

Student Services

1 **AP 5520 STUDENT DISCIPLINE PROCEDURES**

2 **References:**

3 Education Code, Sections 66017, 66300, 72122, 76030, and 76030 et seq.;

4 Penal Code Section 626.4

5 Student Conduct Programs should contribute to the teaching of appropriate individual and
6 group behavior as well as to protecting the campus community from disruption and harm.
7 The Programs should be conducted in ways that will serve to foster the ethical
8 development and personal integrity of students and the promotion of an environment that
9 is in accord with the overall educational goals of the institution. The purpose of this
10 procedure is to provide a prompt and equitable means to address violations of the
11 Standards of Student Conduct, which guarantees to the student or students involved the
12 due process rights guaranteed by state and federal constitutional protections. This
13 procedure will be used in a fair and equitable manner, and not for purposes of retaliation.
14 It is not intended to substitute for criminal or civil proceedings that may be initiated by
15 other agencies.

16 These Administrative Procedures are specifically not intended to infringe in any way on
17 the rights of students to engage in free expression as protected by the state and federal
18 constitutions, and by Education Code Section 76120, and will not be used to punish
19 expression that is protected.

20 The Office of Student Conduct and Grievances is responsible for the student conduct and
21 sanctioning procedures of the college. Inquiries should be directed to the Office of
22 Student Conduct and Grievances.

23 For discipline resulting from a complaint of sex discrimination, including sex-based
24 harassment under Title IX, the procedure in Administrative Procedure 3434 titled
25 Responding to Sex Discrimination under Title IX, must be used.

26 **STUDENT CONDUCT PROCEDURES AND SANCTIONS**

27 **Definitions**

28 **District** – The Cerritos Community College District.

29 **Day** – A day is defined as any day Monday through Friday that all normal College
30 business is conducted, both in the classroom and in the administrative offices. All
31 weekend days and College holidays are excluded.

32 **Student** – Any person currently enrolled as a student of the District or in any program
33 offered by the District who was also enrolled at the time of the alleged violation of the
34 Standards of Student Conduct.

35 **Instructor** – Any academic employee of the District in whose class a student subject
36 to discipline is or was enrolled, or counselor who is providing or has provided services
37 to the student, or other academic employee who has responsibility for the student's
38 educational program.

39 **Written or verbal reprimand** – An admonition to the student to cease and desist from
40 conduct determined to violate the Standards of Student Conduct. Written reprimands
41 may become part of a student's permanent record at the college. A record of the fact
42 that a verbal reprimand has been given may become part of a student's record at the
43 college for a period of up to one year.

44 **Disciplinary Probation** – A period on probation that may include, but is not limited
45 to, exclusion of the individual from designated co-curricular activities of the college for
46 a set period of time.

47 **Student Discipline Hold** - Holds may be placed on students' records at any point in
48 the disciplinary process to assure compliance with resolutions, pending the resolution
49 of disciplinary matters, or a formal hearing. When the terms and conditions of
50 resolutions have been satisfied and/or pending disciplinary matters have been
51 resolved, holds may be removed.

52 **Removal from class** – Exclusion of the student by an instructor for the day of the
53 removal and the next class meeting.

54 **Withdrawal of Consent to Remain on Campus** – Withdrawal of consent by the
55 President/Superintendent or designee for any person to remain on campus in
56 accordance with California Penal Code Section 626.4 where the
57 President/Superintendent or designee has reasonable cause to believe that such
58 person has willfully disrupted the orderly operation of the campus.

59 **Short-term Suspension** – Exclusion of the student by the President/Superintendent
60 or designee for good cause from one or more classes for a period of up to ten
61 consecutive days of instruction.

62 **Long-term Suspension** – Exclusion of the student by the President/Superintendent
63 or designee for good cause from one or more classes for the remainder of the school
64 term, or from all classes and activities of the college for one or more terms.

65 **Expulsion** – Exclusion of the student by the Board of Trustees from the District for
66 one or more terms.

67 **Advisers**

68 A student has a right to select an adviser of his/her/their choice or to request the District
69 provide an adviser to the student. An adviser, with written permission from the student,
70 shall receive updates along with the student during the student discipline process and
71 shall participate in the process as an advocate for the student.

72 The District may use any of the following to fulfill its obligation to provide an adviser to the
73 student: a confidential respondent services coordinator, an agreement with a student
74 based peer support program, or an agreement with an alumni-based support program.

75 The District shall provide training to the adviser selected by the student or provided by
76 the public postsecondary educational institution. The training shall include information on
77 the District's student discipline procedures and may be provided in an online or in-person
78 format.

79 **DISCIPLINARY PROCEDURES**

80 Except in cases where immediate discipline pending a hearing is authorized, the following
81 procedures will apply before disciplinary action is taken to suspend or expel a student:

82 **Notice and Opportunity to Respond**

83 • **Notice** – The President/Superintendent or designee will provide the student with
84 written notice of the conduct warranting the discipline. The written notice will
85 include the following:

- 86 ○ the specific section of the Standards of Student Conduct that the student is
87 alleged of violating.
- 88 ○ a short statement of the facts supporting the accusation.
- 89 ○ the right of the student to meet with the Dean of Student Services or designee
90 to discuss the accusation, or to respond in writing.
- 91 ○ the nature of the discipline that is being considered.
- 92 ○ a clause informing the student of the right to select an adviser of his/her/their
93 choice or to request the District to provide an adviser to the student.

94 • **Time limits** – The notice must be provided to the student within 20 days of the
95 date on which the District knew or should have known of the conduct; in the case
96 of continuous, repeated, or ongoing conduct of which the administration of the
97 college has become aware, the notice must be provided within 20 days of the date
98 on which the administration became aware that the conduct occurred which led to
99 the decision to take disciplinary action.

100 • **Hearing Officer Meeting** – If the student chooses to have a hearing with the Dean
101 of Student Services or designee serving as the district hearing officer, the hearing
102 must occur no sooner than five days after the notice is provided. At the meeting,
103 the student must again be told the facts leading to the accusation and must be
104 given an opportunity to respond verbally or in writing to the accusation.

105 **Determination of Discipline**

106 Within five days after the meeting described above, the President/Superintendent or
107 designee shall, pursuant to a recommendation from the Dean of Student Services or
108 designee, decide whether to impose discipline or whether to end the matter. Action may
109 consist of:

- 110 • No discipline;
- 111 • Written or verbal reprimand;
- 112 • Short-term suspension;
- 113 • Long-term suspension; or
- 114 • Recommendation to the Board of Trustees for expulsion

115 • **Short-term Suspension** –If the President/Superintendent imposes a short-term
116 suspension, or some lesser disciplinary action, written notice of the
117 President/Superintendent’s or designee’s decision shall be provided to the
118 student. The notice will include the length of time of the suspension, or the nature
119 of the lesser disciplinary action. The President/Superintendent or designee
120 decision shall be final.

121 • **Long-term Suspension** –If the President/Superintendent imposes a long-term
122 suspension the following procedures shall be provided to the student:
123 ○ Written notice of the President/Superintendent or designee decision shall
124 be provided to the student.
125 ○ The notice shall inform the student of the right of the student to request a
126 formal hearing before the hearing panel before a long-term suspension is
127 imposed, and a copy of this policy describing the procedures for a hearing.
128 The request must be made in writing to the Vice President of Student
129 Services or designee.

130 • **Expulsion** – Within 10 days after the meeting described above, the
131 President/Superintendent or designee shall, pursuant to a recommendation from
132 the Dean of Student Services or designee, decide whether to recommend
133 expulsion to the Board of Trustees. The President/Superintendent shall provide
134 written notice of the decision to the student. The notice will include the right of the
135 student to request a formal hearing before the hearing panel before expulsion is
136 imposed, and a copy of this policy describing the procedures for a hearing. The
137 request must be made in writing to the Vice President of Student Services or
138 designee.

139 A decision of the Board of Trustees to impose expulsion shall be reached no later than
140 the next regularly scheduled regular meeting of the Board after receipt of the
141 recommended decision.

142 **Disciplinary Decisions, Sanctions, and Conditions**

143 When there is a finding of responsibility for a violation of Standard(s) of Student Conduct,
144 one or more of the following resolutions may be implemented:

145 **Disciplinary Warning**– May be initiated by any faculty or College manager and sent
146 in writing to the Office of Student Conduct and Grievances. The Disciplinary Officer
147 (Dean of Student Services or designee) shall determine if there exists good and

148 sufficient reason to initiate disciplinary action and the student should be notified of
149 such actions.

150 **Disciplinary Probation** – Initiated by the Dean of Student Services or designee. The
151 nature of the misconduct, dates, times, places, and the length of probation shall be
152 placed in writing. Written copies shall be sent to the student and copies filed with the
153 Office of Student Conduct and Grievances

154 **Educational Sanction** - Assignments, such as research, essays, service to the
155 District or the community, training, educational counseling, removal from participation
156 in recognized student clubs and organizations, and/or District events, or other
157 remedies intended to discourage similar misconduct or as deemed appropriate based
158 upon the nature of the violation. The purpose of educational sanctions is to help
159 students deepen their understanding of their behavior from a new perspective, learn
160 about the impact of their behavior, identify their values and goals, and/or support their
161 learning.

162 **No Contact Directive** - The directive is intended to prevent conflict between parties.
163 The no contact order between two or more parties prevents any contact between the
164 parties (physical or otherwise, including, but not limited to verbal, non-verbal, written,
165 electronic, text message, email, third parties, and social media). A violation of a No
166 Contact Directive will result in an additional violation of the Standards of Student
167 Conduct.

168 **Restricted Access to District Property** - restriction, modification, or limiting of a
169 student's access to District property or District-controlled property, including specific
170 locations, equipment, and/or software/online platforms.

171 **Removal from Class** (Education Code Section 76032): Any instructor may order a
172 student removed from his/her/their class for the day of the removal and the next class
173 meeting. The instructor shall immediately report the removal to the Office of Student
174 Conduct and Grievance and complete a Student Conduct Incident Form. The Dean
175 of Student Services or designee may arrange for a conference between the student
176 and the instructor regarding the removal. If the instructor or the student requests, the
177 Dean of Student Services or designee shall attend the conference. The student shall
178 not be returned to the class during the period of the removal without the concurrence
179 of the instructor. Nothing herein will prevent the Dean of Student Services or designee
180 from recommending further disciplinary procedures in accordance with these
181 procedures based on the facts which led to the removal.

182 **Immediate Interim Suspension** (Education Code Section 66017): The
183 President/Superintendent or designee may order immediate suspension of a student
184 where he/she/they concludes that immediate suspension is required to protect lives
185 or property and to ensure the maintenance of order. In cases where an interim
186 suspension has been ordered, the time limits contained in these procedures shall not
187 apply, and all hearing rights, including the right to a formal hearing where a long-term

188 suspension or expulsion is recommended, will be afforded to the student within ten
189 days.

190 **Withdrawal of Consent to Remain on Campus:** The President/Superintendent or
191 designee may notify any person for whom there is a reasonable belief that the person
192 has willfully disrupted the orderly operation of the campus that consent to remain on
193 campus has been withdrawn. If the person is on campus at the time, he/she/they
194 must promptly leave or be escorted off campus. If consent is withdrawn by the Dean
195 of Student Services or designee, a written report must be promptly made to the
196 President/Superintendent or designee.

197 The person from whom consent has been withdrawn may submit a written request for
198 a hearing on the withdrawal within the period of the withdrawal. The request shall be
199 granted not later than seven days from the date of receipt of the request. The hearing
200 will be conducted in accordance with the provisions of this procedure relating to interim
201 suspensions. In no case shall consent be withdrawn for longer than 14 days from the
202 date upon which consent was initially withdrawn.

203 All applicable conditions of a withdrawal of consent to remain on campus, suspension,
204 or expulsion in effect when a break occurs in the conducting of College business (both
205 in the classroom and in the administrative offices) remain in effect during the break
206 unless specifically excepted in writing by the President/Superintendent or designee.

207 A withdrawal of consent to remain on campus, suspension, or expulsion prohibits both
208 physical presence on the campus and at a facility or activity operated by the College
209 and any type of online or distance education presence or participation in classes,
210 activities, and/or operations of the College.

211 Any person as to whom consent to remain on campus has been withdrawn who
212 knowingly reenters the campus during the period in which consent has been
213 withdrawn, except to come for a meeting or hearing, is subject to arrest (Penal Code
214 Section 626.4).

215 **Clearance to Return** – Prior clearance to return to the college (in-person and/or
216 online) may be required. Clearance requirements may include completion of
217 educational or other courses or processes as specified in the sanction decision. This
218 requirement may include confirmation that the individual is ready for the college
219 classroom and/or that the individual's continued presence on campus is not a threat
220 to himself/herself/themself, others, and/or the property of the District or others.

221 **Hearing Procedures**

222 **Request for Hearing**

223 Within five days after receipt of the President/Superintendent's or designee's decision
224 regarding a long-term suspension or expulsion, the student may request a formal

225 hearing. The request must be made in writing to the Vice President of Student
226 Services or designee.

227 **Schedule of Hearing**

228 The formal hearing shall be held within ten days after a formal request for hearing is
229 received.

230 **Hearing Panel**

231 The hearing panel for any disciplinary action shall be composed of one administrator,
232 one faculty member, and one student.

233 Unless he/she/they determines to keep the prior year's appointees in place, the
234 president of the Faculty Senate and the President of ASCC shall each, at the
235 beginning of the academic year, establish a list of at least five persons who will serve
236 on student disciplinary hearing panels. The President/Superintendent or designee
237 shall appoint the hearing panel from the names on these lists plus an administrator.
238 However, no administrator, faculty member, or student who has any personal
239 involvement in the matter to be decided, who is a necessary witness, or who could not
240 otherwise act in a neutral manner shall serve on a hearing panel.

241 The hearing panel shall be responsible to the President/Superintendent for reviewing
242 and making a recommendation to the President/Superintendent or designee.

243 Membership of the hearing panel shall include the following:

- 244 1. One member of the faculty appointed by the Faculty Senate.
- 245 2. One ASCC Student Court Justice, or one other student who meets the
246 minimum eligibility requirements to hold office in the ASCC if such justice are
247 party to the matter at hand or are otherwise unavailable to serve, appointed by
248 the ASCC Court Chief Justice or by the Associated Students President, if the
249 Court Chief Justice is a party to the matter.
- 250 3. One administrator, who shall be a current academic or classified manager,
251 appointed by the President/Superintendent or designee.
- 252 4. The Disciplinary Officer/Dean of Student Services or designee shall serve as
the Chairperson of the Hearing Panel, as a non-voting member

252 **Conduct of the Hearing**

- 253 1. Notice of a hearing shall include date and place of hearing, a statement of all
254 charges, a copy of applicable policies and procedures, the opportunity of the
255 student to participate in the hearing, and the opportunity to present oral and
256 documentary evidence.
- 257 2. Hearings shall be conducted in the manner consistent with the orderly conduct of
258 the affairs of the College, and which seems to the hearing panel to be most
259 conducive to the determination of the truth.

- 260 3. The members of the hearing panel shall be provided with a copy of the accusation
261 against the student and any written response provided by the student before the
262 hearing begins.
- 263 4. The facts supporting the accusation shall be presented by a college representative
264 who shall be the Dean of Student Services or designee.
- 265 5. The college representative and the student may call witnesses and introduce oral
266 and written testimony relevant to the issues of the matter.
- 267 6. Formal rules of evidence shall not apply. Any relevant evidence shall be admitted.
- 268 7. Unless the hearing panel determines to proceed otherwise, the college
269 representative and the student shall each be permitted to make an opening
270 statement. Thereafter, the college representative shall make the first presentation,
271 followed by the student. The college representative may present rebuttal evidence
272 after the student completes his/her/their evidence. The burden shall be on the
273 college representative to prove by the preponderance of the evidence that the facts
274 alleged are true.
- 275 8. The student may represent himself/herself/themself, and may also have the right
276 to be represented by a person of his/her/their choice, except that the student shall
277 not be represented by an attorney unless, in the judgment of the hearing panel,
278 complex legal issues are involved. If the student wishes to be represented by an
279 attorney, the student must submit a request to the Panel Chair not less than five
280 days prior to the date of the hearing. If the student is permitted to be represented
281 by an attorney, the college representative may request that legal counsel to the
282 college participate in his/her/their place. The hearing panel may also request legal
283 assistance; any legal advisor provided to the panel may sit with it in an advisory
284 capacity to provide legal counsel but shall not be a member of the panel nor vote
285 with it.
- 286 9. Hearings shall be closed and confidential unless the student requests that it be
287 open to the public. If more than one student's case is under consideration, any and
288 all such other students must also request that the hearing be open to the public in
289 order to make it open to the public. Any such request must be made no less than
290 five days prior to the date of the hearing. Requests contrary to state or federal law
291 or to the safety of the college or participants shall not be approved, subject to
292 appeal to the President/Superintendent or designee.
- 293 10. In a closed hearing, witnesses shall not be present at the hearing when not
294 testifying, unless all parties and the panel agree to the contrary.
- 295 11. All testimony shall be taken under oath; the oath shall be administered by the
296 hearing panel chair. Written statements of witnesses under penalty of perjury shall
297 not be used unless the witness is unavailable to testify. A witness who refuses to
298 be recorded shall not be considered unavailable for the purposes of this section.
- 299 12. The hearing shall be recorded by the District. The official recording shall be the
300 only recording made. No witness who refuses to be recorded may be permitted to
301 give testimony. The hearing panel chair shall, at the beginning of the hearing, ask
302 each person present to identify themselves by name, and thereafter shall ask
303 witnesses to identify themselves by name. The recording shall remain in the
304 custody of the District at all times, unless released to a professional transcribing
305 service. The student may request a copy of the recording. Transcripts may be

306 redacted to comply with law, policies, and to protect the privacy and/or safety of
307 individuals.

308 13. Within five days following the close of the hearing, the hearing panel shall prepare
309 and send to the President/Superintendent or designee a written decision. The
310 decision shall include specific factual findings regarding the accusation, and shall
311 include specific conclusions regarding whether any specific section of the
312 Standards of Student Conduct were violated. The decision shall also include a
313 specific recommendation regarding the sanction to be imposed, if any. The
314 decision shall be based only on the record of the hearing, and not on matter outside
315 of that record. The record consists of the original accusation, the written response,
316 if any, of the student, and the oral and written evidence produced at the hearing.

317 **President/Superintendent's Decision:**

318 **Long-term suspension** – Within five days following receipt of the hearing panel's
319 recommended decision, the President/Superintendent or designee shall render a final
320 written decision. The President/Superintendent or designee may accept, modify, or
321 reject the findings, decisions, and recommendations of the hearing panel. If the
322 President/Superintendent or designee modifies or rejects the hearing panel's decision,
323 the President/Superintendent or designee shall review the record of the hearing, and
324 shall prepare a new written decision which contains specific factual findings and
325 conclusions. The decision of the President/Superintendent or designee shall be final.

326 **Expulsion** – Within ten days following receipt of the hearing panel's recommended
327 decision, the President/Superintendent or designee shall render a written
328 recommended decision to the Board of Trustees. The President/Superintendent or
329 designee may accept, modify, or reject the findings, decisions, and recommendations
330 of the hearing panel. If the President/Superintendent or designee modifies or rejects
331 the hearing panel's decision, he/she/they shall review the record of the hearing, and
332 shall prepare a new written decision which contains specific factual findings and
333 conclusions. The President/Superintendent's or designee's decision for expulsion
334 shall be forwarded to the Board of Trustees.

335 **Board of Trustees Decision**

336 **Expulsion** – A decision of the Board of Trustees to impose expulsion shall be reached
337 no later than the next regularly scheduled regular meeting of the Board after receipt
338 of the recommended decision.

339 The Board shall consider an expulsion recommendation in closed session, unless the
340 student has requested that the matter be considered in a public meeting in accordance
341 with these procedures. (Education Code Section 72122)

342 The student shall be notified in writing via email to the student's email address on
343 record, at least three days prior to the meeting, of the date, time, and place of the
344 Board's meeting.

345 The student may, within forty-eight hours after receipt of the notice, request that the
346 hearing be held as a public meeting.

347 Even if a student has requested that the Board consider an expulsion recommendation
348 in a public meeting, the Board will hold any discussion that might be in conflict with
349 the right to privacy of any student other than the student requesting the public meeting
350 in closed session.

351 The Board may accept, modify, or reject the findings, decisions, and
352 recommendations of the President/Superintendent and/or the hearing panel. If the
353 Board modifies or rejects the decision, the Board shall review the record of the
354 hearing, and shall prepare a new written decision which contains specific factual
355 findings and conclusions. The decision of the Board shall be final.

356 The final action of the Board on the expulsion shall be taken at a public meeting, and
357 the result of the action shall be a public record of the District.

358 **Time Limits** – Any times specified in these procedures may be shortened or lengthened
359 if there is mutual concurrence by all parties.

360 These procedures may change from time to time and may be superseded by current state
361 and federal laws and regulations. Otherwise, the College Catalog, which is updated
362 annually, contains the most recent information regarding student discipline procedures.

363 **Student Discipline Data Reporting**

364 The President/Superintendent shall develop and provide to the Board for review an
365 annual report of the number of students who were disciplined pursuant to this procedure.
366 This report must disaggregate the students by race, age, gender, or any other
367 characteristic identified by the Board.

368 Office of Primary Responsibility: Vice President, Student Services

369 See also BP 5500 titled Standards of Student Conduct

Date Approved: May 21, 2007

Dates Revised: April 12, 2010; February 8, 2016; September 8, 2025

Date Reviewed: February 20, 2019