearing Coordinator will determine if a conflict of interest exists. In that event, the Parties will be notified in writing of the name of the new Hearing Officer. The date for the hearing may need to be rescheduled. Any objection to the new Hearing Officer will be made in accordance with this section.

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Pre-Hearing Process

No later than **15 Working Days** before the hearing, each Party will:

A. Provide to the Hearing Coordinator the name of, and contact information for, the Party's Support Advisor and support person (if any);

B. Make any requests to the Hearing Coordinator to consolidate pending cases for hearing;

C. Provide to the Hearing Coordinator a proposed witness list that includes the names of, and current contact information for, that Party's proposed witnesses as well as an explanation of the relevance of each proposed witness's testimony and the disputed issue to which the witness's testimony relates. Absent extenuating circumstances, such witnesses should have been identified to the investigator during the investigation process, and referenced in the investigation report.

   The Hearing Officer will make all determinations regarding pre-hearing matters, including witness participation and questions, and will promptly notify the Hearing Coordinator who, in turn, will promptly notify the Parties.

No later than **10 Working Days** before the hearing, the Hearing Coordinator will:

A. Share a final witness list with the Parties.

B. Notify each witness of the date, time and location of the hearing. Witnesses will be instructed to attend the hearing and to promptly direct any questions or concerns about their attendance at the hearing to the Hearing Coordinator.

No later than **5 Working Days** prior to the hearing, the Parties will submit a list of proposed questions to the Hearing Coordinator.

No later than **3 Working Days** before the hearing, the Parties will submit to the Hearing Coordinator any: (i) objections to, or questions about, the witness list or (ii) requests for permission to participate in the hearing remotely or out of the physical presence of the other Party. All communications will be in writing.

No later than **1 Working Day** before the hearing, the Hearing Officer will resolve all pending requests regarding participation at the hearing. The Hearing Coordinator will give prompt notice to the Parties (and witnesses) as appropriate.

The hearing is closed to all persons except the Parties; the Parties' respective Support Advisors; one support person per Party; appropriate witnesses while they are testifying; the Student Conduct Administrator; Title IX Coordinator; Hearing Officer; and Hearing Coordinator. A CSU administrator may also be present, but will not participate in the hearing. Campus police or a security officer may also be present if deemed appropriate or necessary by the Vice President for Student Affairs, Hearing Coordinator or Hearing Officer. The University will take reasonable steps to instruct witnesses employed by the University to attend the hearing, and to arrange for such witnesses to be available to attend, provided that such employee witnesses are timely identified to the Hearing Coordinator in accordance with this Executive Order.

4. The University will instruct Student witnesses to attend the hearing, provided that such Student witnesses are timely identified to the Hearing Coordinator in accordance with this Executive Order. Students who fail to comply may be subject to discipline, depending on the circumstances. The University will take reasonable steps to accommodate Student witnesses including arranging for them to be excused from class attendance, if necessary.

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Hearing Process

5. The hearing will commence with an overview of the hearing process given by the Hearing Officer, after which the Parties will be given an opportunity to ask questions about the hearing process. Generally, the Investigator or the Title IX Coordinator (if not the Investigator) will be the first witness and will describe the complaint, investigation process, and summarize the evidence. Each Party will be given an opportunity to make an opening statement that will last no longer than 10 minutes. The Support Advisor and any support person are not permitted to make the opening statement or speak during the hearing. The Parties will not make closing statements.

6. The Hearing Officer may ask questions of the Complainant, Respondent, Investigator, any University official (e.g., Title IX Coordinator or Student Conduct Administrator), and any witness.

A. The Complainant and Respondent may be present at all times during the hearing unless the Hearing Officer determines that a Party should be excused for extraordinary circumstances.

B. As set forth above, the Parties will give the Hearing Coordinator a written list of any questions that they would like the Hearing Officer to ask the witnesses. The Parties may also propose follow-up questions to the Hearing Officer during the hearing, at appropriate times designated by the Hearing Officer.

C. The Hearing Officer will ask the questions proposed by the Parties except for questions that:

    1. seek information about the Complainant's sexual history with anyone other than the Respondent (unless such evidence about the Complainant's sexual behavior is offered to prove that someone

other than the Respondent committed the alleged misconduct);

2. seek information about the Respondent's sexual history with anyone other than the Complainant, unless such information is used to prove motive or pattern of conduct;
3. seek information that is unreasonably duplicative of evidence in the Hearing Officer's possession; or
4. the Hearing Officer determines are not relevant to material disputed issues, are argumentative or harassing or unduly intrude on a witness's privacy.

D. The Hearing Officer has discretion to modify or change the wording of a question proposed by a Party (for example, when a question is unclear or inappropriate in tone) as long as the substance of the question is preserved.

E. The Parties will address any questions or concerns about a question (or line of questioning) to the Hearing Officer who will use their discretion to resolve any issues consistent with the Executive Order. Support Advisors may not speak on behalf of a Party.

F. Formal rules of evidence applied in courtroom proceedings (e.g., California Evidence Code) do not apply in the hearing. All information that responsible persons are accustomed to rely upon in the conduct of serious affairs is considered.

7. Hearsay may be considered, but will only be given the weight appropriate under all of the circumstances, with due consideration given to the importance of credibility assessment. Absent extenuating circumstances, the Hearing Officer will not rely on prior statements made by the Parties or witnesses during the investigation whose credibility is central to the determination unless those Parties or witnesses make themselves available for examination by the Hearing Officer.

8. The Hearing Officer will not, prior to preparing the Hearing Officer's Report (described below), have substantive communications about the facts of the case with either Party or the Investigator unless in the presence of both Parties and a University official (e.g., Hearing Coordinator, Title IX Coordinator or Student Conduct Administrator).

9. New evidence not reasonably available at the time of the investigation to the Party seeking to introduce the evidence may be considered in the Hearing Officer's discretion.

10. The Hearing Officer will make an official audio recording of the hearing. The recording is University property. No other recording of the hearing is permitted. The audio recording will be retained by the Hearing Coordinator or designee in accordance with the Campus records/information retention and disposition schedule.

11. If either Party fails to appear at the hearing without good cause the hearing will nevertheless proceed. Whether good cause exists is determined by the Hearing Officer.

12. The Respondent will not be found to have violated University policy solely because the Respondent failed to appear at the hearing. Nor will the Respondent be found not to have violated the University policy solely because a Complainant or other witness failed to appear at the hearing.

13. Abusive or otherwise disorderly behavior that causes a material disruption is not tolerated. The Hearing Officer may eject or exclude anyone (including either Party, their Support Advisors, and support persons) whose behavior causes a material disruption.

14. The Hearing Officer controls the hearing, is responsible for maintaining order during the hearing, and makes whatever rulings are necessary to ensure a fair hearing. The Hearing Officer's decisions in this regard are final.

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15. Where there is more than one Respondent or Complainant in connection with a single occurrence or related multiple occurrences, the Hearing Officer and the Parties may agree to a single hearing. A Party may request consolidation with other cases, or the Student Conduct Administrator may initiate the consolidation (subject to FERPA and other applicable privacy laws). All such requests will be made in accordance with timelines set forth in this section. The Hearing Officer makes consolidation decisions, which are subject to review by the Vice President of Student Affairs or designee.

Article VIII. Standard of Proof, Report, and Hearing Officer's Report

A. After the hearing, the Hearing Officer will make findings of fact and conclusions about whether the Respondent violated University Policy (Hearing Officer's Report). The standard of proof the Hearing Officer will use is whether each allegation is substantiated by a Preponderance of the Evidence. The Title IX Coordinator will review the Hearing Officer's Report to ensure compliance with this Executive Order. The Hearing Coordinator will transmit the Hearing Officer's Report promptly to the Parties, the Title IX Coordinator, and the Student Conduct Administrator, usually within **10 Working Days** of the close of the hearing. If no violation is found, the president (or designee) will also be notified.

B. If a violation is found, within **5 Working Days** of receiving such finding the Parties may submit to the Hearing Coordinator an impact statement or other statement regarding discipline that is no more than 2000 words in length. The document is an opportunity for the Parties to suggest disciplinary outcomes and to provide information that they believe is important for the Hearing Officer to consider. The Student Conduct Administrator and/or Title IX Coordinator may also submit a written statement regarding aggravating and mitigating factors, including whether the Respondent was previously found to have violated the Student Code of Conduct.

C. Within **5 Working Days** after receiving and considering any impact or other statements submitted by the Parties and other statements described above, the Hearing Officer will submit the Hearing Officer's Report to the president (or designee), including recommended sanctions (as defined in EO 1098) if a Respondent has been determined to have violated University policy. The Hearing Officer's Report will attach the Investigation Report and will include:

A. the factual allegations and alleged policy violations;

B. the Preponderance of the Evidence standard;

C. the evidence considered including an analysis of the credibility of the Parties and witnesses, when credibility assessments are required to resolve factual disputes;

D. any material evidence identified by the Parties or witnesses that the Hearing Officer determined was not relevant (or duplicative) and the reason why the evidence was not considered to be relevant;

E. a list of all questions proposed by the Parties at the hearing, and if any questions were not asked, why;

F. a summary of the procedural issues raised by the Parties before or during the hearing;

G. the factual findings and the evidence on which the factual findings are based;

H. to the extent that the factual findings required a determination concerning of the relative credibility or lack of credibility of the Parties or witnesses, an explanation as to how that determination was reached; and

I. a determination of whether the Executive Order was violated and an analysis of the basis for that determination.

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Article IX. Final Decision/Notification

In cases where the Hearing Officer has found a violation of policy, the president (or designee) will review the Investigation Report and the Hearing Officer's Report and issue a decision concerning the appropriate sanction within **10 Working Days** of receipt of the Hearing Officer's Report.

A. The president may impose the recommended sanctions, adopt a different sanction or sanctions, or reject sanctions altogether. If the president adopts a sanction other than what is recommended by the Hearing Officer, the president must set forth the reasons in the Decision Letter.

B. The president will simultaneously send the Decision Letter electronically to the Respondent and Complainant at the University-assigned or other primary e-mail address linked to their University accounts.[33] The decision will also be sent to the Student Conduct Administrator and the Hearing Officer.

C. The Decision Letter will include:

   1. the outcome of the hearing, including any sanction imposed, and the name of the Respondent(s);
   2. a copy of the Hearing Officer's Report, redacted as appropriate or as otherwise required by law; and
   3. notice of the Complainant's and Respondent's right to appeal to the CO.

D. The president will also send the Decision Letter to the Title IX Coordinator so that they may determine whether any additional Remedies (or other supportive measure) will be afforded or undertaken in order to maintain a safe and nondiscriminatory University environment.

E. Unless the CO notifies the campus and Parties that an appeal has been filed, the president's sanction decision becomes final **11 Working Days** after the date of the Decision Letter.

Article X. Appeal of Decision

A. **Filing an Appeal to the CO.** Any Complainant or Respondent who is not satisfied with a Campus hearing outcome may file an appeal with the CO no later than **10 Working Days** after the date of the Decision Letter.

B. **Written Appeal.** The appeal will be in writing and will be based only on one or more of the appeal issues listed below:

   1. The hearing outcome is not supported by substantial evidence (in other words, there was no reasonable basis for such findings or conclusions);
   2. Prejudicial procedural errors impacted the hearing outcome to such a degree that the hearing did not comply with this Executive Order;
   3. New evidence that was not reasonably available at the time of the hearing and would have affected the Hearing Officer's decision about whether the Respondent violated CSU policy; or
   4. The sanction(s) imposed constituted an abuse of discretion based on the substantiated conduct.

C. **Issues and Evidence on Appeal.** The issues and evidence raised on appeal will be limited to those raised and identified during the hearing, unless new evidence becomes available after the Campus hearing process and is made part of the appeal by the appealing party. The CO may conduct an interview, at the CO's discretion, with the appealing party and/or the Campus to clarify the written appeal. Appeals will be addressed to:

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Systemwide Human Resources
Office of the Chancellor
401 Golden Shore, 4th Floor
Long Beach, California 90802
eo-wbappeals@calstate.edu

D. **Acknowledgement of Appeal.** The CO will provide prompt written acknowledgement of the receipt of the appeal to the appealing Party, and will provide prompt written notification of the appeal, including a copy of the appeal, to the non-appealing Party and the Campus Title IX Coordinator. The notice will include the right of the non-appealing Party and the Campus to provide a response to the appeal within **10 Working Days** of the date of the notice.

E. **Reasonable Accommodation.** The CO will provide reasonable accommodations to any Party or witness in the appeal process with a qualified Disability upon request by the person needing the accommodation. A reasonable accommodation may include an extension under these procedures. The timeframe for the CO Appeal Response will automatically be adjusted for the time needed, if any, to provide reasonable accommodations.

F. **Scope of CO Review.** The CO review will not involve a new hearing by the CO and will not consider evidence that was not introduced during the Campus hearing, unless the new evidence was not reasonably available at the time of the Campus hearing process. The CO may make reasonable inquiries to determine if the new evidence could have affected the hearing determination. If the CO review determines the hearing should be reopened to cure any defects in the hearing and/or consider new evidence introduced for the first time on appeal (that could have affected the hearing determination), the matter will be remanded back to the Campus and the hearing reopened at the Campus level. Under very limited circumstances, the CO can reverse the Hearing Officer's decision, provided that the factual findings remain intact.

G. **Reopening a Campus Hearing.** The CO will return the matter to the Campus and will specify in writing the timeline by which a reopened hearing must be completed. The CO will simultaneously notify the Parties of the reopening of the hearing and the timeline for completion of the reopened hearing. The Campus will complete the reopened hearing and provide the CO with an amended Hearing Officer's Report. The Campus will also provide the Parties with amended Notices of Hearing Outcome, and such Notices will provide the Parties the opportunity to appeal any new or amended findings, in accordance with this Executive Order. Upon receipt of the amended hearing report, the CO will contact the appealing party to determine whether that Party wishes to continue with the appeal.

H. **Reversal by CO.** If the hearing outcome (determination regarding policy violation) is not supported by the facts as determined by the Hearing Officer, the CO may vacate and reverse the Hearing Officer's decision, but only with respect to whether University policy was violated.

I. **Timeline.** The CO will respond to the appealing Party no later than **30 Working Days** after receipt of the written appeal unless the timeline has been extended as specified in Article V, E. of EO 1096 and 1097.

J. **CO Appeal Response.** The CO Appeal Response will include a summary of the issues raised on appeal, a summary of the evidence considered, the scope of review, and the determination(s) reached regarding the issue(s) identified within the written appeal. A copy of the final CO Appeal Response will be forwarded to the Complainant and Respondent, as well as the Campus Title IX Coordinator. The CO Appeal Response is final and concludes the Complaint and CO review process under this Executive Order.

K. **Notifications to the Parties.** The Complainant and the Respondent will be simultaneously informed, in

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writing, whenever there is a change to the outcome of the proceedings (findings and/or sanctions).

ADDENDUM B: FEDERAL MANDATED HEARING ADDENDUM

In 2020, through Secretary of Education Betsy DeVos, the United States Department of Education, Office for Civil Rights (OCR) issued and amended federal regulations (Federal Regulations) implementing the sex discrimination law known as "Title IX," which is part of the Education Amendments of 1972. The Federal Regulations are titled *Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance* (34 C.F.R. 106). The Federal Regulations were published in the Federal Register on May 19, 2020. As of their effective date, currently August 14, 2020, and unless and until delayed or rescinded, the Federal Regulations have the full force of law and all U.S. higher education institutions that receive federal funds, including the CSU, must comply with the Federal Regulations.

This Addendum, entitled "**Addendum B: Federal Mandated Hearing Addendum**" supplements and replaces parts of California State University Executive Order 1096 (Revised August 14, 2020), California State University Executive Order 1097 (Revised August 14, 2020), Article IV of California State University Executive Order 1098 (Revised August 14, 2020), and Addendum A: State Mandated Hearing Addendum, with respect to cases involving Sexual Harassment as defined by the Federal Regulations.

This Addendum is in effect during the time period that the Federal Regulations are in effect and is automatically delayed or rescinded if the Federal Regulations are delayed or rescinded.

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Article I. Scope of this Addendum

This Addendum, **Addendum B: Federal Mandated Hearing Addendum,** replaces the investigation and resolution process for Executive Order 1096 (Revised August 14, 2020), Executive Order 1097 (Revised August 14, 2020), Article IV of Executive Order 1098 (Revised August 14, 2020), and Addendum A: State Mandated Hearing Addendum, for cases that are defined by the Federal Regulations as Sexual Harassment in an Education Program or Activity against a person (including Students and Employees of the CSU) in the United States. The Title IX Coordinator, with the DHR Administrator, will assess allegations of non-Addendum B misconduct set forth in the same Complaint that arise out of the same facts and/or incidents that may also be investigated and resolved (including sanctions and discipline) in accordance with this addendum or other CSU policies.

Article II. Definitions

Capitalized terms are defined in this Addendum and in Executive Orders 1096, 1097 and 1098. In implementing this process, the definitions in Addendum B apply where they differ from those listed in Executive Orders 1096, 1097, and 1098. For purposes of this Addendum, the following definitions apply:

A. **Bias and Conflict of Interest** means that whether bias exists against Complainants or Respondents generally or against individual Complainants or Respondents, it requires examination of the particular facts of a situation. In determining whether bias exists, the following should be considered:

   1. an objective (whether a reasonable person would believe bias exists), common sense approach to evaluating whether a particular person serving in a Title IX role is biased;
   2. an evaluation that does not apply generalizations that might unreasonably conclude that bias exists

(for example, assuming that a declaration that one is a feminist, or survivor, means that they are biased against men, or that a male is incapable of being sensitive to women, or that prior work as a victim advocate, or as a defense attorney, renders the person biased for or against Complainants or Respondents); and

3. whether the bias will impede the impartiality of the person being evaluated.

B. **Complainant**[34] means an individual who is alleged to be have been subjected to conduct that could constitute Sexual Harassment.

C. **Directly Related** means anything that is not incidental to a matter at issue.

D. **Education Program or Activity** includes all the operations of the CSU as well as locations, events, or circumstances over which the CSU exercised substantial control over the Respondent (Student, Employee, or Third Party) **and** the context in which the Sexual Harassment occurs. Education Program or Activity also includes any building owned or controlled by the CSU or a student organization that is officially recognized by the CSU.

E. **Formal Complaint** means a document or electronic submission filed by a Complainant that contains the Complainant's physical or digital signature[35] or a document signed by the Title IX Coordinator[36] alleging Sexual Harassment against a Respondent and requesting an investigation of the allegation of Sexual Harassment. At the time that the Formal Complaint is filed, a Complainant must be participating in or attempting to participate in an Education Program or Activity of the CSU.

F. **Relevant** means having significant and demonstrable bearing on the matter at hand.

G. **Remedies** are individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant at the conclusion of the Formal Complaint process where the Respondent has been found responsible.
Remedies may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escorts, restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.
The Title IX Coordinator is responsible for coordinating the effective implementation of Remedies.

H. **Respondent** means an individual who has been reported to be a perpetrator of conduct that could constitute Sexual Harassment.

I. **Sexual Harassment** means conduct on the basis of Sex that satisfies one or more of the following:

1. An Employee conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct;

2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, **and** objectively offensive that it effectively denies a person equal access to an Education Program or Activity.

3. **Sexual Assault**[37]:

a. **Rape** is the penetration, or attempted penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the Affirmative Consent of the Complainant. Rape also includes the attempted penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the Affirmative Consent of the Complainant, with the present ability and the intent to commit Rape.

b. **Fondling** is the touching of the private body parts of another person for the purpose of sexual

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gratification, without the Affirmative Consent of the victim, including instances where the Complainant is incapable of giving Affirmative Consent because of their age or because of their temporary or permanent mental incapacity.

c. **Incest** is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

d. **Statutory Rape** is sexual intercourse with a person who is under the age of 18 years, the California statutory age of consent.

4. **Dating Violence**[38] means physical violence or threat of physical violence committed by a person—

   a. who is or has been in a social relationship of a romantic or intimate nature with the Complainant; **and**

   b. where the existence of such a relationship shall be determined based on a consideration of the following factors:

      i. The length of the relationship.

      ii. The type of relationship.

      iii. The frequency of interaction between the persons involved in the relationship.

5. **Domestic Violence**[39] means physical violence or threat of physical violence committed by a current or former spouse or intimate partner of the Complainant, by a person with whom the Complainant shares a child in common, by a person who is cohabitating with or has cohabitated with the Complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the Complainant.

6. **Stalking**[40] means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

   a. fear for his or her safety or the safety of others; or

   b. suffer substantial emotional distress.

J. **Simultaneously** means at approximately the same time.

K. **Supportive Measures** are individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or Respondent regardless of whether a Formal Complaint is filed. Supportive Measures are designed to restore or preserve equal access to CSU Education Programs or Activities without unreasonably burdening the other Party, including to protect the safety of all Parties or the educational environment.

Supportive Measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escorts, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

The Title IX Coordinator is responsible for coordinating the effective implementation of Supportive Measures. Supportive Measures will remain Confidential except when it is not possible to maintain Confidentiality in order to provide the Supportive Measures.

Article III. Response to Report of Sexual Harassment

A. **Response to a Report of Sexual Harassment**
After receiving a report of Sexual Harassment, the Title IX Coordinator will contact the Complainant

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promptly to discuss the availability of Supportive Measures. During the discussion, the Title IX Coordinator will consider the Complainant's wishes with respect to Supportive Measures, inform the Complainant of the availability of Supportive Measures with or without the filing of a Formal Complaint, and explain the process for filing a Formal Complaint.

B. **Response to a Formal Complaint**
In response to a Formal Complaint, the process described in this Addendum will be followed. In the absence of a Formal Complaint, the Title IX Coordinator will provide appropriate Supportive Measures as described above. A Formal Complaint must be investigated even if the Complainant does not know the Respondent's identity.

C. **Emergency Removal**
A Student Respondent may be removed from an Education Program or Activity on an emergency basis before an investigation concludes or where no investigation or hearing is pending. Prior to the removal, an individualized safety and risk analysis will be conducted.
The removal is referred to as an "Emergency Removal," and has the effects of an Interim Suspension, as set forth in CSU Executive Order 1098, Article VI, including that during the period of the Emergency Removal, the Student may not, without prior written permission from the Campus president or designee, enter any Campus of the California State University other than to attend a hearing.
As with Interim Suspensions, as set forth in CSU Executive Order 1098, Article VI, the president or vice president designee, in consultation with the Title IX Coordinator, will determine whether there is an immediate threat to the physical health or safety of any Student or other individual arising from the allegations of Sexual Harassment to warrant Emergency Removal. An assessment that the Respondent poses a threat of obstructing the Sexual Harassment investigation or destroying Relevant evidence does not justify Emergency Removal.
Where a determination is made that justifies Emergency Removal, the Respondent will be provided with notice and given an opportunity to challenge the decision immediately following the removal, in accordance with the procedures set forth in CSU Executive Order 1098, Article VI, including the right to a hearing within **10 Working Days** of a request by the Respondent for such a hearing, to determine if there is an immediate threat to the physical health or safety of a Student or other individual arising from the allegations of Sexual Harassment. The hearing will be conducted under CSU Executive Order 1098, Article III.D, and not this Addendum as it to relates to hearings.
If it is determined that the alleged conduct does not arise from the Sexual Harassment allegation/s, the Campus may address a Student Respondent's alleged conduct under the Student Conduct Code.

D. **Administrative Leave (Temporary Suspension)**
A Campus may place a non-student Employee on Administrative Leave (sometimes referred to as Temporary Suspension) in accordance with applicable Collective Bargaining Agreements or CSU policies while the Formal Complaint process is pending.

Article IV. Dismissal/Referral of a Formal Complaint

When the Title IX Coordinator receives a Formal Complaint, or where new information or events arise, the Title IX Coordinator will assess whether the Formal Complaint meets the requirements of the Federal Regulations to move forward under the process in this Addendum. A determination that allegations in a Formal Complaint do not meet the requirements of the Federal Regulations will result in a dismissal of the allegations in the Formal Complaint that do not meet the requirements and, in some cases, a referral of the allegations to another process as the University may have an obligation to address the matter under other laws and policies. The Federal Regulations require that there be two types of dismissals: mandatory and

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discretionary.

A. **Mandatory Dismissal/Referral**
The Title IX Coordinator will determine whether allegations in a Formal Complaint must be dismissed for purposes of the Federal Regulations.

If a Formal Complaint is dismissed it may still be referred, if appropriate, to be addressed under the processes in the non-Addendum B portions of Executive Orders 1096, 1097 and 1098, including Addendum A – State Mandated Hearing Addendum, or other applicable policies.

Under the Federal Regulations, a Formal Complaint will be dismissed as to any conduct alleged that:

1. would not meet the definition of Sexual Harassment even if proved;
2. did not occur in an Education Program or Activity; or
3. did not occur in the United States.

B. **Discretionary Dismissal**
At any time during the process, it is within the discretion of the Title IX Coordinator to dismiss a Formal Complaint, or any conduct alleged within a Formal Complaint, where:

1. a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any part of it;
2. the Respondent is no longer a Student or Employee; or
3. if the specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.

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C. **Notice Requirement**
Written notice of a mandatory or discretionary dismissal and reason(s) for the dismissal will be sent Simultaneously to the Parties when a Title IX Coordinator dismisses a Formal Complaint. The notice will inform the Parties of their right to appeal the dismissal, whether the matter will be referred to another process and the process for submitting an appeal. This notice may be accompanied by a Notice of Allegations, as described in Article VI. below, where a Notice of Allegations has not already been provided.

D. **Appeal after Mandatory or Discretionary Dismissal**
Either Party may appeal from a dismissal of a Formal Complaint or any part of the Complaint. The appeal must be filed within **10 Working Days** from the date of the Notice of Dismissal. The appeal will be in writing and will be based only on one or more of the following grounds:

1. a procedural irregularity occurred that affected the dismissal of the Formal Complaint;
2. new evidence that was not reasonably available at the time the dismissal decision was made that could affect the decision to dismiss the Formal Complaint; or
3. the Title IX Coordinator (or designee) who dismissed the Formal Complaint, had a Conflict of Interest or Bias for or against the Complainant or Respondent in this case or Complainants or Respondents in general that affected the outcome of the matter.

Appeals will be filed with the Chancellor's Office (CO) and will be addressed to:

Systemwide Title IX Unit
Systemwide Human Resources

Office of the Chancellor
TIX-Dismissal-Appeals@calstate.edu

If you are unable to file an appeal or a response to an appeal electronically, please contact the Campus Title IX Office for assistance.

When an appeal is submitted, the other Party as well as the Campus Title IX Coordinator will be notified in writing. In response to the appeal, the other Party will be given **5 Working Days** from their receipt of notice of the appeal to submit a written statement in support of or challenging the dismissal. Within **10 Working Days** of the CO's receipt of the appeal, the Parties will Simultaneously receive (via email) a written decision with explanation.

The CO review will not involve a new assessment of the Dismissal/Referral or consideration of evidence that was not introduced during the Campus review, unless the new evidence was not reasonably available at the time of the review.

If the CO review determines that the Dismissal/Referral should be reviewed to cure any defects, the matter will be remanded back to the Campus to reassess within a timeframe specified by the CO. The Parties will be informed Simultaneously of the review and the timeframe. Once the review is complete the Campus will provide the Parties and the CO with either a Notice of Dismissal/Referral or Notice of Allegations, depending on the outcome, that reflects any changes to the determination. The notice will inform the Parties of their right to appeal and the CO will contact the appealing Party to determine whether that Party wishes to continue with the appeal.

The CO appeal response is final and concludes the Dismissal/Referral process under this Addendum. If there is a mandatory dismissal of a Formal Complaint, it does not preclude the Campus from later identifying a relevant policy or policies that address the alleged conduct, notifying the Parties of the policy or policies, and moving forward under the procedures of those policies.

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Article V. Consolidation of Formal Complaints

Where Formal Complaints alleging Sexual Harassment are asserted by, or alleged against, more than one person, or by one Party against the other Party, and they arise out of the same events or circumstances, the Title IX Coordinator may, in their discretion, consolidate two or more Formal Complaints into one Formal Complaint.

Where a Formal Complaint process involves more than one Complainant or more than one Respondent, references in this Addendum to the singular "Party," "Complainant," or "Respondent" include the plural, as applicable.

Article VI. Notice of Allegations

When the Title IX Coordinator receives a Formal Complaint, the Title IX Coordinator will Simultaneously provide both Parties a written Notice of Allegations.

The Notice of Allegations will be provided to both Parties regardless of whether the Formal Complaint must be dismissed under Article IV. If a Formal Complaint is dismissed at this stage of the process, the Notice of Allegations will also include the Notice of Dismissal and appeal rights.

The Notice of Allegations will include:

A. a copy of, or web link to, the relevant Executive Order, including this Addendum;

B. the identities of the Parties involved in the incident, if known;

C. a summary of the Formal Complaint (e.g., "who," "what," "when," and "where");

D. reference to the specific definition of Sexual Harassment under Article II that is implicated in the Formal Complaint;

E. a statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the Formal Complaint process;

F. a description of the Formal Complaint process (including the right to hearing and appeal);

G. information about the Parties' right to a Support Advisor (as defined below), and that a Support Advisor may be, but is not required to be, an attorney;

H. a statement that if a Party has a Support Advisor (as defined below), a copy of evidence and a subsequent Final Investigation Report will be Simultaneously sent to both the Party and their Support Advisor unless the Party notifies the Investigator or Title IX Coordinator in writing that they do not wish this information to be sent to their Support Advisor;

I. a statement that reads as follows: "A Complainant shall proceed with a Formal Complaint in good faith and a Complainant who knowingly and intentionally files a false Formal Complaint or any individual who is determined to have provided false statements or information during the investigation/appeal review shall be subject to discipline in accordance with the Student Conduct Code, applicable collective bargaining agreements, CSU policies, or legal requirements (e.g., Education Code Section 89530 et seq.). Likewise, the Respondent and witnesses are required to cooperate with the investigation including being forthright and honest during the process. The mere fact that two individuals have different recollections and one is later found to be more credible does not make the other person's statement false. Disciplinary action against an individual for knowingly filing a false Formal Complaint or for providing a knowingly false statement will not be deemed to be Retaliation";

J. an explanation that the Complainant and Respondent will have equal opportunities to present Relevant witnesses and inculpatory and exculpatory evidence in connection with the investigation and at any hearing;

K. a statement that the Parties may identify specific documents and information that they believe are Relevant and request that the Investigator attempt to collect such documents and other information that are not reasonably accessible to the requesting Party;

L. the estimated timeline for completion of the investigation;

M. a statement that upon request, the Complainant and Respondent will be advised of the status of the investigation; and

N. a description of the University's policy against Retaliation.

If new allegations are raised during the investigation that were not included in the Notice of Allegations, a revised Notice of Allegations will be issued Simultaneously to the Parties.

If the Notice of Allegations also serves as notice of a Respondent's expected attendance at an interview, it will include details of the **date**, **time**, **location**, **participants**, and **purpose of that interview**. The Notice of Allegations must be provided to a Respondent at least **5 Working Days** prior to the interview.

If a Respondent requests to meet sooner than **5 Working Days** after receipt of the Notice of Allegations, they should verbally confirm at the start of the meeting that they are aware that they were provided notice of at least **5 Working Days** and this confirmation should be documented by the Title IX Coordinator or Investigator.

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Article VII. Informal Resolution

At any time prior to the issuance of the Hearing Officer's Report, if the Title IX Coordinator or either Party believes that it may be possible to resolve the Formal Complaint in a prompt, fair, and reasonable manner without a hearing, the Parties may consider an Informal Resolution that does not involve a full investigation and adjudication, subject to the following:

A. informal Resolution under this Addendum may **only** be offered where a Formal Complaint has been filed;
B. the University cannot offer or facilitate Informal Resolution under this Addendum to resolve allegations that an Employee sexually harassed a Student; and
C. the University must obtain the Parties' voluntary, written consent before starting the Informal Resolution process.

Once the Title IX Coordinator determines that Informal Resolution is appropriate, the Parties should Simultaneously be provided written notice regarding Informal Resolution that includes the following:

A. the allegations of Sexual Harassment, as defined by this Addendum;
B. the requirements of the Informal Resolution process including that once the Informal Resolution process is finalized neither Party is permitted to file another Formal Complaint arising from the same allegations;
C. an explanation that at any time prior to agreeing to a resolution, any Party has the right to withdraw from the Informal Resolution process and resume the Formal Complaint process;
D. an explanation of any consequences resulting from participating in the Informal Resolution process, including the records that will be maintained or could be shared; and
E. the Parties' right to consult with a Support Advisor, if any.

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The Title IX Coordinator will oversee the Informal Resolution process and make the final determination on all Informal Resolutions facilitated by the Title IX Coordinator or designee regarding whether the terms agreed to by the Parties are appropriate in light of all of the circumstances of the Formal Complaint.

The Informal Resolution process will be completed prior to any determination of responsibility being made, but no later than **60 Working Days** after both Parties provide voluntary, written consent to participate in the Informal Resolution process.

The University may not require the Parties to participate in an Informal Resolution process under this Addendum, nor may a Party be required to waive their right to the investigation and adjudication of a Formal Complaint as a condition of enrollment or employment, or continuing enrollment or employment.

The terms of any Informal Resolution must be put in writing and signed by the Parties, and the Title IX Coordinator. Prior to signing the Informal Resolution, the Title IX Coordinator will consult with the Student Conduct Administrator and/or other appropriate University Administrator responsible for the implementation of the terms. Use of electronic signatures is permitted.

Any agreed-upon Remedies and disciplinary sanctions will have the force and effect of sanctions imposed following a hearing.

The resolution will be final and not appealable by either Party.

Article VIII. Investigation of a Formal Complaint

The Title IX Coordinator will either promptly investigate the Formal Complaint or assign this task to another

Investigator. If assigned to another Investigator, the Title IX Coordinator will monitor, supervise, and oversee all such delegated tasks, including reviewing all investigation draft reports before they are final to ensure that the investigation is sufficient, appropriate, impartial, and in compliance with the relevant Executive Order, including this Addendum.

A. **Gathering of Evidence**
The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the University and not on the Parties. The Investigator will take reasonable steps to gather all relevant evidence from the Parties, other witnesses or other sources. The Investigator will document the steps taken to gather evidence, even when those efforts are not successful.
Parties should be aware that **all** evidence Directly Related to the investigation will be provided to the other Party, subject to the exceptions described below.
The University cannot access, consider, disclose, or otherwise use a Party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the Party, unless the University obtains that Party's voluntary, written consent to do so for a Formal Complaint process under this Addendum.[41]
The University will not restrict the ability of either Party to discuss the allegations under investigation or to gather and present Relevant evidence (for example, contacting a potential witness).

B. **Advisors**
Support Advisors
The Complainant and the Respondent may each elect to be accompanied by a Support Advisor to any meeting, interview, or proceeding regarding the allegations that are the subject of a Formal Complaint. The Support Advisor may be anyone, including a union representative from the Complainant's or Respondent's collective bargaining unit, an attorney, or, in the case of the Complainant, a Sexual Assault Victim's Advocate.

The Support Advisor may not answer questions regarding the subject matter of the investigation for the Complainant or the Respondent or speak on behalf of a Complainant or Respondent. However, the Support Advisor may observe and consult with the Complainant or Respondent.

Hearing Advisors
The Complainant and Respondent must have a Hearing Advisor at the hearing. A Hearing Advisor will be responsible for asking the other Party and any witnesses all Relevant questions and follow-up questions, including those that challenge credibility, during the hearing. During a hearing, Parties may not ask questions of the other Party or any witnesses. Questioning at the live hearing will be conducted directly, orally, and in real time by the Party's Hearing Advisor of choice or a Hearing Advisor provided by the University if the Party does not have a Hearing Advisor.

The Hearing Advisor may be the same person as the Support Advisor. A Party may have both a Support Advisor and a Hearing Advisor present at a hearing. If a Party does not have a Hearing Advisor to perform questioning during the hearing, the University shall provide the Party with a Hearing Advisor for this purpose.

Advisors Generally
The Title IX Coordinator or Investigator will explain to the Complainant and Respondent that they may

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request that their Support Advisor, if any, be copied on communications during the Formal Complaint process. Any such request will be in writing to the Title IX Coordinator or Investigator and should include the Support Advisor's name and contact information.

The Title IX Coordinator or Investigator will also explain that Support Advisors **will** receive a copy of the evidence and Final Investigation Report, unless the Party specifically directs in writing that this information should not be sent to their Support Advisor.
Although reasonable efforts will be made to accommodate Hearing Advisors and Support Advisors, undue delays affecting the complaint resolution timeline will not be permitted. Disruptive, abusive, or disrespectful behavior also will not be tolerated. At the discretion of the Investigator or Title IX Coordinator during meetings or interviews and of the Hearing Officer during hearings, a Hearing Advisor or Support Advisor who engages in disruptive, abusive or disrespectful behavior will not be permitted to participate. If a Hearing Advisor is excused during a hearing, the University will either provide a Party with another Hearing Advisor or allow the Party to obtain another Hearing Advisor. It is within the Hearing Officer's discretion to proceed with or postpone the hearing in order to address the situation.

C. **Notice of Meetings, Interviews and Hearings**
Parties will be provided written notice of the **date**, **time**, **location**, **names of participants**, and **purpose** of all meetings and investigative interviews at which their participation is expected. This written notice should be provided with at least **3 Working Days** for the Party to prepare to participate in the meeting or interview. This requirement will not apply where a Party themselves requests to meet with the Title IX Coordinator or Investigator or as addressed in Article VI of this Addendum.

If a Party requests to meet sooner than **3 Working Days** after receipt of written notice of an investigative interview or meeting, they should verbally confirm at the start of the interview or meeting that they are aware that they were provided notice of at least **3 Working Days** and this confirmation should be documented by the Title IX Coordinator or Investigator.

D. **Review of Evidence**
Before issuing a final investigation report (Final Investigation Report), the Investigator will send to the Complainant and Respondent, and their respective Support Advisors,[42] if any, **all** evidence (including evidence upon which the University does not intend to rely) obtained as part of the investigation that is Directly Related to the allegations raised in the Formal Complaint (Preliminary Investigation Report). This includes inculpatory or exculpatory evidence whether obtained from a Party or other source, redacted if required by law.

The requirement to provide all Directly Related evidence does not include illegally obtained evidence (e.g. conversations recorded without the consent of the participants). Neither the Preliminary nor Final Investigation Report will include information protected by a legally recognized privilege, the Complainant's sexual history, or a Party's treatment records if the Party has not given voluntary, written consent to the disclosure of those treatment records.

The Preliminary Investigation Report will: (a) describe the allegations; (b) identify the material facts – undisputed and disputed – with explanations as to why any material fact is disputed; and (c) describe the evidence presented and considered. Where not contained within the Preliminary Investigation Report itself, evidence should be attached to the Preliminary Investigation Report as exhibits.

The Preliminary Investigation Report and any exhibits must be sent in electronic format (which may

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include use of a file sharing platform that restricts the Parties and any Support Advisors from downloading or copying the evidence) **or** hard copy. The Investigator may use discretion in determining how to send the Preliminary Investigation Report to the Parties and their Support Advisors, if any, in light of the particular circumstances and any Party or witness privacy concerns.

This process is collectively referred to as the "Review of Evidence."

Each Party will be given a minimum of **10 Working Days** for the initial Review of Evidence to respond to the list of disputed facts and evidence and submit additional questions for the other Party and witnesses. This timeframe may be extended at the discretion of the Title IX Coordinator (either on their own or in response to a Party's request). The extension must be made available to both Parties, who must be notified as such. During the Review of Evidence, each Party may:

1. meet again with the Investigator to further discuss the allegations;
2. identify additional disputed facts;
3. respond to the evidence in writing;
4. request that the Investigator ask additional specific questions to the other Party and other witnesses;
5. identify additional relevant witnesses; or
6. request that the Investigator gather additional evidence.

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The Investigator will share with the Parties the answers to questions posed during the Review of Evidence. If additional disputed material facts are identified or evidence is gathered, it will be included in the Preliminary Investigation Report (or in a separate addendum) and shared with all Parties, who will be given a reasonable opportunity to respond to the new evidence and submit additional questions to the other Party and other witnesses about the new evidence only. The Investigator determines when it is appropriate to conclude the Review of Evidence.

E. **Final Investigation Report**

After the Review of Evidence phase is concluded, the Parties will receive a Final Investigation Report that will summarize all **Relevant** evidence (inculpatory and exculpatory), including additional Relevant evidence received during the Review of Evidence. Any Relevant documentary or other tangible evidence provided by the Parties or witnesses, or otherwise gathered by the Investigator will be attached to the Final Investigation Report as exhibits.

As part of an Informal Resolution, at the request of both Parties, Campuses will provide a written preliminary assessment of the evidence by the Title IX Coordinator. Neither the fact nor the substance of the assessment will be shared with the Hearing Officer or considered Relevant at the Hearing.

The Final Investigation Report shall be sent to the Parties and their respective Support Advisors, if any, in electronic format (which may include use of a file sharing platform that restricts the Parties and any Support Advisors from downloading or copying the evidence) **or** hard copy. The Parties and their Support Advisors will be provided **10 Working Days** to review and provide a written response to the Final Investigation Report. Campuses will inform Parties not to include any reference to the preliminary assessment and that any such references will be redacted.

The written response will be attached to the Final Investigation Report and provided to the Hearing Officer, if appropriate, and the Parties. Any references to a preliminary assessment, assuming one was requested, will be redacted from this written response. No documentation should be provided to the Hearing Officer if an Informal Resolution is reached.

F. **Timeframe for Completion of Investigation**

Absent a determination of good cause made by the Investigator or Title IX Coordinator (of which the Parties will receive written notice): (i) the investigation should be concluded within **100 Working Days** from the date that the Notice of Allegations is provided to the Parties; and (ii) the Final Investigation Report should be completed and provided to the Parties within **10 Working Days** after the Review of Evidence has concluded. Extensions may be granted, and notice to the Parties given, as set forth in Article V. E. of EO 1096 and EO 1097.

Within **10 Working Days** after the Parties have been provided the Final Investigation Report, the Parties will be informed of the timelines that will apply to the pre-hearing and hearing processes described in Article IX below. The Parties will be required to provide the name and contact information for their Hearing Advisor within **5 Working Days** after notice of the hearing timeline.

Article IX. Hearing

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1. A Hearing Coordinator, (either the Student Conduct Administrator, Title IX Coordinator, or other appropriate Administrator) will be responsible for coordinating the hearing process. The Hearing Coordinator's duties will include: scheduling the hearing; notifying witnesses of the hearing; ensuring that the Hearing Officer is provided with appropriate materials including a copy of the report and any exhibits; coordinating videoconferencing (if necessary); and securing a location for the hearing. The Hearing Coordinator will also act as liaison between the Parties and the Hearing Officer on procedural matters.
2. The Parties will be given written notice of the **date**, **time, location, participants, and purpose of the hearing**, as well as the **identity of the Hearing Officer**. Notification of the hearing will be sent to the designated CSU campus e-mail address, unless the recipient has specifically requested in writing to the Hearing Coordinator that notice be given to a different e-mail address. Communications from the Hearing Coordinator will be deemed received on the date sent. The hearing will not be set sooner than **20 Working Days** after the date of notice of hearing.
3. Timelines:

Objection to Hearing Officer

Any objections to an appointed Hearing Officer must be made in writing to the Hearing Coordinator within **5 Working Days** after notice of the identity of the Hearing Officer has been communicated to the Parties. The objection may only be based on an actual conflict of interest. A conflict of interest exists if the Hearing Officer has a personal relationship with one of the Parties or witnesses or has demonstrated actual bias towards a Party or witness.

The fact that a Hearing Officer has previously served as a Hearing Officer in a University proceedings will not constitute a conflict of interest. The Hearing Coordinator will determine if a conflict of interest exists. In that event, the Parties will be notified in writing of the name of the new Hearing Officer. The date for the hearing may need to be rescheduled. Any objection to the new Hearing Officer will be made in accordance with this section.

Pre-Hearing Process

No later than **15 Working Days** before the hearing, each Party may:

a. Provide to the Hearing Coordinator a proposed witness list that includes the names of, and current contact information for, that Party's proposed witnesses as well as an explanation of the relevance of each proposed witness's testimony and the disputed issue to which the witness's testimony relates.

No later than **10 Working Days** before the hearing, the Hearing Coordinator will:

a. Share a final witness list with the Parties;

b. Notify each witness of the date, time and location of the hearing. Witnesses will be directed to attend the hearing and to promptly direct any questions or concerns about their attendance at the hearing to the Hearing Coordinator.

No later than **5 Working Days** prior to the hearing, the Parties may submit a list of proposed questions to the Hearing Coordinator. The questions will be provided to the Hearing Officer. Parties are strongly encouraged to provide questions in advance of the hearing in order to streamline the hearing process and provide the Hearing Officer an opportunity to resolve relevancy concerns prior to the hearing. The proposed questions will not be shared with the other Party.

The Hearing Officer will make all determinations regarding pre-hearing matters, including which witnesses have Relevant testimony and will participate and which questions, if submitted, are Relevant and will promptly notify the Hearing Coordinator who, in turn, will promptly notify the Parties.

The hearing is closed to all persons except the Parties; the Parties' respective Hearing Advisors; one Support Advisor for each Party; appropriate witnesses while they are testifying; the Student Conduct Administrator or Human Resources Officer; Title IX Coordinator; Title IX Investigator; Hearing Officer; Hearing Coordinator; and any person necessary to create a formal record of the proceeding (including a technological support, videographer, or similar role.) A CSU administrator may also be present but will not participate in the hearing. Campus police or a security officer may also be present if deemed appropriate or necessary by the appropriate Campus administrator, Hearing Coordinator or Hearing Officer.

4. The University will direct witnesses who are CSU Employees to attend the hearing. Any Employees, including those in bargaining units, who fail to comply with any such directive may be subject to discipline under the applicable provisions of their collective bargaining agreement or other University policy. The University will take reasonable steps to arrange for Employee witnesses to be available to attend, provided that such Employee witnesses are timely identified to the Hearing Coordinator in accordance with this Executive Order.
5. The University will direct Student witnesses to attend the hearing, provided that such Student witnesses are timely identified to the Hearing Coordinator in accordance with this Executive Order. Students who fail to comply may be subject to discipline, depending on the circumstances. The University will take reasonable steps to accommodate Student witnesses including arranging for them to be excused from class attendance, if necessary.
6. The University will make all evidence provided during the investigation, including during Review of

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Evidence available at any hearing to give each Party and the Hearing Officer the opportunity to refer to such evidence during the hearing. This includes evidence upon which the University does not intend to rely in reaching a determination regarding the Respondent's responsibility.

Hearing Process

7. Live hearings will be conducted using videoconferencing technology, unless circumstances are such that videoconferencing would not be appropriate. Neither Party will be required to be physically present in the same room as the Hearing Officer, each other, or witnesses. CSU will utilize technology that ensures that Parties will be able to Simultaneously see and hear all of the proceedings and testimony.
8. The hearing will begin with an overview of the hearing process given by the Hearing Officer, after which the Parties will be given an opportunity to ask questions about the hearing process. Each Party will be given an opportunity to make an opening statement that may not last longer than 10 minutes. Only the Parties themselves will be permitted to make opening statements. The Hearing Advisor and any Support Advisor are not permitted to make the opening statement. The Support Advisor may not speak during the hearing. Closing arguments will not be made.
9. Each Party is required to have a Hearing Advisor for purposes of questioning the other Party and witnesses during the hearing. If a Party does not have a Hearing Advisor prior to the hearing or at the start of the hearing, one will be provided to that Party for the purposes of asking the other Party and any witnesses all Relevant questions and follow-up questions, including those questions challenging credibility. If a Party's Hearing Advisor does not appear or is excused for conduct that causes a material disruption, a Hearing Advisor will be provided. In either case, the Hearing Officer has discretion to proceed with or postpone the hearing.

Questioning

10. Generally, the Hearing Officer will start the questioning of witnesses and Parties. The Investigator or the Title IX Coordinator (if not the Investigator) will be the first witness and will describe the Formal Complaint, investigation process, and summarize the evidence. Hearing Advisors will be permitted to ask Relevant questions once the Hearing Officer has concluded their questioning of the other Party and each witness.
11. The Hearing Officer may ask questions of any Party or witness who participates in the hearing.
    a. The Complainant and Respondent may be present (physically or virtually) at all times during the hearing.
    b. Parties themselves may not directly ask questions of each other and witnesses.
    c. Each Party's Hearing Advisor is permitted to ask all Relevant questions of the other Party, the Investigator, and any witnesses, and is also permitted to ask follow-up questions, including those questions challenging credibility. A Party may not be directly questioned by their own Hearing Advisor. The Hearing Officer controls the hearing and determines whether a question is Relevant.
    d. A question is not considered Relevant if it relates to the Complainant's sexual predisposition or prior sexual behavior, unless such question about the Complainant's prior sexual behavior is offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the question concerns specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and is asked to prove consent.
    e. Even if a question relates to a Relevant subject or issue, the Hearing Officer may determine that the Party or witness being asked the question is not required to answer if the question is repetitive or

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duplicative of prior questions.

f. The Hearing Officer has the discretion to request information from the Parties or Hearing Advisors regarding questions prior to making a determination about the Relevancy of the question. Neither the Parties nor Hearing Advisors may assert objections to questions.

g. Immediately after each question is asked by the Hearing Advisor, and before the question is answered, the Hearing Officer will indicate whether the question is Relevant, and if it is not, provide an explanation as to why the question is excluded as not Relevant. A Complainant, Respondent, or witness will only answer questions posed by a Hearing Advisor that the Hearing Officer determines are Relevant.

h. In addition to the relevance requirement, all questions must be asked in a respectful, non-abusive manner. The Hearing Officer determines whether a question satisfies this requirement and may require that Hearing Advisor rephrase a relevant question or repeat the question in a respectful manner when the Hearing Officer determines that the question was asked in a disrespectful or abusive manner.

i. Abusive or otherwise disorderly behavior that causes a material disruption will not be tolerated. The Hearing Officer may excuse from the hearing anyone (including either Party or their Hearing Advisor) whose behavior causes a material disruption. Should a Hearing Advisor be removed from a proceeding, the University will provide a Hearing Advisor. The Hearing Officer, in their discretion, may postpone the hearing. In making a determination whether to postpone the hearing, the Hearing Officer will consider the equity of postponement as to both Parties.

12. Formal rules of evidence applied in courtroom proceedings (e.g., California Evidence Code) do not apply in the hearing. All Relevant information is considered.

13. Hearsay may be considered, but will only be given the weight appropriate under all of the circumstances, with due consideration given to the importance of credibility assessment. Absent extenuating circumstances, the Hearing Officer will not rely on prior statements made by the Parties or witnesses during the investigation whose credibility is central to the determination unless those Parties or witnesses make themselves available for examination by the Hearing Officer.

Other Procedural Matters

14. The Hearing Officer will not, prior to preparing the Hearing Officer's Report (described below), have substantive communications about the facts of the case with either Party or the Investigator unless in the presence of both Parties and a University official (e.g., Hearing Coordinator, Title IX Coordinator or Student Conduct Administrator).

15. The Campus will make or arrange for an official audio recording of the hearing. The recording is University property. No other recording of the hearing is permitted. The audio recording will be retained by the Hearing Coordinator or designee in accordance with the Campus records/information retention and disposition schedule. Parties may request to inspect and review the recording.

16. New evidence not reasonably available at the time of the investigation to the Party seeking to introduce the evidence may be considered in the Hearing Officer's discretion.

17. If either Party fails to appear at the hearing without good cause the hearing will nevertheless proceed. Whether good cause exists is determined by the Hearing Officer. If a Party fails to appear at the hearing, the Hearing Advisor for the non-appearing Party will question the other Party.

18. The Hearing Officer controls the hearing, is responsible for maintaining order during the hearing, and

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makes whatever rulings are necessary to ensure a fair hearing. The Hearing Officer's decisions in this regard are final.

Article X. Determination Regarding Responsibility

After the hearing, the Hearing Officer will make written findings of fact and conclusions about whether the Respondent violated this Addendum with respect to the definition of Sexual Harassment under Article II. I (Hearing Officer's Report).

The standard of proof the Hearing Officer will use is whether each allegation is substantiated by a Preponderance of the Evidence. The Title IX Coordinator will review the Hearing Officer's Report to ensure procedural compliance with this Addendum.

The Hearing Coordinator will Simultaneously send the Hearing Officer's Report promptly to the Parties, the Title IX Coordinator, and the appropriate University Administrator, usually within **15 Working Days** of the close of the hearing.

The Hearing Officer's Report must include:

1. identification of the allegations potentially constituting Sexual Harassment as defined in Article II. I. of this Addendum – this should include the factual allegations and the corresponding alleged policy violations;
2. the Preponderance of the Evidence standard;
3. a description of the procedural steps taken from the receipt of the Formal Complaint through the determination incorporated by reference to the Final Investigation Report, including any notifications to the Parties, interviews with Parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
4. the factual findings and the evidence on which the factual findings are based;
5. a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility;
6. an explanation as to how the determination concerning the relative credibility or lack of credibility of the Parties or witnesses was reached;
7. conclusions regarding the application of the policy violations defined in this Addendum to the facts, including a determination of whether the Executive Order was violated and an analysis of the basis for that determination;
8. a summary of the procedural issues raised by the Parties during the pre-hearing or hearing processes;
9. a list of all questions proposed by the Parties at the hearing, and if any questions were not asked, why; and
10. a statement as to whether Remedies designed to restore or preserve equal access to the University's education program or activity will be provided by the University to the Complainant.

If no violation of the addendum is found, the president (or designee) will be notified along with the Parties. The notification will include the outcome of the hearing, a copy of the Hearing Officer's Report (redacted as appropriate or as otherwise required by law) and notice of the Complainant's and Respondent's right to appeal to the Chancellor's Office.

If a violation of the addendum is found, within **5 Working Days** of receiving such finding the Parties may submit to the Hearing Coordinator an impact statement or other statement regarding discipline that is no more

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than 2000 words in length. The document is an opportunity for the Parties to suggest disciplinary outcomes and to provide information that they believe is important for the Hearing Officer to consider. The Student Conduct Administrator and/or appropriate University Administrator responsible for discipline and Title IX Coordinator may also submit a written statement regarding aggravating and mitigating factors that provides a recommendation regarding the disciplinary outcome, including information regarding prior disciplinary outcomes for similar conduct and whether the Respondent was previously found to have violated university policy.

Discipline means any disciplinary action taken to correct a violation of the prohibitions in this Addendum, as follows:

1. Discipline for Employees includes, but is not limited to, suspension, demotion and termination of employment.
2. Discipline for Students includes, but is not limited to, probation, suspension and expulsion and other Sanctions as defined in Article V, California State University Executive Order 1098.

Within **5 Working Days** after receiving and considering any impact or other statements submitted by the Parties and other statements described above, the Hearing Officer will submit the Hearing Officer's Report to the president (or designee). The Hearing Officer's Report will be amended to include a statement of, and rationale for, any recommended disciplinary sanctions to be imposed on the Respondent ("Final Hearing Officer's Report"). The Final Hearing Officer's Report will attach the Final Investigation Report.

In cases where the Hearing Officer has found a violation of policy, the president (or designee) will review the Final Investigation Report and the Final Hearing Officer's Report and issue a decision ("Decision Letter") concerning the appropriate sanction or discipline within **10 Working Days** of receipt of the Final Hearing Officer's Report.

The president (or designee) may impose the recommended sanctions or discipline, adopt a different sanction or discipline or sanctions or discipline, or reject sanctions or disciplines altogether. If the president (or designee) adopts a sanction or discipline other than what is recommended by the Hearing Officer, the president (or designee) must set forth the reasons in the Decision Letter.

The president (or designee) will Simultaneously send the Decision Letter electronically to the Respondent and Complainant at the University-assigned or other primary e-mail address linked to their University accounts.[43] The Decision Letter will also be sent to the Student Conduct Administrator or other appropriate University Administrator responsible for Employee discipline and the Hearing Officer.

The Decision Letter will include:

1. the outcome of the hearing, including any sanction imposed, and the name of the Respondent(s);
2. information regarding the procedures and permissible bases for the Complainant and Respondent to appeal to the Chancellor's Office;
3. if a finding of responsibility is made against the Respondent, a statement as to whether Remedies will be provided to the Complainant that are designed to restore or preserve equal access to the University's education program or activity. The specifics of any such Remedies may be discussed separately between the Complainant and the Title IX Coordinator and need not be included in the Decision Letter; and
4. a copy of the Final Hearing Officer's Report will be attached to the Decision Letter, redacted as appropriate or as otherwise required by law.

The president will also send the Decision Letter to the Title IX Coordinator so that they may determine

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whether any additional Remedies (or other supportive measure) will be provided or undertaken in order to maintain a safe and nondiscriminatory University environment.

The determination regarding responsibility and any sanctions become final either on the date that the Chancellor's Office provides the Parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely (**11 Working Days** after the date of the Decision Letter).

The Title IX Coordinator is responsible for effective implementation of any Remedies.

Article XI. Appeals

A. **Filing an Appeal to the Chancellor's Officer.** Any Complainant or Respondent who is not satisfied with a Formal Complaint Process outcome (determination regarding responsibility or recommended sanction) may file an appeal with the Chancellor's Office (CO) no later than **10 Working Days** after the date of the Decision Letter. All arguments and/or evidence supporting the appeal must be submitted by the deadline to file the appeal. Evidence/arguments submitted after the appeal submission deadline will not be considered by the CO.

B. **Written Appeal.** The appeal must be in writing and may be based only on one or more of the grounds for appeal listed below:

   1. the hearing outcome is not supported by substantial evidence (in other words, there was no reasonable basis for such findings or conclusions);
   2. a procedural irregularity occurred that affected the outcome of the matter;
   3. new evidence that was not reasonably available at the time of the hearing and would have affected the Hearing Officer's decision about whether the Respondent violated the Executive Order, including this addendum;
   4. the Title IX Coordinator, Investigator, or Hearing Officer had a Conflict of Interest or Bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter; and
   5. the sanction(s) imposed as part of the outcome of the Formal Complaint process constituted an abuse of discretion based on the substantiated conduct.

C. **Issues and Evidence on Appeal.** The issues and evidence raised on appeal will be limited to those raised and identified during the Campus hearing, unless new evidence becomes available that was not reasonably available at the time of a Campus hearing that could affect the outcome of the matter and is submitted by the appealing party. The CO may communicate, at the CO's discretion, with the appealing party, the responding party, and/or the Campus to clarify the written appeal. Appeals will be addressed to:

Equal Opportunity and Whistleblower Compliance Unit
Systemwide Human Resources
Office of the Chancellor
401 Golden Shore, 4th Floor
Long Beach, California 90802
eo-wbappeals@calstate.edu

Electronic submission to the email address listed above is the preferred method of submitting appeals.

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D. **Acknowledgement of Appeal.** The CO will provide prompt written acknowledgement of the receipt of the appeal to the appealing Party, and will provide prompt written notification of the appeal, including a copy of the appeal, to the non-appealing Party and the Campus Title IX Coordinator. The notice will include the right of the non-appealing Party and the Campus to provide a response to the appeal within **10 Working Days** of the date of the notice. The appeal and appeal response shall be limited to 3,500 words, excluding exhibits.

E. **Reasonable Accommodations.** The CO will provide reasonable accommodations to any Party or witness in the appeal process with a qualified Disability upon request by the person needing the accommodation. A reasonable accommodation may include an extension of time under these procedures. The timeframe for the CO Appeal Response will be adjusted for the time needed, if any, to provide reasonable accommodations.

F. **Scope of CO Review.** The CO review will not involve: a new hearing by the CO, or a weighing of evidence or assessment of credibility, or consideration of evidence that was not introduced during the Campus hearing, unless the new evidence was not reasonably available at the time of the Campus hearing process. The CO may make reasonable inquiries to determine if the new evidence could have affected the outcome. If the CO review determines the hearing should be reopened to cure any defects in the hearing itself and/or consider new evidence introduced for the first time on appeal (that could have affected the hearing determination), the matter will be remanded back to the Campus and the proceeding reopened at the Campus level.

G. **Reopening a Campus Hearing.** If a matter is to be reopened, the CO will return the matter to the Campus and will specify in writing the timeline by which a reopened hearing must be completed. The CO will Simultaneously notify the Parties of the reopening of the hearing and the timeline for completion of the reopened hearing. The Campus will complete the reopened hearing and provide the CO with an amended Hearing Officer's Report. The Campus will also provide the Parties with amended Notices of Hearing Outcome, and such Notices will provide the Parties the opportunity to appeal any new or amended findings, in accordance with this Executive Order. Upon receipt of the amended hearing report, the CO will contact the appealing party to determine whether that Party wishes to continue with the appeal.

H. **Reversal by CO.** If the hearing outcome (determination regarding policy violation) is not supported by the facts as determined by the Hearing Officer, the CO may vacate and reverse the Hearing Officer's decision, but only with respect to whether University policy was violated.
The CO may reverse the Hearing Officer's decision under extremely limited circumstances, and the factual findings will remain intact. In general, the scope of review in cases where a hearing has occurred (as opposed to cases where findings are made by an investigator) is very limited, because of the additional process afforded the parties.

I. **Timeline.** The CO will respond to the appealing Party no later than **30 Working Days** after receipt of the written appeal unless the timeline has been extended as specified in Article V, E. of EO 1096 and 1097.

J. **CO Appeal Response.** The CO Appeal Response will include a summary of the issues raised on appeal, a summary of the evidence considered, the scope of review, the determination(s) reached regarding the issue(s) identified within the written appeal, and the rationale for the determination(s). A copy of the final CO Appeal Response will be sent Simultaneously to the Complainant and Respondent, as well as the Campus Title IX Coordinator. The CO Appeal Response is final and concludes the Complaint and CO review process under this Executive Order.

K. **Notifications to the Parties.** The Complainant and the Respondent will be Simultaneously informed, in writing, whenever there is a change to the outcome of the proceedings including the findings and/or sanctions.

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The CO Appeal Response is final and concludes the Complaint and CO review process under this Executive Order.

Article XII. Retaliation

Retaliation, including intimidation, coercion, or discrimination against any individual for the purpose of interfering with an individual exercising any rights under this Addendum, for reporting or filing a Formal Complaint of Sexual Harassment (as defined under this Addendum), or for participating or refusing to participate in any manner in any policy-related investigation or proceeding, including a hearing, is prohibited.

The exercise of rights protected under the First Amendment does not constitute retaliation prohibited under this Article.

Complaints of retaliation that arise from this Addendum may be filed with the Title IX Coordinator in accordance with the procedures set out in Article III of CSU Executive Order 1096 (if the Complainant is an Employee or a Third Party) or Article III of Executive Order 1097 (if the Complainant is a Student).

Individuals should not be deterred from reporting any incidents of Sexual Harassment or participating in an investigation as a Complainant or witness out of a concern that they might be disciplined for related violations of drug, alcohol, or other University policies. The University's primary concern is the safety of the Campus community; therefore, a person who participates in investigations or proceedings involving Sexual Harassment shall not be subject to discipline for related violations of the Student Conduct Code at or near the time of the incident unless the University determines the conduct places the health and safety of another person at risk, or is otherwise egregious. The Campus may, however, have an educational discussion with the person or pursue other educational Remedies regarding alcohol or other drugs.

The University will keep confidential (except as may be permitted by the FERPA statute or FERPA regulations, or as required by law, or to carry out the purposes of this Addendum, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder) the identity of:

a. any Individual who has made a report or Formal Complaint of Sex Discrimination, including any individual who has made a report or filed a Formal Complaint of Sexual Harassment, as defined under this Addendum;
b. any Complainant;
c. any Individual who has been reported to be the perpetrator of Sex Discrimination;
d. any Respondent; and
e. any Witness.

Article XIII. Recordkeeping

A. **Records relating to the Investigation and Hearing Process**
The University shall maintain records of the following for a period of seven years (from the date of a record's creation), or the timeframe in accordance with the Campus records/information retention and disposition schedule, whichever is later:

1. each Sexual Harassment investigation including any determination regarding responsibility (this includes records created in relation to Formal Complaints that are dismissed);
2. any audio or audiovisual recording or transcript pertaining to the Formal Complaint process;
3. any disciplinary sanctions imposed on the Respondent;

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4. any Remedies provided to the Complainant designed to restore or preserve equal access to the University's education program or activity;
5. any appeal and the result therefrom (including appeals pertaining to mandatory and discretionary dismissal of Formal Complaints);
6. any Informal Resolution and the result therefrom; and
7. all materials used to train Title IX Coordinators, Investigators, Hearing Officers, and any person who facilitates an Informal Resolution process. The University shall make these training materials publicly available on its website.

B. **Records relating to Supportive Measures**
The University must create, and maintain the following for a period of seven years or the timeframe in accordance with the Campus records/information retention and disposition schedule, whichever is later:

1. records of any actions, including any Supportive Measures, taken in response to a report or Formal Complaint of Sexual Harassment, as defined under this Addendum;
2. in each instance, the University must document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the University's Education Program or Activity; and
3. if the University does not provide a Complainant with Supportive Measures, the University must document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

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Authority

This policy is issued pursuant to Section II of the Standing Orders of the Board of Trustees of the California State University, and as further delegated by the Standing Delegations of Administrative Authority.

Endnotes

[1]See John Doe v. Kegan Allee, Ph.D., et al., California Court of Appeal (January 2019): http://www.courts.ca.gov/opinions/documents/B283406.PDF

[2] Key capitalized terms are defined at Article VI of this Executive Order. Please see that Article for the full definitions. Terms contained within this policy and procedure are intended to be gender neutral.

[3] See Cal. Penal Code § 293; Cal. Gov. Code § 6254(f)(2)("The name of a victim of any crime defined by Section 220, 236.1, 261, 261.5, 262, 264, 264.1, 265, 266, 266a, 266b, 266c, 266e, 266f, 266j, 267, 269, 273a, 273d, 273.5, 285, 286, 288, 288a, 288.2, 288.3 (as added by Chapter 337 of the Statutes of 2006), 288.3 (as added by Section 6 of Proposition 83 of the November 7, 2006, statewide general election), 288.5, 288.7, 289, 422.6, 422.7, 422.75, 646.9, or 647.6 of the Penal Code may be withheld at the victim's request, or at the request of the victim's parent or guardian if the victim is a minor.")

[4] Assaultive or abusive conduct is defined to include a list of 24 criminal offenses, including Sexual Battery, incest, Rape, spousal Rape, abuse of a spouse or cohabitant, and any attempt to commit these crimes. See Cal. Penal Code §§ 11160-11163.2.

[5] See Cal. Penal Code §§ 11164-11174.3; see also CSU Executive Order 1083 or any superseding executive order.

[6] See Cal. Evid. Code § 1024.

[7] See Cal. Evid. Code § 1035.4.

[8] See Cal. Govt. Code §§3300-13.

[9] See Cal. Gov. Code § 12926(b).

[10] See 34 C.F.R. 110.3

[11] See Cal. Penal Code § 13700 (b).

[12] See Cal. Code Regs. Title 5 § 42720 et seq.

[13] See Cal. Penal Code § 13700(b) and Cal. Family Code § 6211.

[14] See Cal. Code Regs. Title 5 § 42700(h).

[15] See Cal. Educ. Code § 66260.7 and Cal. Gov. Code §12926(r).

[16] See Cal. Gov. Code §12926®; 34 C.F.R. 106.4

[17] See Cal. Gov. Code §12926(g).

[18] See 2 Cal. Code Regs §11053.

[19] See Cal. Govt. Code § 12926 (i).

[20] See Cal. Educ. Code § 66261.3.

[21] See Cal. Educ. Code § 66261.7.

[22] See Cal. Educ. Code § 66262.

[23] See Cal. Evid. Code §§ 1035.2 and 1035.4.

[24] See Cal. Penal Code § 240.

[25] See Cal. Penal Code § 242.

[26] See Cal. Penal Code §§ 261-263.

[27] See Cal. Educ. Code § 66262.7.

[28] See Cal. Penal Code § 646.9

[29] See 5 Cal. Code Regs. § 42406.

[30] Capitalized terms are defined in this Addendum and in CSU Executive Order 1096 (*Systemwide Policy Prohibiting Discrimination, Harassment, Retaliation, Sexual Misconduct, Dating and Domestic Violence, and Stalking against Employees and Third Parties and Systemwide Procedure for Addressing Such Complaints by Employees and Third Parties)* and CSU Executive Order 1097 (*Systemwide Policy Prohibiting Discrimination, Harassment and Retaliation, Sexual Misconduct, Dating and Domestic Violence, and Stalking against Students and Systemwide Procedure for Addressing Such Complaints by Students).*

[31] In most Sexual Misconduct cases, credibility will be central to the finding. Therefore, Parties should presume that this Addendum applies to all matters alleging Sexual Misconduct.

[32] The Informal Resolution process is available at any time prior to the issuance of the Hearing Officer's

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Report.

[33] The copy of the Decision Letter issued to the Complainant will be redacted as to findings regarding conduct that does not constitute a “crime of violence,” Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking (34 C.F.R. § 99.31 et seq.).

[34]Addendum B incorporates the requirements of the U.S. Department of Education's Federal Regulations and generally tracks language used in the regulations. However, in keeping with the most current best practices, this Addendum B has substituted other terms for "victim" where possible.

[35]A Formal Complaint may exist even without a signature where something otherwise indicates that the complainant is the person filing the formal complaint. An e-mail from the Complainant would be sufficient.

[36]By signing the Formal Complaint, the Title IX Coordinator does not become a party to the investigation or demonstrate bias.

[37]See 20 U.S.C. 1092(f)(6)(A)(v).

[38]See 34 U.S.C. 12237(a)(10).

[39]See 34 U.S.C. 12291(a)(8).

[40]See 34 U.S.C. 12291(a)(30).

[41]If a Party is not an "eligible student," as defined in 34 CFR 99.3 ("'Eligible' student means a student who has reached 18 years of age or is attending an institution of postsecondary education"), then the University must obtain the voluntary, written consent of a "parent," as defined in 34 CFR 99.3 ("'Parent' means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian").

[42]Unless the Party informs the Investigator or Title IX Coordinator in writing that they do not wish for this information to be sent to their Support Advisor.

[43]The copy of the Decision Letter issued to the Complainant will be redacted as to findings regarding conduct that does not constitute a "crime of violence," Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking (34 C.F.R. § 99.31 et seq.).

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All revision dates: 10/1/2021, 8/14/2020, 3/29/2019, 10/5/2016, 6/23/2015, 6/3/2014, 4/6/2012, 1/27/2010

Attachments

Attachment A: Student Complaint Form
Attachment B: Student Complaint Procedure Timeline
Superseded Policy (EO 1045) Dated 1-27-2010.pdf
Superseded Policy (EO 1074) Dated 4-6-2012.pdf
Superseded Policy (EO 1097 Revised) Dated 10-5-2016.pdf
Superseded Policy (EO 1097 Revised) Dated 3-29-2019.pdf
Superseded Policy (EO 1097 Revised) Dated 6-23-2015.pdf
Superseded Policy (EO 1097 Revised) Dated 8-14-2020.pdf
Superseded Policy (EO 1097) Dated 6-3-2014.pdf

Approval Signatures

Step Description	Approver	Date
VC	Evelyn Nazario: Vice Chancellor, HR	10/1/2021
Area Manager/Owner	Sue McCarthy: SW Title IX CO & Sr SW DR	10/1/2021
Area Manager/Owner	Andy Alvarez: Sr Mgr HR Policy Admin	9/22/2021

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Services
- Accounts and Passwords
- Classrooms
- Computer Labs
- Email and Calendar
- Help and Support
- IT Security and Guidelines
  - FERPA Tutorial
  - Spirion
  - Guidelines, Standards, and Laws
  - IT Security Programs
  - IT Security Resources
  - Phishing and Spam Alerts
- Multimedia
- Network Access
- Phone and Voicemail
- Remote Access
- Software and Hardware
- Storage and Collaboration
- Training and Tutorials
- Web Development and Hosting

Support
- Call: 323-343-6170
- Email: helpdesk@calstatela.edu
- Visit: Library Palmer Wing Lobby
- Submit an IT Support Ticket
- Book an Appointment
- Contact Your ITC

Family Educational Rights and Privacy Act



What Is FERPA?

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) protects the privacy of student education records. FERPA is a federal law that applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

Why Is FERPA Important to Our Campus?

All faculty, staff and students, including temporary employees, student assistants and consultants, must comply with state and federal laws and University policies regarding the access to, and use of, student education records, whether these records are printed or electronic. Maintaining the confidentiality of student education records is everyone's responsibility.

Who Has Access to Student Records?

Only those individuals who have been authorized as having a legitimate reason to access student education records can do so. Access to student education records is strictly limited to the specific information and data that is relevant and necessary for those authorized individuals to perform their job-related duties.

How Can I Obtain Access to Student Records?

1. Review all the information on this site, presented in the form of a tutorial, to become familiar with the rules governing the handling and release of student education records.
2. For employees, after completing the tutorial and test, print the Certificate of Completion and submit it to Human Resources Management who will file it in your official personnel file.
3. For student assistants, after completing the tutorial and test, print the Certificate of Completion and submit it to the Career Development Center who will file it in your student personnel file.
4. For vendors/consultants, after completing the tutorial, print the Certificate of Completion and submit it to your campus sponsor to be included with your contract documents.
5. A FERPA Certificate of Completion must be renewed every two years. If an applicant does not have a certificate or if the certificate has expired, the request for access to students records, or any other administrative system, will not be processed until a new certificate is issued.
6. Access to grading and class rosters is granted to faculty when the department assigns a course to faculty in GET.
7. Access to advisement or additional access requires the faculty to complete a Student Administration Account Request form.

Where can I complete the FERPA training?

Everyone who has a MyCalStateLA ID account is required to complete a FERPA training. Depending on who you are, you will access FERPA training differently.

- For Cal State LA faculty, student assistants, and staff (state & UAS), you will complete the FERPA training through CSU Learn. To access CSU Learn, log in to the MyCalStateLA Portal and click the **CSU Learn** link on the Quick Launch menu. In CSU Learn, click on **Assigned Learning**, then click on **Data Security and FERPA** to begin your training.

  Note: For **newly hired employees**, your CSU Learn account will be created by the Chancellor's Office based on your employment activation date. It will take approximately three days after your start date before you receive an email message from CSU Learn that the **Data Security and FERPA** training has been assigned to you. If you take the Department of Education's FERPA 101 for Colleges and Universities prior to your employment start date, you are still required to take the Data Security and FERPA training since the CSU Learn training is focused primarily on Data Security with only a small portion focused on the FERPA topic.

- For individuals who are not employees (e.g., third-party vendors) or volunteers processed through Human Resources Management, you will complete the **FERPA 101 for Colleges and Universities** training available on the Department of Education website: https://studentprivacy.ed.gov/training/ferpa-101-colleges-universities. Once you have completed the training, email your certificate of completion to your Cal State LA contact or the contracting department contact at Cal State LA.

For questions with problems related to FERPA, MyCalStateLA ID account, or CSU Learn, contact the ITS Help Desk at 323-343-6170, email helpdesk@calstatela.edu, or visit in-person at the Library Palmer Wing Lobby during regular office hours.

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Guidelines, Standards and Laws



Confidential information, educational records and user accounts are governed by federal and state laws and regulations, the CSU Information Security Policy and Chancellor's executive orders, and University guidelines, standards and Administrative Policies and Procedures.

IT Security and Compliance is responsible for coordinating the development and dissemination of information security guidelines, standards and procedures for the University. See the links below to access CSU policy and University guidelines, standards and procedures.

Confidential Information - Descriptions and Examples

Level 1 Confidential Data

Level 2 Internal Use Data

Level 3 Public Information

The CSU Information Security Policy provides high-level direction for managing and protecting the confidentiality, integrity and availability of CSU information assets. In addition, the policy defines the organizational scope of the CSU information Security Policy.

CSU Information Security Policy Detail

Executive Orders (EO) are formal orders issued by the California State University Chancellor to direct the establishment of campus programs and procedures, and provide guidance in the development and implementation of such programs.

Standards define the minimum requirements necessary to address information security risks and the specific requirements that ensure compliance with legal regulations, CSU policy and information security best practices. Standards represent the minimum basis upon which Board of Trustee's audits are based. Standards undergo a formal review and approval process prior to publication.

User Guidelines provide general recommendations and instructions for campus users to comply with information security standards and the CSU Information Security Policy. They are often more technical in nature than policies and standards, and are created and updated as needed to account for changes in technology, regulations or University practices, User guidelines undergo a formal review and approval process prior to publication.

Procedures are step-by-step instructions for accomplishing specific tasks and often include recommended tools for performing those tasks. Procedures are informal documents with no impact on users and therefore, undergo only an internal technical review and approval process prior to publication.

Cal State LA Information Security Framework

- Employee Security Management
- Physical Security Management
- Communications Management
- Network Management
- Access Control
- Business Continuity Management
- Computer Security Incident Response Management
- IT Project and Procurement Management
- Information Security Risk Management
- Applicable Federal Laws and Regulations
- Applicable California State Laws and Regulations
- Other Resources

Information Security Management

Document	Title
ITS-2524	Cal State LA Information Security Program (/sites/default/files/groups/Information%20Technology%20Services/security/its-2524_campus_i
ICSUAM 8015.S000	CSU Information Security Roles and Responsibilities (https://pstat-live-media.s3.amazonaws.com/attachments/0448cb27-fe81-445c-ab3d-0 token=IQoJb3JpZ2luX2VjEHwaCXVzLWVhc3QtMSJGMEQCIHy1DI75X8Y65MFFFztF4qRDwXQCcgiV7Z39oCWpDU2OAiBNZ1ONiDy
ICSUAM 8045.0	CSU Information Technology Security (https://calstate.policystat.com/policy/6606971/latest/)
ICSUAM 8015.0	CSU Organizing Information Security (https://calstate.policystat.com/policy/6606976/latest/)
ITS-2005-S	Information Security Roles and Responsibilities (/sites/default/files/groups/Information%20Technology%20Services/security/its-2005_rolesa

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Asset Management

Document	Title
ITS-1025-G	Collecting and Processing Credit Card Information (/sites/default/files/groups/Information%20Technology%20Services/security/its-1025-g_u
ICSUAM 8070.S000	CSU Application Security (https://pstat-live-media.s3.amazonaws.com/attachments/document_30/6607632/6b4c4df0-4a8a-44c3-bcca- token=IQoJb3JpZ2luX2VjEHwaCXVzLWVhc3QtMSJGMEQCIHy1DI75X8Y65MFFFztF4qRDwXQCcgiV7Z39oCWpDU2OAiBNZ1ONiDy
ICSUAM 8055.0	CSU Change Control (https://calstate.policystat.com/policy/6607366/latest/)
ICSUAM 8055.S01	CSU Information Security Change Control Standard (https://pstat-live-media.s3.amazonaws.com/attachments/document_30/6607366/fbe7e token=IQoJb3JpZ2luX2VjEID/////////wEaCXVzLWVhc3QtMSJHMEUCIQCe11t5k2csiEu9L%2BP/MpIZrbzvxEVL8RW554%2BgO72K
ICSUAM 8065.S003	CSU Cloud Storage and Services (https://pstat-live-media.s3.amazonaws.com/attachments/document_30/6607407/24dab4a3-e212-431f token=IQoJb3JpZ2luX2VjEID/////////wEaCXVzLWVhc3QtMSJHMEUCIAyN6l1odowuo9vsgrIjkMkdCLOJgD1iJqGNzI0N5BOzAiEAtps
ICSUAM 8050.S100	CSU Configuration Management - Common Workstation Standard (https://pstat-live-media.s3.amazonaws.com/attachments/document_30/66 token=IQoJb3JpZ2luX2VjEID/////////wEaCXVzLWVhc3QtMSJHMEUCIQCe11t5k2csiEu9L%2BP/MpIZrbzvxEVL8RW554%2BgO72K

ICSUAM 8050.S200	CSU Configuration Management - High-Risk/Critical Workstation Standard (https://pstat-live-media.s3.amazonaws.com/attachments/document token=IQoJb3JpZ2luX2VjEID//////////wEaCXVzLWVhc3QtMSJHMEUCIQCe11t5k2csiEu9L%2BP/MpIZrbzvxEVL8RW554%2BgO72K
ICSUAM 8065.0	CSU Information Asset Management (https://calstate.policystat.com/policy/6607407/latest/)
ICSUAM 8065.S001	CSU Information Security Asset Management (https://pstat-live-media.s3.amazonaws.com/attachments/document_30/6607407/d56bc121- token=IQoJb3JpZ2luX2VjEH8aCXVzLWVhc3QtMSJIMEYCIQCKHmvr91QYip4/QOkCufsGTkjEtO5Eino1baLN0qyTOAIhAMXdmKMUf
ICSUAM 8065.S02	CSU Information Security Data Classification (https://pstat-live-media.s3.amazonaws.com/attachments/document_30/6607407/c5f31656-a token=IQoJb3JpZ2luX2VjEH8aCXVzLWVhc3QtMSJIMEYCIQCKHmvr91QYip4/QOkCufsGTkjEtO5Eino1baLN0qyTOAIhAMXdmKMUf
ITS-1021-G	Data Sanitization (/sites/default/files/groups/Information%20Technology%20Services/security/its-1021-g_data_sanitization_-_final.pdf)
ITS-1027-G	Encryption Security (/sites/default/files/groups/Information%20Technology%20Services/security/its-1027-g_encryptionsecurity.pdf)
EO 999	Illegal Electronic File Sharing and Protection of Electronic Copyrighted Material (https://calstate.policystat.com/policy/6589201/latest/)
ITS-2006-S	Information Classification, Handling and Disposal (/sites/default/files/groups/Information%20Technology%20Services/security/its-2006-s_in Level 1 Confidential Data - Examples (http://www.calstatela.edu/its/level-1-confidential-data#overlay-context=its) Level 2 Internal Use Data - Examples (http://www.calstatela.edu/its/level-2-internal-use-data#overlay-context=its) Level 3 Public Information - Examples (http://www.calstatela.edu/its/level-3-public-information#overlay-context=its/level-3-public-informat
ITS-1020-G	Mobile Computing (/sites/default/files/groups/Information%20Technology%20Services/security/its-1020-g_mobile_computing_i.pdf)
ITS-1005-G	Portable Electronic Storage Media (/sites/default/files/groups/Information%20Technology%20Services/security/its-1005-g_portableelectro
EO 796	Privacy and Personal Information Management Student Records (https://calstate.policystat.com/policy/6664572/latest/)
ITS-1016-G	Protecting Electronic Copyrighted Material (/sites/default/files/groups/Information%20Technology%20Services/security/its-1016-g_guidelin
AP 707	Records Retention, Management and Disposition Program (http://www.calstatela.edu/sites/default/files/groups/Administration%20and%20Fi
ITS-1017-G	Safe Disposal of Electronic Storage Media (/sites/default/files/groups/Information%20Technology%20Services/security/its-1017-g_safedisp
ITS-2021-S	Securing Workstation Documents (/sites/default/files/groups/Information%20Technology%20Services/security/its-2021-s_securing_works
AP 011	Student Records Administration (http://www.calstatela.edu/sites/default/files/groups/Administration%20and%20Finance/Procedure/011.p
EO 1031	Systemwide Records/Information Retention and Disposition Schedules Implementation (https://calstate.policystat.com/policy/6594392/latest/)
EO 926	The California State University Policy on Disability Support and Accommodations (https://calstate.policystat.com/policy/6629496/latest/)
ITS-2013-S	Utilization of Multi-function Devices (/sites/default/files/groups/Information%20Technology%20Services/security/its-2013-s_utilization_mu
ITS-2019-P	Vulnerability Management for Servers (/sites/default/files/groups/Information%20Technology%20Services/security/its-2019-p_vulnerability
ITS-2020-P	Securing Critical and High-Risk Workstations (/sites/default/files/groups/Information%20Technology%20Services/security/its-2020-p_proce

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Employee Security Management

AP 311	Criminal Records Check (http://www.calstatela.edu/sites/default/files/groups/Administration%20and%20Finance/311/ap311.pdf)
ICSUAM 8035.0	CSU Information Security Awareness and Training (https://calstate.policystat.com/policy/6598643/latest/)
ICSUAM 8035.S000	CSU Information Security Awareness and Training Standard (https://pstat-live-media.s3.amazonaws.com/attachments/document_30/659864 token=IQoJb3JpZ2luX2VjEID//////////wEaCXVzLWVhc3QtMSJHMEUCIAyN6l1odowuo9vsgrljkMkdCLOJgD1iJqGNzI0N5BOzAiEAtps
ICSUAM 8045.S400	CSU Mobile Device Management (https://pstat-live-media.s3.amazonaws.com/attachments/document_30/6606971/1977a106-a09e-4eac token=IQoJb3JpZ2luX2VjEID//////////wEaCXVzLWVhc3QtMSJHMEUCIAyN6l1odowuo9vsgrljkMkdCLOJgD1iJqGNzI0N5BOzAiEAtps
ICSUAM 8030.S000	CSU Personnel Security (https://pstat-live-media.s3.amazonaws.com/attachments/document_30/6607275/bf106c41-37fa-4393-a07e-d token=IQoJb3JpZ2luX2VjEH4aCXVzLWVhc3QtMSJGMEQCIHalb/LsrPhTblM%2BL0y1LjEn1a72hX8PN1fnE79drfFKAiBhdpSFff7tPL
ICSUAM 8025.00	CSU Privacy of Personal Information (https://calstate.policystat.com/policy/6607049/latest/)
ICSUAM 8105.00	CSU Responsible Use Policy (https://calstate.policystat.com/policy/6607908/latest/)
AP 312	Fingerprint Procedure (http://www.calstatela.edu/sites/default/files/groups/Administration%20and%20Finance/312/ap312.pdf)
ITS-1009-G	Separated Employees' Network/E-mail Access (/sites/default/files/groups/Information%20Technology%20Services/security/its-1009-g_sep

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Physical Security Management

Document	Title
ICSUAM 8080.0	CSU Physical Security (https://calstate.policystat.com/policy/6607762/latest/)
ICSUAM 8080.S01	CSU Physical and Environmental Security (https://pstat-live-media.s3.amazonaws.com/attachments/document_30/6607762/2919db8f-af7 token=IQoJb3JpZ2luX2VjEJL//////////wEaCXVzLWVhc3QtMSJHMEUCIDUMiQk00d0LvsXRORCNyJWeMyhQDEHkYvlhV53upV96AiE
ITS-1013-G	Data Center/Communication Room Access (/sites/default/files/groups/Information%20Technology%20Services/security/its-1013-g_usergu
ITS-1006-G	Securing Offices, Workspaces, and Documents (/sites/default/files/groups/Information%20Technology%20Services/security/its-1006-g_sec

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Communications Management

Document	Title	Type	Status	Last Revised
ITS-1000-G	Electronic Communications (/sites/default/files/groups/Information%20Technology%20Services/security/its-1000-g_rev_f_-_final.pdf)	Guideline	Final	9/2/2015

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Network Management

ITS-1001-G	Network Traffic Management (/sites/default/files/groups/Information%20Technology%20Services/security/its-1001-g_networktrafficmgmt.pdf)	Guideline	Final	5/28/2008
ITS-1015-G	Wireless Access (/sites/default/files/groups/Information%20Technology%20Services/security/its-1015-g_wirelessguidelines.pdf)	Guideline	Final	5/17/2017

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Access Control

Document	Title
ITS-1014-G	Access to Administrative Information Systems (/sites/default/files/groups/Information%20Technology%20Services/security/its-1014-g_user
ITS-2007-P	Administrative Systems Access Controls and Segregation of Duties Review (/sites/default/files/groups/Information%20Technology%20Services/
ICSUAM 8060.0	CSU Access Control (https://calstate.policystat.com/policy/6607432/latest/)
ICSUAM 8060.S000	CSU Access Control Standard (https://pstat-live-media.s3.amazonaws.com/attachments/document_30/6607432/88f7d20e-f7bd-497c-9b token=IQoJb3JpZ2luX2VjEJP//////////wEaCXVzLWVhc3QtMSJGMEQCIEFYn3yTXmslXK/GvBGpkCQemsfbT2/aVuLD5%2B6enVTlAiA CSU Access Control - Appendix A - Compliant Password Examples (https://pstat-live-media.s3.amazonaws.com/attachments/document_30/6 token=IQoJb3JpZ2luX2VjEJP//////////wEaCXVzLWVhc3QtMSJGMEQCIEFYn3yTXmslXK/GvBGpkCQemsfbT2/aVuLD5%2B6enVTlAiA
ICSUAM 8100.0	CSU Electronic and Digital Signatures (https://calstate.policystat.com/policy/6607796/latest/)
ICSUAM 8100.S01	CSU Electronic and Digital Signature Standards and Procedures (https://pstat-live-media.s3.amazonaws.com/attachments/document_30/6607 token=IQoJb3JpZ2luX2VjEJP//////////wEaCXVzLWVhc3QtMSJHMEUCIQCmGCi1UZENLJKT1mnnge2NvyY5uFG%2B%2BqrlBMv%2
ICSUAM 8045.S600	CSU Logging Elements (https://pstat-live-media.s3.amazonaws.com/attachments/document_30/6606971/530e99ad-1541-4a28-ad92-4 token=IQoJb3JpZ2luX2VjEJP//////////wEaCXVzLWVhc3QtMSJGMEQCIEFYn3yTXmslXK/GvBGpkCQemsfbT2/aVuLD5%2B6enVTlAiA
ICSUAM 8045.S302	CSU Remote Access to CSU Resources (https://pstat-live-media.s3.amazonaws.com/attachments/document_30/6606971/707a5e86-d021 token=IQoJb3JpZ2luX2VjEJP//////////wEaCXVzLWVhc3QtMSJGMEQCIEFYn3yTXmslXK/GvBGpkCQemsfbT2/aVuLD5%2B6enVTlAiA
ITS-2015-S	Identity and Access Management Standard (/sites/default/files/groups/Information%20Technology%20Services/security/its-2015-s_identity
ITS-1012-G	Oracle Access (/sites/default/files/groups/Information%20Technology%20Services/security/its-1012-g_oracleaccessguidelines.pdf)
ITS-2008-S	Password Standards (/sites/default/files/groups/Information%20Technology%20Services/security/its-2008-s_itspasswordstandards.pdf
ITS-5002-S	PeopleSoft User IDs and Passwords (/sites/default/files/groups/Information%20Technology%20Services/security/its-5002-s_peoplesoft_u
ITS-1032-G	Securing Shared Computing Resources (/sites/default/files/groups/Information%20Technology%20Services/security/its-1032-g_user_guid
ITS-2011-S	User Access Controls and Risk Management for Decentralized Systems (/sites/default/files/groups/Information%20Technology%20Services/se

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Document	Title	Type	Status	Last Revised
EO 1014	CSU Executive Order - Business Continuity Program (https://calstate.policystat.com/policy/6589445/latest/)	EO	Final	10/8/2007
ICSUAM 8085.0	CSU Business Continuity and Disaster Recovery (https://calstate.policystat.com/policy/6607512/latest/)	Policy	Final	4/19/2010
ITS-9506-Web	ITS Business Continuity Plan (/sites/default/files/groups/Information%20Technology%20Services/security/its-9506-web_its_business_continuity_plan_-_rev_b_-_final.pdf)	Document	Final	6/23/2017
ITS-7502-Web	ITS Disaster Recovery Plan (/sites/default/files/groups/Information%20Technology%20Services/security/its-7502-web_its_technical_disaster_recovery_plan_-_rev_d_-_final.pdf)	Document	Final	6/26/2017

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Computer Security Incident Response Management

Document	Title
ITS-2511	Computer Security Incident Response Team (CSIRT) (/sites/default/files/groups/Information%20Technology%20Services/security/its-2511_c
ICSUAM 8075.0	CSU Information Secuity Incident Management (https://calstate.policystat.com/policy/6607386/latest/)
ICSUAM 8075.S000	CSU Information Security Incident Management (https://pstat-live-media.s3.amazonaws.com/attachments/document_30/6607386/2401f47 token=IQoJb3JpZ2luX2VjEJP//////////wEaCXVzLWVhc3QtMSJIMEYCIQC/cV6KdX/ouH61FQqZg8JPDq3qlksgLMtW5X%2B2DFrlYwIh
ITS-2018-P	Electronic Security Incident Reporting (/sites/default/files/groups/Information%20Technology%20Services/security/its_2018_electronic_se
ITS-1008-G	Reporting a Lost or Stolen Computer or Electronic Storage Device (/sites/default/files/groups/Information%20Technology%20Services/security

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IT Project and Procurement Management

Document	Title
ICSUAM 8055.S01	CSU Change Control (https://pstat-live-media.s3.amazonaws.com/attachments/document_30/6607366/fbe7eeb4-cbb5-4a2d-b102-190 token=IQoJb3JpZ2luX2VjEJP//////////wEaCXVzLWVhc3QtMSJIMEYCIQC/cV6KdX/ouH61FQqZg8JPDq3qlksgLMtW5X%2B2DFrlYwIh
ICSUAM 8065.S003	CSU Cloud Storage and Services (https://pstat-live-media.s3.amazonaws.com/attachments/document_30/6607407/24dab4a3-e212-431f token=IQoJb3JpZ2luX2VjEJP//////////wEaCXVzLWVhc3QtMSJHMEUCIQCmGCi1UZENLJKT1mnnge2NvyY5uFG%2B%2BqrlBMv%2
EO 862	CSU Executive Order - Information Technology Project Management (https://calstate.policystat.com/policy/6682467/latest/)
ICSUAM 8040.0	CSU Managing Third Parties (https://calstate.policystat.com/policy/6598494/latest/)
ICSUAM 8040.S001	CSU Third Party Security (https://pstat-live-media.s3.amazonaws.com/attachments/document_30/6598494/73f544f9-d5e1-445e-8cef-a token=IQoJb3JpZ2luX2VjEJD//////////wEaCXVzLWVhc3QtMSJGMEQCIAvrcqPaa7C%2BLQ4vu64H%2B9%2Bn53RNAzjfrbPBdfPFxu
ITS-1022-G	Information Security Contract Language (/sites/default/files/groups/Information%20Technology%20Services/security/its-1022-g_informatic

ITS-1004-G	IT Project and Procurement (/sites/default/files/groups/Information%20Technology%20Services/security/its-1004-g_it_project-procureme

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Information Security Risk Management

Document	Title
ITS-1025-G	Collecting and Processing Credit Card Information (/sites/default/files/groups/Information%20Technology%20Services/security/its-1025-g_u
EO 877	CSU Executive Order - Health Care Portability and Accountability Act of 1996 (http://www.calstate.edu/EO/EO-877.html)
ICSUAM 8045.S301	CSU Boundary Protection (https://pstat-live-media.s3.amazonaws.com/attachments/document_30/6606971/4a898c64-bf30-4430-afac- token=IQoJb3JpZ2luX2VjEJT//////////wEaCXVzLWVhc3QtMSJGMEQCIFUVajLUpd2Xc1Fo6Vq1t9JTPojrvwO1vG3jVVm%2B/Cc9AiAt
ICSUAM 8020.0	CSU Information Security Risk Assessment (http://www.calstate.edu/icsuam/documents/Section8000.pdf#page=11)
ICSUAM 8020.S000	CSU Information Security Risk Management - Exception Standard (http://www.calstate.edu/icsuam/documents/Section8000.pdf#page=13)
ICSUAM 8020.S001	CSU Information Security Risk Management - Risk Assessment Standard (http://www.calstate.edu/icsuam/documents/Section8000.pdf#page=
ICSUAM 8045.S200	CSU Malicious Software Protection (https://pstat-live-media.s3.amazonaws.com/attachments/document_30/6606971/cb70cc17-a034-4e token=IQoJb3JpZ2luX2VjEHsaCXVzLWVhc3QtMSJHMEUCIQCN2r31KNv1kg5bmIQOCFqrMtxmbNumet7AfB8AYyaTSwIgGrKJt0hn
ICSUAM 8045.S300	CSU Network Controls Management (https://pstat-live-media.s3.amazonaws.com/attachments/document_30/6606971/30c093d2-989e-4 token=IQoJb3JpZ2luX2VjEHsaCXVzLWVhc3QtMSJHMEUCIQCN2r31KNv1kg5bmIQOCFqrMtxmbNumet7AfB8AYyaTSwIgGrKJt0hn
ITS-1018-G	ID Theft Prevention Guidelines (/sites/default/files/groups/Information%20Technology%20Services/security/its-1018-g_idtheftpreventionc
ITS-1028-G	User Guidelines for HIPAA Compliance (/sites/default/files/groups/Information%20Technology%20Services/security/its-1028-g_user_guide

Applicable Federal Laws and Regulations

- Americans with Disabilities Act of 1990 (ADA) (http://www.ada.gov/pubs/ada.htm)
- Copyright Law of the United States (http://www.copyright.gov/title17/)
- Family Educational Rights and Privacy Act (FERPA) (http://www.access.gpo.gov/nara/cfr/waisidx_01/34cfr99_01.html)
- Federal Privacy Act of 1974 (http://www.usdoj.gov/opcl/privacyact1974.htm)
- Gramm-Leach-Bliley Act (the Financial Modernization Act of 1999) (http://www.ftc.gov/privacy/privacyinitiatives/glbact.html)
- Health Insurance Portability and Accountability Act of 1996 (HIPAA) (http://www.hhs.gov/ocr/hipaa/)
- Patriot Act (Public Law 107-56) (PDF Format) (http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=107_cong_public_law&docid=f:publ056.107.pdf)
- Sarbanes-Oxley Act of 2002 (Public Law 107-204) (PDF Format) (http://www.sec.gov/about/laws/soa2002.pdf)

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Applicable California State Laws and Regulations

- Code of Regulations (http://government.westlaw.com/linkedslice/default.asp?SP=CCR-1000&SPC=Timeout)

- Financial Information Privacy Act (Financial Code Sections 4050-4060) (http://www.dbo.ca.gov/Laws_%26_Regs/California_Financial_Information_Privacy/default.asp)
- Government Code Section 8314: Use of State Resources (http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV&sectionNum=8314.)
- Government Code Sections 11135-11139.8: Accessibility (http://www.dor.ca.gov/DisabilityAccessInfo/CA-Gov-Code-Sec-11135-11138.html)
- Information Practices Act of 1977 (Civil Code Section 1798) (http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201120120AB422)
- Penal Code Section 502: Illegal Use of Telecommunications Equipment (https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=502.&lawCode=PEN)
- Penal Code Section 653m: Illegal Use of an Electronic Communication Device (http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=653m.&lawCode=PEN)
- Personal Information Privacy Act (SB 1386) (http://www.leginfo.ca.gov/pub/01-02/bill/sen/sb_1351-1400/sb_1386_bill_20020926_chaptered.html)
- Personal Information Security Act (SB 25) (http://www.leginfo.ca.gov/pub/03-04/bill/sen/sb_0001-0050/sb_25_bill_20031012_chaptered.html)
- Amendment to Personal Information Privacy Act (SB 24) (http://www.leginfo.ca.gov/pub/11-12/bill/sen/sb_0001-0050/sb_24_bill_20110831_chaptered.pdf)
- Public Records Act (Government Code Sections 6250-6270) (https://cdt.ca.gov/wp-content/uploads/2017/02/CALIFORNIA_PUBLIC_RECORDS_ACT.pdf)
- Social Media Privacy Act (SB 1349) (http://www.leginfo.ca.gov/pub/11-12/bill/sen/sb_1301-1350/sb_1349_bill_20120927_chaptered.html)
- State Records Management Act (Government Code Sections 14740-14774) (https://www.documents.dgs.ca.gov/osp/calrim/CalRIM%20RM%20Manual.pdf)
- State Records Program (http://www.sos.ca.gov/archives/calrim/)
- Search California Code Sections (http://leginfo.legislature.ca.gov/faces/codes.xhtml)
- Search California Statutes (http://www.leginfo.ca.gov/statute.html)

Other Resources

- Confidentiality / Appropriate Use Agreement (/its/itsecurity/guidelines/confidentiality.php)
- Illegal Downloading and Piracy: What Students Need to Know (/sites/default/files/groups/Information%20Technology%20Services/security/illegaldownloading.pdf)
- Security Awareness (/its/itsecurity/)

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WE ARE

Student Grievance Policies and Procedures

Student Rights to Pursue Grievances (Complaints)

At Cal State LA, there are multiple pathways for students to resolve grievances (complaints). Often, complaints can be resolved by a conversation with a course instructor, a clinic preceptor, the AuD Program Director, the AuD Clinic Director, or the Chair of the Communication Disorders Department.

At the University level, there are formal processes for academic and for non-academic grievances.

Additionally, students have the right to file a complaint with our accrediting agency, the Accreditation Commission for Audiology Education (ACAE).

Grade Appeals/Academic Grievance Policy

(Senate: 6/1/10, 6/4/13, 7/13/13 [EA]; President: 6/21/10, 7/25/13)

Governing Document: Executive Order 1037 and 1074

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 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.

If at any point in the informal process a student makes an allegation of discrimination, harassment, or retaliation based on age, disability, sex, gender, gender identity, gender expression, genetic information, nationality, race or ethnicity, religion, sexual orientation, veteran status, or any other protected status by state or federal law, the student should be

referred to the director of the Office for Equity and Diversity and provided with a copy of Executive Order 1074.

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 chair 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 despondent 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.

Grade appeals that allege discrimination, harassment or retaliation based on age, disability, sex, gender, gender identity, gender expression, genetic information, nationality, race or ethnicity, religion, sexual orientation, veteran status, or any other protected status by state or federal law, shall proceed concurrently (I) under this grade grievance/academic appeals policy, and (II) under Executive Order 1074, as mediated by the Office for Equity and Diversity. However, the grade appeal procedure shall be placed in abeyance until such time as an investigation by the Office of Equity and Diversity (and any related appeals) into the allegation of discrimination, harassment or retaliation is completed. The final determination regarding whether discrimination, harassment or retaliation occurred, will be provided to the University Academic Appeals Board. The Board shall be bound by such determination, with

respect to whether discrimination, harassment or retaliation occurred, when considering the grade appeal request under Executive Order 1037. Any finding of discrimination, harassment or retaliation may be relevant to the issue of the grade appeal.

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.

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CALIFORNIA STATE UNIVERSITY, LOS ANGELES

Academic Grievance Appeal Form

Division Of Academic Affairs

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 III. B. of the Grade Appeals/Academic Grievance Policy. Before filing this Academic Grievance Appeal Form, please read Cal State LA's Grade Appeals/Academic Grievance Policy in its entirety:

http://www.calstatela.edu/undergraduatestudies/grade-appealsacademic-grievances

Please submit completed forms along with attachments via email: ugstudies@calstatela.edu.

Personal/Contact Information:

Name:_____ CIN #: _____

Major:_____ College:_____

Cal State LA Email Address: _____ Mailing Address:_____

Phone: _____ _____

A. For Grade Appeals (one form should be completed for each course by the individual student)

Course Number:_____ Course Title: _____

(e.g.....ART 101, or BIOL 459)

Term Course was taken: _____ Instructor: _____

B. For all other Academic Grievances

Briefly describe the decision being appealed:_____

Date of decision: _____ Note: Attach notification, if written.

Person who made decision:_____Title/Position: _____

I. I am appealing this grade/decision because:

- ☐ I believe there was a clerical error (for example; grade was entered or calculated incorrectly).
- ☐ I believe there was capricious or prejudicial evaluation of my work.
- ☐ I believe there were inconsistent or inequitably applied standards for evaluation.
- ☐ I am disputing a finding of academic dishonesty that was made against me.
- ☐ I believe this is a case of discrimination or harassment based on legally protected status and/or related retaliation, *i.e. Age, Disability (physical or mental), Gender (or sex), Gender Identity (including transgender), Gender Expression, Genetic Information, Marital Status, Medical Condition, Nationality, Race or Ethnicity (including color or ancestry), Religion (or Religious Creed), Sexual Orientation, sex stereotype, and Veteran or Military Status* (these cases will be referred directly to the Title IX Coordinator).

Note: These are the only justifications that may be given for an academic grievance or a grade appeal. In order for a grievance or appeal to be filed, one or more of the boxes above must be selected.

2. Before a student may initiate an appeal, they must attempt to resolve the issue informally. Have you attempted to resolve this matter with the instructor?

☐ Yes

- Please explain how you attempted to resolve the issue and what the results of the informal process were. Please attach any evidence.

☐ No

- If you indicate no, please note that your application will not be reviewed without this informal step.

3. If a student is unable to resolve the problem with the instructor, they should discuss the assigned grade with the department chair or associate dean of the College (if the department chair is also the instructor). Have you attempted to resolve this by discussing the problem with the department chair or associate dean?

☐ Yes

- Name of the chair (or associate dean): _____

- Please explain how you attempted to resolve the issue and what the results of the informal process were. Please attach any evidence.

☐ No

- If you indicate no, please note that your application will not be reviewed without this informal step.

Cal State LA

STUDENT GRIEVANCE PROCEDURE

A student grievance is a formal complaint by a student arising out of an alleged action of the faculty, administrative units, or staff of Cal State LA. Such action is alleged by the student to be:

1. An unauthorized, unjustified, or unethical action(s), which adversely affects the status, rights, or privileges of the student
   and/or
2. In violation of official campus policies and/or procedures
   and/or
3. An arbitrary, capricious, or unequal application of official campus policies or procedures

Student Grievance Form

Purpose

The purpose of this procedure is to set out the guidelines and standards for the filing of a grievance by a student. This procedure is intended to reflect the university's commitment to the principles, goals, and ideals described in Cal State LA's mission statement and to its core values. It establishes due process and safeguards that will be followed by the university in the resolution of grievances.

This procedure places first priority on open, honest communication. No grievance procedure should take the place of negotiating in good faith.

Scope

A grievance filed under this procedure must be initiated within six months of the alleged action. A grievance may not be filed based on a student's judgment of an instructor's or administrator's competence; such judgments are solely the province of the academic department involved or of the administrator's supervisor.

The student may withdraw the grievance at any stage, at which point the process will immediately terminate. During all stages of the grievance, the burden of proof will be on the student.

This student grievance procedure is not intended for issues that can be addressed by more specific policies, procedures and/or investigative processes. Examples include, but are not limited to:

- Complaints regarding the performance of a member of the faculty, staff, or administration. These concerns should be brought to the attention of the appropriate supervisor.
- An academic decision and/or grade appeal. Students shall follow the process for grievance of academic decisions, and grade appeals, outlined in Cal State LA's grade appeals/academic grievance policy.
- A student allegation of harassment and/or discrimination based on a legally protected status, and/or related retaliation by the CSU, a university employee, another student, or a third party.

Such complaints shall be directed to the campus DHR (Discrimination, Harassment, or Retaliation) administrator. The DHR administrator will determine the status of the complaint.

- Challenges to student records through the family educational rights and privacy act (FERPA). The university Registrar shall be responsible for handling such concerns.
- Student appeals relating to financial aid decisions, rules, and regulations. These shall be directed to the financial aid office.

The Office of the Dean of Students will help students understand the scope and details of the grievance procedure and may be called upon for assistance.

Terminology

Appropriate Administrator: the Vice President of the Division (or the Division Vice President's designee) in which the named employee works. In the case of a faculty employee, the Dean of the appropriate college (or the Dean's designee). The appropriate administrator will work with the named employee and the student to attempt to resolve the grievance to the satisfaction of both.
Committee: the university's Student Grievance Committee. As appointed by the Vice President for Student Life, the Assistant Dean of Students: Engagement and Wellness shall serve as the Coordinator of the Committee. The Committee will conduct grievance hearings, deliberate, and issue findings of fact and recommendations for action fairly and expeditiously.
Day(s): days the campus is open and the university is in operation
Grievance: a grievance is a formal complaint by a student arising out of an alleged action of the faculty, administrative units, or staff of Cal State LA. Such action is alleged by the student to be:

1. An unauthorized, unjustified, or unethical action(s), which adversely affects the status, rights, or privileges of the student
   and/or
2. In violation of official campus policies and/or procedures
   and/or
3. An arbitrary, capricious, or unequal application of official campus policies or procedures

Grievant: the student(s) who file(s) a grievance.
Parties: parties to a grievance include the grievant(s), respondent(s), and advisors for either of the former, members of the Student Grievance Committee, administrators processing the grievance, and those staff members with designated responsibilities for handling grievance materials.
Respondent(s): the person(s) or unit whose perceived actions or omissions gave rise to the grievance, or any person(s) designated by the university to respond to the grievance.
Unit: any specified official institutional organization, e.g., a committee, program, administrative office, department or college.

Who may file a Grievance?

Any person who, at the time that the event or action which is the subject of the grievance occurred, was a continuing Cal State LA undergraduate or graduate student, or enrolled in an extended education or open university course, may file a grievance. No student shall be penalized for submitting or proceeding with a grievance. No restraining, coercive, discriminatory, and/or retaliatory action shall be taken against a person because of initiating or participating in a grievance.

A grievance shall be filed no more than six months after the alleged occurrence of the action on which it is based, regardless of the date of the discovery of the action.

Confidentiality of Grievances

All grievances shall be considered confidential and shall not be divulged to individuals or organizations not party to the grievance, unless required by law or California State University policy. All materials developed in the course of the grievance investigation and hearing shall be placed in a confidential, non-personnel file to be maintained by Office of the Dean of Students. None of these materials shall be removed from the file or copied unless needed for compliance with appropriate administrative or legal requirements.

Advice & Counsel

Each party to a grievance may designate one person to be present for support during all stages of the grievance process, including the grievance hearing. Legal counsel shall not be present during any part of the grievance process. The University's Director of Student Support may serve as an advisor to the student throughout the grievance process, and provide information to the student about the grievance process and form prior to submitting a grievance.

Informal Process

Prior to initiating formal grievance procedures, the student(s) is required to make a good faith effort to informally resolve the dispute with the respondent. The Director of Student Support will provide guidance to the student on pursuing the informal process. If the student(s) is not satisfied with the outcome of communications with the respondent, the student is then required to attempt to informally resolve the grievance through either of the following channels:

1. In the case of faculty: through the department chair, and if resolution cannot be attained, the college dean or the management personnel plan (MPP) employee responsible for the faculty member's unit.
2. In the case of support staff or administrative personnel: through the employee's supervisor, and if resolution cannot be attained, the administrator of the unit or the MPP employee responsible for the staff member's unit.

Formal Grievance Process

If the student feels that the informal process has not resolved the grievance issues satisfactorily, the student may then enter into a formal grievance process. The student shall receive the formal student grievance form from the Office of the Dean of Students, complete it in detail, and submit it to the Dean of Students (Student Affairs Building, Room 115A).

Student Grievance Form

Submission process

The Dean of Students shall receive all student grievance forms and determine the following:

1. Standing to file a grievance;

2. Timeliness;
3. That the grievance is not a resubmission of a previously submitted or decided grievance;
4. That the grievance does not seek disciplinary action;
5. That the grievance is not an academic assessment or grade appeal;
6. That the grievance does not relate to discrimination, harassment, and/or retaliation based on any protected status;
7. That the grievance is not frivolous, or abusive of the process; or being used to retaliate;
8. That the grievance is not a financial appeal;
9. That the grievance is not a FERPA issue

If the Dean of Students determines the grievance should not go forward for any of the above reasons, and the student disagrees, the student may appeal the decision to the appropriate Vice President.

If the Dean of Students determines that the grievance should go forward, the completed student grievance form shall be delivered to the Coordinator of the Student Grievance Committee. Next steps are described below.

The Office of the Dean of Students may assist the student in preparing any necessary forms to ensure clarity and completeness. In the event that a student files a grievance that requires a review of his/her student records, the student waives his/her rights under the FERPA statutes to the extent that those records are released to the Committee. The Office shall also convene the meeting of the Committee, provide administrative support to implement this procedure, and monitor all decisions for the appropriate administrator to assure actions are implemented in a timely fashion.

Student Grievance Committee
There shall be a Student Grievance Committee (Committee) with duties established by this procedure. The Dean of Students shall work with each representative body regarding the appointments of members to the Committee. Committee members will be appointed using procedures consistent with the academic senate constitution and bylaws, and the Associated Students Inc., constitution and bylaws.

Membership of the Committee shall consist of:

- The Assistant Dean of Students: Wellness and Engagement – serving as Coordinator of the Committee.
- Three students to be named by the Associated Students Inc. (ASI). Students serving on the Committee must be regular students in good standing, determined to be so under the same regulations imposed for ASI members.
- Three faculty members to be named by the nominations committee of the Academic Senate. All faculty members and alternates shall hold full-time faculty appointments.
- Three staff representatives to be named by the President. The staff representatives shall hold regular full time positions.
- Three members of the administration to be named by the President. All administrators shall hold continuing (regular) employed positions.
- An MPP representative from Human Resources who shall be a nonvoting ex-officio member.

- Students shall be appointed for a one-year term of office. All other members shall be appointed for a two-year term of office.

The duties of Committee members include:

- Attending all meetings called by the Coordinator of the Committee;
- Ensuring that fair and proper procedures are followed;
- Considering all pertinent and relevant evidence in the case;
- Determining matters of fact, interpreting policies and procedures, and making recommendations in writing to the appropriate administrator.

Considering a Grievance

Upon receiving a formal grievance (student grievance form) from the Office of the Dean of Students, the Coordinator of the Student Grievance Committee shall forward the grievance to the Committee, and the Committee shall meet and determine whether there is adequate cause for hearing. Deliberation by the Committee and any consequent hearings shall begin within ten (10) working days of the filing of the grievance with the Dean of Students.

The grievant will be notified by the Coordinator regarding the decision to dismiss the case or to proceed to a hearing.

The Coordinator or assigned party shall reserve the appropriate facility and notify all parties involved of the hearing date(s) and location.

Hearing Process

For a formal grievance hearing to proceed, there must be a quorum of the Student Grievance Committee present. Quorum shall be one (1) member of each of the following representative groups making up the Committee: students, faculty, staff, and administration. There must be at least six (6) Committee members present, together with the Coordinator of the Committee, and an MPP representative from Human Resources.

The hearing is considered a fact-finding/information gathering proceeding, not a judicial process.

The hearing process shall proceed as follows:

- The Committee shall determine who shall be involved in the hearing process. A panel member who has a conflict of interest shall immediately notify the Coordinator, so that a replacement may be selected. A conflict of interest exists for a potential panel member if he/she is the named employee, a witness to any of the events, a relative of anyone involved, and or works in the same department or unit as the named employee.
- The grievant and the respondent may be present for the hearing process.
- The Committee may seek advice from experts from the appropriate area.
- The Committee may invite persons having information related to the grievance to participate in the hearing.
- There shall be no confrontation or cross-examination of witnesses.
- Only the Committee, the grievant, the respondent, and those currently providing information may be present during that portion of the hearing.

- The Coordinator shall preside at the hearing. The Committee shall choose one of its members as a recorder to take minutes. Those minutes shall be the official record and shall reside in the Office of the Dean of Students. Committee members, including the Coordinator, possess the sole right to ask questions. The grievant and respondent may provide a list of questions for the Committee to consider.

Recommendation
The Committee shall deliver a written report for each grievance to the appropriate administrator within ten (10) days of completing the hearing. The report shall include both a finding of fact and the recommendation of the Committee for an appropriate remedy, if found necessary.

Decision
The appropriate administrator shall render the final decision within ten (10) days of receiving the Committee's report. The decision shall be in writing and shall state the reasons for the decision. The decision shall be sent to the grievant and the respondent.

It is expected that the appropriate administrator shall give great weight to the recommendations of the Committee. However, if these recommendations are not implemented, an explanation of this decision shall be provided to all of the aforementioned parties.

Implementation

The party responsible for implementing the recommendation shall take action solely based on the factual findings and recommendations provided by the appropriate administrator. The party responsible for implementing the recommendation shall not re-investigate the complaint. Further, the party shall promptly notify the Office of the Dean of Students of the course of action taken. If, within a reasonable timeframe, remedial action has not been taken, the Office of the Dean of Students may request the appropriate administrator, or other appropriate officials, to expedite resolution of the situation.

Appeals

Within ten (10) days of the decision by the appropriate administrator, either party to the grievance may appeal the decision to the President or his/her designated representative. The notice of appeal shall clearly state the grounds for appeal. The appeal must describe a substantial procedural error or some other significant factor that seriously prejudiced the outcome of the hearing.

The President may accept, reject, or modify the recommendations from the appropriate administrator based solely on procedural improprieties, California State University policy, or state or federal law. This decision shall be in writing and based on the record of the hearing. There shall be no new hearing or new evidence presented. This decision is final and shall conclude the university's review of the matter.

Maintenance of Records/Annual Reporting

The Office of the Dean of Students shall be responsible for maintaining all records and materials developed in the course of the grievance investigation and hearing. These files are confidential. The records for each grievance shall be maintained for a period of four years after the final action has been rendered.

The Office of the Dean of Students shall submit an annual report to the President's cabinet on the number of cases heard and the disposition of the cases, taking all necessary steps to protect confidentiality. The report may contain recommended changes in campus policy designed to prevent repetition of actions that are shown by the findings of fact to be unauthorized and/or unjustified and that adversely affect the status, rights, or privileges of the students.

Download a signed .pdf version of this procedure

Disclosure Statement

OPTIONAL

The University Academic Appeals Board includes student member(s). These members may participate in an academic appeal ONLY if you consent to this.

I hereby authorize student members of the University Academic Appeals Board to have access to information and materials contained in my University records.

_____ _____

Signature Date

For all appeals:

1. Please make your case clearly and succinctly in a typed/word-processed statement that is no longer than 2 pages in length. The board will make its decision about how to proceed based on the evidence and rationale that you provide in this written statement.
2. In addition to the 2 page statement, you may submit supporting documentation (such as the course syllabus, exams, papers, assignments or other corroborating documents).
3. Provide a copy of the grade report of notification or notification of the decision being appealed (for all other academic appeals).

   Note: The policy states that the Board shall determine, within twenty (20) days of receipt of the written request, whether or not the grievance or appeal warrants further review. The twenty (20) day timeline does not begin when the grade appeal is submitted to the Office of Undergraduate Studies, but when the University Academic Appeals Board (UAAB) is in receipt of the request. The UAAB receives all grade appeals one (1) week prior to the scheduled UAAB meeting.

_____ _____

Signature Date

Reminder: Please keep a copy of this form and all attachments for your records! Submit the form and all attachments **electronically** to the Office of Undergraduate Studies. If you need assistance in preparing this appeal, please contact the Office of Undergraduate Studies via email: ugstudies@calstatela.edu / via telephone: (323) 343-3830.

UNIVERSITY STUDENT GRIEVANCE COMMITTEE
STATEMENT OF GRIEVANCE

TO: California State University, Los Angeles
University Student Grievance Committee
Dean of Students Office
Student Affairs Building, Room 115A
5151 State University Drive
Los Angeles, California 90032

FROM: _____ (*Name of Student*)
Last *First* *Middle*

CIN: _____

DATE SUBMITTING GRIEVANCE: _____

ADDRESS OF STUDENT: _____
Number *Street*

_____
City *State* *Zip Code*

TELEPHONE: Day: _____ Evening: _____

BEST TIME TO CALL: _____ AM _____ PM

NAME(S) AND POSITION(S) OF PERSON(S) AGAINST WHOM GRIEVANCE IS FILED:
(please print)

1. _____ _____
Name *Title*

2. _____ _____
Name *Title*

3. _____ _____
Name *Title*

4. _____ _____
Name *Title*

NOTE: If you need more space to respond to any of the following, please attach separate pages for each item. Be sure to label each page clearly. If you wish to attach material to this form, please do so by way of clearly labeled and referenced appendices (Appendix A, Appendix B, etc.). Please refer the reader to the appropriate appendix in the text of your grievance.

Causes of actions (What right has been denied, and/or what harm has been done?):

_____
_____
_____
_____
_____

Facts (What evidence supports the grievance allegation? How may this be verified?):

_____
_____
_____
_____
_____

History (What steps have been taken previously to remedy this situation; who has been consulted, and when?):

_____
_____
_____
_____
_____

Remedy (What solution, if any, does the student want to the grievance?):

_____
_____
_____
_____
_____

Signed: _____ Dated: _____

Reminder: *Keep a duplicate set of this form and all attachments! File original with the Dean of Students Office, Student Affairs Building, Room 115A.*

Accreditation Commission for Audiology Education (ACAE):

With respect to the ACAE, submission of any complaints relating directly to lack of compliance with the Accreditation Standards and requirements of accreditation must be made in writing and signed by the complainant. The complainant's contact information including address and telephone number is to be included with the complaint. The submitted complaint must include specific details and documentation to support the complaint and should be sent to the Executive Director, Accreditation Commission for Audiology Education, 11480 Commerce Park Drive, Suite 220, Reston, VA 20191. The telephone number is 703-226-1056 and the email is info@acaeaccred.org .

Upon receipt of the complaint, the Executive Director of ACAE will forward copy to the department chair within 10 business days, for response and appropriate documentation. If the complainant identification is to be withheld, the complaint will be forwarded in a de-identified format. The department chair will then have 30 business days to respond to the complaint, including providing documentation to support the response.

Preliminary Examination
AUD 6800

AUD 6800 Preliminary Examination in Audiology - Summer Term 20xx

Timing and Structural Elements
The Preliminary Examinations will be conducted in Week 5 of the Summer term.

There will be six examination topic areas (see below) with examinations spread across the mornings (9:30am to 11:30am) and afternoons (1:30pm to 3:30pm) of three days:
Monday June xx, Wednesday June xx, and Friday Juxx xx.

Each examination topic area will be examined in 2 hours, during which the student will respond to 1, 2, or more questions.

Topics/Examination Areas
Topics for the Preliminary Examination will be drawn from the major courses taught in Year 1 of the AuD Program:

Diagnostic Audiology	Hearing Aids I and II
Clinical Procedures	Genetics of Hearing Loss
Psychoacoustics and Speech Perception	Counseling

Faculty Examiners
Drs. Miwako Hisagi, Peter Ivory, Miles Peterson, Chandan Suresh, and Margaret Winter.

Students will receive guidance from faculty examiners regarding the questions on their areas. At a minimum, this guidance will provide broad topics for consideration and student preparation. Faculty may choose to provide more specific guidance.

Outcomes
Results will be shared with students by Week 7.
Written examination materials will be scored by the faculty examiner as follows:

- Pass with Honors
- Pass
- Did Not Pass (DNP)

Students receiving a DNP in any area will subsequently complete an Oral Defense of the DNP exam topic with a faculty panel of no fewer than 3 Audiology faculty. This Oral Defense will be completed prior to the conclusion of the Summer term.
The Oral Defense will be scored as Pass/Did Not Pass by the Faculty Panel.

In the event of a DNP of the Oral Defense, the student will have one opportunity to retake that topic of the Written Exam in the immediate Fall semester, in accordance with the above general procedures.

The failure to pass the Preliminary Exam, either as an initial exam or as a retake exam is considered a failure to make satisfactory progress in the program. According to Executive Order 1112 (Article 6, Sub-Article 6.5): “A student who fails to make satisfactory progress may be disqualified officially from the program.” Additionally, no student who has received a DNP on an Oral Defense (initial or retake) will be assigned to an Externship. No student who has received a DNP on a retake Oral Defense will be authorized for continued enrollment in the AuD Program, including participation in the Doctoral Qualifying Exam.

Qualifying Examination
AUD 6850

Summer term 20xx
AUD 6850: Qualifying Examination in Audiology for Cal State LA AuD Program

Background from CSU Executive Order 1112, Article 4 Degree Requirements

4.1 Program of Study
To be eligible for the AuD degree, the candidate shall have completed a program of study that includes both a qualifying examination or other doctoral qualifying assessment and a doctoral project that is consistent with the requirements specified in Title 5 Section 40517, within this executive order, and approved by the appropriate campus authority. Doctoral project requirements are specified in Article 5.

What Does A Passing Score on the Qualifying Examination Qualify a Student For?

A passing score on the Qualifying Examination advances the AuD student to Candidacy status in the AuD Program and fulfills a prerequisite condition for enrollment in the Doctoral Project in Audiology sequence (AUD 6910, AUD 6920, and AUD 6930).

Maximum Number of Attempts to Achieve a Passing Score on the Qualifying Exam

An AuD student has a maximum of two attempts to pass the Qualifying Examination. An AuD student who does not pass the Qualifying Examination after two attempts becomes ineligible for continued enrollment in the program.

Timing and Structural Components of the Qualifying Examination at Cal State LA

The Qualifying Examinations will be conducted in Week 4 of the Summer 20xx term, specifically: Monday June xx; Wednesday June xx; and Friday June xx.

There will be six examination areas with examinations spread across three days.
Each examination area will be examined in 3 hours, during which the student will respond to 1, 2, or more questions.

Faculty Examiners and Examination Areas for Summer 20xx

Faculty Examiner	Examination Areas
Dr. Peterson	Hearing Aid Amplification
Dr. Bassett	Vestibular System Assessment and Disorders
Dr. Ivory	Disorders of the Auditory System
Dr. Suresh	Physiological Assessment of the Auditory System
Ms. Winter	Pediatric Audiology and Implantable Devices
Dr. Hisagi	Clinical Integration

Guidance and Preparation

Students will receive guidance from faculty examiners regarding the questions in their examination areas. At the very minimum, this guidance will provide broad topics for consideration and student preparation. Some faculty examiners may choose to provide more specific guidance. All faculty examiners may choose to incorporate clinical implications, findings, or concerns as part of their area questions.

Outcomes

Results will be shared with students by Week 6.

Written examination materials will be scored by a single faculty examiner as follows:

Pass with Honors
Pass
Did Not Pass (DNP)

The AuD student must achieve a minimum score of "Pass" in each of the six examination areas in order to pass the Qualifying examination. A student who achieves a score of "Pass with Honors" on four or more examination areas will receive the recognition of "Pass with Honors" on the Qualifying Examination.

Implications of a Passing Score on the Qualifying Examination

As stated above, a final disposition of "Pass" or "Pass with Honors" on the Qualifying Examination advances the AuD student to Candidacy status in the AuD Program and fulfills a prerequisite condition for enrollment in the Doctoral Project in Audiology sequence (AUD 6910, AUD 6920, and AUD 6930).

Implications of a Score or Scores Assessed as a Did Not Pass (DNP)

Scoring Reliability

In the event of a score of DNP on any written examination response, the examination response will be scored by two additional faculty examiners. The final score will be based on the scoring of the three faculty examiners.

Procedures When a Student Receives One-to-Three DNPs on the Qualifying Examination

Students receiving a DNP in one to three examination areas will subsequently complete an Oral Defense of their DNP examination area(s) with a faculty panel of no fewer than three Audiology faculty. This Oral Defense and its outcome will be completed prior to the conclusion of the Summer term. This Oral Defense will be scored as Pass/Did Not Pass by the Faculty Panel.

Outcomes When a Student Passes the Oral Defense of the Qualifying Examination

A passing score on the Oral Defense of the Qualifying Examination raises the final exam score to a "Pass" and advances the student to Candidacy status in the AuD Program and fulfills one of the prerequisite conditions for enrollment in the Doctoral Project in Audiology sequence (AUD 6910, AUD 6920, and AUD 6930).

Outcomes When a Student Does Not Pass the Oral Defense of the Initial Qualifying Examination

In the event of a DNP of the Oral Defense, the student will retake that examination area of the Written Exam in the following academic term (Fall 2021) and consistent with the above procedures.

No student who has received a DNP on an Oral Defense will be assigned to an Externship in the subsequent term of enrollment, or any future term of enrollment, until and unless the student passes the Qualifying Examination.

No student who has received a DNP on an Oral Defense will be authorized to participate in the Doctoral Investigative Project, until and unless the student passes the Qualifying Examination.

Procedures and Outcomes When a Student Receives Four or More DNPs on the Initial Qualifying Examination

Students who receive a DNP in four or more areas are deemed to have not passed the Qualifying Examination and are not eligible for an Oral Defense. Such students will have the opportunity to retake the entire Qualifying Examination in the subsequent term of enrollment, following identical procedures as outlined above. Such students are not eligible to be assigned to externships, nor will be authorized to participate in the Doctoral Investigative Project in the subsequent term of enrollment, until and unless the student passes the Qualifying Examination.

Outcome for a Student Who Did Not Pass Score the Qualifying Exam After Two Attempts

As stated above, an AuD student has a maximum of two attempts to pass the Qualifying Examination. An AuD student who does not pass the Qualifying Examination after two attempts becomes ineligible for continued enrollment in the program.

Doctoral Project

AUD 6930
Doctoral Investigative Project - Fall 2021
Guidelines for Oral Presentation of the Project

Article 5.4 of Executive Order 1112 Doctor of Audiology Degree Programs (July 2018) states the following regarding the doctoral project:

5.4 An oral defense or presentation of the doctoral project shall be required.

In follow up to your previous notification on October 25, 2021, your project presentations will be on Saturday December 4 via Zoom. We plan to allot approximately 20 minutes per presentation plus time for questions. Agenda will be: start at 9am, complete 5 presentations by 11:30am, take a 30-minute break, resume at/around noon and then complete the remaining 5 presentations.

Here are some guidelines for the construction of your presentation.
Please construct a Power Point slide set of no more than 20 slides.
No background theme ("Blank") with Times New Roman font or equivalent font.
Preferred font size for headers or titles: 36 points
Preferred font size for main copy and bullets: 24 points; Minimum font size: 18 points

Please follow the template given below.
Any exceptions to this template should be discussed and approved by your chair.
The organization of your presentation must include: **Title, Introduction, Method, Results, Discussion, and Epilogue,** with sub-sections as indicated below, and as appropriate to your project.

PRESENTATION TEMPLATE – HEADERS FOR SLIDES AND CONTENT OF SLIDES
Title Slide The initial slide should list the title of your doctoral project, along with your name, your chair's name, your committee members names, and the date shown as Fall 2021.
Introduction Please state the rationale for your study. *Why did you do this project? Why was this interesting to you? If applicable, briefly mention background literature relevant to your project.* Please clearly state the purpose of the study. *What was it that you intended to do in this project?*
Method *(this may vary according to your project, so check with your chair or Dr. Ivory to be sure).* ***Participant*** describes the characteristics of the persons (or devices) studied. This should be adequately described for your audience. ***Design*** identifies and describes the specific type of research design you employed in your project. ***Procedure*** describes what you did in your project. Please provide enough detail so that your audience understands what you did.

Measures and Materials clearly state the operational definitions of your key observations (data, dependent variables). What, how, where, and when observations (data) were taken are described. Any equipment used in your project is described.

Data analysis describes – but does not report - the methods that were used for organizing, describing, and analyzing the data in the Results section.

Results

Provide an overview slide of your basic outcomes summarizing what you found. As appropriate to your project, provide several figures or tables of key findings in your project. Be sure to describe for your audience what is happening in the graphs, in terms of trend, level, and/or variability—whatever is most appropriate. If appropriate, include descriptive statistics. Be sure that any graphs, figures, and tables include a title and description and are labeled.

REMEMBER: in this section, the results are only described; interpretation of the results is reserved for the Discussion section.

Discussion

The Discussion begins by reiterating the original purpose of your project. The project's results/outcomes are interpreted and the following considerations should be addressed:

What do the results/outcomes mean in view of the project's purpose?

How did the results/outcomes compare with what you thought would be the results/outcomes?

What were the strengths and limitations of the research design *(how you did the project)* in terms of providing an interpretable result/outcome?

What were the strengths and limitations of your measurement procedures *(how you collected information)*?

What other variable(s)/circumstances might realistically be confounding or contributing to the reported results/outcomes?

Are there obvious factors that severely limit the external validity of the findings?

What are some suggestions for future research, especially those that would improve your project if it was done again and further extend its findings.

Epilogue

Although an epilogue is not part of a typical research report, we're going to include one here to provide you with an opportunity to step outside of your project and reflect on what you experienced and learned about research/science/yourself by completing this project.

To this end, first describe three challenges you encountered in conducting your investigative project. Then, describe three important things that you learned by completion of your investigative project (these can be about yourself, about research, advice for future AuD students, etc).

Comment on References

Your reference list doesn't need to be included in your presentation slide set; however, you should have it accessible in case anyone has any specific questions about your references.

Comment on Appendices (raw data, other figures and tables)

As with References, raw data and other materials don't need to be included in your presentation slide set; however, you should have all of it accessible in case anyone has any specific questions.

AuD STUDENT DOCTORAL INVESTIGATIVE PROJECT ORAL PRESENTATION EVALUATION

Instructions:
Doctoral investigative project committee members and students should review and become familiar with the criteria in this evaluation tool prior to the project presentation. The rubric should be scored at the conclusion of the presentation, or shortly thereafter, by every member of the project committee. This cover page (page 1) will then be completed (providing a *summary of the scored ratings* below for each of the criteria in the rubric), returned to the AuD Program Director, and thereafter maintained in a confidential departmental file following the presentation for use as a tool in AuD student learning outcomes assessment.

Program: Doctor of Audiology (AuD) Program
Degree: AuD

Student name: _____
Date of Defense: _____

Evaluator: _____
Evaluator role:
☐ Project Chair
☐ Core AuD Faculty Project Committee member
☐ External Committee member
Other (explain)_____

Project Presentation/Defense Score by Criterion

Assessment Criteria

	4	3	2	1	N/A
#1.	☐	☐	☐	☐	☐
#2.	☐	☐	☐	☐	☐
#3.	☐	☐	☐	☐	☐
#4.	☐	☐	☐	☐	☐

Check the appropriate box for each criterion.

COMMENTS (optional)

TOTAL SCORE _____

Student name: _____ Evaluator name: _____

Assessment Criteria	4=Exceptional	3=Strong	2=Marginal	1=Unacceptable	N/A	Score
1. Mastery of knowledge related to the project PLO 1 ILO – Knowledge: Mastery of content and processes of inquiry	Consistently applies fundamental and advanced concepts to topics related to the project.	Frequently applies fundamental and some advanced concepts to topics related to the project.	Somewhat applies fundamental concepts to topics related to the project.	Does not apply fundamental concepts to topics related to the project.		_____
2. Ability to integrate information into a cohesive overview of current knowledge; ability to critically evaluate the meaning, value, and contribution of prior related contributions in the field PLO 2 ILO – Proficiency: Intellectual Skills	Command and understanding of the current knowledge base related to the project in the field.	Relates and understands the current knowledge base related to the project in the field.	Aware of the current knowledge base related to the project in the field.	Seemingly unfamiliar with the current knowledge base related to the project in the field.		
3. Relevance of the project and potential for contribution to the field of Clinical Audiology PLO 4 ILO – Place and Community: Urban and Global Mission	Project is very relevant or has special importance to field and will make a notable contribution to field.	Project has fair relevance or importance to field and will make a good contribution to field.	Project has only moderate relevance or importance to field and will make a nominal contribution to field.	Project has little relevance or significance to field and will make little contribution to field.		_____
4. Oral presentation and defense of project PLO 4 ILO – Transformation: Integrative Learning	Masterfully defends the project by providing clear and insightful answers to questions; uses presentation resources as a guide; gives detailed explanations; is easily understandable; and maintains rapport with the audience.	Competently defends the project by providing helpful answers to to questions; occasionally requires reflection on minor points; uses presentation resources as a guide; is easily understandable; and maintains rapport with the audience.	Adequately defends the project; answers questions, but often frequently shows a need for deep reflection on minor points; Relies too much on presentation materials; is somewhat comfortable with the topic; but has difficulty speaking freely to the audience.	Does not adequately defend the project; does not answer key questions; frequently shows a need for deeper reflection on vital points; reads the material verbatim from presentation materials; and is clearly not comfortable with the topic.		_____

Emergency Action Plan and Materials at the Alhambra Facility

Local Emergency Information

City of Alhambra Police Department
EMERGENCY: 911
211 S. First St.
Alhambra, CA 91801
Service/Intake – Nonemergency: (626) 570-5151
Service/Intake & Administration: (626)570-5130
Administration/Records: (626) 570-5107
https://www.cityofalhambra.org/231/Police-Department

City of Alhambra Fire Department
EMERGENCY: 911
Station 71 – Headquarters
301 N. First St.
Alhambra, CA 91801
Phone: (626) 570-5101
Administration: (626) 570-5190
CERT (Community Emergency Response Team): (626) 588-2378
https://www.cityofalhambra.org/182/Fire-Department

The Alhambra Office of the Building
1000 S. Fremont Ave. , Building A-1
Phone: (626) 300-5000

The Alhambra Security
Building A-0
Allied Universal Security Security: (626) 300-2211

Alhambra Hospital Medical Center
100 S. Raymond Ave.
Alhambra, CA 91801
(626) 570-1606

ALLIED UNIVERSAL SM

Evacuation & Fire Drill Information

The Alhambra

Director of Security – Rolando Valdovinos
Email: rolando.valdovinos@aus.com
Office: 626.300.2211
Fax: 626.300.5025

FLOOR WARDENS AND ALTERNATES / FIRE DRILL INSTRUCTIONS

ALL FLOOR WARDENS AND ALTERNATES, once an alarm or Public Address System have sounded on your floor, immediately:

1.) Put on your Floor Warden Identification Vest (Orange) and/or arm band.

2.) Both Floor Warden and Alternates should report to a predetermined place (Preferably between each others work stations) to determine if all Floor Wardens and Alternates assigned are present on the floor at the time of the fire drill and alarm.

Note: If any Floor Warden and/or Alternate are absent from the floor, The Floor Warden present will immediately appoint a temporary Replacement.

3.) Appoint one alternate (if not available, one area occupant) to the position of Traffic Monitor and have individual immediately report to your area's primary stairwell exit door.

4.) All Floor Wardens and Alternates should quickly search any "closed" locations in your area to ensure that **ALL** persons are aware that the alarm has sounded. Other to be checked is restrooms, stockrooms, copy rooms, kitchens and conference rooms.

Note: After there areas have been checked, be certain to close all doors behind you. It is suggested that closed doors are marked with post-it notes or any other means that will indicate the area has been searched. This saves time and avoids repeated searches.

5.) Check elevator lobby (if it is located in your area) to ensure that no one is attempting to use the elevators

6.) **Search all offices in your area**. Follow a predetermined route and search each office.

a.) If office is clear, move to the next office, closing and marking door You.
b.) If you encounter anyone during your search, direct that individual To your area's primary stairwell exit door.
c.) When you have completed your search, you should then report to your Primary stairwell exit door.

7.) Inquire as to the number of persons ready to move and take a head count.

a.) Assist in keeping the waiting occupants calm and quiet.
b.) Do not enter stairwell until instructed to do so by the Public Address System.
c.) Keep waiting occupants in a single line at stairwell entrance (along the wall nearest to the stairwell).

FLOOR WARDEN AND ALTERNATES / FIRE DRILL INSTRUCTIONS

PRECAUTIONS FOR THE GENERAL EVACUATION

1.) Listen for and heed directions given by Floor Wardens, Building Staff and The Fire Department

2.) DO NOT USE ELEVATORS.

3.) DO NOT RUN. Remove high-heeled shoes if necessary.

4.) Use stairwell handrails, moving to the right side if emergency crews are encountered.

5.) Allow other people entering stairwell room, but do not unnecessarily hold up traffic. It is advised that each person alternate individual entry into the flow of travel.

6.) No Smoking, Eating, or Drinking allowed.

7.) Do not spread faulty information, rumors, etc.

8.) Assist those who are slower moving or in any way handicapped.

9.) Implement a head count method as soon as possible.

STAIRWELL SAFETY INSTRUCTIONS

1.) Move quickly, but do not run.

2.) Remove high heels to prevent injuries. Take your shoes with you.

3.) Use handrails.

4.) Allow room for others to enter into an orderly flow of traffic, but do not hold up the traffic unnecessarily.

5.) Do not smoke, eat or drink.

6.) Gain assistance for those who are slower moving or handicapped.

7.) Treat any injuries incurred in the stairwell at the nearest floor landing when required and if practical.

FLOOR WARDENS AND ALTERNATES / FIRE INSTRUCTIONS

OCCUPANTS FIRE DRILL PROCEDURES

When fire alarms sound or the P.A. directions is given, follow the evacuation plan for your building . Every high-rise building is required to have such a plan.

EVACUATION PLANS SHOULD INCLUDE THE FOLLOWING BASIC DIRECTIONS.

1.) Go directly to the nearest stairwell exit.

2.) DO NOT USE ELEVATORS.

3.) DO NOT RUN.

4.) As you leave, close the doors.

5.) If there is a Floor Warden, follow their directions,

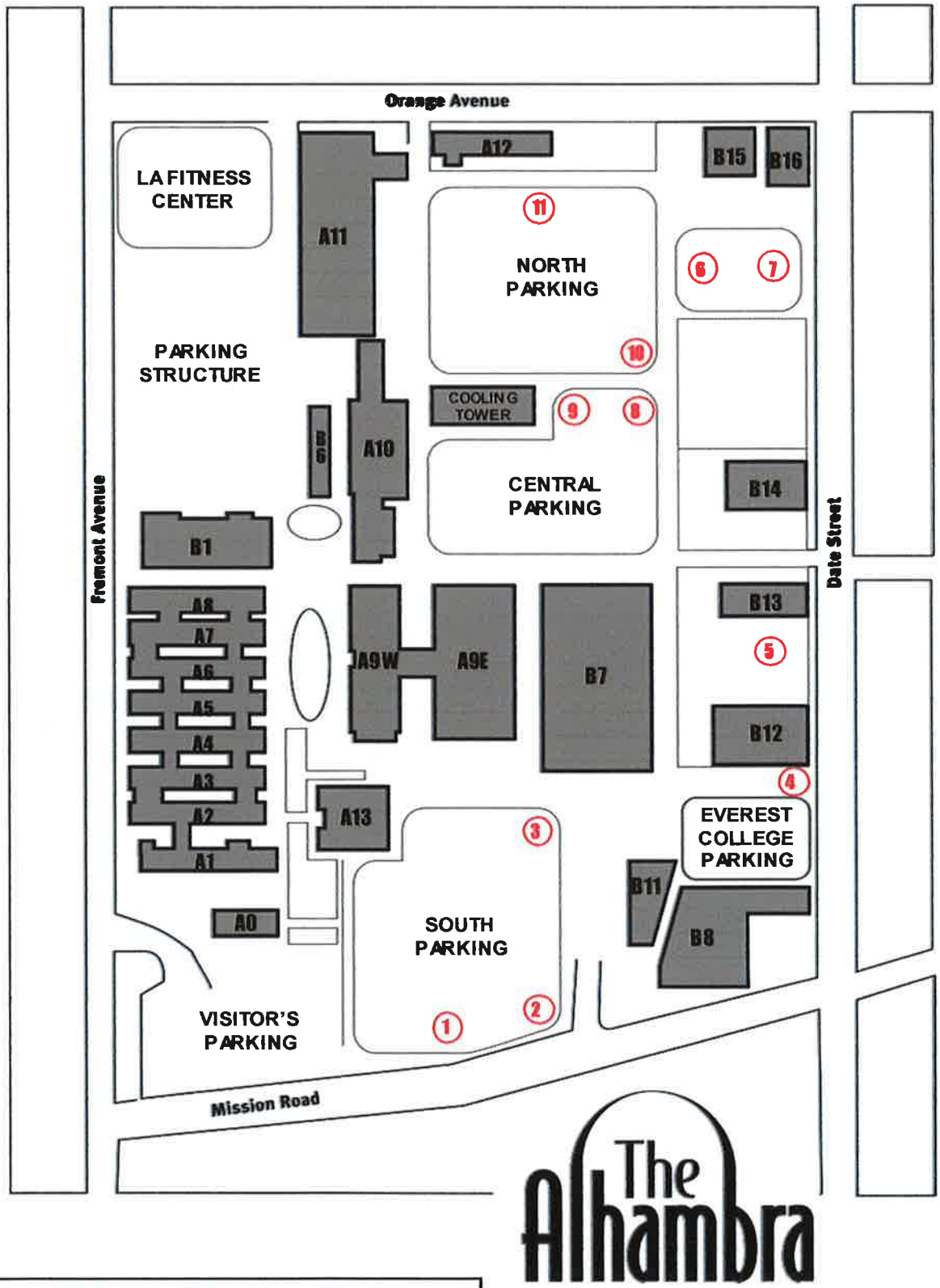
6.) When moving in stairways always use the handrails. Remove high heels and take them with you.

7.) Stay together if possible until you get to your designated meeting point.

8.) Participate in fire drills. Know your evacuation procedures.

THE TIME TO LEARN IS NOT AFTER A FIRE STARTS!

CAMPUS REFUGE AREAS



The Alhambra

1 A0	4 B8	7 A10, A11	10 B1, B6
2 A1, A13	5 A9E	8 A7, A8	11 LA FITNESS
3 A2, A3, A4	6 A9W	9 A5, A6	

Emergency Procedures

CAL STATE LA

CALIFORNIA STATE UNIVERSITY, LOS ANGELES

EVACUATION

WALK – DO NOT RUN.
DO NOT USE ELEVATORS.

- Evacuate the building using the nearest exit or alternate if nearest exit is blocked.
- Secure any hazardous materials or equipment before leaving.
- Take personal belongings (keys, purses, wallets).
- Assist individuals with disabilities.
- Assemble at the building evacuation assembly area unless otherwise instructed.
- Provide emergency personnel with relevant information.
- Remain at evacuation assembly point and do not re-enter building until authorized by emergency personnel.

SHELTER IN PLACE

- Stay inside the building or proceed to a safe place.
- If you are in a room with a door, make sure the door is closed. Due to the varying age of campus buildings, doors may lock manually, remotely or not at all.
- If applicable and time permits, lock doors and silence cell phones.
- If you are in a room with a window, make sure the window is closed.
- Remain where you are until further direction from emergency personnel

POWER OUTAGE

- Remain calm.
- Evacuate if instructed to do so; move cautiously.
- Laboratory personnel should secure experiments/activities that may present a danger while power is off or when restored.
- Turn off and unplug electrical equipment and computers; turn off light switches.

FIRE

- Activate the nearest fire alarm and call 9-1-1.
- Only use fire extinguisher for small fires.
- Evacuate building, closing doors to contain fire. **DO NOT USE ELEVATORS**.
- Assemble at the building evacuation assembly point unless otherwise instructed.
- Remain at evacuation assembly point and do not re-enter building until authorized by emergency personnel.

POLICE / FIRE / AMBULANCE

Life Threatening or Medical Emergencies

FROM ANY CAMPUS PHONE **911** 24 HOURS

PUBLIC SAFETY
Non-life Threatening, Available 24 hours
FROM CELL PHONE : (323) 343-3700
CAMPUS PHONE 3-3700

ENVIRONMENTAL HEALTH AND SAFETY
Chemical Spills/Toxic Fumes
CAMPUS PHONE 3-3527 (323) 343-3527 or 3531

FACILITIES SERVICES
Custodial/Utility
CAMPUS PHONE 3-3440 (323) 343-5776

EMERGENCY NOTIFICATION

Official emergency information will be provided as soon as the situation allows.

- Multiple methods of communication may be used to disseminate information to as many affected individuals as possible.
- Outdoor loud speakers (may not be audible indoors; refer to www.calstatela.edu for information and updates)

Cal State LA Home page
www.calstatela.edu

Public Safety page
www.calstatela.edu/police

Eagle Alert (signup)
www.calstatela.edu/bussys/eagle-alert

Facebook
www.facebook.com/calstatela

Twitter: **www.twitter.com/calstatela**

HAZARDOUS MATERIALS

- In an emergency or if anyone is in danger call 9-1-1.
- Move away from the site of the hazard to a safe location.
- Alert others to stay clear of the area.
- If outdoors, go indoors.
- Close doors and windows.
- Notify emergency personnel if you have been exposed or have information about the release.
- For emergency chemical information (Safety Data Sheet) call 3E Company at **1-800-451-8346**.
- Follow the instructions of emergency personnel.

ACTIVE SHOOTER OR VIOLENT INTRUDER

- Be aware of your surroundings and any unusual activity. Take note of emergency notifications (texts, emails, and announcements).
- If there is an accessible escape path, attempt to evacuate the location as fast as possible. Leave personal items behind, keep your hands visible and empty, and follow instructions of law enforcement. (**Run**)
- If you are trapped in a classroom or office stay there and lock the door or barricade the door with furniture. Remain quiet (silence cell phones) and evaluate situation. (**Hide**)
- If safe to do so, call 9-1-1 to notify University Police. If you cannot speak, leave the line open to allow the dispatcher to listen.
- As a last resort, and only if your life is in imminent danger, attempt to disarm or incapacitate the suspect by aggressive action, improvising weapons, and yelling. (**Fight**)
- The above is based on the Cal State LA Active Shooter response program, designed to increase your chances of surviving an active shooter or violent intruder event on campus. The program utilizes three key components – **Run, Hide, Fight** – and encourages community members to take an active role in their own survival. Call University Police at **3-3700** to schedule an Active Shooter Awareness training for your department or class.

EARTHQUAKE

- DROP, COVER, HOLD ON under a table or desk or against an inside wall – not in a doorway – until shaking stops. If in a lecture hall or residence hall, stay in your seat or bed. PROTECT HEAD AND NECK with your arms or pillow.
- After the shaking stops and if it is safe to exit the building, secure hazardous materials or equipment and move toward the nearest available exit. DO NOT USE ELEVATORS.
- If outdoors, move away from buildings, trees, and exposed wires.
- Assemble at the building evacuation assembly point unless otherwise instructed. Do not re-enter building until authorized by emergency personnel.

Additional campus and personal emergency preparedness information is available at

www.calstatela.edu/ehs/emergency-preparedness.



Risk Management, Environmental Health, and Safety
(x3-3544)

JULY 2016

ACTIVE SHOOTER
HOW TO RESPOND

(refer to Link provided below)

https://www.dhs.gov/xlibrary/assets/active_shooter_booklet.pdf

Code of Ethics of the American Academy of Audiology

All students in the Cal State LA AuD Program are expected to perform according to the principles and rules established by the American Academy of Audiology and incorporated into the Code of Ethics of the American Academy of Audiology. The Code of Ethics is provided on the following pages.

The Code of Ethics specifies professional standards that allow for the proper discharge of audiologists' responsibilities to those served, and that protect the integrity of the profession. The Code of Ethics consists of two parts. The first part, the Statement of Principles and Rules, presents precepts that members (all categories of members, including Student Members) of the Academy agree to uphold. The second part, the Procedures, provides the process that enables enforcement of the Principles and Rules.

The Code of Ethics is available at: https://www.audiology.org/clinical-resources/code-of-ethics/

CODE OF ETHICS OF THE AMERICAN ACADEMY OF AUDIOLOGY

PREAMBLE

The Code of Ethics of the American Academy of Audiology specifies professional standards that allow for the proper discharge of audiologists' responsibilities to those served, and that protect the integrity of the profession. The Code of Ethics consists of two parts. The first part, the Statement of Principles and Rules, presents precepts that all categories of members of the Academy agree to uphold. The second part, the Procedures, provides the process that enables compliance with and enforcement of the Principles and Rules.

PART I. STATEMENT OF PRINCIPLES AND RULES

PRINCIPLE 1: Members shall provide professional services and conduct research with honesty and compassion, and shall respect the dignity, worth, and rights of those served.
Rule 1a: Individuals shall not limit the delivery of professional services on any basis that is unjustifiable or irrelevant to the need for the potential benefit from such services.
Rule 1b: Individuals shall not provide services except in a professional relationship and shall not discriminate in the provision of services to individuals on the basis of sex, race, religion, national origin, sexual orientation, or general health.

PRINCIPLE 2: Members shall maintain the highest standards of professional competence in rendering services.
Rule 2a: Members shall provide only those professional services for which they are qualified by education and experience.
Rule 2b: Individuals shall use available resources, including referrals to other specialists, and shall not give or accept benefits or items of value for receiving or making referrals.
Rule 2c: Individuals shall exercise all reasonable precautions to avoid injury to persons in the delivery of professional services or execution of research.
Rule 2d: Individuals shall provide appropriate supervision and assume full responsibility for services delegated to supportive personnel. Individuals shall not delegate any service requiring professional competence to unqualified persons.
Rule 2e: Individuals shall not knowingly permit personnel under their direct or indirect supervision to engage in any practice that is not in compliance with the Code of Ethics.
Rule 2f: Individuals shall maintain professional competence, including participation in continuing education.

PRINCIPLE 3: Members shall maintain the confidentiality of the information and records of those receiving services or involved in research.
Rule 3a: Individuals shall not reveal to unauthorized persons any professional or personal information obtained from the person served professionally, unless required by law.

PRINCIPLE 4: Members shall provide only services and products that are in the best interest of those served.
Rule 4a: Individuals shall not exploit persons in the delivery of professional services.
Rule 4b: Individuals shall not charge for services not rendered.
Rule 4c: Individuals shall not participate in activities that constitute a conflict of professional interest.
Rule 4d: Individuals using investigational procedures with human participants or prospectively collecting research data from human participants shall obtain full informed consent from the participants or legal representatives. Members conducting research with human participants or animals shall follow accepted standards, such as those promulgated in the current Responsible Conduct of Research by the U.S. Office of Research Integrity.

PRINCIPLE 5: Members shall provide accurate information about the nature and management of communicative disorders and about the services and products offered.
Rule 5a: Individuals shall provide persons served with the information a reasonable person would want to know about the nature and possible effects of services rendered or products provided or research being conducted.
Rule 5b: Individuals may make a statement of prognosis, but shall not guarantee results, mislead, or misinform persons served or studied.
Rule 5c: Individuals shall conduct and report product-related research only according to accepted standards of research practice.
Rule 5d: Individuals shall not carry out teaching or research activities in a manner that constitutes an invasion of privacy or that fails to inform persons fully about the nature and possible effects of these activities, affording all persons informed free choice of participation.
Rule 5e: Individuals shall maintain accurate documentation of services rendered according to accepted medical, legal and professional standards and requirements.

PRINCIPLE 6: Members shall comply with the ethical standards of the Academy with regard to public statements or publication.
Rule 6a: Individuals shall not misrepresent their educational degrees, training, credentials, or competence. Only degrees earned from regionally accredited institutions in which training was obtained in audiology, or a directly related discipline, may be used in public statements concerning professional services.
Rule 6b: Individuals' public statements about professional services, products or research results shall not contain representations or claims that are false, misleading, or deceptive.

PRINCIPLE 7: Members shall honor their responsibilities to the public and to professional colleagues.
Rule 7a: Individuals shall not use professional or commercial affiliations in any way that would limit services to or mislead patients or colleagues.
Rule 7b: Individuals shall inform colleagues and the public in an objective manner consistent with professional standards about products and services they have developed or research they have conducted.

PRINCIPLE 8: Members shall uphold the dignity of the profession and freely accept the Academy's self-imposed standards.
Rule 8a: Individuals shall not violate these Principles and Rules nor attempt to circumvent them.
Rule 8b: Individuals shall not engage in dishonesty or illegal conduct that adversely reflects on the profession.
Rule 8c: Individuals shall inform the Ethical Practices Committee when there are reasons to believe that a member of the Academy may have been in noncompliance with the Code of Ethics.
Rule 8d: Individuals shall fully cooperate with reviews being conducted by the Ethical Practices Committee in any matter related to the Code of Ethics.

Signature: _____ Date: _____

PART II.
PROCEDURES FOR THE MANAGEMENT OF ALLEGED NONCOMPLIANCE

INTRODUCTION

Members of the American Academy of Audiology are obligated to uphold the Code of Ethics of the Academy in their personal conduct and in the performance of their professional duties. To this end, it is the responsibility of each Academy member to inform the Ethical Practices Committee of possible noncompliance with the Ethics Code. The processing of alleged noncompliance with the Code of Ethics will follow the procedures specified below in an expeditious manner to ensure that behaviors of noncompliant ethical conduct by members of the Academy are halted in the shortest time possible.

The Ethical Practices Committee's primary role is to educate and increase member awareness of the Academy's Code of Ethics and the practical application of the Code, rules, and advisory opinions. As such, its objective is to help members who are unknowingly not in compliance to become compliant through education. In cases of blatant disregard of the Code of Ethics the Committee may revoke membership.

PROCEDURES

1. Suspected noncompliance with the Code of Ethics shall be reported using the Academy's "Complaint Form for Alleged Noncompliance with The AAA Code of Ethics", giving documentation sufficient to support the alleged noncompliance. The form must include the specific section of the Code of Ethics of the alleged violation. The form should be addressed to:

   American Academy of Audiology
   Chair, Ethical Practices Committee
   11480 Commerce Park Dr. Suite 220
   Reston, Virginia 20191

2. Following receipt of a report of suspected noncompliance, the Ethical Practice Committee will convene to evaluate the merit of the alleged noncompliance as it relates to the Code of Ethics. The Committee will use established criteria to evaluate whether it can or should proceed including: (1) noncompliance with a specific Code of Ethics principle or rule; (2) no current or pending litigation; and, (3) the evidence provided supports the allegation.
   a. The Ethical Practices Committee shall meet to discuss the case, either in person or by electronic means, at its regularly scheduled quarterly meeting.

   b. The Committee will determine if, based on the allegation, a specific principle or rule of the Code of Ethics has potentially been violated. If not, the complaint will not be acted upon.
   c. If a complaint is already being acted upon or may potentially be acted upon through legal action or licensing board or other regulatory body review, the Ethical Practices Committee will decline further deliberation to avoid influencing those actions/ proceedings.
3. For cases that proceed, at the discretion of the Chair, the Ethical Practices Committee will request a signed Waiver of Confidentiality from the complainant indicating that the complainant will allow the Ethical Practices Committee to disclose his/her name and complaint details should this become necessary during investigation of the allegation. The Chair may communicate with other individuals, agencies, and/or programs for additional information as may be required for Committee review at any time during the deliberation.
4. If there is sufficient evidence that indicates noncompliance with the Code of Ethics has occurred, upon majority vote, the member will be forwarded a "Notification of Potential Ethics Concern" including.
   a. The specific Code of Ethics principle(s) and/or rule(s) that may conflict with the member's behavior.
   b. The circumstances of the alleged noncompliance will be described, and all evidence intended to support the allegation provided.
   c. Supporting AAA documents that may serve to further educate the member about the ethical implications of his/her alleged actions will be included, as appropriate.
   d. A list of potential sanctions for ethical violations.
   e. The member's right to present a defense to the allegations including the right to a hearing, in person or by teleconference, before the Ethical Practices Committee.
5. The member will be asked to respond fully to the allegation and submit all supporting evidence within 30 calendar days. At this time the member should provide any additional relevant information. As this is the final opportunity for a member to provide new information, the member should carefully prepare all documentation.
6. The Ethical Practices Committee will meet either in person or by electronic means:
   a. at its next regularly scheduled quarterly meeting after receiving a response from the member to the "Notification of Potential Ethics Concern" to review the response and all information pertaining to the alleged noncompliance, or
   b. at its next regularly scheduled quarterly meeting after the deadline to respond to the "Notification of Potential Ethics Concern" if no response is received from the member to review the information received from the complainant.
7. Potential Rulings.
   a. When the Ethical Practices Committee determines there is insufficient evidence of ethical noncompliance, the parties to the complaint will be notified that the case will be closed.
   b. When the evidence supports the allegation of Code noncompliance, the Code(s)/Rule(s) will be cited, and the sanction(s) will be specified.
8. The Committee shall sanction members based on the severity of the noncompliance and history of ethical noncompliance. A simple majority of voting Ethical Practices Committee members is required to institute a sanction unless otherwise noted. Sanctions may include one or more of the following:
   a. Education
      1. Educative Letter. This sanction alone is appropriate when:
         I. The ethics noncompliance appears to have been inadvertent.
         II. The member's response to Notification of Potential Ethics Concern indicates a credible, new awareness of the problem and the member resolves to refrain from future ethical noncompliance.
      2. Mandatory Continuing Education. This sanction is appropriate when the member is aware of the ethical practice(s) in question but is not following it appropriately.
         I. The Ethical Practices Committee will determine the type of education needed to reduce chances of recurrence of noncompliance and identify an end date for the member to complete the education.
         II. The member will be responsible for submitting documentation of continuing education within the period designated by the Ethical Practices Committee.
         III. All costs associated with compliance will be borne by the member.
         IV. Failure to demonstrate achievement of the identified education may result in the Ethical Practices Committee revisiting the case to determine if further action is required.
   b. Revocation of Membership. Revocation of membership is the maximum consequence for noncompliance with the Code of Ethics. This sanction is appropriate when the member displayed a clear disregard for the ethical practice(s) in question.

1. Revocation requires a two-thirds majority of the voting members of the Ethical Practices Committee.
2. Individuals whose memberships are revoked are not entitled to a refund of dues or fees.
3. One year following the date of membership revocation the individual may reapply for, but is not guaranteed, membership through normal channels, and must meet the membership qualifications in effect at the time of reapplication.

9. All final findings, decisions, sanctions, and durations will be communicated to the member in writing. The Board liaison to the Ethical Practices Committee will report to the Board any new or concluded cases.
10. The member may appeal the Final Finding and Decision of the Ethical Practices Committee to the Academy Board of Directors. The route of Appeal is by letter format through the Ethical Practices Committee to the Board of Directors of the Academy. Requests for Appeal must:
    a. be received by the Chair of the Ethical Practices Committee within 30 days of the Ethical Practices Committee notification of the Final Finding and Decision;
    b. state the basis for the appeal and the reason(s) that the Final Finding and Decision of the Ethical Practices Committee should be changed; and,
    c. not offer new documentation.
11. The EPC chair will communicate with the Executive Director of the Academy to schedule the appeal at the earliest feasible Board of Director's meeting.
    a. The Board of Directors will review the documents and written summaries and deliberate the case.
    b. The decision of the Board of Directors regarding the member's appeal shall be final.
12. In order to educate the Academy membership, upon majority vote of the Ethical Practices Committee, the general circumstances and nature of cases and associated principles and rules violated may be used as a basis for education in Audiology Today and on the Ethics page of the AAA website. The member's identity will not be made public (see Confidentiality and Records below).
13. No Ethical Practices Committee member nor Academy staff shall give access to records, act or speak independently, or on behalf of the Ethical Practices Committee, without the expressed permission of the committee members then active. No member may impose the sanction of the Ethical Practices Committee or interpret the findings of the Ethical Practices Committee in any manner that may place members of the Ethical Practices Committee or Board of Directors, collectively or singly, at financial, professional, or personal risk.
14. The Ethical Practices Committee Chair and Staff Liaison shall maintain electronic records that shall form the basis for future findings of the Committee.

CONFIDENTIALITY AND RECORDS

Confidentiality shall be maintained in all Ethical Practices Committee discussion, correspondence, communication, deliberation, and records pertaining to members reviewed by the Ethical Practices Committee.

The Academy will not disclose member compliance or noncompliance with the Academy's Code of Ethics. All information concerning investigations or complaints against Academy members, historical and current, shall be confidential and may only be shared with the Ethical Practices Committee and other Academy members involved in the review of ethics complaints, the complainant and respondent and their legal representative, if any. Non-disclosure will extend to members who have never been alleged to have violated the Code of Ethics.

Notwithstanding the foregoing, the Executive Director may disclose such information when compelled by a valid subpoena, in response to a request from a state or local board or similar entity, when otherwise required by law, to protect the interests of the Association, or as otherwise provided in these Rules and Procedures.

Patient Identifiable Information. Under no circumstances shall either complainants or respondents submit any individually identifiable patient information to the Association without a valid patient authorization, except for documents that are in the public domain, such as news articles or court documents that are not subject to a protective order. Any individually identifiable patient information (including but not limited to name, social security number, address, telephone number, or email address) submitted without a patient authorization must be redacted from non-public documents that are submitted as part of an ethics proceeding, including court documents that are subject to a protective order. The Association will return or destroy any non-public documents that it receives as part of an investigation or complaint that contain patient identifiable information without an accompanying patient authorization.

The Academy is not liable for third party disclosure of individually identifiable patient information.