

CSU POLICIES AND REGULATIONS

Determination of Residency for Tuition Purposes

University requirements for establishing residency for tuition purposes are independent from those of other types of residency, such as for tax purposes, or other state or institutional residency. These regulations were promulgated not to determine whether a student is a resident or nonresident of California, but rather to determine whether a student should pay university fees on an in-state or out-of-state basis. A resident for tuition purposes is someone who meets the requirements set forth in the Uniform Student Residency Requirements. These laws governing residency for tuition purposes at the California State University are California Education Code sections 68000-68085, 68120-68133, and 89705-89707.5, and California Code of Regulations, Title 5, Subchapter 5, Article 4, sections 41900- 41916. Residency material can be viewed by accessing the California State University Office of General Counsel (<https://www2.calstate.edu/csu-system/administration/general-counsel/>) website.

Each CSU Admissions Office is responsible for determining the residency status of that university's new and returning students based, as applicable, on the student's Application for Admission, Residency Questionnaire, and, as necessary, other information the student furnishes. A student who fails to submit adequate information to establish eligibility for resident classification will be classified as a nonresident.

Residency Requirements

Initial Determination: Eligible Immigration Status, Physical Presence, and Intent

A student seeking to pay in-state tuition at a California State University (CSU) as a first-time freshman, transfer, or as a post-baccalaureate/graduate student must have an eligible immigration status to establish residency (see **Immigration Information**), meet physical presence by the Residence Determination Date, and demonstrate intent to indefinitely remain in the State of California for more than one year immediately preceding the Residence Determination Date. If the student is under the age of 19 (with limited exceptions), the student's residence status is derived from that of the parent or from that of the legal guardian.

Requirements for Residency for Tuition Purposes

Physical Presence: The student or parent/guardian must be physically present in California for more than one year immediately preceding the Residence Determination Date in which enrollment is contemplated. For example, if a student plans to attend the CSU for the Fall 2023 academic term, and the Residence Determination Date for that term is September 20, 2023, the student must establish physical presence in California no later than September 19, 2022.

Intent: California law stipulates the burden of proof rests with the student, and merely living in California for a year does not support a claim for residency for tuition purposes. The student, or in some cases a parent or legal guardian, must demonstrate intent to remain indefinitely in the state for more than one year immediately preceding the **Residence Determination Date (RDD)** and sever all residential ties with the former state or country of residence. If the student is under the age of 19, the student's residence status is derived from that of the parent or

legal guardian unless an exception applies. There must be sufficient documentation to demonstrate that intent was established more than one year (a minimum of one year and one day) before the RDD.

Documents must include the student's name, the student's California address, and a date at least one year and one day prior or on the RDD for the term. For students under the age of 19, documents must be in the parent or legal guardian's name unless an exception applies. Also, a parent or legal guardian's immigration status does not preclude a student from establishing residency; therefore, the parent or legal guardian is not required to provide any immigration documents to demonstrate intent.

Evidence demonstrating intent to remain in the state of California may vary from case to case, but will include, and is not limited to, the absence of residential ties to any other state, California voter registration and voting in California elections, maintaining California vehicle registration and driver's license, maintaining active California bank accounts, filing California income tax returns and listing a California address on federal tax returns, owning residential property or occupying or renting an apartment where permanent belongings are kept, maintaining active memberships in California professional or social organizations, and maintaining a permanent military address and home of record in California.

Immigration Information

A student seeking to pay in-state tuition at a CSU as a first-time freshman, transfer, or as a post-baccalaureate/graduate student must have an eligible **immigration status** to establish residency. Therefore, the student must be a United States citizen, a permanent resident (Green Card holder), or hold an eligible visa status (see list). If a student does not qualify as a California resident, the student may be eligible for certain **exceptions and exemptions**.

Nonimmigrant Statuses and Other Categories that are Eligible to Establish California Residency for Tuition Purposes

The Immigration and Nationality Act allows individuals in certain nonimmigrant statuses to establish permanent residency in the United States. Therefore, they are entitled to establish California residency for tuition purposes. For a complete list of eligible visas and other eligible categories, review the Nonimmigrant list. Students must hold an eligible visa status at least one year before the Residence Determination Date (<https://www.calstate.edu/apply/california-residency-for-tuition-purposes/Pages/classification-determination-of-residency.aspx>) (RDD) to be eligible to establish California residency for tuition purposes.

Students in the category of Deferred Action for Childhood Arrivals (DACA) or Temporary Protected Status (TPS) are also eligible to establish residency for tuition purposes. Also, students who are adjusting their immigration status, such as asylum, may qualify for residency depending on where they are in the application process.

Most nonimmigrant visa holders, such as an F-1 or J-1 visa holder, are not eligible to establish California residency for tuition purposes. Students with a visa or without an immigration status should contact the university Admissions Office.

Exceptions

Exceptions to the general residency requirements are contained in California Education Code sections 68070-68086 and California Code of Regulations, Title 5, Subchapter 5, Article 4, sections 41906- 41906.6, 41910. Whether an exception applies to a particular student can only be determined after the submission of an application for admission and,

as necessary, additional supporting documentation. Because neither the university nor the Chancellor's Office staff may give legal advice, applicants are strongly urged to review the material for themselves and consult with a legal advisor.

- **Semester Term CSUs**

- Fall: September 20
- Spring: January 25
- Summer: June 1

CalState **TEACH** operates on a trimester system. The residency determination dates for CalState **TEACH** are as follows:

- Fall: September 20
- Spring: January 5
- Summer: June 1

Reclassification - Financial Independence (only applies to continuing students)

A student classified as a nonresident for a prior term may seek reclassification in any subsequent term; however, reclassification requires that, in addition to satisfying the requirements of **physical presence** and **intent** to remain indefinitely in the state, the student must also satisfy the requirement of financial independence as outlined in Title 5 CCR § 41905.5. To do so, the student must contact the appropriate person in the university Admissions Office and complete a Residency Questionnaire Form and provide supporting documents.

41905.5. Residence Reclassification - Financial Independence Requirement

- Any nonresident student requesting reclassification to resident for tuition purposes must demonstrate financial independence.
- Student has not and will not be claimed as an exemption for state and federal tax purposes by their parent in the calendar year the reclassification application is made and in any of the three calendar years prior to the reclassification application.
- Student has not and will not receive more than seven hundred fifty dollars (\$750) per year in financial assistance from their parent in the calendar year the reclassification application is made and in any of the three calendar years prior to the reclassification application.
- Student has not lived and will not live for more than six weeks in the home of their parent during the calendar year the reclassification application is made and in any of the three calendar years prior to the reclassification application.
- Note: Students who receive a government scholarship and/or financial assistance should be viewed the same as state and federal financial aid, and athletics grants-is-aid; and should not be counted as parental support.
- Effective Fall 2020 academic term, if the student meets at least one of the following criteria, the student does not have to meet the financial independence requirement. Student must provide the university admissions office supporting documents (e.g. state income tax returns, court documents, marriage certificate, military order form) that demonstrate they meet the criteria.
 - Dependent on a parent who has California residence for more than one year immediately preceding the residence determination date.
 - Enrolled in a graduate or postbaccalaureate program, regardless of age.
 - Turned 24 years of age by the residence determination date.

- Married or registered domestic partner as of the residence determination date
- Active duty members serving in the U.S Armed Forces.
- Veteran of the U.S. Armed Forces.
- Legal dependent other than spouse or registered domestic partner.
- Former ward of the court, foster youth or both parents are deceased.
- Declared by a court to be an emancipated minor, or
- Unaccompanied youth who is homeless or at risk of becoming homeless.

Residency Appeals

A student classified as a nonresident may appeal a final university decision within 30 days of notification by the university. Appeals will be accepted only if at least one of the following criteria applies:

1. The decision was based on:
 - a. A significant error of fact by the university;
 - b. A significant procedural error by the university;
 - c. An incorrect application of the law which, if corrected would require that the student be reclassified as a California resident; and/or
 - d. Significant new information, not previously known or available to the student, became available after the date of the university decision classifying the student as a nonresident and based on the new information, the classification as a nonresident is incorrect.

Instructions to submit an appeal and additional information can be found on the California Residency for Tuition Purposes website (<https://www.calstate.edu/apply/california-residency-for-tuition-purposes/>).

Appeals via email, fax, and U.S. mail will not be accepted. A student with a documented disability who is requesting an accommodation to submit an appeal through the California State University website (<https://www.calstate.edu/>) should contact Student Affairs and Enrollment Management at residencyappeals@calstate.edu.

The Office of the Chancellor will either decide the appeal or send the matter back to the university for further review.

A student incorrectly classified as a resident or incorrectly granted an exception from nonresident tuition is subject to reclassification as a nonresident or withdrawal of the exception and subject to payment of nonresident tuition in arrears. If incorrect classification results from false or concealed facts, the student may also be subject to discipline pursuant to Section 41301 of Title 5 of the California Code of Regulations. A student previously classified as a resident or previously granted an exception is required to immediately notify the Admissions Office if the student has reason to believe that the student no longer qualifies as a resident or no longer meets the criteria for an exception.

Changes may have been made in the rate of nonresident tuition and in the statutes and regulations governing residency for tuition purposes in California between the time this information is published and the relevant residency determination date. Students are urged to review the statutes and regulations stated above.

Average Support Cost Per Full-Time Equivalent Student and Sources of Funds

The total support cost per full-time equivalent student (FTES) includes the expenditures for current operations, including payments made to students in the form of financial aid, and all fully reimbursed programs contained in state appropriations. The average support cost is determined by dividing the total cost by the number of FTES. The total CSU 2022-23 budget amounts were \$4,589,590,000 from state General Fund (GF) appropriations, before a \$(68.5) million CalPERS retirement adjustment, \$2,446,491,000 from gross tuition revenue, and \$672,655,000 from other fee revenues for a total of \$7,708,736,000. The 2022-23 resident FTES target is 383,680 and the nonresident FTES based on past-year actual is 19,953 for a total of 403,633 FTES. The GF appropriation is applicable to resident students only whereas fee revenues are collected from resident and nonresident students. FTES is derived by dividing the total student credit units attempted by a fixed amount depending on academic level (e.g., 30 for a semester university and 45 for a quarter university, the figures that define a full-time undergraduate or postbaccalaureate student's academic load).

2022/2023 Average Cost Data

Area	Amount	Average Cost Per FTES	Percentage
State Appropriation (GF) ¹	\$4,589,590,000	\$11,962	59.6%
Gross Tuition Revenue ²	\$2,446,491,000	\$6,061	31.7%
Other Fees Revenue ²	\$672,655,000	\$1,667	8.7%
Total Support Cost	\$7,708,736,000	\$19,690	100%

¹ Represents state GF appropriation in the Budget Act of 2022-23; GF is divisible by resident students only (383,680 FTES).

² Represents CSU Operating Fund, gross tuition and other fees revenue amounts submitted in university September 2022-23 final budgets. Revenues are divisible by resident and nonresident students (403,633 FTES).

The 2022-23 average support cost per FTES based on GF appropriation and tuition fee revenue only is \$18,023 and is \$19,960, which includes all fee revenue (e.g., tuition fees, application fees, and campus mandatory fees) in the CSU Operating Fund. Of this amount, the average tuition and other fee revenue per FTES is \$7,728.

The average CSU 2022-23 academic year, resident, undergraduate student basic tuition and other mandatory fees required to apply to, enroll in, or attend the university is \$7,520 (\$5,742 tuition fee plus \$1,778 average campus-based fees). However, the costs paid by individual students will vary depending on the university, program, and whether a student is part-time, full-time, resident, or nonresident.

Programs Leading to Licensure and Credentialing

Admission into programs leading to licensure and credentialing does not guarantee that students will obtain a license or credential. Licensure and credentialing requirements are set by agencies that are not controlled

by or affiliated with the CSU and requirements can change at any time. For example, licensure or credentialing requirements can include evidence of the right to work in the United States (e.g., Social Security number or tax payer identification number) or successfully passing a criminal background check. Students are responsible for determining whether they can meet licensure or credentialing requirements. The CSU will not refund tuition, fees, or any associated costs, to students who determine subsequent to admission that they cannot meet licensure or credentialing requirements. Information concerning licensure and credentialing requirements are available from Human Resources KNDL 220, California State University, Chico Chico, California 95929 530-898-5029

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

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 (<https://govt.westlaw.com/calregs/Document/I2F1CE280D48311DEBC02831C6D6C108E/?transitionType=Default&contextData=%28sc.Default%29>), and Section 6109 of the Internal Revenue Code (26 U.S.C. 6109) (<https://www.govinfo.gov/content/pkg/USCODE-2011-title26/pdf/USCODE-2011-title26-subtitleF-chap61-subchapB-sec6109.pdf>).

The university uses the Social Security number to identify students and their records including identification for purposes of financial aid eligibility and disbursement and the repayment of financial aid and other debts payable to the institution. Also, the Internal Revenue Service (IRS) 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.

Students who do not have a Social Security number at the time of enrollment will be required to obtain a Social Security number and submit it to the University within 60 days. Failure to furnish a correct Social Security number may result in the imposition of a penalty by the Internal Revenue Service.

Privacy Rights of Students in Education Records

The federal Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1232g) (FERPA) and regulations adopted thereunder (34 C.F.R. 99) set out requirements designed to protect students' privacy in their educational records maintained by the university. The statute and regulations govern access to certain student records maintained by the university and the release of those records. FERPA provides that the university must give students access to most records directly related to the student and must also provide an opportunity to correct the records if the student believes

the records are inaccurate, misleading, or otherwise inappropriate. The right to petition to correct a record under FERPA does not include the right to challenge the appropriateness of a grade determined by the instructor. In addition, FERPA generally requires the university obtain a student's written consent before releasing personally identifiable data pertaining to the student. The university has adopted a set of policies and procedures governing the implementation of FERPA and its regulations. Copies of these policies and procedures may be obtained from the Office of the Registrar, SSC 110, or
Office of the Registrar
400 West First Street
Chico, CA 95929-0720

Among the information included in the university statement of policies and procedures is:

1. The student records maintained and the information they contain.
2. The university official responsible for maintaining each record.
3. The location of access lists identifying persons requesting or receiving information from the record.
4. Policies for reviewing and expunging records.
5. Student access rights to their records.
6. Procedure for challenging the content of student records, and
7. The student's right to file a complaint with the Department of Education, which enforces FERPA. The Department of Education has established an office and review board to investigate complaints and adjudicate potential FERPA violations. The designated office is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-5920.

FERPA authorizes that the university may release "directory information" pertaining to students. "Directory information" may include the student's name, address, telephone listing, electronic mail address, photograph, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, grade level, enrollment status, degrees, honors, and awards received, and the most recent previous educational agency or institution the student attended. The university may release this "directory information" at any time unless the university has received prior written objection from the student specifying the information the student requests not be released. Written objections must be sent to:

Office of the Registrar
400 West First Street
Chico, CA 95929-0720

The university is authorized to provide access to student records without prior student consent to university officials, employees and others who have legitimate educational interests in such access. These persons include those with legitimate reasons to access student records to perform the university's academic, administrative or service functions, and those with a reason for accessing student records associated with their university or other related academic responsibilities. Student records will also be disclosed to the CSU Chancellor's Office to conduct research, to analyze trends, or to provide other administrative services. Student records may also be disclosed without prior student consent to other persons or organizations under certain conditions (e.g., as part of the 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).

Nondiscrimination Policy and Complaint Procedures

Protected Status: Age, Genetic Information, Marital Status, Medical Condition, Nationality, Race or Ethnicity (including color or ancestry), Religion or Religious Creed, and Veteran or Military Status.

Any Chico State student or applicant for admission to Chico State has the right to be free from discrimination, harassment, and retaliation (DHR). Executive Order 1097 (<https://calstate.policystat.com/policy/8453516/latest/>) outlines the process for inquiries and investigation and for filing of complaints. Students/applicants with concerns or complaints should contact Student Conduct, Rights, and Responsibilities (<https://www.csuchico.edu/scrr/>), in SSC 480.

California State University does not discriminate on the basis of age, genetic information, marital status, medical condition, nationality, race or ethnicity (including color, caste and ancestry), religion (or religious creed), and veteran or military status – as these terms are defined in the CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation (Nondiscrimination Policy) (<https://www.calstate.edu/titleix/Pages/policies.aspx>) in its programs and activities, including admission and access. Federal and state laws, including Title VI of the Civil Rights Act of 1964 and the California Equity in Higher Education Act, prohibit such discrimination.

Dylan Saake, Title IX Coordinator, DHR Administrator, and Director of Labor Relations and Compliance, has been designated to coordinate the efforts of Chico State to comply with all applicable federal and state laws prohibiting discrimination on these bases. Inquiries concerning compliance may be presented to this person at Kendall Hall 220, 530-898-4949. Interim procedures for complaints of discrimination, harassment, sexual misconduct, sexual exploitation, dating violence, domestic violence, stalking and retaliation made against a student, (or any successor policy) is the systemwide procedure for all complaints or discrimination, harassment or retaliation **made against other CSU students**. Interim procedures for complaints of discrimination, harassment, sexual misconduct, sexual exploitation, dating violence, domestic violence, stalking and retaliation (or any successor procedure) is the system-wide procedure for all complaints of discrimination, harassment or retaliation **made against the CSU, a CSU employee or a third party**.

Protected Status: Disability

The California State University does not discriminate on the basis of disability (physical and mental) – as this term is defined in the CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking and Retaliation – in its programs and activities, including admission and access. Federal and state laws, including sections 504 and 508 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, prohibit such discrimination.

Holly Hunt, Director and ADA Coordinator of the Accessibility Resource Center, has been designated to coordinate the efforts of Chico State to comply with all applicable federal and state laws prohibiting discrimination on the basis of disability. Inquiries concerning compliance may be presented to this person at Accessibility Resource Center, SSC 170, 530-898-5959. CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation (Nondiscrimination Policy) (<https://>

www.calstate.edu/titleix/Pages/policies.aspx) Made Against a Student (or any successor procedure) is the systemwide procedure for all complaints of discrimination, harassment or retaliation **made against other CSU students**. CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation (Nondiscrimination Policy (<https://www.calstate.edu/titleix/Pages/policies.aspx>)) Made Against an Employee or Third-Party (or any successor procedure) is the systemwide procedure for all complaints of discrimination, harassment or retaliation **made against the CSU, a CSU employee or a third party**).

Protected Status: Gender (or sex), Gender Identity (including nonbinary and transgender), Gender Expression, and Sexual Orientation

California State University does not discriminate on the basis of gender (or sex), gender identity (including nonbinary and transgender), gender expression or sexual orientation — as these terms are defined in CSU policy — in its programs and activities, including admission and access. Federal and state laws, including Title IX of the Education Amendments of 1972, prohibit such discrimination.

Dylan Saake, Title IX Coordinator, DHR Administrator, and Director of Labor Relations and Compliance, has been designated to coordinate the efforts of Chico State to comply with all applicable federal and state laws prohibiting discrimination on these bases. Inquiries concerning compliance may be presented to this person at Kendall Hall 220, 530-898-4949. The California State University is committed to providing equal opportunities to all CSU students in all university programs, including intercollegiate athletics. CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation (Nondiscrimination Policy) (<https://www.calstate.edu/titleix/Pages/policies.aspx>) Made Against a Student(or any successor) is the systemwide procedure for all complaints of discrimination, harassment or retaliation made against other CSU students. CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation (Nondiscrimination Policy) Made Against an Employee or Third-Party (<https://www.calstate.edu/titleix/Pages/policies.aspx>) (or any successor procedure) is the systemwide procedure for all complaints of discrimination, harassment or retaliation made against the CSU, a CSU employee or a third party).

As a matter of federal and state law and California State University policy, the following types of conduct are prohibited:

Sex Discrimination or Gender Discrimination is (an) adverse action taken against a complainant because of their protected status.

Adverse Action means an action engaged in by the respondent that has a substantial and material adverse effect on the complainant's ability to participate in a university program, activity, or employment. Minor or trivial actions or conduct not reasonably likely to do more than anger or upset a complainant does not constitute and adverse action.

Sexual Harassment means unwelcome verbal, nonverbal or physical conduct of a sexual nature that includes, but is not limited to, sexual advances, requests for sexual favors, offering employment benefits or giving preferential treatment in exchange for sexual favors, or indecent exposure, and any other conduct of a sexual nature where:

1. Submission to, or rejection of, the conduct is explicitly or implicitly used as the basis for any decision affecting a Complainant's academic status or progress, or access to

benefits and services, honors, programs, or activities available at or through the university; **or**

2. Submission to, or rejection of, the conduct by the Complainant is explicitly or implicitly used as the basis for any decision affecting a term or condition of the Complainant's employment, or an employment decision; **or**
3. The conduct is sufficiently severe, persistent, or pervasive that its effect, whether or not intended, could be considered by a reasonable person in the shoes of the Complainant, and is in fact considered by the Complainant, as limiting their ability to participate in or benefit from the services, activities or opportunities offered by the university; **or**
4. The conduct is sufficiently severe, persistent, or pervasive that its effect, whether or not intended, could be considered by a reasonable person in the shoes of the Complainant, and is in fact considered by the Complainant, as creating an intimidating, hostile or offensive environment.

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

Claiming that the conduct was not motivated by sexual desire is not a defense to a complaint of Sexual Harassment.

Sexual and/or romantic relationships between members of the university community may begin as consensual, and may develop into situations that lead to Discrimination, Harassment, Retaliation, Sexual Misconduct, Dating or Domestic Violence, or Stalking subject to this policy.

Sexual Misconduct

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

1. Sexual activity includes, but is not limited to:
 - Kissing
 - Touching intimate body parts
 - Fondling
 - Intercourse
 - Penetration, no matter how slight, of the vagina or anus with any part or object
 - Oral copulation of a sex organ by another person.
2. Sexual Misconduct includes, but is not limited to, the following conduct:
 - an attempt, coupled with the ability, to commit a violent injury on the person of another because of that person's Gender or Sex,
 - the intentional touching of another person's intimate body parts without Affirmative Consent,
 - intentionally causing a person to touch the intimate body parts of another without Affirmative Consent,
 - using a person's own intimate body part to intentionally touch another person's body without Affirmative Consent,

- any unwelcome physical sexual acts, such as unwelcome sexual touching,
- using physical force, violence, threat, or intimidation to engage in sexual activity,
- ignoring the objections of the other person to engage in sexual activity,
- causing the other person's incapacitation through the use of drugs or alcohol to engage in sexual activity,
- taking advantage of the other person's incapacitation to engage in sexual activity.

3. Intimate body part means the sexual organ, anus, groin, buttocks, or breasts of any person.

4. Sexual activity between a Minor (a person younger than 18 years old) and a person who is at least 18 and two years older than the Minor always constitutes Sexual Misconduct, even if there is Affirmative Consent to all sexual activity. The existence of Affirmative Consent and/or the type of sexual activity may be relevant to the determination of an appropriate Sanction.

5. Persons of all Genders, Gender Identities, Gender Expressions, and Sexual Orientations can be victims of these forms of Sexual Misconduct. Sexual Misconduct can be committed by an individual known to the victim including a person the Complainant may have just met, i.e., at a party, introduced through a friend, or on a social networking website.

Affirmative Consent

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

It is the responsibility of each person involved in the sexual activity to ensure Affirmative Consent has been obtained from the other participant(s) prior to engaging in the sexual activity.

Affirmative Consent means an agreement to engage in sexual activity that is:

- Informed
- Affirmative
- Conscious
- Voluntary and
- Mutual
- Lack of protest or resistance does not mean there is Affirmative Consent.
- Silence does not mean there is Affirmative Consent.
- The existence of a dating or social relationship between those involved, or the fact of past sexual activities between them, should never by itself be assumed to be an indicator of Affirmative Consent.
- A request for someone to use a condom or birth control does not, in and of itself, mean there is Affirmative Consent.
- Affirmative Consent can be withdrawn or revoked. Consent must be ongoing throughout a sexual activity and can be revoked at any time, including after sexual activity begins. Once consent is withdrawn or revoked, the sexual activity must stop immediately. Consent to one form of sexual activity (or one sexual act) does not constitute consent to other forms of sexual activity. Consent given to sexual activity on one occasion does not constitute consent on another occasion.

1. Incapacitation

Affirmative Consent cannot be given by a person who is incapacitated. A person is unable to consent when asleep,

unconscious, or incapacitated due to the influence of drugs, alcohol, or medication so that the person could not understand the fact, nature, or extent of the sexual activity. A person is incapacitated if the person lacks the physical and/or mental ability to make informed, rational decisions. A person with a medical or mental disability may also lack the capacity to give consent.

Whether an intoxicated person (as a result of using alcohol or other drugs) is incapacitated depends on the extent to which the alcohol or other drugs impact the person's decision-making ability, awareness of consequences, and ability to make informed judgments. A person's own intoxication or incapacitation from drugs or alcohol does not diminish that person's responsibility to obtain Affirmative Consent before engaging in sexual activity.

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

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

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

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

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

1. Dating Violence and Domestic Violence

Dating Violence means physical violence or threat of physical violence committed by a person—

- a. Who is or has been in a social relationship of a romantic or intimate nature with the Complainant; **and**
- b. Where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - I. The length of the relationship.
 - II. The type of relationship.
 - III. The frequency of interaction between the persons involved in the relationship.

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

Physical violence means physical conduct that intentionally or recklessly threatens the health and safety of the recipient of the behavior, including assault.

2. **Stalking**

Stalking means engaging in a Course of Conduct directed at a specific person that would cause a reasonable person to fear for the safety of self or others' safety or to suffer Substantial Emotional Distress. For purposes of this definition:

- **Course of Conduct** means two or more acts, including but not limited to, acts in which one party directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about the other party, or interferes with the other party's property.
- **Substantial Emotional Distress** means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

1. **Prohibited Consensual Relationships**

A Prohibited Consensual Relationship is a consensual sexual or romantic relationship between an Employee and any Student or Employee over whom they exercise direct or otherwise significant academic, administrative, supervisory, evaluative, counseling, or extracurricular authority.

2. **Retaliation**

Retaliation means that a substantial motivating reason for an Adverse Action taken against a person was because the person has or is believed to have:

- a. Exercised their rights under this policy,
- b. Reported or opposed conduct which was reasonably and in good faith believed to be in violation of this policy,
- c. Assisted or participated in an investigation/proceeding under this policy, regardless of whether the Complaint was substantiated,
- d. Assisted someone in reporting or opposing a violation of this policy or assisted someone in reporting or opposing Retaliation under this policy.

Adverse Action means an action engaged in by the Respondent that has a substantial and material adverse effect on the Complainant's ability to participate in a university program, activity, or employment. Minor or trivial actions or conduct not reasonably likely to do more than anger or upset a Complainant does not constitute an Adverse Action.

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

Additional Prohibited Conduct Definitions

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

- a. An Employee conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct;
- b. Unwelcome conduct determined based on the reasonable person standard to be so severe, pervasive, **and** objectively offensive that it effectively denies a person equal access to an Education Program or Activity.
- c. **Sexual Assault** includes the following:
 - i. **Rape** is the penetration, or attempted penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the Affirmative Consent of the Complainant. Rape also includes the attempted penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the

Affirmative Consent of the Complainant, with the present ability and the intent to commit Rape.

- ii. **Fondling** is the touching of the private body parts of another person for the purpose of sexual gratification, without the Affirmative Consent of the victim, including instances where the Complainant is incapable of giving Affirmative Consent because of their age or because of their temporary or permanent mental incapacity.
- iii. **Incest** is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- iv. **Statutory Rape** is sexual intercourse with a person who is under the age of 18 years, the California statutory age of consent. The definition of Affirmative Consent is that under Article VII.A.3 above.
- d. **Dating Violence** means physical violence or threat of physical violence committed by a person:
 - i. who is or has been in a social relationship of a romantic or intimate nature with the Complainant; **and**
 - ii. where the existence of such a relationship shall be determined based on a consideration of the following factors:
 1. The length of the relationship.
 2. The type of relationship.
 3. The frequency of interaction between the persons involved in the relationship.
2. **Domestic Violence** means physical violence or threat of physical violence committed by a current or former spouse or intimate partner of the Complainant, by a person with whom the Complainant shares a child in common, by a person who is cohabitating with or has cohabitated with the Complainant as a spouse or intimate partner, or by a person similarly situated to a spouse of the Complainant.
3. **Stalking** means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
 - a. fear for their safety or the safety of others; or
 - b. suffer substantial emotional distress.

See further information in Chico State's sexual misconduct violence prevention and education statement, Notice of Nondiscrimination (https://www.csuchico.edu/title-ix/_assets/documents/eo-1095-attachment-a.pdf) (which includes Myths and Facts about Sexual Violence (https://catalog.csuchico.edu/academic-standards-policies/csu-policies-regulations/chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.csuchico.edu/title-ix/_assets/documents/myths-facts-about-sexual-misconduct-attachment-e.pdf)), and Survivor's Rights and Options (https://www.csuchico.edu/title-ix/_assets/documents/eo-1095-attachment-c.pdf), at Chico State's Title IX website (<https://www.csuchico.edu/title-ix/index.shtml/>).

Whom to Contact If You Have Complaints, Questions, or Concerns

Title IX requires the university to designate a Title IX Coordinator to monitor and oversee overall Title IX compliance. The university Title IX Coordinator is available to explain and discuss the university's complaint process, including the investigation and hearing process; the availability of reasonable supportive measures (both on and off campus regardless of whether the person chooses to report the conduct); the right to file a criminal complaint (for example, in cases of sexual misconduct); how confidentiality is handled; and other related matters. If you are in the

midst of an emergency, please call the police immediately by dialing 9-1-1.

University Title IX Coordinator

Dylan Saake
400 West First Street
Chico, CA 95929-0010
dsaake@csuchico.edu
530-898-4949
8–5 pm

University Police

Corner of West Second and Chestnut streets
Chico, CA 95929-0133
530-898-5555
8–5 pm

Title IX requires the university to adopt and publish complaint procedures that provide for prompt and equitable resolution of gender discrimination complaints, including sexual harassment and misconduct, as well as provide training, education and preventive measures related to sex discrimination. CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking and Retaliation (Nondiscrimination Policy) Made Against a Student (or any successor) is the systemwide procedure for all complaints of discrimination, harassment or retaliation **made against other CSU students**. CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking and Retaliation (Nondiscrimination Policy) Made Against an Employee or Third Party (or any successor procedure) is the systemwide procedure for all complaints of discrimination, harassment or retaliation **made against the CSU, a CSU employee or a third party**.

Duty to Report. Except as provided below under confidentiality and sexual misconduct, dating violence, domestic violence, and stalking, **any** university employee who knows or has reason to know of allegations or acts that violate University policy shall promptly inform the Title IX Coordinator. These employees are required to disclose all information including the names of the parties, **even where the person has requested that their name remain confidential**. The Title IX Coordinator will determine whether confidentiality is appropriate given the circumstances of each such incident. (See confidential reporting options outlined below.)

Regardless of whether an alleged victim of gender discrimination ultimately files a complaint, if the university knows or has reason to know about possible sexual discrimination, harassment or misconduct, it must review the matter to determine if an investigation is warranted. The university must then take appropriate steps to eliminate any gender discrimination/harassment/misconduct, prevent its recurrence, and remedy its effects.

U.S. Department of Education, Office for Civil Rights (OCR)

- (800) 421-3481 (main office), or (415) 486-555 (California office), or (800) 877-8399 (TDD), or ocr@ed.gov (main office), or ocr.sanfrancisco@ed.gov (California office)
- If you wish to fill out a complaint form online with the OCR, you may do so using the OCR Electronic Complaint Form (<https://www2.ed.gov/about/offices/list/ocr/complaintintro.html>).

Safety of the University Community is Primary

The University's primary concern is the safety of its university community members. The use of alcohol or drugs never makes the victim at fault for gender discrimination, harassment or sexual misconduct; therefore, victims should not be deterred from reporting incidents of sexual misconduct out of a concern that they might be disciplined for related violations of drug, alcohol or other university policies. Except in extreme circumstances, victims of sexual misconduct shall not be subject to discipline for related violations of the Student Conduct Code.

Information Regarding University Criminal and Civil Consequences of Committing Acts of Sexual Misconduct

Individuals alleged to have committed sexual misconduct may face criminal prosecution by law enforcement and may incur penalties as a result of civil litigation. In addition, students may face discipline at the university, up to and including suspension or expulsion and withholding of their degrees. Employees may face sanctions up to and including dismissal from employment, pursuant to established CSU policies and provisions of applicable collective bargaining unit agreements.

Students who are found responsible by the university with gender discrimination, harassment or sexual misconduct will be subject to discipline, pursuant to CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation (Nondiscrimination Policy) Made Against a Students and the California State University and Student Conduct Procedures (see Student Conduct Procedures Policy (<https://calstate.policystat.com/policy/8453518/latest/>), revised on August 14, 2020, or any successor policy) and will be subject to appropriate sanctions. In addition, during any investigation, the university may implement interim measures in order to maintain a safe and non-discriminatory educational environment. Such measures may include but not be limited to: immediate interim suspension from the university; a required move from university-owned or affiliated housing; adjustments to course schedule; and/or prohibition from contact with parties involved in the alleged incident.

Confidentiality and Sexual Violence, Dating Violence, Domestic Violence and Stalking

The University encourages victims of sexual discrimination, harassment, assault, battery, dating violence, domestic violence, or stalking (collectively sexual misconduct) to talk to someone about what happened – so they can get the support they need, and so the University can respond appropriately.

Privileged and Confidential Communications

Physicians, Psychotherapists, Professional Licensed Counselors, Licensed Clinical Social Workers and Clergy—Physicians, psychotherapists, professional, licensed counselors, and clergy who work or volunteer on or off campus, and who provide medical or mental health treatment or counseling (and those who act under their supervision, including all individuals who work or volunteer in their centers and offices) may not report any information about an incident of sexual misconduct to anyone else at the University, including the Title IX Coordinator, without the victim's consent. A victim can seek assistance and support from physicians, psychotherapists, professional, licensed counselors, and clergy without triggering a University investigation that could reveal the victim's identity or the fact of the victim's disclosure. However, see limited exceptions below regarding when health care practitioners must report to

local law enforcement agencies. Health care practitioners should explain these limited exceptions to victims, if applicable.

Sexual Assault and Domestic Violence Counselors and Advocates—Sexual assault and domestic violence counselors and advocates who work or volunteer on or off campus in sexual assault centers, victim advocacy offices, women's centers, and health centers and who are acting solely in that role (including all individuals who work or volunteer in these centers and offices, as well as non-professional counselors or advocates, who work or volunteer in the sexual assault center, victim advocacy offices and those who act in that role under their supervision) may talk to a victim without revealing any information about the victim and the incident of sexual violence to anyone else at the University, including the Title IX Coordinator, without the victim's consent. A victim can seek assistance and support from these counselors and advocates without triggering a University investigation that could reveal the victim's identity or that a victim disclosed an incident to them. However, see limited exceptions below regarding when sexual assault and domestic violence counselors and advocates must report to local law enforcement agencies. Counselors and advocates should explain these limited exceptions to victims, if applicable.

The University will be unable to conduct an investigation into a particular incident or pursue disciplinary action against a perpetrator if a victim chooses to

1. Speak only to a physician, professional counselor, clergy member, sexual assault counselor, domestic violence counselor or advocate; and
2. Maintain complete confidentiality.

Even so, these individuals will assist victims in receiving other necessary protection and support, such as victim advocacy, disability services, medical/health or mental health services, or legal services, and will advise victims regarding their right to file a Title IX complaint with the University and a separate complaint with local or University police. If a victim insists on confidentiality, such professionals, counselors and advocates will likely not be able to assist the victim with: University academic support or accommodations; changes to University-based living or working schedules; or adjustments to course schedules. A victim who at first requests confidentiality may later decide to file a complaint with the University or report the incident to the police, and thus have the incident fully investigated. These counselors and advocates can provide victims with that assistance if requested by the victim. These counselors and advocates will also explain that Title IX includes protections against retaliation, and that the University will not only take steps to prevent retaliation when it knows or reasonably should know of possible retaliation, but will also take strong responsive action if retaliation.

Exceptions: Under California law, any health practitioner employed in a health facility, clinic, physician's office, or local or state public health department or clinic is required to make a report to local law enforcement if the health practitioner provides medical services for a physical condition to a patient/victim who the health practitioner knows or reasonably suspects is suffering from

1. A wound or physical injury inflicted by a firearm; or
2. Any wound or other physical injury inflicted upon a victim where the injury is the result of assaultive or abusive conduct (including Sexual Violence, Domestic Violence, and Dating Violence).

This exception does not apply to sexual assault and domestic violence counselors and advocates. Health care practitioners should explain this limited exception to victims, if applicable.

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

Finally, some or all of these professionals may also have reporting obligations under California law to

1. Local law enforcement in cases involving threats of immediate or imminent harm to self or others where disclosure of the information is necessary to prevent the threatened danger; or
2. To the court if compelled by court order or subpoena in a criminal proceeding related to the sexual violence incident.

If applicable, these professionals will explain this limited exception to victims.

Reporting to University or Local Police

If a victim reports to local or University Police about sexual misconduct crimes, the police are required to notify victims that their names will become a matter of public record unless confidentiality is requested. If a victim requests that their identity be kept confidential, their name will not become a matter of public record. However, even if the victim requests confidentiality of identity, the University Police should specifically ask the victim if the victim's name can be provided to the Title IX Office so that the Title IX Coordinator can contact the victim to discuss supportive measures that can be offered. If a victim gives consent to law enforcement to provide their name to the Title IX Coordinator, their name will not become a matter of public record. Even if a victim does not give the police permission to provide their name to the Title IX Coordinator, University Police will report the facts of the incident itself to the Title IX Coordinator being sure not to reveal to the Title IX Coordinator victim names/identities or compromise their own criminal investigation. The University is required by the federal Clery Act to report certain types of crimes (including certain sex offenses) in statistical reports. However, while the University will report the type of incident in the annual crime statistics report known as the Annual Security Report, victim names/identities will not be revealed.

Reporting to the Title IX Coordinator and Other University Employees

Most university employees have a duty to report incidents of sexual misconduct when they are on notice of it. When a victim tells the Title IX Coordinator or another university employee about an incident of sexual misconduct, the victim has the right to expect the university to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably. In all cases, the university strongly encourages victims to report incidents of sexual misconduct directly to the university Title IX Coordinator. As detailed above, in the "Privileged and Confidential Communications" section of this policy, all university employees except physicians, licensed professional counselors, licensed clinical social workers, sexual assault counselors and advocates, must report to the Title IX Coordinator all relevant details about any incidents of sexual misconduct of which they become aware. The university will need to determine what happened—and will need to know the names of the victim(s) and the perpetrator(s), any witnesses,

and any other relevant facts, including the date, time and specific location of the incident.

To the extent possible, information reported to the Title IX Coordinator or other university employees will be shared only with individuals responsible for handling the university's response to the incident. The university will protect the privacy of individuals involved in a sexual misconduct incident except as otherwise required by law or university policy. A report of sexual misconduct may result in the gathering of extremely sensitive information about individuals in the university community. While such information is considered confidential, university policy regarding access to public records and disclosure of personal information may require disclosure of certain information concerning a report of sexual misconduct. In such cases, efforts will be made to redact the records, as appropriate, in order to protect the victim's identity and privacy and the privacy of other involved individuals. Except as detailed in the section on "Privileged and Confidential Communications", no university employee, including the Title IX Coordinator, should disclose the victim's identity to the police without the victim's consent or unless the victim has also reported the incident to the police.

If a victim requests of the Title IX Coordinator or another university employee that their identity remain completely confidential, the Title IX Coordinator will explain that the university cannot always honor that request or guarantee complete confidentiality. If a victim wishes to remain confidential or request that no investigation be conducted or disciplinary action taken, the university must weigh that request against the university's obligation to provide a safe, non-discriminatory environment for all students, employees, and third parties, including the victim. Under those circumstances, the Title IX Coordinator will determine whether the victim's request for complete confidentiality and/or no investigation can be honored under the facts and circumstances of the particular case, including whether the university has a legal obligation to report the incident, conduct an investigation or take other appropriate steps. Without information about a victim's identity, the university's ability to meaningfully investigate the incident and pursue disciplinary action against the perpetrator may be severely limited. See the Systemwide Sex Discrimination, Sexual Harassment, Sexual Misconduct, Dating and Domestic Violence, and Stalking Policy (<https://calstate.policystat.com/policy/10958770/latest/>) (or any successor policy) for further details around confidential reporting, and other related matters.

Additional Resources

- See further information in Chico State's sexual misconduct violence prevention and education statement, Notice of Nondiscrimination (https://www.csuchico.edu/title-ix/_assets/documents/eo-1095-attachment-a.pdf) (which includes Myths and Facts about Sexual Violence (https://www.csuchico.edu/title-ix/_assets/documents/eo-1095-attachmentB.pdf)), and Survivor's Rights and Options (https://www.csuchico.edu/title-ix/_assets/documents/eo-1095-attachment-c.pdf), at Chico State's Title IX website (<https://www.csuchico.edu/title-ix/index.shtml/>).
- U.S. Department of Education, regional office:
Office for Civil Rights
50 United Nations Plaza
San Francisco, CA 94102
415-486-5555
TDD 877-521-2172
ocr.sanfrancisco@ed.gov
- U.S. Department of Education, national office:
Office for Civil Rights
800-421-3481

TDD 800-877-8339
ocr@ed.gov

- California Coalition Against Sexual Assault (<https://www.valor.us/>)
1215 K. Street, Suite 1850
Sacramento, CA 95814
916-446-2520
- Domestic and Family Violence (<https://ovc.ojp.gov/topics/intimate-partner-violence/?topicid=27>), Office of Justice Programs, United States Department of Justice
- National Institute of Justice: Intimate Partner Violence (<https://nij.ojp.gov/topics/articles/overview-intimate-partner-violence/>), Office of Justice Programs, United States Department of Justice
- National Domestic Violence Hotline (<https://www.thehotline.org/>):
1-800-799-SAFE (7233)
- Office of Violence Against Women (<https://www.justice.gov/ovw/>), United States Department of Justice
- Centers for Disease Control and Prevention: Intimate Partner Violence Prevention (<https://www.cdc.gov/ViolencePrevention/intimatepartnerviolence/>)

Local Community Resource Information:

- Chico State WellCat Safe Place (<https://www.csuchico.edu/safeplace/index.shtml/>)
400 West First Street
Chico, CA 95929-0261
530-898-3030
- Butte College Safe Place (<http://www.butte.edu/safeplace/>)
3536 Butte Campus Drive
Oroville, CA 95965
530-879-6185

Student Complaint Procedure (Complaints Regarding the CSU)

The California State University (CSU) takes very seriously complaints and concerns regarding the institution. If you have a complaint regarding the CSU, you may present your complaints as follows:

1. If your complaint concerns CSU's compliance with academic program quality and accrediting standards, you may present your complaint on the Western Association of Schools and Colleges (WASC) (<https://www.wscuc.org/comments/>) website. WASC is the agency that accredits the CSU's academic program.
2. If your complaint concerns an alleged violation by CSU of any law that prohibits discrimination, harassment or retaliation based on a protected status (such as age, disability, gender (or sex), gender identity, gender expression, nationality, race or ethnicity (including color, caste, or ancestry), religion, or veteran or military status, you may present your complaint as described in the Nondiscrimination Policy (p. 4) above.
3. If your complaint concerns an alleged violation by the CSU of other state law, including laws prohibiting fraud and false advertising, you may present your claim complaint to the university president or designee. See Procedure for Student Complaints-Executive Order No. 1063 for details regarding the complaint requirements and complaint process.
4. Other complaints regarding the CSU may be presented to the university dean of students (or other appropriate administrator),

who will provide guidance on the appropriate university process for addressing your particular issue.

If you believe that your complaint warrants further attention after you have exhausted all the steps outlined by the university, or by WASC, you may file an appeal with the Assistant Vice Chancellor, Academic and Student Affairs (or designee) at the CSU Chancellor's Office.

This procedure should not be construed to limit any rights that you may have to take legal action to resolve your complaint.

Career Placement

The Career Center (<https://www.csuchico.edu/careers/>), SSC 270, 530-898-5253, 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. Any such data provided must be in a form that does not allow for the identification of any individual student. This information includes data concerning the average starting salary and the percentage of previously enrolled students who obtained employment. The information may include data collected from either graduates of the university or graduates of all universities in the California State University system.

Availability of Institutional and Financial Assistance Information

The following information concerning student financial assistance may be obtained from the Financial Aid and Scholarships Office (<https://www.csuchico.edu/fa/>), Student Services Center (SSC) 250, 530-898-6451:

- For each aid program, a description of procedures and forms by which students apply for assistance, student eligibility requirements, criteria for selecting recipients from the group of eligible applicants, and criteria for determining the amount of a student's award.
- A description of the federal, state, institutional, local, and private student financial assistance programs available to students who enroll at Chico State.
- A description of the rights and responsibilities of students receiving financial assistance, including federal Title IV student assistance programs, and criteria for continued student eligibility under each program.
- The satisfactory academic progress standards that students must maintain for the purpose of receiving financial assistance and criteria by which a student who has failed to maintain satisfactory progress may reestablish eligibility for financial assistance.
- The method by which financial assistance disbursements will be made to students and the frequency of those disbursements.
- The way the school provides for Pell-eligible students to obtain or purchase required books and supplies by the seventh day of a payment period and how the student may opt out.
- The terms of any loan received as part of the student's financial aid package, a sample loan repayment schedule, and the necessity for repaying loans.
- The general conditions and terms applicable to any employment provided as part of the student's financial aid package.
- The terms and conditions of the loans students receive under the Direct Loan Program.
- The exit counseling information the school provides and collects for student borrowers; and contact information for university offices

available for disputes concerning federal, institutional and private loans.

Information concerning the cost of attending Chico State is available from the Financial Aid and Scholarships Office (<https://www.csuchico.edu/fa/>), SSC 250, 530-898-6451, and includes tuition and fees; the estimated costs of books and supplies; estimates of typical student room, board, and transportation costs; and, if requested, additional costs for specific programs.

Information concerning the refund policies of Chico State for the return of unearned tuition and fees or other refundable portions of institutional charges is available from Student Financial Services (<https://www.csuchico.edu/sfin/>), SSC 230, 530-898-5936.

Information concerning policies regarding the return of federal Title IV student assistance funds as required by regulation is available from the Financial Aid and Scholarships Office (<https://www.csuchico.edu/fa/>), SSC 250, 530-898-6451.

Information regarding special facilities and services available to students with disabilities may be obtained from the Accessibility Resource Center (<https://www.csuchico.edu/arc/>), SSC 170, 530-898-5959.

Information concerning Chico State policies, procedures, and facilities for students and others to report criminal actions or other emergencies occurring on campus may be obtained from University Police (<https://www.csuchico.edu/up/>), PS02 111, 530-898-5555.

Information concerning Chico State annual campus security report and annual fire safety report may be obtained from University Police (<https://www.csuchico.edu/up/>), PS02 111, 530-898-5555.

Information concerning the prevention of drug and alcohol abuse and rehabilitation programs may be obtained from WellCat Prevention (<https://www.csuchico.edu/prevention/index.shtml/>), SUTR 532N, 530-898-6450.

Information regarding student retention and graduation rates at Chico State and, if available, the number and percentage of students completing the program in which the student is enrolled or has expressed interest may be obtained from the Office of the Registrar (<https://www.csuchico.edu/registrar/index.shtml/>), SSC 110, 530-898-5142.

Information concerning athletic opportunities available to male and female students and the financial resources and personnel that Chico State dedicates to its men's and women's teams may be obtained from Intercollegiate Athletics (<https://chicowildcats.com/>), AGYM 135, 530-898-6470.

Information concerning teacher preparation programs at Chico State, including the pass rate on teacher certification examinations, may be obtained from Liberal Studies (<https://www.csuchico.edu/lbsta/>), THMA 211A, 530-898-5802 or the School of Education (<https://www.csuchico.edu/soe/>), THMA 222, 530-898-6421.

Information concerning grievance procedures for students who feel aggrieved in their relationships with the University, its policies, practices, and procedures, or its faculty and staff may be obtained from Student Conduct, Rights, and Responsibilities (<https://www.csuchico.edu/scrr/>), SSC 190, 530-898-6897.

Information concerning student activities that Chico State provides, must be easily accessible at www.csuchico.edu (<http://www.csuchico.edu>).

Information concerning student body diversity at Chico State, including the percentage of enrolled, full-time students who are (1) male, (2) female, (3) Pell Grant recipients, and (4) self-identified members of a specific racial or ethnic group, must be obtained from Institutional Research (<https://www.csuchico.edu/ir/>), SSC 406, 530-898-5623.

The federal Military Selective Service Act (the "Act") requires most males residing in the United States to present themselves for registration with the Selective Service System within 30 days of their 18th birthday. Most males between the ages of 18 and 25 must be registered.

Selective Service registration forms are available at any U.S. Post Office, and many high schools have a staff member or teacher appointed as a Selective Service Registrar. For more information on the Selective Service System and to initiate the registration process, visit the official Selective Service System website (<https://www.sss.gov/>).

Student Conduct

Inappropriate conduct by students or by applicants for admission is subject to discipline as provided in Sections 41301 through 41304 of Title 5, California Code of Regulations.

Title 5, California Code of Regulations, § 41301. Standards for Student Conduct

University Community Values

The university is committed to maintaining a safe and healthy living and learning environment for students, faculty, and staff. Each member of the university community should choose behaviors that contribute toward this end. Students are expected to be good citizens and to engage in responsible behaviors that reflect well upon their university, to be civil to one another and to others in the university community, and contribute positively to student and university life.

Grounds for Student Discipline

Student behavior that is not consistent with the Student Conduct Code is addressed through an educational process that is designed to promote safety and good citizenship and, when necessary, impose appropriate consequences. The following are the grounds upon which student discipline can be based:

1. Dishonesty, including:
 - a. Cheating, plagiarism, or other forms of academic dishonesty that are intended to gain unfair academic advantage.
 - b. Furnishing false information to a university official, faculty member, or university office.
 - c. Forgery, alteration, or misuse of a university document, key, or identification instrument.
 - d. Misrepresenting one's self to be an authorized agent of the university or one of its auxiliaries.
2. Unauthorized entry into, presence in, use of, or misuse of university property.
3. Willful, material and substantial disruption or obstruction of a university-related activity, or any on-campus activity.
4. Participating in an activity that substantially and materially disrupts the normal operations of the university, or infringes on the rights of members of the university community.
5. Willful, material and substantial obstruction of the free flow of pedestrian or other traffic, on or leading to campus property or an off-campus university-related activity.
6. Disorderly, lewd, indecent, or obscene behavior at a university related activity, or directed toward a member of the university community.
7. Conduct that threatens or endangers the health or safety of any person within or related to the university community, including physical abuse, threats, intimidation, harassment, or sexual misconduct.
8. Hazing or conspiracy to haze. Hazing is defined as any method of initiation or pre-initiation into a student organization or student body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury to any former, current, or prospective student of any school, community college, college, university or other educational institution in this state (Penal Code 245.6), and in addition, any act likely to cause physical harm, personal degradation or disgrace resulting in physical or mental harm, to any former, current, or prospective student of any school, community college, college, university or other educational institution. The term "hazing" does not include customary athletic events or school-sanctioned events. Neither the express or implied consent of a victim of hazing, nor the lack of active participation in a particular hazing incident is a defense. Apathy or acquiescence in the presence of hazing is not a neutral act, and is also a violation of this section.
9. Use, possession, manufacture, or distribution of illegal drugs or drug-related paraphernalia, (except as expressly permitted by law and university regulations) or the misuse of legal pharmaceutical drugs.
10. Use, possession, manufacture, or distribution of alcoholic beverages (except as expressly permitted by law and university regulations), or public intoxication while on campus or at a university-related activity.
11. Theft of property or services from the university community, or misappropriation of university resources.
12. Unauthorized destruction or damage to university property or other property in the university community.
13. Possession or misuse of firearms or guns, replicas, ammunition, explosives, fireworks, knives, other weapons, or dangerous chemicals (without the prior authorization of the university president) on campus or at a university-related activity.
14. Unauthorized recording, dissemination, or publication of academic presentations (including handwritten notes) for a commercial purpose.
15. Misuse of computer facilities or resources, including:
 - a. Unauthorized entry into a file, for any purpose.
 - b. Unauthorized transfer of a file.
 - c. Use of another's identification or password.
 - d. Use of computing facilities, campus network, or other resources to interfere with the work of another member of the university community.
 - e. Use of computing facilities and resources to send obscene or intimidating and abusive messages.
 - f. Use of computing facilities and resources to interfere with normal university operations.
 - g. Use of computing facilities and resources in violation of copyright laws.
 - h. Violation of a university computer use policy.
16. Violation of any published university policy, rule, regulation or presidential order.
17. Failure to comply with directions or interference with, any university official or any public safety officer while acting in the performance of their duties.

18. Any act chargeable as a violation of a federal, state, or local law that poses a substantial threat to the safety or well-being of members of the university community, to property within the university community or poses a significant threat of disruption or interference with university operations.
19. Violation of the Student Conduct Procedures, including:
 - a. Falsification, distortion, or misrepresentation of information related to a student discipline matter.
 - b. Disruption or interference with the orderly progress of a student discipline proceeding.
 - c. Initiation of a student discipline proceeding in bad faith.
 - d. Attempting to discourage another from participating in the student discipline matter.
 - e. Attempting to influence the impartiality of any participant in a student discipline matter.
 - f. Verbal or physical harassment or intimidation of any participant in a student discipline matter.
 - g. Failure to comply with the sanction(s) imposed under a student discipline proceeding.
20. Encouraging, permitting, or assisting another to do any act that could subject him or her to discipline.

Procedures for Enforcing This Code

The chancellor shall adopt procedures to ensure students are afforded appropriate notice and an opportunity to be heard before the university imposes any sanction for a violation of the Student Conduct Code (<https://calstate.policystat.com/policy/8453518/latest/>). [Note: At the time of publication, such procedures are set forth in the California State University Student Conduct Procedures Policy (<https://calstate.policystat.com/policy/8453518/latest/>) (Revised August 14, 2020).

Application of This Code

Sanctions for the conduct listed above can be imposed on applicants, enrolled students, students between academic terms, graduates awaiting degrees, and students who withdraw from school while a disciplinary matter is pending. Conduct that threatens the safety or security of the university community, or substantially disrupts the functions or operation of the university is within the jurisdiction of this Article regardless of whether it occurs on or off campus. Nothing in this Code may conflict with Education Code Section 66301 that prohibits disciplinary action against students based on behavior protected by the First Amendment.

Title 5, California Code of Regulations § 41302. Disposition of Fees: University Emergency; Interim Suspension.

The president of the university 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 the student is suspended or expelled shall be refunded. If the student is readmitted before the close of the semester, quarter, or summer session in which the student is suspended, no additional tuition or fees shall be required of the student on account of the suspension.

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.

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 CSUs other than to attend the hearing. Violation of any condition of interim suspension shall be grounds for expulsion.

Civil and Criminal Penalties for Violation of Federal Copyright Laws

Anyone who is found to be liable for copyright infringement may be liable for either the owner's actual damages along with any profits of the infringer or statutory damages of up to \$30,000 per work infringed. In the case of a willful infringement, a court may award up to \$150,000 per work infringed. (See 17 U.S.C. §504.) Courts also have discretion to award costs and attorneys' fees to the prevailing party. (See 17 U.S.C. §505.) Under certain circumstances, willful copyright infringement can also result in criminal penalties, including imprisonment and fines. (See 17 U.S.C. §506 and 18 U.S.C. §2319).

Cancellation of Registration or Withdrawal from the Institution

Students who find it necessary to cancel their registration or to withdraw from all classes after enrolling for any academic term are required to follow the university's official withdrawal procedures. Failure to follow formal university procedures may result in an obligation to pay fees as well as the assignment of failing grades in all courses and the need to apply for readmission before being permitted to enroll in another academic term. Information on canceling registration and withdrawal procedures is available from Academic Advising Programs (<https://www.csuchico.edu/aap/>), SSC 220, 530-898-5712.

Students who receive financial aid funds must consult with Financial Aid and Scholarships Office (<https://www.csuchico.edu/fa/>) prior to withdrawing from the university regarding any required return or repayment of grant or loan assistance received for that academic term or payment period. Students who have received financial aid and withdraw from the institution during the academic term or payment period may need to return or repay some or all of the funds received, which may result in a debt owed to the institution.