1.1 #6 Describe the institution’s written governance policies regarding the administration and oversight of the athletics program, including the specific role and responsibilities of the institution’s governing board. Describe how the policies are communicated to the governing board on an annual basis.

**Governing Board**

The 25-member board of trustees of the California State University (“board” or “trustees”) is granted authority under Education Code section 66600 to govern the 23 campuses in the California State University system. The trustees’ specific role is to establish systemwide policies, priorities, and goals for the CSU, oversee progress toward those goals, and have authority over curricular development, use of property, development of facilities, and fiscal and human resources management. They adopt, amend, or repeal regulations to govern the CSU. These regulations are incorporated into Title 5 of the California Code of Regulations. The trustees have the authority for the CSU to enter into athletic operations and competition.

The trustees appoint the chancellor, who is the system’s chief executive officer, as well as the campus presidents, who are the chief executive officers of their respective campuses. Presidents report to the chancellor. The trustees meet six times per year. Board meetings allow for frequent communication and reporting among the trustees, chancellor, and campus presidents, and others. Matters of policy and other items are addressed at these board meetings. Standing agenda items for board meetings include a report from the chancellor as well as reports of special committees. Opportunities to communicate policies to the board thus occur more frequently than on an annual basis.

In addition to multiple board meetings, the campus presidents meet with the chancellor in executive council meetings six times per year. These meetings allow for frequent communication, reporting, and discussion of policy issues with the chancellor, who reports directly to the trustees.

**Delegation of Authority**

While the trustees have authority to govern the CSU, they do not engage in daily campus operations. The trustees delegate authority to the chancellor, campus presidents, and others through standing orders of the board of trustees. The chancellor further delegates authority to campus presidents. Campus presidents may delegate portions of that authority to campus staff to ensure the efficient operation of the institutional programs, including the athletic program. The president has direct oversight of the athletics department at CSUB. The day-to-day operation of the athletics department is
administered by a director of athletics, Rudy Carvajal, who reports directly to the president, Horace Mitchell.

Under authority delegated by the trustees, the chancellor develops policies and procedures for the 23 campuses in the CSU. At the direction of the trustees, the chancellor has established policies regarding student eligibility for intercollegiate athletics. The office of the chancellor collects information annually from each of the campuses regarding intercollegiate athletics student participation.

Written Governance Policies regarding the Administration and Oversight of Athletics

Background

At the trustees’ direction, the CSU office of the university auditor conducted its first ever system-wide review of athletics administration over a two-year period from March 2006 through November 2007. The audit involved 10 CSU campuses: Bakersfield, Fresno, Fullerton, Humboldt, Long Beach, Northridge, Sacramento, San Diego, San José, and San Luis Obispo.

As a result of the systemwide audit findings, the chancellor’s office undertook a revision of its athletic operating policy: EP&R 87-31 Policy Statement: Intercollegiate Athletics, Governance and Athletic Financing as well as the Athletics Operation Policy Manual (AOPM). Revisions to these key policy documents were completed, published, and distributed to campuses and the trustees on May 5, 2009 and June 16, 2009, respectively. CSU campuses, including Bakersfield, currently are working to enhance campus policies in compliance with the updated systemwide policies.

The audit of CSU Bakersfield athletics administration took place from June 18 to August 17, 2007. There were no serious findings. Auditors made 13 recommendations for improvement. The university concurred with those findings, implemented a corrective action plan, and satisfactorily addressed all recommendations.

Coded Memorandum AA-2009-10

Revised Policy Statement: Intercollegiate Athletics, Governance and Athletic Financing

The CSU Revised Policy Statement, dated May 5, 2009, updates Section I, Athletic Governance, to comply with NCAA Operating Bylaw 22.2.1.1. The policy update includes: Policy for Athletic Governance and Financing (attachment A); and Guidelines to Implement the Required Annual Review of Intercollegiate Athletics (attachment B).

A copy of policy memorandum AA 2009-10 is available for the committee’s review and also is available on-line at http://www.calstate.edu/acadaff/codedmemos/AA-2009-10.pdf.

Regarding athletic governance, the policy calls for:

• the president to have regularly scheduled joint meetings with the director of athletics and the chief fiscal officer (or other fiscal officer designated responsible for athletic finances); Joint presidential meetings with the director of athletics and
the chief fiscal officer are being scheduled and coordinated by the office of the president to commence fall quarter 2009.

- either the president or an administrative representative of the president to be an active, participating member of the campus’ athletic council; The FAR is appointed by the president and reports directly to the president. The FAR is a voting member of, and chairs, the IAAC. The provost and vice president for academic affairs, who reports directly to the president, serves as a voting member of the IAAC. The director of athletics, who reports directly to the president, is an ex officio member of the IAAC.

- the athletics advisory committees to be authorized to review all proposed athletic policies and budgets and make recommendations to presidents in compliance with NCAA governance requirements;

- the NCAA institutional representative to be appointed to the athletics council, ex officio, with or without vote as may be appropriate to a given campus’ preferences; The IAAC functions in an advisory capacity to the university president in the oversight of intercollegiate athletics and related NCAA matters. Established pursuant to the NCAA Constitution as a measure of institutional control over intercollegiate athletics, its primary focus is to review the policies and scope of operations of CSUB intercollegiate athletics to ensure consistency with the university's academic mission and vision. In addition, the IAAC assists the president and FAR in several areas related to the university's institutional control efforts. The committee annually reviews:
  - NCAA Academic Performance Program (APP) data, including the Academic Progress Rates (APR) of all CSUB intercollegiate squads;
  - athletics compliance systems and procedures, including the coordination of an annual compliance audit program;
  - NCAA comparative data (i.e. dashboard indicators);
  - the intercollegiate athletics budget, including accounting, purchasing and debt management;
  - institutional violations; and
  - adherence to NCAA expectations and standards regarding gender and diversity as well as federal legislation in this regard.

The IAAC also reviews the extent to which the athletics department collaborates with other university units and departments to (1) integrate student-athletes into the general student body; (2) promote student-athlete welfare; and (3) facilitate student-athletes' academic success, retention and graduation. Additionally, the IAAC reviews the compliance of intercollegiate athletics with institutional, conference, and NCAA policies and regulations. A majority of the committee's voting members must be members of the faculty. IAAC meets at least twice each quarter.

Voting members of the IAAC include:

1. Five faculty members appointed by the president from a pool nominated by the executive committee of the Academic Senate
2. Director of the Student Success and Retention Center
3. Alumni representative
4. Chair of the Academic Senate or designee,
5. ASI president or designee,
6. President of the SAAC or designee,
7. Dean of student life
8. Provost and vice president for academic affairs or designee
9. Chair of the Foundation Board athletics advisory committee
10. President of the Roadrunner Club board
11. Faculty Athletic Representative, who serves as chair of the committee.

Ex Officio members include:
1. Vice president for business administrative services
2. Director of athletics
3. Senior associate director of athletics/SWA
4. Athletics compliance officer(s)

To assist in its various duties, the IAAC may form standing committees to review specific issues and report to the overall committee. These committees are (1) Audit Committee; (2) Athletics Report and Program Review Committee; (3) Gender Equity Committee; (4) Diversity Committee; (5) Academic Integrity Committee and (6) Student Welfare and Well-Being Committee. The IAAC bylaws will be available for inspection by the Peer-Review Team.

- an individual reporting directly to the president (e.g., a director of athletics, an NCAA institutional representative, or other official representing the president) to be a member of the executive committee or other leadership cadre of all campus “booster groups.”
- The Roadrunner Club, CSUB’s booster group, operates under the umbrella and control of the CSUB Foundation board of directors and the president. The executive director of the CSUB Foundation is Beverly Byl, vice president for University Advancement, who reports directly to the president.
- all contributions, cash or in-kind, to be reported to and be under the control of the university. All contributions are made, reported to, and are under the direct control of the CSUB Foundation.
- an annual management review of intercollegiate athletics by the chief fiscal officer; the chief fiscal officer is developing the annual management review using the guidelines established in the CSU’s revised policy statement

Written governance policies regarding the administration and oversight of the athletics program are embodied in the California State University Athletics Operations Policy Manual (AOPM), last updated on June 16, 2009. The AOPM can be accessed on-line at http://www.calstate.edu/csp/documents/aopm.pdf. A copy of the manual will be available for the visiting committee.
The policies included in this manual affect student-athletes, staff, coaches, administrators, and others responsible for athletic operations. These policies are not based upon a single statutory reference but rather are adopted to form compliance with a variety of statutory and policy provisions found in the State of California statutory codes, including: the Education Code, Public Contract, Government Code, Title 5, California Code of Regulations, the standing Orders and Resolutions of the Board of Trustees; Executive Orders of the Chancellor, and administrative policy memoranda. The information contained in the AOPM is intended to supplement and clarify many of the policies, directives and procedures of the CSU, to provide policy direction on matters related to athletics not covered elsewhere, and to guide campuses in the development and adoption of local campus policies and operational procedures. The manual also incorporates, as appropriate, certain NCAA requirements as part of the policy topic.

Campus Governance Policies for Athletics
Under the authority delegated by the board of trustees and in consultation with the IAAC, Academic Senate, and the CSUB Foundation athletic committee, the university has developed campus policies that align with systemwide policies and regulations. These policy documents include: the university organizational chart; CSUB Intercollegiate Athletics Department Organizational Chart; CSUB Intercollegiate Athletics Policy & Procedure Manual; and the Memorandum of Understanding between the Foundation Board and Athletics Department. These documents are available for the Peer Review Committee’s review.

1.1 #7 Since the institution’s previous self-study, list the decisions related to intercollegiate athletics in which the institution’s governing board or individual board members have been involved and describe the extent of the governing board’s involvement with those decisions.

There is no previous self-study for CSU Bakersfield. A review of the CSU board of trustees minutes from 2005 to 2009 show committee decisions regarding athletics in which the board of trustees or individual board members have been significantly involved. These items are listed below. Intercollegiate athletics-related executive orders from the chancellor, an ex-officio member of the CSU board of trustees, also are listed, as are coded memoranda from the chancellor’s office. Campus presidents are responsible to implement policies established by the board, through executive orders, and coded memoranda.

Summary Excerpts from Board of Trustees Minutes

1/28/09, p. 7478
Committee on Institutional Advancement
Trustee Gowgani reported the committee heard one information item, Council for Advancement and Support of Education Awards and three action items as follow (sic):
Naming of a Campus Facility– California State University, Bakersfield (RIA 01-09-01)

Trustee Gowgani moved the item; there was a second. The Board of Trustees approved the following resolution: RESOLVED, By the Board of Trustees of the California State University, that the new baseball training and playing facility at California State University, Bakersfield be named Hardt Field.


5/9/09
Coded Memorandum AA-2009-10
Revised Policy Statement: Intercollegiate Athletics, Governance and Athletic Financing

This memorandum updates the CSU’s policy statement regarding athletic governance to comply with NCAA Operating Bylaw 22.2.1.1. The policy update includes: Policy for Athletic Governance and Financing (attachment A); and Guidelines to Implement the Required Annual Review of Intercollegiate Athletics (attachment B).

2/14/07
Coded Memorandum AA 2007-07
Student Eligibility in Intercollegiate Athletics

The memorandum prohibits any student-athlete from participating as a member of any intercollegiate athletic team, or as a participant in any intercollegiate athletic event, except in a manner available to the general public, if he or she, at any time after his or her enrollment as a university student, is prosecuted as an adult and is convicted of any violations outlined in Education Code 67362 (a). A student convicted of a violation of any of the Penal Code sections listed in Education Code Section 67362 (a) is eligible to participate as a member of an intercollegiate athletic team after he or she successfully completes the entire term of his or her probation or successfully completes his or her assigned prison term and parole period, if any. The policy follows AB 2165 (Jay LaSuer, 2006), enacted into legislation on September 5, 2006.

1/1/06
Executive Order 967 (EO967)
California Student Athlete Fair Opportunity Act

Executive Order 967 directs university president to ensure that appropriate efforts and resources are directed toward meeting the following requirements of the California Student Athlete Fair Opportunity Act of 2005, which seeks to improve the graduation rate of student athletes, particularly those athletes who were admitted as general exceptions for their athletic ability under Section 40900, Title 5 of the California Code of Regulations. The policy follows SB 661, signed by the Governor on October 5, 2005 and added to the Education Code as section 89241. Each campus that is a member of the NCAA shall adopt a comprehensive plan providing for the academic support of student athletes and provide summer athletic scholarships. The plan and scholarships shall be
consistent with the requirements of Title IX of the federal Education Amendments of 1972, as amended, and the bylaws of the NCAA, as amended. Each campus must provide a copy of its comprehensive plan, a report of athletic academic progress, and a report of athletic academic support to the chancellor’s office biennially.

12/23/05
Executive Order 966 (EO966)
Alcohol Sales and Advertising Policy
Executive Order 966 prohibits the sale of alcoholic beverages in conjunction with any athletic events held in university owned or operated facilities. In addition, the advertising of alcoholic beverages on the campus, including athletic events in university owned or operated facilities is permissible, but alcohol advertising should not encourage any form of alcohol abuse nor place emphasis on quantity and frequency of use. For the purposes of this policy, alcoholic beverages refer to beer and wine. Any such advertising must comply with policy guidelines that are consistent with the "Guidelines for Beverage Alcohol Marketing" distributed by the National Inter-Association Task Force on Alcohol Issues, a higher education coalition dedicated to the responsible use and advertising of alcoholic beverages.

1.1 #8 Describe how the institution’s governing board decisions regarding the athletics program are consistent with those of other on-campus units.

The 25-member board of trustees of the California State University governs the 23 campuses in the CSU by statutory authority. The trustees establish systemwide policies, priorities, and goals for the CSU, oversee progress toward those goals, and have authority over curricular development, use of property, development of facilities, and fiscal and human resources management. They adopt, amend, or repeal regulations to govern the CSU. These regulations are incorporated into Title 5 of the California Code of Regulations. The trustees have the authority for the CSU to enter into athletic operations and competition. The trustees delegate authority to the chancellor, the systemwide chief executive officer, who develops policies and procedures for all programs, including athletic and non-athletic units on the 23 campuses within the CSU system. Authority is delegated by the trustees and the chancellor to campus presidents, who are the chief executive officer of the campus.

Decision-making authority for daily campus operations lies with the campus president. At CSU Bakersfield, President Horace Mitchell makes decisions regarding athletic and non-athletic units alike in broad consultation with faculty, administrators, advisory bodies, and students, as appropriate for the particular unit. The key advisory bodies for all campus decisions are President’s Cabinet and the Academic Senate. The President’s Cabinet is comprised of the vice president and provost for academic affairs; the vice president for business and administrative services; the vice president for student affairs;
the vice president for university advancement; and the executive assistant to the president. The president meets weekly with members of the cabinet and monthly with the academic senate.

The CSUB Foundation Board advises the president on auxiliary and financial matters and the President’s Community Advisory Council advises on community issues. The Intercollegiate Athletics Advisory Committee, which includes the director of athletics and FAR, is the primary advisory body regarding intercollegiate athletics. The president meets biweekly with the athletics director, monthly with the faculty athletics director, and more frequently, as needed.

Deans, department chairs, and task force committees are engaged to inform and consult with the president as appropriate. The campus at large contributes to policy discussions through University Council, a monthly open forum chaired by the president at which campus dialogue is held regarding diverse issues, including intercollegiate athletics.

1.1 #9  For each of the following individuals or groups:

a. Describe how the individual or group has the opportunity (if any) to provide meaningful input into the formulation of athletics department policies (e.g., review admissions data, review academic performance data, receive periodic reports from athletics department); and

b. Describe how the individual or group has the opportunity (if any) to provide meaningful input into the formulation of athletics department policies (e.g., review admissions data, review academic performance data, receive periodic reports from athletics department); and

c. Describe how the individual or group has the opportunity (if any) to periodically review policy implementation related to athletics.

Academic Senate
The Academic Senate has a significant role and clear authority in relation to the athletics department and to athletics department policies. This is evidenced in the following ways

1. The Academic Senate nominates to the president individuals to serve as faculty athletics representative (FAR). The president interviews proposed candidates and makes the appointment. The FAR makes reports directly to the Academic Senate on Academic Progress Rates (APR), athletics department policies and other issues. The FAR submits an annual report to the Academic Senate, which is then approved by that body. Thus, the Academic Senate has input and review of all FAR activities, particularly APR and progress-toward-degree issues.

2. The Academic Senate reviews, through its committees and the Academic Senate body itself, all athletics policies concerning student-athletes and their academic progress. The Academic Senate approved and recommended to the university president the absence policy that governs missed classes for student-athletes as well as for all students involved in university activities that may require absence from classes. Thus, the Academic Senate has a significant role and authority, including policy and
programmatic review and input.

3. The Academic Senate recommends to the president the faculty members who serve on the Intercollegiate Athletics Advising Committee (IAAC), and the chair of the Academic Senate serves as a voting member of that body. Reports on the activities and recommendations of the IAAC are made to the Academic Senate. The IAAC makes recommendations directly to the president.

4. Members of the Academic Senate serve on subcommittees of the IAAC. These members also serve on key Academic Senate committees and therefore perform liaison duties between IAAC and the Academic Senate. This involvement enables significant input and review of all athletics policies.

Roadrunner Club
The Roadrunner Club’s primary role is fundraising for student-athlete scholarships. In performing this role the club provides important input and review of all fundraising activities for athletics. The president of the Roadrunner Club is also a voting member of IAAC and this allows the Roadrunner Club additional input and review of programs and policies.

CSUB Foundation
The CSUB Foundation has an athletics advising subcommittee that reviews all athletics policies, provides input to the athletics department on fundraising and other issues, and reports directly to the Foundation and the president. The subcommittee has the authority to recommend, review, and provide input on athletics policies and procedures. The chair of the subcommittee is also a voting member of the IAAC and thus this provides an additional mechanism for input and review by the Foundation.

Athletics Grant-in-Aid Appeals Committee
The director of financial aid selects the members and supervises the athletics grants-in-aid appeals committee. The committee developed the grant-in-aid appeals policies and makes all decisions on financial grant-in-aid appeals. The athletics department does not have any authority on this committee. The procedures and forms for grants-in-aid and appeals are posted on the university website. The availability of forms as well as the existence and role of this committee is communicated to student-athletes during all eligibility-compliance meetings.

1.1 #15 If the institution has developed a plan for improvement(s) for Operating Principle 1.1, describe the institution’s efforts to ensure the plan for improvement was developed through a process involving broad-based participation and has received formal institutional approval.

The institutional control, presidential authority and shared responsibility self-study committee developed an improvement plan in consultation with the director of athletics, senior associate athletic director/SWA, compliance officer and FAR. After the plan was
reviewed and approved by the committee, the plan was further reviewed and approved by the FAR, director of athletics, senior associate athletic director/SWA, compliance officer, IAAC, Student-Athlete Advisory Committee (SAAC), Academic Senate, President ’ s Cabinet, and president.

2.1 #8 Describe the institution ’ s specific academic support programs to ensure acclimation, academic success and retention of first-year student-athletes with special academic needs and first-year student-athletes admitted through any of the processes described in Self-Study Item Number 5.

The Student Success and Retention Center (SSRC) is to provide programs (REACH workshops) for those students that are on academic probation. The list of students who are not in good standing that is provided to the center does not specify whether the students are special admits or not; therefore, students who have reached academic probation and a special admit would be provided the same services as a student who is a regularly admitted. The REACH workshops focus on providing important information on the process of academic standing and ways students can return to good standing.

The athletics department maintains a spreadsheet of student-athlete information. The spreadsheet includes general academic information, such as G.P.A., degree progress and progress reports. The spreadsheet also notes special admits and at-risk student-athletes (below 2.5 G.P.A.). The special admits, at-risk student-athletes, and coach meet with the athletics academic advisor biweekly during the quarter and receive three to four progress reports. These student-athletes attend required study hall (four hours a week), tutorials, are enrolled in the REACH program, and have a restricted practice and competition when appropriate. The FAR, with the athletics academic advisor, monitors the progress of student-athletes during the quarter. Data indicates that the athletics department retention and academic success program is working. This information will be available for the Peer Review Team.

2.1 #9 For the four most recent academic years, assess and evaluate acclimation, retention and the academic success of student-athletes with special academic needs [as defined by the institution (e.g. at-risk, learning disabled)] and those student-athletes admitted through any of the processes described in Self-Study Item Number 5. If necessary, the institution must develop plans for improvement to ensure acclimation, retention and academic success for these student-athletes.

The athletics department does not get involved in special admits. Student-athletes must apply, as all students do, for special admission. The athletics department monitors the academic progress of all student-athletes. Because the number of special admits is minimal (three to four per year), the specially admitted student-athletes are included in the existing monitoring system.
Beginning in fall 2009, the FAR will collect specific data for “special admits,” including grade point averages, progress-toward-degree, and remedial courses.

2.1 #18 Describe the athletics department’s written policies and procedures related to scheduling competitions and practices to minimize student-athletes’ conflicts with class time and/or final examination periods due to participation in intercollegiate athletics, including how the institution monitors this area.

Scheduling competitions and practices to minimize student-athletes’ conflicts with class time is the most important priority for the athletics department. The athletics department follows the University Absence Policy, which is as follows:

**University Absence Policy**

Responsibilities regarding student absences are as follows:

The University’s responsibility is to facilitate learning, and to provide an environment conducive to student learning.

The student’s responsibilities include attending classes to facilitate their learning and evaluating the impact of absences on their academic success. Students must recognize that class attendance and participation are critical to their learning and in many cases are essential to the educational goals of the course.

The responsibility of the faculty is to establish specific attendance regulations and make-up policies that will maximize student learning, while avoiding penalties, where practical and possible, for university-related absences.

The responsibility of advisors is to assist students in choosing classes that will maximize their opportunity for class attendance.

There are occasions when students must miss classes due to university sponsored obligations such as intercollegiate athletic competitions or student research presentations. It is the responsibility of the sponsoring programs to provide, on the first day of classes, written documentation in the form of a memorandum to the affected instructors naming the students and identifying expected dates for student absences. Sponsoring programs are to be reasonable in their expectations, with an understanding that the students are at the University for academic reasons first and foremost.

If unexpected scheduling changes occur, the sponsor will provide the student with a revised memorandum to be given to instructors as soon as possible.

When students must miss class, it is their responsibility to inform faculty members of the reason for the missed class (documentation may be required) and to arrange to make up
any missed assignments, exams, quizzes, and class work, to the extent that this is possible. Excusable absences include, but are not limited to:

- Illness or injury to the student
- Death, injury, or serious illness of an immediate family member
- Religious observances (per the California Education Code section 89320)
- Military or other Government obligation
- University sanctioned or approved activities, such as artistic performances, forensics presentations, participation in research conferences, intercollegiate athletic competitions, student government conferences, required class field trips, etc. Extra-curricular activities associated with campus organizations/clubs that are not part of an academic program do not qualify for excused absences.

Faculty are expected to make reasonable accommodations for excused student absences, provided there is not an unreasonable number of such absences (as per course instructor) during the quarter, and provided that make-up work can be accomplished without substantial additional time or resources from the academic department or instructor. All parties must recognize that not all learning activities and exercises during class times can be made up, and therefore students may not be able to make up missed work.

This University Absence Policy will be disseminated to faculty, students, school deans, advisors, the director of athletics, FAR, coaches, and through appropriate university documents.

The athletics department endeavors to schedule competitions on weekend days or during evening hours to minimize missed class times. Competition schedules are made to minimize overnight travel when possible and to use air travel when feasible. The athletics department has purchased two 50-seat buses and hired drivers to get athletes to and from competitions in as little time as possible. CSUB is required to meet minimal NCAA scheduling requirements for each sport, a stipulation that proves challenging because the university does not yet having conference affiliation. However the procedures in place address the issue of missed classes and that the number of missed classes is not excessive. The success of the policy is evidenced in the significant increase in APR, GPA, progress-to-degree, and graduation rates of the student-athletes.

Additionally, in January 2009, an Athletics Academic Advising Council, comprised of 41 faculty members representing all university academic programs, was formed. The council members will serve as advisors to student-athletes in the major programs. This group has received two training sessions on NCAA rules and regulations. They will assist in monitoring progress-toward-degree, missed class time and scheduling around class time and competition. They work very closely with the FAR, athletics academic advisor, and assistant director of admissions and head evaluator.

To mitigate the effects of missed classes on student-athletes, the athletics department has instituted several new procedures. These changes are the result of the ongoing dialog held
during meetings with the FAR, the athletics academic advisor, and the compliance officer with administrators, deans, coaches, and staff. These informational meetings are held every fall and continue during the academic year as needed.

At the beginning of every quarter, each faculty member receives a letter from the FAR outlining travel dates for competitions and practices for each student-athlete in his or her class (shown below - letter to faculty). Each student-athlete is responsible for making sure the faculty member receives the letter and for determining whether the professor will be able to accommodate the student-athlete’s travel and practice schedule. If the faculty member approves of the student-athlete’s schedule, the student will be responsible for completing all the assignments in the class on time. If the faculty member cannot work with the student-athlete’s schedule, an alternative class will be given to the student-athlete.

However, if a class is required for degree completion, the student-athlete will be required to take the class, and the athletic academic advisor, FAR and the senior associate athletic director/SWA will work with the coach and the student-athlete to discuss practice and competition schedules. In addition, the institution monitors the progress of each student-athlete by using a progress report sent by the FAR to the instructor of the class in which the student-athlete is enrolled (shown below - progress report). On the progress report, instructors are asked to list dates of absences and tardies, and to give the current grade and any missed assignments. They are also asked to make comments about attitude and participation, and suggestions for improvement. A copy of the progress report will be available for the Peer-Review Team.

In addition, the faculty member completes a worksheet at the beginning of each quarter indicating the specific assignments in the class that must be completed by the student-athlete during the approved absences due to competition and relevant travel (shown below - assignment worksheet).

LETTER TO FACULTY

TO: Faculty Colleague

FROM: Jacquelyn Ann K. Kegley
Professor of Philosophy
Faculty Athletics Representative

Re: Student-athlete who will miss class time

The student listed below is a member of the CSUB _________________ team and will miss some classes while representing the university in competition.

All teams seek to schedule games on weekends but the team will also be traveling or competing at these times and dates during the quarter which may conflict with some
classes. These are the days that team members will need to miss classes during this quarter.

Any assistance that you can give these students in allowing them some flexibility to make up class requirements is greatly appreciated by the student, by the Athletics Department and by me. The athletics department is committed to supporting its student-athletes in their academic achievements and progress to graduation and will work with you to make sure that athletes are able to complete their academic assignments and requirements. A Student Worksheet is attached to this letter. This is to allow you to indicate work assignments that will need to be completed to make up for anticipated absences. Please give this worksheet to the student.

If, in your judgment, there are academic reasons that would prohibit you from working with this student-athlete on make-up work and covering absences from class, please contact me at 2249 immediately. If you have questions or other concerns please contact:

Jackie Kegley, Faculty Athletics Representative, 661-654-2249 or
Priscilla Long, Faculty Athletics Advisor, 661-654-3468

Student-athlete in your class who will need your assistance

Student name: _____________________________
Student ID: _______________________________

PROGRESS REPORT

STUDENT-ATHLETE PROGRESS REPORT
QUARTER __________________

TO: ______________________________________

FROM: J. A. Kegley, Faculty Athletics Representative

Progress to degree is crucial for student-athletes and we appreciate your helping students on this issue. To facilitate the academic progress of student-athletes enrolled in your class and to support your efforts in the classroom, we would appreciate it if you would complete this Academic Progress Report. Your comments may also be helpful in alerting us to potential problems and we will address them quickly. All student-athletes have signed a written release for this information to be shared with their academic advisors, coaches, and sport administrators. When the form is complete, please return to Priscilla Long, Athletic Academic Advisor, plong@csub.edu by ____________________.

Thank you for your assistance and cooperation. It is because of your support that we are able to provide quality services to our student-athletes.
ASSIGNMENT WORKSHEET

Missed Class Assignments Worksheet for Student-Athletes

Please indicate below specific assignments that must be done by the student-athlete in your class who will be missing class time due to competition and related travel. Please attach syllabus or relevant course materials.

Student name and I.D. _____________________________________________

Assignment # 1 - Due Date: (Use additional page if necessary)
Assignment # 2 - Due Date:
Assignment # 3 - Due Date:
Assignment # 4 - Due Date:

2.1 #20 Using supporting data, analyze, explain and address missed class time for the last two years for each sports team.
Missed Classes Per Team - 2008-09
(In every case approval by the instructor was sought and assignments were made up)

1. Baseball - 10 for the season
2. Men’s basketball - 7 for the season
3. Women’s basketball - 5 for the season
4. Cross Country - None
5. Men’s golf – 17
   Note: This team has had difficulty in meeting the minimum NCAA scheduling requirements forcing the team to travel on days when competition was available. Discussions have been held with the coach and next year a strong effort will be made to minimize this number.
6. Women’s golf - 16
   Note: This team has had difficulty in meeting the minimum NCAA scheduling requirements forcing the team has had to travel on days when competition was available. Discussions have been held with the coach and next year a strong effort will be made to minimize this number.
7. Men’s soccer - 3 for the season
8. Women’s soccer – 3 for the season
9. Women’s softball - 3 for the season
10. Men’s swimming - 3 for the season
11. Women’s swimming - 3 for the season
12. Women’s tennis - 8 for the season
13. Men’s and women’s track and field - 1 for the season for each team
14. Women’s volleyball - 10 for the season
15. Women’s water polo - None
16. Wrestling - 3 for the season

Missed Classes Per Team- 2007-08
(In every case approval by the instructor was sought and assignments were made up)

1. Baseball - Did not compete
2. Men’s basketball - 10 for the season
3. Women’s basketball - 5 for the season
4. Cross Country - 1
5. Men’s golf – 20
   Note: This team has had difficulty in meeting the minimum NCAA scheduling requirements forcing the team to travel on days when competition was available. Discussions were held with the coach and a strong effort was made to minimize this number.
6. Women’s golf - 20
   Note: This team has had difficulty in meeting the minimum NCAA scheduling requirements forcing the team to travel on days when competition was available. Discussions were held with the coach and a strong effort was made to minimize this number.
7. Men’s soccer - 4 for the season
8. Women’s soccer - 6 for the season
9. Women’s softball - 7 for the season
10. Men’s swimming - 1 for the season
11. Women’s swimming - 1 for the season
12. Women’s tennis - 9 for the season
13. Men’s and women’s track and field - 7 for the season for each team
14. Women’s volleyball - 12 for the season
15. Women’s water polo - 3
16. Wrestling - 6 for the season

As noted, the largest number of missed classes occurred with the two golf teams. While these may seem excessive, the university absence policy has no determined number of missed classes so even these are within university policy. The golf coaches will continue trying to minimize the number of missed classes. However, the difficulty with securing the minimal number of competitions required by the NCAA will continue until CSUB is a member of a conference.

The statistics shows that most teams reduced the number of missed classes and CSUB will continue working for additional reductions this year. CSUB is very fortunate to have faculty members willing to work with student-athletes, and students in general, to assist with makeup assignments for missed classes. The excellent record of CSUB student-athletes in progress-toward-degree and academic success attests to the success of the missed class policies and procedures.

2.1 #22 If the institution has developed a plan for improvement(s) for Operating Principle 2.1, describe the institution’s efforts to ensure the plan for improvement was developed through a process involving broad-based participation and has received formal institutional approval.

The academic standards self-study committee developed an improvement plan in consultation with the director of athletics, senior associate athletic director/SWA, compliance officer and FAR. After the plan was reviewed and approved by the committee, the plan was further reviewed and approved by the FAR, director of athletics, senior associate athletic director/SWA, compliance officer, IAAC, Student-Athletes Advisory Committee (SAAC), Academic Senate, President’s Cabinet, and president.

2.2 #5 Explain how the institution’s staffing, physical space and financial support for student-athlete academic support services has been reviewed by appropriate institutional academic authorities to ensure they meet the academic needs of student-athletes at the institution.

The directors of academic support programs in the areas of Services for Students with Disabilities, Student Success and Retention Center, and Oasis Tutoring Center, as well as the
athletic academic advisor, were asked whether the levels of staffing in their units were sufficient to meet the academic needs of student-athletes. With respect to staffing, directors considered the current workload defined by the services currently offered and the level of student demand for those services. Additionally, they considered new services that might be offered if additional staff were hired. With respect to physical space, directors considered whether staff had sufficient assigned workspace and sufficient space for meeting with students. With respect to financial support, directors considered whether they were able to purchase supplies and services needed to carry out their current duties, as well as the support that would be needed to add services.

Staffing:
Several recommendations were made for additional staffing to enhance the level of support provided both to student-athletes and all students, including:

- an additional athletic academic advisor (Athletics).
  Factors/criteria considered: currently there is one athletic academic advisor with a high workload. No other services, such as monitoring and tracking study hall, can be offered. An additional advisor would alleviate workload pressures thereby increasing the time available for each student and enabling broader services to be offered.

- two additional full-time staff advisors (Student Success and Retention Center).
  Factors/criteria considered: to alleviate workload and to decrease wait time for advising.

- two full-time tutor coordinators (Oasis Tutoring Center, Math Tutoring Center).
  Factors/criteria considered: the number of tutors and the number of students seeking tutoring has increased. Currently, faculty members act as part-time tutoring coordinators at the two sites (Oasis and Math Tutoring Centers). They have indicated that greater oversight is needed at these sites.

- a full-time learning disabilities specialist (Services for Students with Disabilities).
  Factors/criteria considered: Currently, there is no learning disability specialist on staff. Consequently, students seeking related services must be referred to community providers for testing. Students must bear the cost themselves (about $2,500 per session), make the appointments themselves, and provide their own transportation. Many students are unable to do this, and are therefore not eligible to receive campus-based services.

Physical Space:
The directors of academic support programs in the areas of Services for Students with Disabilities, Student Success and Retention Center, Oasis Tutoring Center, as well as the athletic academic advisor, were asked whether the physical space allocated to their activities is sufficient to meet the academic needs of student-athletes. All indicated that they had adequate physical space. All staff have assigned workspace sufficient to meet their needs. There is also sufficient space for meeting with all students, including student athletes, to provide academic support services.

Financial Support:
The directors of academic support programs in the areas of Services for Students with Disabilities, Student Success and Retention Center, Oasis Tutoring Center, as well as the athletic academic advisor, were asked whether the level of financial support for their units were sufficient to meet the academic needs of student-athletes. All indicated that they currently have sufficient financial resources to meet the needs of all students, including student-athletes. However, additional resources would be needed for additional staff (see above). Furthermore, the Title V grant that supports the Oasis Tutoring Center expires on September 30, 2009, and replacement funds will be needed to continue to support the center.

2.2 #8 Identify the academic authorities outside the athletics department responsible for conducting the institution’s academic support services evaluation and explain the process used in selecting these individuals to ensure they do not have day-to-day responsibilities in the academic support services area. Also, provide the date of the institution’s most recent academic support services evaluation.

The associate vice president for enrollment management is responsible for selecting individuals to serve on the task force. Members are selected based on 1) their willingness to serve on the task force, 2) their ability to assess, evaluate and identify problems and issues that may impact the academic success of student-athletes, and 3) their ability to provide suggestions and solutions to those identified problems.

2.2 #13 If the institution has developed a plan for improvement(s) for Operating Principle 2.2, describe the institution’s efforts to ensure the plan for improvement was developed through a process involving broad-based participation and has received formal institutional approval.

The academic support self-study committee developed an improvement plan in consultation with the director of athletics, senior associate athletic director/SWA, compliance officer and FAR. After the plan was reviewed and approved by the committee, the plan was further reviewed and approved by the FAR, director of athletics, senior associate athletic director/SWA, compliance officer, IAAC, Student-Athletes Advisory Committee (SAAC), Academic Senate, President’s Cabinet, and president.

3.1 #6 For the three most recent academic years in which information is available, analyze your institution’s Equity in Athletics Disclosure Act (EADA) report (i.e., participation, head coaches and assistant coaches). If any differences exist, your institution must explain (using supporting data) and address any deficiencies in your gender-issues plan for improvement.

The female coaching staff has grown from 33 percent in 2005-06 to 56 percent by 2007-08. An increase in female coaching staff equates to new hires that have not yet peaked in salaries. The male coaching staff has more time on the job and the salaries reflect this.
longevity. During the 2007-08 academic year the average salary for the women’s head coaching staff surpassed the average salary for the men’s head coaching staff. Salary averages for the period 2005-08 are as follows:

2005-06
The average salary of the women’s head coaching staff for the 2005-06 academic year is $66,818. The average salary of the women’s assistant coaching staff for the 2005-06 academic year is $18,313. The average salary of the men’s head coaching staff for the 2005-06 academic year is $79,231. The average salary of the men’s assistant coaching staff for the 2005-06 academic year is $21,439.

2006-07
The average salary of the women’s head coaching staff for the 2006-07 academic year is $75,134. The average salary of the women’s assistant coaching staff for the 2006-07 academic year is $17,888. The average salary of the men’s head coaching staff for the 2006-07 academic year is $97,729. The average salary of the men’s assistant coaching staff for the 2006-07 academic year is $45,718.

2007-08
The average salary of the women’s head coaching staff for the 2007-08 academic year is $81,551. The average salary of the women’s assistant coaching staff for the 2007-08 academic year is $48,285. The average salary of the men’s head coaching staff for the 2007-08 academic year is $79,896. The average salary of the men’s assistant coaching staff for the 2007-08 academic year is $50,066.

The coaching staff for women’s teams during the 2005-06 academic year included four full-time male head coaches, two part-time male head coaches, two full-time female head coaches, and one part-time female head coach. The number of assistant coaches for women’s sports included two full-time male assistant coaches, four part-time male assistant coaches, and three part-time female assistant coaches.

The coaching staff for men’s teams during the 2005-06 academic year included five full-time male coaches and one part-time male coach. The number of assistant coaches for men’s sports included three full-time male assistant coaches and six part-time male assistant coaches.

The coaching staff for women’s teams during the 2006-07 academic year included two full-time male head coaches, four part-time male head coaches, and three full-time female head coaches. The number of assistant coaches for women’s sports included one full-time male assistant coach, eight part-time male assistant coaches, and seven part-time female assistant coaches.

The coaching staff for men’s teams during the 2006-07 academic year included four full-time male coaches and two part-time male coaches. The number of assistant coaches for
men’s sports included three full-time male assistant coaches and nine part-time male assistant coaches.

The coaching staff for women’s teams during the 2007-08 academic year included three full-time male head coaches, three part-time male head coaches, three full-time female head coaches, and one part-time female head coach. The number of assistant coaches for women’s sports included one full-time male assistant coach, four part-time male assistant coaches, three full-time female assistant coaches, and seven part-time female assistant coaches.

The coaching staff for men’s teams during the 2007-08 academic year included four full-time male coaches and two part-time male coaches. The number of assistant coaches for men’s sports included four full-time male assistant coaches and seven part-time male assistant coaches.

The female coaching staff has grown from 33 percent in 2005-06 to 56 percent by 2007-08. This growth in the female coaching staff is significant and demonstrates CSUB’s continued commitment to gender equity.

3.1 #8

Item #5 – Travel Allowances

Vans, buses and airplanes are used to transport student-athletes to competitions and are equitably available and used by both genders. When necessary, accommodations for overnight stays do occur and are chosen from a select list of approved hotels available to both genders. Length of stay in hotels is based on distance and event scheduling and is not connected to gender. Transportation and accommodations are not influenced by gender.

In sum, there are no differences between genders in terms of transportation and accommodations.

Item #16 - Programs and activities

The CHOICES program has consistently included gender equity as a topic. Beginning in September 2009, both the CHOICES program and the CHAMPS workshops will include gender equity as a specific topic.

Issues of gender equity are addressed in all student-athlete surveys, and concerns are resolved by the FAR and director of athletics through the Student Athletics Advisory Committee. Issues that arise out of team or coach relationships are addressed by the senior associate athletics director/SWA.
There is also an active gender equity and diversity subcommittee of the Intercollegiate Athletics Advisory Committee, which includes student-athletes and officers of SAAC. This committee serves as a forum for student-athletes and the athletics department to address gender equity issues.

3.1 #11 Describe the institution’s efforts to ensure the gender-issues plan for improvement was developed through a process involving broad-based campus participation and has received formal institutional approval. Further, please identify the length (e.g., five years) of this plan, including the specific years this plan will be active.

The gender issues self-study committee developed an improvement plan in consultation with the director of athletics, senior associate athletic director/SWA, compliance officer and FAR. After the plan was reviewed and approved by the committee, the plan was further reviewed and approved by the FAR, director of athletics, senior associate athletic director/SWA, compliance officer, IAAC, Student-Athlete Advisory Committee (SAAC), Academic Senate, President’s Cabinet, and president.

3.2 #11 Describe how the institution will review its diversity-issues plan on an annual basis, including how it will compare the plan with its assessment (see Program Area No. 2). Further, identify those individuals who will be responsible for this review.

The diversity subcommittee of the Intercollegiate Athletics Advisory Committee will review the diversity issues plan annually. The IAAC’s present membership includes two persons who served on the 2008-09 Self Study Diversity Committee, providing carry forward of the subcommittee discussion. The IAAC membership is as follows:

**Diversity Subcommittee**

- Rachel Bzostek, faculty member, political science
- Jess Deegan, faculty member, psychology
- Jackie Kegley, FAR
- Gloria Friedman, senior associate athletic director/SWA
- Randy Schultz (June 2011), multiple subjects (Antelope Valley Center), at large faculty member
- Gia Marks (June 2010), counselor, at large faculty member
- Marina Avalos Kegley, director of student activities
- Patrick Choi, office of Services for Students with Disabilities
- Stephanie Donnelly, women’s swimming, international student-athlete, child development
- Joan Adelmo Feresto, men’s swimming, international student-athlete
- Janet Millar, counselor
- Victoria Kruetz, women’s swimming, student-athlete
- Joe Prolifroni, men’s soccer, student-athlete, SAAC
• John Price, coach, women’s volleyball
• Chris Hansen, coach, men’s swimming
• Tina Williams, human resources, staff member
• Representative from ASI
• Cathy Lee, athletics department, staff member
• Chenee Williams, compliance officer

3.2 #12 Describe the institution’s efforts to ensure the diversity-issues plan for improvement was developed through a process involving broad-based campus participation and has received formal institutional approval. Further, please identify the length (e.g., five years) of this plan, including the specific years this plan will be active.

The diversity issues self-study committee developed an improvement plan in consultation with the director of athletics, senior associate athletic director/SWA, compliance officer and FAR. After the plan was reviewed and approved by the committee, the plan was further reviewed and approved by the FAR, director of athletics, senior associate athletic director/SWA, compliance officer, IAAC, Student-Athlete Advisory Committee (SAAC), Academic Senate, President’s Cabinet, and president.

3.3 #7 Describe the institution’s written grievance and/or appeals procedures available to student-athletes in other areas (e.g., harassment, hazing, abusive behavior, discrimination). Also, provide the name(s) and title(s) of the individual(s) responsible for overseeing the administration of these grievance and/or appeals procedures. Describe the means by which these grievance and/or appeals procedures are communicated in writing to student-athletes and athletics department staff members.

Student-athlete grievances, in areas other than those mandated by NCAA legislation, are handled by either the office of undergraduate studies or the dean of student life.

Office of Undergraduate Studies
Student complaints and grievances directed toward “faculty, administrators, staff in admissions and records, financial aid, counseling, placement or other student services offices” are handled by the office of undergraduate studies and are overseen by

Dr. Mustafah Dhada, associate vice president for academic programs and division of undergraduate and graduate studies
Education Building, Room 242
Phone: (661) 654-3420
Fax: (661) 654-6911
Webpage: http://www.csusb.edu/undergradstudies/
A link to “student complaint and grievance procedures” is found on the main page of the office of undergraduate studies: http://www.csub.edu/undergradstudies/Student_Grievance_Procedures.shtml

This link takes students to the following information:

**Student Complaint and Grievance Procedures**

CSUB offers students a process whereby they may grieve a grade or non-academic situation. Complaints and grievances are covered under the policy known as “Student Complaint and Grievance Procedures.” Students may initiate a complaint or grievance against faculty, administrators, staff in admissions and records, financial aid, counseling, placement or other student services offices. The complaint and grievance may be filed if an individual or office has failed to comply with written campus policies or procedures.

Students should carefully read and follow the steps outlined for academic and non-academic complaints and grievances. Requests for formal resolution will not be accepted until the informal process has been exhausted. Incomplete Student Grievance Forms will not be accepted.

A link at the bottom of the page [see below] entitled “student grievance procedures and form” takes students to the complete “student complaint and grievance procedures”: http://www.csub.edu/undergradstudies/pdf/student_complaint_and_grievance.pdf

**Student Complaint and Grievance Procedures**

The policy and procedures specified herein deal only with individual student complaints and/or grievances against the actions and/or decisions of faculty, academic administrators, or staff professionals. The complaints and/or grievances may concern but are not restricted to (1) an assigned final course grade, (2) administration of records, (3) admission to a program, or (4) requirements for program completion. Group grievances are not permitted.

Complaints and/or grievances will not involve allegations of dishonesty or abuse of professional responsibility as such allegations fall strictly under formal university disciplinary proceedings.

Procedures for redress of grievances must protect the respondent against unsubstantiated and false charges of bias or unfairness. Therefore, in a grievance there is a presumption that procedures have been fairly followed. It is the responsibility of the grievant to demonstrate otherwise. The final responsibility for assigning or changing a student’s record rests solely with the faculty, academic administrators, or staff professional.

**ARTICLE I – Definitions**

**Section A:**

1. “Complaint” is defined as any unwritten dispute arising with a student under terms of Article II. A “Complaint” may be any point of issue between a student
and faculty, academic administrator, or staff professional, in which a student feels an abridgement of academic rights or benefits has occurred.

2. “Grievance” is defined as a written dispute arising with a student under terms of Article II. A “Grievance” is a difference, presented in writing, that may arise between a student and faculty, academic administrator, or staff professional, with respect to, but not necessarily limited to:
   a. violation of established academic policies and regulations: defined as those policies and regulations outlined in the respondent’s course syllabus, the University’s current Catalog, and/or the University’s current Class Schedule. (e.g., examination policies, advisement policies, registration procedures, etc.) The violation must have resulted in a direct and adverse impact on the Grievant’s student record.
   b. Clerical error: A “clerical error” means an error made by the faculty, academic administrator, or staff professional, in reviewing, estimating, evaluating, or posting student records.
   c. Prejudicial evaluation: For prejudicial evaluation to be present, the faculty, academic administrator, or staff professional must have applied a different standard to the Grievant than applied to other students in the same situation. Also, the action must have adversely impacted the Grievant’s student record.
   d. Capricious evaluation: For capricious evaluation to be present, the faculty, academic administrator, or staff professional must have changed the standards of evaluation during the quarter. Since changes in evaluation standards can and do occur during a quarter, the change must have occurred abruptly and without apparent reason (e.g., two days after the mid-term examination and without prior discussion, the faculty member declares there will be a series of short quizzes). Finally, for capricious evaluation to be present, the Grievant has to show that the change had a direct, singular, and adverse impact on the Grievant’s student record.

3. “Grievant” is defined as the individual lodging the complaint and/or grievance.

4. “Respondent” is defined as the faculty, academic administrator, or staff professional most directly responsible for the alleged action(s) and/or decision(s) resulting in the complaint and/or grievance.

Section B: It is the desire of the University that any Grievance be handled in a timely manner. The Grievance procedures must adhere to the time deadlines stated in the grievance procedures.

Section C: This document is not intended to inhibit the resolution of a problem in any satisfactory informal way.

Section D: At any point in these grievance proceedings the Grievant may move to withdraw the Grievance or accept a solution.
Section E: The Ombudsman may be consulted by the Grievant at the earliest opportunity. Deadlines may be extended at the request of the Ombudsman to the relevant school dean or the Academic Vice President (e.g., if the Grievant is in a course of the respondent the following quarter, an extension may be granted).

Section F: The University has a strict policy of zero tolerance of actual or implied violence. If at any time a Grievant engages in harassment or intimidation, the grievance will immediately become a disciplinary matter to be dealt with by campus security.

ARTICLE II – General Provisions

Section A: Complaints and/or Grievances may be brought against the actions and/or decisions of faculty, administrators, staff in admissions, records, financial aid, counseling, placement or other student service offices for failure to adhere to written campus policies or for procedures or actions that constitute arbitrary, capricious, or unequal application of those procedures.

Section B: A complaint and/or grievance may be initiated on the basis of a claim of: (refer to Article I for definitions)

1. Violation of established academic policies and regulations
2. Clerical error
3. Prejudicial evaluation
4. Capricious evaluation

ARTICLE III – Complaint Procedures

Section A: Before resorting to grievance, a student shall exhaust all complaint procedures herein at the department level. Grievance procedures, as outlined in Article IV, should not be invoked until the complaint has been thoroughly addressed at the department level.

Section B: The student shall first address the complaint to the concerned faculty, academic administrator, or staff professional most directly responsible for the alleged action(s) and/or decision(s) resulting in the complaint. If the complaint cannot be resolved by the student and faculty, academic administrator, or staff professional, the student should meet with the department chairperson/director to discuss their complaint.

Section C: If the student and the department chairperson/director cannot resolve the complaint, the student should meet with the appropriate school or departmental Dean to discuss their complaint. If the complaint is still unresolved after this point, the student may then, and only then, file a written grievance as outlined in Article IV.

ARTICLE IV - Grievance Procedures

Section A: Before a student may invoke the grievance procedures specified herein, they shall first exhaust all complaint procedures as outlined in Article III.
Section B: A student may initiate formal grievance procedures by filing a Student Grievance Form with the Office of the Academic Vice President within a period of 7 working days following the date that the complaint procedures were concluded.

Section C: Upon receiving a written notice of grievance, the Academic Vice President shall inform the Presiding Officer of the Grievance Review Board, the Ombudsman, and the appropriate Dean of the school or department in which the grievance occurred, of the grievance. The Grievance Review Board Presiding Officer shall verify that the student has complied with all procedures outlines in Article III.

Section D: At any point in these formal grievance proceedings the Grievant may move to withdraw the grievance or accept an informal solution.

ARTICLE V – Grievance Review Board

Section A: Be it that grievances may encompass both academic and non-academic issues, the Grievance Review Board shall be composed of seven persons: the Presiding Officer, two full-time faculty members, two full-time student-service professional staff members, and two full-time students.

Section B: The Presiding Officer shall be the Dean of Undergraduate Studies or his/her designee. He/she shall be responsible for ensuring that all procedures are followed in the seating of the Review Board and in the conduct of its hearings and deliberations. The Presiding Officer shall vote only in case of a tie. The Presiding Officer shall also insure that all participants in each hearing are officially notified of the confidential nature of the hearing and all information and data presented therein.

Section C: The Grievance Review Board shall be a standing committee, with board members selected each academic year. At the beginning of each academic year, the Presiding Officer shall draw two names from the pool of currently enrolled full-time students, two names from the pool of full-time faculty, and two names from the pool of full-time student-service professional staff. Administrative-level Faculty and staff personnel will be excluded from the pool. University policy regarding definitions of full-time faculty, staff members, administrators, and students shall apply. Upon selection, if a faculty, staff, or student declines to serve, another name shall be drawn in their place. Once the position is accepted, it will be for the duration of the academic year.

Section D: After the regular Board members are selected, alternates shall be drawn using the same method. Two full-time faculty, two full-time student-service professional staff, and two full-time students shall be selected as alternates.

Section E: Any board member, other than the Presiding Officer, may be permanently replaced with an alternate during the academic year:

1. If faculty or staff - are no longer employed by CSUB as a full-time employee;
2. If a student are no longer enrolled full-time or if placed on academic probation in any quarter during the academic year of service.

3. If absent from any scheduled meeting of the Grievance Review Board, in which member notification and availability were confirmed, then the Presiding Office may permanently remove that member from the board at his/her discretion.

4. If deemed to be exhibiting inappropriate behavior via a consensus vote of all remaining members of the board.

Section F: If a board member is replaced with an alternate, then the Presiding Officer shall immediately draw another name from the appropriate pool to fill the vacant alternate position.

Section G: A quorum shall consist of all current members of the Grievance Review Board, excluding alternates.

Section H: All hearings shall be closed. The Grievant and the Respondent shall each have the right to have the Ombudsman present as a non-participant observer at the hearings. Attendance shall be limited to the Grievant, the Respondent, the Ombudsman, witnesses, if any, while giving evidence, and the Review Board. Since this is not a legal action and grievant has ultimate legal recourse, attorneys shall be excluded.

Section I: Formal grievance hearings shall not be held during the summer or Christmas breaks unless Grievant, Respondent, entire Board, and witnesses agree. Every effort shall be made to resolve the grievance within the term filed.

Section J: The Presiding Officer shall inform all parties to the grievance of the time, date, and location of the hearing, names of the presiding board members, as well as decisions on other matters that may affect the hearing.

Section K: Both the Grievant and the Respondent then have two working days after the date of notice of presiding board members in which they may each request to the Presiding Officer up to one board member be temporarily replaced with an alternate due to cause. The Presiding Officer shall immediately grant or deny such requests, and these decisions shall be final for all purposes. Those temporarily excused for cause shall regain their positions once the Review Board’s proceedings for that specific grievance have concluded.

Section L: The Board shall normally convene within 14 working days from notice of grievance. The Presiding Officer shall be responsible for meeting with the Board at an appropriate time before the beginning of the hearing to familiarize the members with the procedures.

Section M: The content of the proceedings in a grievance hearing is confidential, and the Board recommendations resulting there from shall not be made public by any participant in the hearings. In the event these matters should become public, such public statements,
as are appropriate, may be made by the University. This policy of confidentiality shall not preclude such discussion of the case by the opposing parties as may be necessary to prepare for the hearings.

Section N: Subject to Section O below, both the Grievant and the Respondent may offer evidence and call witnesses, with the Grievant doing so first.

Section O: Within the guidelines established by these procedures, and subject to overrule by a majority of Board members, the Presiding Officer may establish necessary rules for the conduct of the hearing, including decisions involving procedural issues.

Section P: Any relevant evidence shall be admitted and the Presiding Officer shall have the discretion to rule out evidence if in his/her judgment such evidence is essentially repetitious or irrelevant.

Section Q: During the course of the proceedings the Grievant and the Respondent shall not discuss the case with members of the Review Board outside the hearings. If, in the judgment of the Board either Grievant or Respondent has harassed or attempted to intimidate the other or any Board member, the Board may initiate disciplinary procedures. (See Article VIII below)

Section R: Both parties may make an opening statement. The Grievant has the burden of proof, and shall demonstrate by a preponderance of evidence that he/she was directly wronged by the action that gave rise to the Grievance. After the opening statements, both parties shall answer questions the Board may have regarding the case. Both parties may then question each other, as well as all witnesses. Any documents submitted as evidence shall be made available by the Presiding Officer to both parties.

Section S: The Grievant or Respondent may sign a waiver allowing the Board to have access to confidential information pertinent to the case. However, the rights of privacy of third parties (such as other students in the course who are not involved in the case, or other faculty who may teach similar courses) shall be respected.

Section T: The Grievant and Respondent may request information from each other concerning the case. The Grievant, for example, may request a class list with student names and an overall grade distribution, but in no circumstance will the grades given to specific students in the course, or student identification numbers, be released without their written permission. Moreover, the Board shall not have access to, nor consider, records of testimony about previous academic performance of the Grievant in other courses or in prior grievances.

Section U: The Board shall not have access to nor consider records of testimony about the previous use of sanctions by the Respondent nor previous instances of grievances.
Section V: A tape recording of the hearing shall be kept and filed in the Office of the Academic Vice President. It shall be retained for two calendar years, and then shall be erased. The tape recording is to remain confidential.

Section W: Each party may present a closing statement with the Respondent going first. Any closing statements shall be limited to the evidence presented. There shall be no questioning of the parties during or after the closing statements.

ARTICLE VI – Grievance Review Board Decisions & Ad Hoc Assessment Committee

Section A: The decision of the Board must be consistent with campus and CSU policy. The Presiding Officer shall notify the Grievant, Respondent, and the appropriate administrator of the Board’s finding.

Section B: If the Board found that a legitimate grievance has occurred, the Presiding Officer shall request the Respondent to reconsider the grieved action in light of the Board’s finding. If the Respondent agrees, he/she shall make the appropriate corrective action within 7 working days after notification of the Board’s finding.

Section C: If the Board recommends the change but the Respondent refuses, the Presiding Officer shall convene an ad hoc Assessment Committee composed of two faculty or two staff members whose field of expertise is appropriate for suitable evaluation. The Presiding Officer shall be a non-voting member of the Assessment Committee. The Presiding Officer shall inform the Respondent of the decision reached by the Assessment Committee.

Section D: If the Respondent refuses to comply with the decision of the Assessment Committee, he/she shall notify the Presiding Officer within 7 working days after receiving notice of the committee’s decision.

Section E: In the event the Respondent refuses to comply with the decision of the Assessment Committee, the Presiding Officer shall refer the matter to the University’s President for final resolution.

ARTICLE VII – Appeals

Section A: Either the Grievant or the Respondent may appeal the finding of the Grievance Review Board, but the Respondent may not appeal the decision of the Assessment Committee. The party wishing to appeal the finding of the Grievance Review Board must deliver a written appeal to the Presiding Officer, with copies to the opposing party. This appeal shall be delivered to the Presiding Officer within 14 working days from the date of the receipt of the finding of the Grievance Review Board.

Section B: The only grounds for appeal are:
1. Substantial departure from the procedures established in this document so as to seriously prejudice the outcome of the hearing;
2. Prejudicial treatment by the Grievance Review Board.

Section C: The appeal document shall specify the following:

1. That it is an appeal;
2. The name and current address and telephone number of the person making the appeal;
3. The reasons for the appeal and the facts supporting those reasons.

Section D: The Presiding Officer may bring final resolution to the grievance by either electing to reject the appeal based on lack of evidence, or by referring the matter to the University’s President. The Presiding Officer’s decision to either reject, or refer, the appeal shall be final for all purposes. If referred, the President’s decision shall be final.

ARTICLE VIII - Grounds for Disciplinary Action

Section A: Students and faculty are subject to disciplinary action if they knowingly make false statements or act in any other way with malicious intent within the provisions of this document.

Section B: The Presiding Officer of the Review Board shall immediately bring all such cases before the appropriate disciplinary bodies for review.

ARTICLE IX - Procedures for Reporting

Section A: At the end of the academic year the Presiding Officer of the Grievance Review Board shall report to the Academic Senate the number of cases heard and the disposition of each case.

ARTICLE X - Procedures for Revision

Section A: These procedures are subject to change by majority vote of the Academic Senate. The President is responsible for ensuring that any revisions conform to Executive Order No. 320 of the Office of the Chancellor.

The Division of Students Affairs/Dean of Student Life
Student complaints and grievances directed toward other students are handled by the dean of student life within the division of students affairs, and are overseen by

Dr. Shelley Ruelas, vice president for student affairs
CAF 107
Phone: (661) 654-2161
Webpage: http://www.csub.edu/studentaffairs/
A link to “dean of student life/student conduct” is found on the main page of the division of student affairs: http://www.csub.edu/studentconduct/

This page directs students to the “resources for students” link: http://www.csub.edu/studentconduct/students/

This page contains links to information that fully explains university policies, the student conduct process, and resources for maintaining academic integrity. An additional link on this page takes students to the CSUB Student Conduct Manual: http://www.csub.edu/studentconduct/documents/studentConductManual.pdf

The Student Conduct Manual explains the student conduct process thoroughly, including grievance and appeals procedures:

Overview of Student Conduct Procedures

A. Reporting Alleged Violations of the CSUB Student Code of Conduct

An alleged violation of the CSUB Student Code of Conduct must be filed with the Office of the Dean of Student Life. Once a complaint has been received, the Dean of Student Life and/or Student Conduct Coordinator is responsible for determining whether disciplinary charges and sanctions should be applied. Information such as name(s) of the accused student(s), description of incident, date of the incident, copies of supporting documents, names of witnesses should be provided when reporting allegations (a reporting form is available on-line).

B. Gathering the Initial Evidence

Upon receiving a report of an alleged violation(s), additional information and evidence are acquired and evaluated to determine whether a preponderance of evidence exists to support the allegations. If so, a notice is sent to the student(s) requesting a conference to discuss the allegations and evidence, as well as to understand the student’s perspective and evaluate his/her evidence. If insufficient evidence can be presented to support the allegations, the charges against the student are dismissed.

C. Notice to Student

A notice is sent by the Office of the Dean of Student Life via certified mail to the student’s most recent address on record. The letter will specify the alleged violations(s) of the CSUB Student Code of Conduct and a description of the incident upon which the allegations are based (such as date and place the alleged incident occurred). An opportunity for a meeting with the Dean of Student Life and/or Student Conduct Coordinator is provided to the student.
D. Administrative Holds

Failure to schedule a meeting by the specified deadline will result in an additional charge of the CSUB Student Code of Conduct (specifically Section 17 - Failure to Comply). In addition, an administrative hold will be placed on the student’s academic record preventing future registration for classes. The administrative hold will remain until a meeting has been scheduled with the Dean of Student Life and/or Student Conduct Coordinator.

E. Conference with the Dean of Student Life and/or Student Conduct Coordinator

An opportunity for a conference with the Dean of Student Life and/or Student Conduct Coordinator is provided to the student. Students have the right to be accompanied by an advisor of their choice who may provide support. However, the student’s advisor may not be an attorney, nor may not speak on behalf of the student. At the meeting with the student charged, the Student Conduct Administrator will:

1. Acquaint the student with the CSUB Student Code of Conduct and the Student Conduct Process
2. Describe the nature of conduct in question and explain the alleged violation of the CSUB Student Code of Conduct
3. Provide an opportunity for the student to respond to the alleged violation and present relevant information or evidence.

Instances in which the student fails to cooperate or appear at a scheduled conference or hearing will not delay the student conduct process or pending outcomes. The conference and/or hearing will proceed regardless of the student’s presence. Determinations of charges will be based upon the evidence available at the time of the conference/hearing.

F. Disposition by the Dean of Student Life

After conducting a further investigation, the Student Conduct Administrator may apply any of the actions listed below:

1. Apply Sanctions
   If the student admits responsibility for violating the Student Code of Conduct, the Dean of Student Life may impose one or more of the sanctions listed in Section
2. Insufficient Evidence (no sanctions applied)
   If the Dean of Student Life and/or Student Conduct Coordinator concludes that there is insufficient information/evidence to sustain the allegations, disciplinary sanctions will not be applied.
However, the student will receive a dismissal of case letter and/or a letter of warning.

G. Sanctions

The following sanctions may be applied for violations of the Student Code of Conduct. More than one sanction may be imposed for a single violation.

1. Restitution
   Compensation for loss, damages or injury. This may include appropriate service and/or monetary material replacement.

2. Loss of Financial Aid
   Consistent with California Education Code Sections 69810 et seq., scholarships, loans, grants, fellowships, and any other types of state financial aid given or guaranteed for the purposes of academic assistance can be conditioned, limited, cancelled, or denied.

3. Educational and Remedial Sanctions
   Assignments, such as work, research, essays, service to the university or the community, training, counseling, or other assignments intended to discourage a repeat of the misconduct or as deemed appropriate based upon the nature of the violation.

4. Denial of Access to Campus
   A designated period of time during which the student is not permitted on university property or specified areas of campus (refer to California Penal Code 3 626.2.)

5. Disciplinary Probation
   A designated period of time during which the privileges of continuing in student status are conditioned upon future behavior. Conditions may include, for example, the potential loss of specified privileges to which a current student would otherwise be entitled, or the probability of more severe disciplinary sanctions if the student is found to violate any university policy during the probationary period.

6. Suspension
   Interim separation of the student’s status from California State University system for specified period of time, after which the student is eligible to reapply to the University. Conditions for readmission may be specified.

7. Expulsion
   Permanent separation of the student from CSU student status the University.

8. Revocation of Admission
   Admission or readmission to CSUB may be qualified, revoked or denied to any student found to have violated the Student Code of Conduct.
H. Review of Settlement Agreement

If deemed appropriate for the case, the Student Conduct Administrator may offer a settlement agreement to the student. The settlement agreement will contain a description of the charges and applied sanctions. If the student agrees to the sanctions and/or charges the settlement agreement is signed by the student charged and the Dean of Student Life. Upon signature, the student will be required to fulfill the sanctions applied, if any. An administrative hold will be applied to a student’s registration until the sanctions have been fulfilled. If the student does not agree with the proposed sanctions in the settlement agreement, the student may request a student conduct hearing to have a Hearing Officer review the sanctions. The Hearing Office will submit a recommendation to the CSUB President. Decisions applied by the President may not be appealed.

I. Appeal of Sanctions and/or Charges

A student may request a student conduct hearing if he/she disputes the alleged charges or believes the proposed sanctions are inappropriate.

J. Scheduling of Hearing

The Notice of Hearing is sent to the student at least ten (10) working days before the hearing. This notice provides the student(s) with a reasonable opportunity to prepare a defense and contact witnesses. It is the student’s prerogative to choose an advisor who is available to attend the hearing if so desired.

Student Conduct Hearing Procedures

A. Notice of Hearing

A Notice of Hearing is sent via certified mail to the student’s most recent mailing address on record. The notice is also sent electronically to the student charged at the email address assigned by the University (i.e. "xxx.@runner.csub.edu) or to the student’s preferred email address on file with the University. The notice of hearing will include the following:

1. Student Code of Conduct Charges
   A description of the student’s conduct which forms the basis for the alleged violations of the Student Code of Conduct.

2. Use of Attorneys
   The CSUB President has determined that attorneys or any person licensed to practice law may not be present at the Student Conduct hearing (unless the student or the Student Conduct Administrator is coincidentally an attorney). This determination is applicable to
both the student charged and the University. Both the student and the University may consult with attorneys prior to or following the hearing.

3. Participants at the Student Conduct Hearing
   The hearing is a closed proceeding limited only to the student charged, the Dean of Student Life, a single advisor for the student charged, a single advisor for the Dean of Student Life, the Hearing Officer, a person designated to record the hearing, and appropriate witnesses during their testimony. A University police officer may also be present if deemed appropriate by the Vice President for Student Affairs. The University will cooperate in providing employee witnesses whenever possible, provided that the student requests such assistance at least two (2) working days before the hearing.

4. Failure to Appear at the Student Conduct Hearing
   If the student charged fails to appear at the hearing, the proceedings will continue in his/her absence. The outcome (finding) of each hearing is based upon information presented at the time of the hearing. Failure to attend the hearing is not grounds to deem a student guilty of the alleged violations.

5. Right to Waive the Student Conduct Hearing
   At any time prior to or during the hearing, the student charged may waive his/her right to a hearing and accept the proposed sanctions or settlement agreement, if one was offered. Such a waiver must be submitted in writing to the Office of the Dean of Student Life.

B. The Student Conduct Administrator’s Role at the Hearing

   The Student Conduct Administrator will present evidence that demonstrates the student committed one or more violations of the CSUB Student Code of Conduct. The presentation of evidence will include relevant documents and other evidence that support the allegations. Additional evidence may include testimony from witnesses.

C. The Student and the Student Advisor’s Role at the Hearing

   1. Student’s Role at the Hearing
      It is the student’s responsibility to call witnesses and present evidence that disproves the allegations. The student may also cross-exam any witnesses called by the University, as well as redirect any witnesses called by the student. Students will have an opportunity to present opening and closing statements to explain what he or she believes the evidence has proven and/or why the recommended sanctions are not appropriate.

   2. Student Advisor’s Role
      The student may be accompanied by one advisor of his/her choice to
provide support during the hearing. The student’s advisor may advise the student in the preparation for the hearing but may not present the student’s defense.

D. The Hearing Officer’s Role

1. Conducting the Hearing
   The Hearing Officer is responsible for conducting the hearing and for maintaining order throughout the proceedings, providing both the University and the student an opportunity to present their case, and determining if any evidence should be excluded as irrelevant, unreliable or unnecessarily repetitive. The Hearing Officer’s decisions regarding procedural issues are final.

2. Standard of Proof and Recommendations
   The Hearing Officer makes decisions only on information presented at the hearing. After the hearing, the Hearing Officer will make a finding of fact and conclusions whether the information presented constitutes a violation of the Student Code of Conduct. The standard for the Hearing Officer’s decision is dependent upon the University’s ability to sustain the allegations by presenting a preponderance of evidence. It is the University’s burden to demonstrate that it is “more likely than not” that the student violated the Student Code of Conduct. The Hearing Officer submits a written report of findings and conclusions to the University President, along with any recommended sanctions. This report must be submitted to the President within ten (10) working days after the hearing.

E. Presidential Action: Final Decision

1. Decision by the University President
   The CSUB President reviews the Hearing Officer’s report and issues a final decision. The President may impose the sanction recommended, adopt a different sanction, reject sanctions altogether, or refer the matter back for further findings on specified issues. If the President adopts a more severe sanction than the Hearing Officers' recommendations, the President must set forth the reasons in the final decision letter. The President’s letter is issued within five (5) working days upon receipt of the Hearing Officer’s report.

2. Notice of Decision
   The President sends notice of his/her decision electronically to the charged student at the email address assigned by the University (i.e. xx.runner.csub.edu) or to the student’s preferred email on file with the University. In addition, the President’s notice is sent to the student via certified mail to the most recent address on record. The President’s decision is final; students, Student Conduct Administrators or Hearing Officers do not have the right to appeal the President’s decision. The
issuance of the President’s decision concludes the California State University administrative remedies available to the student.

Notice to Victims of Crimes and Violence and Sex Offenses

In cases involving a charge of sexual assault, an alleged victim who is called to testify as a witness, may be accompanied at the hearing by another person. This person is only for support, and is not permitted to participate in the hearing. Questions of the alleged victim are limited to the incident upon which the charge is based and the events surrounding that charge, and may not delve into past sexual behaviors of the alleged victim.

In cases involving a "crime of violence" the University may notify the alleged victim(s) of the final results of a hearing whether or not the charges are sustained (34 C.F.R. 899.31 et seq.). Where the charge relates to a sexual assault the University must notify the alleged victim of the outcome of the proceeding against the student charged. The information is only given to the victim(s) and includes only the name of the accused student, any violation alleged committed, and any sanction(s) imposed on that student.

Interim Suspension

1. Grounds

The University President may impose an interim suspension when there is reasonable cause to believe that separation of a student is necessary to protect the personal safety of persons within the University community, property of the University or to ensure the maintenance of order (Section 4.1302 of Title 5 of the California Code of Regulations).

2. Notice and Opportunity for Hearing

A student placed on interim suspension is given prompt notice of the charges pending against him or her and the opportunity for a hearing within ten (10) working days of the imposition of the suspension. A hearing will be held to determine whether continued suspension, pending the disciplinary hearing, is required to protect personal safety, property, or to ensure the maintenance of order.

3. Denial of Presence on Campus

During the period of an interim suspension, the student charged may not, without prior written permission from the University President, enter any campus of the California State University other than to attend the hearing regarding the merits of his or her suspension. Violation of any condition of interim suspension shall be grounds for expulsion (Section 41302 of Title 5 of the California Code of Regulations).
The grievance and appeals procedures are communicated in writing to the campus through the following means: University Catalog (2007-2009): page 81 covers some for undergraduate; page 359 for graduate students.

University Handbook: beginning on page 42; “rights and responsibilities” and “principles of academic freedom”; sections 8 and 9 (Full document will be available to the review team).

The Student-Athlete Handbook includes the following paragraph (pg. 20):

“Student-athletes with grievances involving faculty, staff and/or procedures outside of intercollegiate athletics should follow the university’s regular grievances procedures. These procedures can be found in the CSUB Handbook and in the rights and responsibilities section of the schedule of classes.”

The 2009-10 Student-Athlete Handbook will include a complete description of the grievance and appeals procedures.

At the September and October compliance meetings, the coaches and athletics department staff are informed of the grievance and appeals procedures and are made aware of where the procedures are located online. The 2009-10 Coaches Procedure Manual will include a complete description of the grievance and appeals procedures.

Recommendations:

1. Specify in the Student-Athlete Handbook as well as the University Handbook and University Catalog that there are two different processes, depending on whether the grievance is directed toward students or faculty/administration/staff.
2. Give a more complete explanation of the grievance process, including links to the various pages where the information can be found.

3.3 #10 If the institution has developed a plan for improvement(s) for Operating Principle 3.3, describe the institution’s efforts to ensure the plan for improvement was developed through a process involving broad-based campus participation and has received formal institutional approval.

The student-athlete well-being self-study committee developed an improvement plan in consultation with the director of athletics, senior associate athletic director/SWA, compliance officer and FAR. After the plan was reviewed and approved by the committee, the plan was further reviewed and approved by the FAR, director of athletics, senior associate athletic director/SWA, compliance officer, IAAC, Student-Athlete Advisory Committee (SAAC), Academic Senate, President’s Cabinet, and president.