

# Policies and Regulations

## Privacy Rights of Students in Education Records

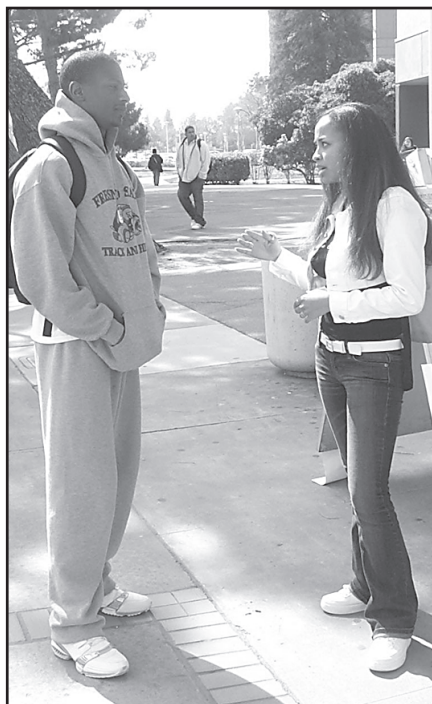
The federal *Family Educational Rights and Privacy Act* of 1974 (20 U.S.C. 1232g) and regulations adopted thereunder (34 C.F.R. 99) set out requirements designed to protect students' privacy in their records maintained by the campus.

The statute and regulations govern access to student records maintained by the campus and the release of such records. The law provides that the campus must give students access to records directly related to the student, and must also provide opportunity for a hearing to challenge the records if the student claims they are inaccurate, misleading, or otherwise inappropriate. The right to a hearing under this law does not include any right to challenge the appropriateness of a grade determined by the instructor. The law generally requires the institution to receive a student's written consent before releasing personally identifiable data about the student. The institution has adopted a set of policies and procedures governing implementation of the statute and the regulations. Copies of these policies and procedures may be obtained at the Office of the Vice President for Student Affairs and Dean of Students. The vice president for Student Affairs and dean of students is the custodian of all student records maintained by the university.

Among the types of information included in the campus statement of policies and procedures are the following: (1) the types of student records maintained and the information they contain, (2) the official responsible for maintaining each type of record, (3) the location of access lists indicating persons requesting or receiving information from the record, (4) policies for reviewing and expunging records, (5) student access rights to their records, (6) the procedures for challenging the content of student records, (7) the cost to be charged for reproducing copies of records, and (8) the right of the student to file a complaint with the Department of Education.

The Department of Education has established an office and review board to investigate complaints and adjudicate violations. The designated office for this purpose is Family Policy Compliance Office, U.S. Department of Education, Washington, D.C. 20202-4605.

The campus is authorized under the Act to release public "directory information" concerning students. "Directory information" at California State University, Fresno may



include the student's name; major field of study; participation of officially recognized activities and sports; weight and height of members of athletic teams; enrollment status; degrees, honors, and awards received; and the most recent educational institution attended.

The above designated information is subject to release by the campus at any time unless the campus has received prior written objection from the student specifying what information the student requests not be released. Written requests to restrict directory information should be sent to the Office of Admissions or notated on an Admissions Address Change Form.

The campus is authorized to provide access to student records to campus officials and employees who have legitimate educational interests in such access. These persons have responsibilities in the campus's academic, administrative or service functions and have reason for using student records associated with their campus or other related academic responsibilities. Students' records may also be disclosed to other persons or organizations under certain conditions (e.g., as part of accreditation or program evaluation; in response to a court order or subpoena; in connection with financial aid; or to other institutions to which the student is transferring).

**Use of Social Security Number.** Applicants are required to include their correct

Social Security numbers in designated places on applications for admission pursuant to the authority contained in Section 41201, Title 5, *California Code of Regulations*, Section 6109 of the Internal Revenue Code (26 U.S.C. 6109). The university uses the social security number to identify students and locate their records. The social security number is used to determine financial aid eligibility and disbursement and to identify the student's repayment of financial aid and other debts payable to the institution. Also, the Internal Revenue Service requires the university to file information returns that include the student's Social Security number and other information such as the amount paid for qualified tuition, related expenses, and interest on educational loans. This information is used by the IRS to help determine whether a student, or a person claiming a student as a dependent, may take a credit or deduction to reduce federal income taxes.

Taxpayers who claim Hope Scholarship or Lifetime Learning tax credit will be required to provide their name, address, and Taxpayer Identification Number to the campus.

## Research on Human Subjects

California State University, Fresno has adopted provisions for the conduct of research that employs or influences humans. All research at the university must comply with these provisions. Students must familiarize themselves with the provisions by inquiring in the departmental offices or the office of the dean of their college/school.

## Measles and Rubella Immunizations Health Screening Provisions

Entering CSU students are required to present proof of the following immunizations to the CSU campus they will be attending before the beginning of their first term of enrollment.

**Measles and Rubella.** All new and readmitted students born after January 1, 1957 must provide proof of full immunization against measles and rubella prior to enrollment.

**Hepatitis B.** All new students who will be 18 years of age or younger at the start of their first term at a CSU campus must provide proof of full immunization against Hepatitis B before enrolling. Full immunization against Hepatitis B consists of three timed doses of vaccine over a minimum four- to six-month period. If you need further details or have special circumstances,

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please consult the Student Health Center, 559.278.2734.

Incoming freshmen who will be residing in on-campus housing will be required to return a form indicating that they have received information about meningococcal disease and the availability of the vaccine to prevent them from contracting the disease and whether or not they have chosen to receive the vaccination. These are *not* admission requirements, but shall be required of students as conditions of enrollment in CSU.

Persons subject to these health screening provisions include: new students enrolling fall 1987 and later; readmitted students reenrolling fall 1987 and later; students who reside in campus residence halls; students who obtained their primary and secondary schooling outside the United States; students enrolled in dietetics, medical technology, nursing, physical therapy, and any practicum, student teaching, or fieldwork involving preschool-age children, school-age children, or taking place in a hospital or health care setting. The Student Health Center provides immunizations without cost to those students unable to obtain acceptable proof of immunizations.

### Nondiscrimination Policy

California State University, Fresno is committed to a program of equal opportunity for all, regardless of race, color, national origin, gender, age, marital status, religion, disability, or sexual preference. California State University, Fresno's Policy Statement (in the Equal Employment and Education Opportunity Plan and the Equal Opportunity Plan for Individuals with Disabilities, Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans) addresses equal opportunity in employment, admissions, recruitment, financial aid, placement counseling, curricula, and housing for students. These are recognized by the university as basic to our equal opportunity goals.

The California State University does not discriminate on the basis of race, color, national origin, gender, physical disability, or sexual orientation in the educational programs or activities it conducts.

Persons who are aggrieved may pursue a complaint or seek information by contacting Jeannine Raymond, director of Human Resources, 559.278.2364, Joyal Administration Building, Room 148; Janette Redd-Williams, the interim associate vice president for Academic Personnel and reviewer for faculty concerns, 559.278.3027; or Paul Oliaro, vice president for Student Affairs/

dean of students and reviewer for student concerns, 559.278.2541.

**Sexual Harassment.** Discrimination on the basis of sex is prohibited by Title VII of the Civil Rights Act as well as Title IX of the Education Act. Sexual harassment is a violation of Section 703 of Title VII. Sexual harassment refers to the unwanted imposition of sexual attention usually in the context of a relationship of unequal power, rank, or status, as well as the use of one's position of authority in the university to bestow benefits or impose deprivations on another. This applies equally to all students, staff, faculty, and managers at California State University, Fresno. Harassment includes verbal, nonverbal, and/or physical conduct that has the intent or effect of unreasonable interference with individuals' or groups' education or work performance. This may also include actions that create an intimidating, hostile, or offensive working or learning environment. Both men and women can be the victims of sexual harassment.

Students who believe they are victims of sexual harassment should contact the Office of the Vice President for Student Affairs and Dean of Students, 559.278.2541. The staff can explain the complaint procedures available to students on our campus. For more information about the complaint process, please contact Jeannine Raymond, the director of Human Resources, 559.278.2364. Other resources include the deans and associate deans who are trained to respond to inquiries.

**Race, Color, and National Origin.** The California State University complies with the requirements of Title VI and Title VII of the Civil Rights Act of 1964 as well as other applicable federal and state laws prohibiting discrimination. No person shall, on the basis of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any program of the California State University.

**Disability.** The California State University does not discriminate on the basis of disability in admission or access to, or treatment or employment in, its programs and activities. Section 504 and 508 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and various state laws prohibit such discrimination. The director of human resources has been designated to coordinate the efforts of California State University, Fresno to comply with all relevant disability laws. Inquiries concerning compliance may be addressed to Jeannine Raymond, the di-

rector of Human Resources, Joyal Administration Building, Room 148, phone 559.278.2364.

If you have special needs as addressed by the Americans with Disabilities Act (ADA) and need course materials in alternate formats, immediately notify your course instructor or Carole Snee, director of Services for Students with Disabilities, 559.278.2811. Reasonable efforts will be made to accommodate your special needs.

**Sex/Gender.** The California State University does not discriminate on the basis of sex or gender in the educational programs or activities it conducts. Title IX of the Education Amendments of 1972 and certain other federal and state laws prohibit discrimination on the basis of gender in education programs and activities operated by California State University, Fresno. Such programs and activities include admission of students and employment.

Inquiries concerning the application of these laws to programs and activities of California State University, Fresno may be referred to Jeannine Raymond, the director of Human Resources, Joyal Administration Building, Room 148, 559.278.2364; Paul Oliaro, vice president for Student Affairs and dean of students, Joyal Administration Building, Room 262, 559.278.2541; the director of Human Resources, Auxiliary Services, 4910 N. Chestnut, 559.278.0860; or the regional director of the Office for Civil Rights, Region 9, 220 Mail Street, 10th Floor, San Francisco, CA 94105.

The California State University is committed to providing equal opportunities to male and female CSU students in all campus programs, including intercollegiate athletics.

**Age, Marital Status, Religion, or Sexual Orientation.** The California State University does not discriminate on the basis of age, marital status, religion, or sexual orientation.

### Immigration Requirements for Licensure

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193), also known as the Welfare Reform Act, includes provisions to eliminate eligibility for federal and state public benefits for certain categories of lawful immigrants as well as benefits for all illegal immigrants.

Students who will require a professional or commercial license provided by a local, state, or federal government agency in order to engage in an occupation for which the CSU may be training them must meet

the immigration requirements of the Personal Responsibility and Work Opportunity Reconciliation Act to achieve licensure. Information concerning these requirements is available from the Financial Aid Office 559.278.2182.

### Student Body Fee

**Procedure for the establishment or abolishment of a student body fee.** The law governing the California State University provides that fees defined as mandatory, such as a *student body association fee* and a *student body center fee*, may be established. A *student body association fee* must be established upon a favorable vote of two-thirds of the students voting in an election held for this purpose (Education Code, Section 89300). A *student body center fee* may be established only after a fee referendum is held which approves by a two-thirds favorable vote the establishment of the fee (Education Code, Section 89304). The *student body fee* was established at Fresno State by student referendum. The campus president may adjust the *student body association fee* only after the fee adjustment has been approved by a majority of students voting in a referendum established for that purpose (Education Code, Section 89300). The required fee shall be subject to referendum at any time upon the presentation of a petition to the campus president containing the signatures of 10 percent of the regularly enrolled students at the university. Once bonds are issued, authority to set and adjust *student body center fees* is governed by provisions of the State University Revenue Bond Act of 1947, including, but not limited to, Education Code Sections 90012, 90027, and 90068. *Student body association fees* support a variety of cultural and recreational programs, childcare centers, and special student support programs.

The process to establish and adjust other campus-based mandatory fees requires consideration by the campus fee advisory committee and a student referendum. The campus president may use alternate consultation mechanisms if he/she determines that a referendum is not the best mechanism to achieve appropriate and meaningful consultation. Results of the referendum and the fee committee review are advisory to the campus president. The president may request that the chancellor establish the mandatory fee.

### Student Discipline

Inappropriate conduct by students or by applicants for admission is subject to disci-

pline as provided in Sections 41301 through 41304 of Title 5, *California Code of Regulations*. These sections are as follows:

**41301. Expulsion, Suspension, and Probation of Students.** Following procedures consonant with due process established pursuant to Section 41304, any student of a campus may be expelled, suspended, placed on probation, or given a lesser sanction for one or more of the following causes which must be campus related:

- a. Cheating or plagiarism in connection with an academic program at a campus
- b. Forgery, alteration, or misuse of campus documents, records, or identification or knowingly furnishing false information to a campus
- c. Misrepresentation of oneself or of an organization to be an agent of a campus
- d. Willful, material, and substantial obstruction or disruption, on or off campus property, of the campus educational process, administrative process or other campus function
- e. Physical abuse on or off campus property of the person or property of any member of the campus community or of members of his or her family or the threat of such physical abuse
- f. Theft of, or nonaccidental damage to, campus property or property in the possession of, or owned by, a member of the campus community
- g. Unauthorized entry into, unauthorized use of, or misuse of campus property
- h. On campus property, the sale or knowing possession of dangerous drugs, restricted dangerous drugs, or narcotics as those terms are used in California statutes, except when lawfully prescribed pursuant to medical or dental care, or when lawfully permitted for the purpose of research, instruction, or analysis
- i. Knowing possession or use of explosives, dangerous chemicals or deadly weapons on campus property or at a campus function without prior authorization of the campus president
- j. Engaging in lewd, indecent, or obscene behavior on campus property or at a campus function
- k. Abusive behavior directed toward, or hazing of, a member of the campus community
- l. Violation of any order of a campus president, notice of which had been given prior to such violation and during the academic term in which the violation occurs, either by publication in the campus newspaper, or by posting on an official bulletin board designated

for this purpose, and which order is not inconsistent with any of the other provisions of this Section

- m. Soliciting or assisting another to do any act which would subject a student to expulsion, suspension, or probation pursuant to this Section
- n. Unauthorized recording, dissemination, and publication of academic presentations for commercial purposes. This prohibition applies to a recording made in any medium, including, but not limited to, handwritten or type-written class notes.
  1. The term "academic presentation" means any lecture, speech, performance, exhibition, or other form of academic or aesthetic presentation, made by an instructor of record as part of an authorized course of instruction that is not fixed in a tangible medium of expression.
  2. The term "commercial purpose" means any purpose that has financial or economic gain as an objective.
  3. "Instructor of record" means any teacher or staff member employed to teach courses and authorize credit for the successful completion of courses.
- o. For purposes of this Article, the following terms are defined:
  1. The term "member of the campus community" is defined as meaning California State University trustees, academic, nonacademic, and administrative personnel, students, and other persons while such other persons are on campus property or at a campus function.
  2. The term "campus property" includes:
    - A. real or personal property in the possession of, or under the control of, the Board of Trustees of the California State University, and
    - B. all campus feeding, retail, or residence facilities whether operated by a campus or by a campus auxiliary organization.
  3. The term "deadly weapons" includes any instrument or weapon of the kind commonly known as a blackjack, slingshot, billy, sandclub, sandbag, metal knuckles, any dirk, dagger, switchblade knife, pistol, revolver, or any other firearm, any knife having a blade longer than five inches, any razor with an unguarded blade, and any metal pipe or bar used or intended to be used as a club.

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4. The term “behavior” includes conduct and expression.
5. The term “hazing” means any method of initiation into a student organization or any pastime or amusement engaged in with regard to such an organization which causes, or is likely to cause, bodily danger, or physical or emotional harm, to any member of the campus community; but the term “hazing” does not include customary athletic events or other similar contests or competitions.
6. The causes for discipline in this section shall, as appropriate, include computer-related crimes as provided in Section 502 of the Penal Code.
  - o. This Section is not adopted pursuant to Education Code Section 89031.
  - p. Notwithstanding any amendment or repeal pursuant to the resolution by which any provision of this Article is amended, all acts and omissions occurring prior to that effective date shall be subject to the provisions of this Article as in effect immediately prior to such effective date.

**41302. Disposition of Fees: Interim Suspension; Campus Emergency.** The president of the campus may place on probation, suspend, or expel a student for one or more of the causes enumerated in Section 41301. No fees or tuition paid by or for such student for the semester, quarter, or summer session in which he or she is suspended or expelled shall be refunded. If the student is readmitted before the close of the semester, quarter, or summer session in which he or she is suspended, no additional tuition or fees shall be required of the student on account of the suspension.

The president may immediately impose an interim suspension in all cases in which there is reasonable cause to believe that such an immediate suspension is required in order to protect lives or property and to ensure the maintenance of order. A student so placed on interim suspension shall be given prompt notice of charges and the opportunity for a hearing within 10 days of the imposition of interim suspension. During the period of interim suspension, the student shall not, without prior written permission of the president or designated representative, enter any campus of the California State University other than to attend the hearing. Violation of any condition of interim suspension shall be grounds for expulsion.

During periods of campus emergency, as determined by the president of the individual campus, the president may, after consultation with the chancellor, place into immediate effect any emergency regulations, procedures, and other measures deemed necessary or appropriate to meet the emergency, safeguard persons and property, and maintain educational activities.

**41303. Conduct by Applicants for Admission.** Notwithstanding any provision in this Chapter 1 to the contrary, admission or readmission may be qualified or denied to any person who, while not enrolled as a student, commits acts which, were he or she enrolled as a student, would be the basis for disciplinary proceedings pursuant to Sections 41301 or 41302. Admission or readmission may be qualified or denied to any person who, while a student, commits acts which are subject to disciplinary action pursuant to Section 41301 or Section 41302. Qualified admission or denial of admission in such cases shall be determined under procedures adopted pursuant to Section 41304.

**41304. Student Disciplinary Procedures for the California State University.** The chancellor shall prescribe, and may from time to time revise, a code of student disciplinary procedures for the California State University. Subject to other applicable law, this code shall provide for determinations of fact and sanctions to be applied for conduct which is a ground of discipline under Sections 41301 or 41302, and for qualified admission or denial of admission under Section 41303; the authority of the campus president in such matters; conduct related determinations on financial aid eligibility and termination; alternative kinds of proceedings, including proceedings conducted by a Hearing Officer; time limitations; notice; conduct of hearings, including provisions governing evidence, a record, and review; and such other related matters as may be appropriate. The chancellor shall report to the Board actions taken under this section.

### **Cheating and Plagiarism**

**Cheating.** Cheating is the actual or attempted practice of fraudulent or deceptive acts for the purpose of improving a grade or obtaining course credit. Typically, such acts occur in relation to examinations. It is the intent of this definition that the term *cheating* not be limited to examinations situations only, but that it include any and all actions by a student that are

intended to gain an unearned academic advantage by fraudulent or deceptive means.

**Plagiarism.** Plagiarism is a specific form of cheating that consists of the misuse of the published and/or unpublished works of others by misrepresenting the material so used as one’s own work.

### **Career Placement Policy**

The Career Services Office may furnish, upon request, information about the employment of students who graduate from programs or courses of study preparing students for a particular career field. This information may include data concerning the average starting salary collected from graduates of the campus or of the CSU system.

### **Safety Checklist**

In case of an emergency, students can dial “911” from campus pay phones for assistance. Blue light/yellow light emergency phones provide a direct line to the police dispatcher. Practice safety measures: be aware of who is nearby, never open the door without checking who is there, have car keys in hand and check inside the car before entering, use well-traveled routes well-lighted areas, and keep outside doors locked. During hours of darkness, the University Police Department will provide an escort on campus or to a nearby residence upon request. For more information, see the *Class Schedule*.

### **Service Learning Policy**

Education at California State University, Fresno includes the opportunity to serve the people of California. This is partially accomplished by the link of academic study to community service. Service-learning is a method by which students learn and develop through active participation in organized service, which is conducted in and meets the needs of the community. This service is integrated into and enhances the academic curriculum and provides students with structured opportunities for critical reflection on their service experience. It also enhances students’ appreciation of themselves and societal and civic issues, as well as encourages students’ commitment to be active citizens throughout their lives.

### **Reservation to Deny Admission**

The university reserves the right to select its students and deny admission to the university or any of its programs as the university, in its sole discretion, determines appropriate, based on an applicant’s suitability and the best interests of the university.