



Fax (2 pages)

DATE: August 29, 2013

To: Sonya Christian, President, Bakersfield College
Sandy Taylor, Interim Athletic Director, Bakersfield College
Jim Sartoris, SCFA_Conference Commissioner

FROM: Carlyle Carter, CCCAA Executive
(On behalf of the CCCAA Board of Directors)

SUBJECT: Appeal on Behalf of Bakersfield College

Please be advised that the CCCAA Appeals Board has denied the appeal for Bakersfield College.

Please see the attached for more information.

Bakersfield College is entitled to appeal the CCCAA Board's decision by utilizing binding arbitration as per Article 7.4.11. Please review this section of the Constitution and if you have any questions regarding the process please feel free to contact me at your convenience.



Date: August 29, 2013

To: Sonya Christian, President
Bakersfield College

From: Carlyle Carter, CCCAA Executive Director (On behalf of CCCAA Board)

Re: Bakersfield College Appeal

The CCCAA Board of Directors received the Bakersfield College appeal for deliberation as per CCCAA Constitution Article 7.4.10. The CCCAA Board is comprised of fifteen (15) members with College/District CEO representation from the ten (10) multi-sport conferences, a representative of the CCCAA Management Council, a Conference Commissioner, a Chief Instructional Officer, a Chief Student Services Officer and an at-large member. Of the fifteen (15) members, five (5) were required to recuse themselves as a result of their participation at a previous level of the appeal and one member recused herself due to her Presidency at a College within the Kern Community College District. The decision rendered by the remaining members resulted in denial of the appeal.

In response to Bakersfield College appeal:

Request for Relief No. 1: The sanctions assessed based upon the College's self-report and subsequent admission of violations resulted in the ineligibility of student athletes. These student athletes participated in athletic contests. The prescribed sanction for ineligible student athletes that participate in athletic contests is specifically addressed in CCCAA Article 7.4.12.3 requiring forfeiture of each contest, including post-conference events. Due process for CCCAA appeals is outline in Article 7 of the CCCAA Constitution. Inclusive in the process is the right of the College to request a testimonial hearing. It is however at the discretion of respective appellate board to grant the request and/or seek addition information if necessary.

Request for Relief No. 2: The College conducted quite an extensive self-investigation that resulted in a self-report identifying several violations of CCCAA policy. The self-report included steps that the College took to impose institutional controls to prevent future occurrences and also recommended sanctions. It was only after being notified of the required sanctions and those assessed for similar level infractions from previous cases involving other Colleges that Bakersfield College determined that "errors" were committed in the initial self-report. The "testimonials" provided in the subsequent appeal in essence provide rationalizations of why the infractions occurred and do not provide substantial evidence to over-ride the original findings contained in the College's self-report.