



California State University Bakersfield

2005 - 2007 Catalog

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Campus Policy on Disruptive and Violent Behavior - California State University, Bakersfield is committed to creating and maintaining a safe working, learning, and social environment for all students, employees and visitors which is free from violence, threats, intimidation, hostile acts, and disruptive behavior.

Civility, understanding, and mutual respect toward all persons are intrinsic to the existence of a safe and healthy campus. Threats or acts of violence, or hostile, intimidating, or disruptive behavior not only impact the individuals concerned, but also the mission of the University. The University prohibits acts or threats of violence, and any person who commits such acts is subject to disciplinary action, and/or civil or criminal prosecution.

The University has zero tolerance for potentially violent or violent acts against any member of the campus environment, or against any property.

For the purpose of this policy, violence, threats of violence, and other inappropriate behaviors include, but are not limited to:

- any act that is physically or emotionally assaultive; or
- any threat, behavior or action which is interpreted by a reasonable person to carry the potential of:

- harm or endangering the safety of others;
- resulting in an act of aggression; or
- destroying or damaging property.

Established student, personnel, and public safety procedures will serve as the mechanisms for resolving such situations. Each incident will be taken very seriously and may be reported to, and records maintained in, the Office of Risk Management (SSS 109, 661-654-2066).

Members of the campus community are encouraged to report to the Public Safety Office, the appropriate school dean, or the employee's area supervisor, acts of violence, threats of violence or any other behavior which by intent, act or outcome could harm another person or property.

Individuals who severely disrupt classrooms, offices or common spaces may be removed from the campus. Deans may deny class enrollment to a student whose behavior compromises the learning environment. Formal sanctions may also be administered by the Coordinator for Student Discipline and Judicial Affairs.

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Confidentiality of Disability Related Student Records - California State University campuses comply with the Family Education Rights and Privacy Act of 1974 (FERPA) and its regulations. Each CSU campus shall maintain appropriate confidential records identifying students with disabilities. Information in these records shall include the student's name, address, social security number, nature of disability, support services recommended, and verifying statement by the director of disabled student services or designee, or documentation provided by the student. The confidential records will be protected in accordance with FERPA regulations with the purpose of providing appropriate academic accommodations to the student. Information about the student may be released with the student's consent or in accordance with FERPA or other applicable legislation.

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Service Animal Policy - According to the Americans with Disabilities Act (ADA), a service animal is defined as "any animal individually trained to do work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals to an impending seizure or protecting individuals during one, and alerting individuals who are hearing impaired to intruders, or pulling a wheelchair and fetching dropped items". Service animals must be permitted to accompany a person with a disability everywhere on campus or off campus as the activity (e.g. internship, field work, etc.) pertains to the curriculum. If there are any questions as to whether an animal qualifies as a service animal, a determination will be made by the Section 504 Compliance Officer/ADA Coordinator in consultation with the Office of Services to Students with Disabilities (SSD).

In compliance with the ADA, service animals are welcome in all buildings on campus and may attend any class, meeting, or other event. Disabled students desiring to use a service animal on campus should first contact SSD to register as a student with a disability. The Director of SSD (or designee) will evaluate the disability and recommend any additional accommodations appropriate to the functional

limitations of the disability.

Faculty or staff desiring the use of a service animal on campus should contact the Office of Personnel Services. The Director of Personnel (or designee), in consultation with the Director of SSD (or designee), will evaluate the disability and make any appropriate recommendations.

Requirements of service animals and their owners include:

- Dogs must be licensed in accordance with county regulations and wear a vaccination tag.
- Other types of animals (monkeys, snakes, miniature donkeys, etc.) must have vaccinations appropriate for that type of animal.
- Animals must be in good health. Animals to be housed in university housing must have an annual clean bill of health from a licensed veterinarian.
- Animals must be on a leash at all times.
- The owner must be in full control of the animal at all times.
- The owner should provide SSD information as to how the animal accommodates for their disability.

Reasonable behavior is expected from service animals while on campus. If a service dog, for example, exhibits unacceptable behavior, the owner is expected to employ the proper training techniques to correct the situation.

The owners of disruptive and aggressive service animals may be asked to remove them from university facilities. If the improper behavior happens repeatedly, the owner may be told not to bring the service animal into any facility until they take significant steps to mitigate the behavior. This mitigation may include muzzling a barking dog, or refresher training for the animal and its owner.

Cleanliness of the service animal is mandatory. Daily grooming and occasional baths (at a vet or a family home) should keep dog odor to a minimum. Flea control is essential and adequate preventative measures should be taken. If a flea problem develops, it should be dealt with immediately and in an effective manner.

Consideration of others must be taken into account when providing maintenance and hygiene of service animals.

Any questions regarding this policy may be directed to either the SSD Office SA 140 (661) 654-3360 (voice) (661) 654-6288 (tdd), or to the Section 504 Compliance Officer/ADA Coordinator, Dr. James H. George, Jr. (Provost & Vice President). Dr. George may be reached at (661) 654-2154, and his office is located in Administration 100.

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Sexual Harassment - Sexual harassment is prohibited by Title VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, the California Fair Employment and Housing Act, as well as under CSU Executive Order 345. California State University, Bakersfield is committed to creating and maintaining an environment in which faculty, staff, and students work together in an atmosphere of mutual respect and unconstrained academic interchange. In the university environment, all faculty, staff, and students are entitled to be treated on the basis of their qualifications, competence, and accomplishments without regard to gender. Individuals are entitled to benefit from university programs and activities without being discriminated against on the basis of their sex. Sexual harassment violates university policy, seriously threatens the academic environment, and is illegal. The policy on campus is to eliminate sexual harassment and to provide prompt and equitable relief to the extent possible.

Sexual harassment includes such behavior as sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature directed toward an employee, student, or applicant when one or more of the following circumstances are present:

- Submission to or toleration of the conduct is an explicit or implicit term or condition of appointment, employment, admission, or academic evaluation;
- Submission to or rejection of such conduct is used as a basis for a personnel decision or an academic evaluation affecting an individual;
- The conduct has the purpose or effect of interfering with an employee's work performance, or creating an intimidating, hostile, offensive or otherwise adverse working environment;
- The conduct has the purpose or effect of interfering with a student's academic performance, creating an intimidating, hostile, offensive or otherwise adverse learning environment, or adversely affecting any student.

Sexual harassment will not be tolerated by the university and may result in disciplinary action, up to and including termination or dismissal. Administrative personnel are available to answer questions or handle complaints by students, employees, student applicants or employee applicants. The names and office locations of sexual harassment counselors and respective administrative personnel are available in the Counseling Center and the Office of Personnel Services. Any employee who believes that this policy has been violated should promptly report the facts of the incident(s) and the person(s) involved.

Formal complaints alleging sexual harassment of employees or applicants for employment should be made to the Director of Personnel Services (ADM 108, 661-654-2266). Complaints involving sexual harassment of students should be made to the Ombudsman, located in the Counseling Center (HC, 661-654-3366). Such complaints will be investigated without delay in accordance with university procedures and appropriate action taken.

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University Alcohol and Illicit Drug Policy (Philosophical Statement) - CSUB recognizes that the abuse of alcohol and other drugs is detrimental to the educational mission of the University, as well as to individual members of the University community and their families. All members of the University community have a stake in ensuring that alcohol is used in a responsible manner. To achieve this end,

CSUB has developed a comprehensive approach to address potential and/or problems of substance abuse. This approach emphasizes the following components:

- Taking effective steps to create and maintain an environment conducive to educational growth for students, faculty, and staff.
- Providing continual education, prevention, and intervention services along with referrals to community treatment facilities as needed.
- Encouraging students who are experiencing difficulties associated with alcohol and/or illicit drug use to seek an assessment, counseling, and other treatment services voluntarily with the understanding that assistance is confidential.
- Assessing university sanctions for the manufacture, distribution, use or possession of illegal drugs or the possession of alcohol which may include prosecution under applicable state and federal laws.

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Student Policy on Alcohol - Only those university students 21 years of age or older may possess or consume alcoholic beverages at approved university-related functions or in designated locations on campus, and they must do so in a responsible manner. Students are expected to assume responsibility for their own behavior while drinking and must understand that being under the influence of alcohol in no way lessens their accountability to the university community.

- Students will not provide alcoholic beverages to anyone under 21 years of age.
- University-recognized student living units and events sponsored by university-recognized groups are governed by university policy concerning alcohol. Individuals and groups are expected to follow appropriate on-campus residential hosting guidelines.
- Alcoholic beverages may not be present at student organization recruitment efforts. The use of university funds to provide alcohol to students is prohibited.
- The intention to serve alcoholic beverages must be registered with the office or department administratively responsible for the facility or location where the event is to be held.

Violation of University policies concerning alcohol will result in appropriate disciplinary action. If a determination that a violation of the alcohol policy has occurred, by either an individual or a student organization, sanctions will be assessed. Such sanctions for a group or individual may include any of the following:

- Community Service
- Educational Sessions
- Denial of use of university facilities
- Social Probation
- Disciplinary Probation
- Revocation of recognition as a student organization

- Suspension from the university
- Expulsion from the university

If a determination is made that a student organization has violated the university alcohol policy, sanctions will be assessed by the Office of Student Activities. If a determination is made that a student is in violation of the university alcohol policy, sanctions will be assessed by the President or a designee.

In addition, if a determination that a violation of the alcohol policy has occurred by an individual student (group grievances are not permitted), that student has the right to file a nonacademic grievance. A student wishing to file a grievance should consult the Student Complaint and Grievance Procedure. Copies of the procedure are available in the Office of the Vice President of Student Services and the Office of the Dean of Undergraduate Studies.

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State and Federal Criminal Sanctions - Additionally, the university expects all students and student groups to comply with all current laws of the state of California and the city of Bakersfield. It is the responsibility of each student to be aware of, and to abide by, all state and local ordinances and university regulations. Current laws provide for severe penalties for violations, which may result in a criminal record. Students should note that state and local laws include but are not limited to, the following provisions:

- The purchase, possession or consumption of any alcoholic beverages by any person under the age of 21 is prohibited
- It is unlawful to provide alcohol to anyone under the age of 21
- Selling, either directly or indirectly, any alcoholic beverage except under the authority of a California Alcoholic Beverage Control Board license is prohibited
- Serving alcohol to an intoxicated person or to someone to the point of intoxication is prohibited
- Being intoxicated and disorderly in public is prohibited
- Driving a motor vehicle or a bicycle while under the influence of alcohol is prohibited

The following is a brief summary of the state and federal criminal sanctions that may be imposed upon someone who violates the alcohol policy at CSUB or elsewhere in the state of California:

- A violation of California law for the unlawful sale of alcohol may include imprisonment in the county jail for six months, plus fines and penalties
- A violation of California law for the use of alcohol by obviously intoxicated individuals will vary with particular circumstances but may include imprisonment in the county jail and substantial fines and penalties. Additionally, minors who are arrested for violations concerning the use of alcohol run the risk of having their driving privileges suspended or revoked until they are 18 years of age.

The Department of Public Safety is responsible for enforcement for all unlawful possession, use, and/or sale of alcohol.

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Student Policy on Illicit Drugs - CSUB prohibits the possession, use, and/or sale of narcotics, marijuana, and/or other illicit drugs. Violation of university policies concerning illicit drugs shall result in appropriate disciplinary action up to and including suspension or expulsion from the university, and in the case of organizations, loss of recognition. The following is a brief summary of the state and federal criminal sanctions that may be imposed upon someone who violates the illicit drug policy at CSUB or elsewhere in the state of California:

- A violation of California law for the possession, use, and/or sale of narcotics, marijuana, and/or other illicit drugs includes imprisonment in the county jail or state prison for one to nine years, plus fines up to \$100,000 for each count
- A violation of federal law for the possession, use and/or sale of narcotics, marijuana, and/or other illicit drugs may include imprisonment in a federal penitentiary for one to fifteen years plus substantial financial penalties
- A violation of the law involving an individual being under the influence of a combination of alcohol and drugs (itself potentially fatal), may result in an increase in criminal sanctions and penalties

The Department of Public Safety is responsible for enforcement for all unlawful possession, use, or distribution of illicit drugs.

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Counseling and Intervention Services - Any student, who is concerned about problems resulting from his/her use of alcohol and/or other drugs, is encouraged to seek assistance from the Student Health Center and Counseling Center. Students will receive an initial counseling assessment, and a referral will be provided, when appropriate, to a community treatment agency for diagnosis and treatment. In addition, regular Alcoholics Anonymous meetings are held on campus.

CSUB is an institution of higher education which complies with the Drug-Free Schools and Campuses Regulations of 1989, which states that "as a condition of receiving funds or any other form of financial assistance under any federal program, an institution of higher education must certify that it has adopted and implemented a program to prevent the unlawful possession, use or distribution of illicit drugs and alcohol by students."

Therefore, for the benefit of all students, California State University, Bakersfield will strive to maintain an environment free of alcohol and substance abuse.

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