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## STUDENT LIFE COMMITTEE

March 4, 2021

Online Meeting:

<https://cccconfer.zoom.us/j/99727289694?pwd=L3RrVDVqK1RkNmVHRjR1M0JtSjBWUT09&from=msft>

Phone Access: Or Telephone: 669 900 6833; Meeting ID: 997 2728 9694; Password: 181656

1:00 PM

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### COMMITTEE GOALS 2019-2020

1. Finalize revisions BP5500 (Standards of Student Conduct).
2. Review and propose revisions to AP 5520 (Student Discipline Procedures).
3. To establish intentional community building and student engagement consortium on campus, to allow for coordinated action and communication relate to events, programs, and activities.

### AGENDA

#### 1. Welcome: Introductions & Roll Call

Member Role (*denotes Ex-Officio Member)	20-21 Member
Dean of Student Services	Elizabeth Miller
VP of Student Services	Dilcie Perez
Coord. of Student Conduct	Cynthia Lavarriere
Student Activities Coordinator	Amna Jara
ACCME rep 1	Rory Natividad
ACCME rep 2	Debra Ward
Faculty rep 1 (instructional)	Claudia Quilizapa
Faculty rep 2 (student services)	Nellie Hernandez-Garcia
Faculty rep	Brooke Hanniff
CSEA rep 1	Nikki Jones
CSEA rep 2	Maria Isai
Confidential rep	Edith Finney
ASCC Director of Student Services	Valery Escobar
ASCC student representative	Christian Peña
Bookstore Manager*	Brianne Freeman
Associate Dean of Student Health*	Hillary Mennella
Dean of DSPS, or designee*	Liz Page
Chief of Campus Police*	Don Mueller
Facilities representative*	Carlos Serna
Quorum: Fall - 6; Spring - 9	

#### 2. Information & Discussion: Commencement 2021

- The committee will continue discussion proposed Commencement options for spring 2021. Topics include, but are not limited to:
  - i. Grad Fair
  - ii. Carmencement
    1. Grouping of academic divisions between the two time-blocks.
    2. Day-of logistics

a. *Walk-up graduates (i.e. students taking public transportation)*

**3. Discussion: Revisions to BP5500 Standards of Student Conduct & AP5520 Student Discipline Procedures**

- *The committee will receive an update on the revision process for BP5500.*
- *The committee will be provided an overview of the proposed revisions to AP5520.*

**4. Information: Student Events Collaborative (SEC)**

- *The committee will receive an update on the Student Events Collaborative group.*
  - i. *The next SEC meeting will be March 15, 2021 at 1pm – topics include virtual event security, creating standardized event evaluations, and how to create active participation in virtual events.*

**5. Cerritos College Food Court, Vending, & Bookstore Services**

- *The committee will receive COVID-19 updates on this agenda topic.*

**6. Announcements**

- *The members of the Student Life Committee will share updates from their respective areas*
- *Next Student Life Committee Meeting is Thursday, April 1, 2020 at 1:00 PM*

**7. Adjourn – 2:00 p.m.**

**Student Services**

**1 AP 5520 STUDENT DISCIPLINE PROCEDURES**

**2 References:**

3 Education Code, Sections 66017, 66300, 72122, 76120, and 76030, et seq.;

4 Penal Code Section 626.4

**5 Contents**

6 Rational..... 1

7 **Cases Involving Allegations of Sexual Harassment**..... 2

8 Definitions ..... 2

9 Advisor ..... 2

10 Standard of Proof ..... 3

11 Student Rights ..... 3

12 Interim Measures..... 4

13 Complaint Intake/Investigation ..... 5

14 Notice of Administrative Conference and Conference ..... 5

15 Formal Hearing..... 7

16 Notice of Hearing..... 7

17 Hearing Guidelines ..... 8

18 Hearing Procedures..... 9

19 Standard of Proof; Report and Recommendations of the Hearing Officer ..... 10

20 Final Decision/Notification ..... 10

21 Student Withdrawal While Allegations Pending ..... 10

22 Resolutions ..... 11

23 Time Limits..... 14

**24 Rational**

25 Student Conduct Programs should contribute to the teaching of appropriate individual

26 and group behavior as well as to protecting the campus community from disruption and

27 harm. The Programs should be conducted in ways that will serve to foster the ethical

28 development and personal integrity of students and the promotion of an environment

29 that is in accord with the overall educational goals of the institution. Student conduct

30 proceedings are not meant to be trials similar to court, but to provide an opportunity for

31 learning. This procedure will be used in a fair and equitable manner, and not for

32 purposes of retaliation. It is not intended to substitute for criminal or civil proceedings

33 that may be initiated by other agencies.

34 These Administrative Procedures are specifically not intended to infringe in any way on

35 the rights of students to engage in free expression as protected by the state and federal

36 constitutions, and by Education Code Section 76120, and will not be used to punish

37 expression that is protected.

38 The Office of Student Conduct and Grievances is responsible for the student conduct  
39 and resolution procedures of the college. Inquiries should be directed to the Office of  
40 Student Conduct and Grievances.

#### 41 **Cases Involving Allegations of Sexual Harassment**

42 Reports and complaints involving allegations of sexual harassment, including sexual  
43 assault, dating violence, domestic violence, and/or stalking, will be reviewed under the  
44 District's 2020 Interim Title IX Sexual Harassment Procedure, or BP/AP 3400 Sexual  
45 and Other Assaults on Campus.

#### 46 **Definitions**

47 **Advisor** – Students may elect to be accompanied by an Advisor of their choice,  
48 subject to the limitations set forth, to any meetings, conferences, interviews, or  
49 hearings. Whoever is selected as an Advisor is limited to observing, consulting, and  
50 supporting the student. An Advisor may not speak on a student's behalf or  
51 represent the student. If the student chooses to bring an attorney to serve as their  
52 Advisor, the student must inform the Student Conduct Officer no later than five (5)  
53 days prior to the meeting, conference, or hearing date, so that the district may make  
54 accommodations to have their own legal counsel attend the meeting as well. Failure  
55 to provide this notice in a timely manner will result in exclusion of the attorney from  
56 any meeting, conference, or hearing.

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

58 **Hearing Officer** – A district employee designated responsible for hearing appeals,  
59 and who is impartial and does not have an interest in the outcome of the appeal. The  
60 Hearing Officer conducts the appeal hearing, determines whether a student has  
61 violated the Standards of Student Conduct, and prepares a report that includes  
62 findings and conclusions about whether the student violated the Standards of  
63 Student Conduct and any recommended resolutions.

64 **Instructional Day** – An instructional day is defined as any day Monday through  
65 Friday that all normal College business is conducted, both in the classroom and in  
66 the administrative offices. All weekend days and College holidays are excluded.

67 **No Contact Directive** - A no contact order is an administrative directive that may be  
68 implemented without a finding of responsibility for a violation of the standards of  
69 student conduct. The directive is intended to prevent conflict between parties. The  
70 no contact order between two or more parties prevents any contact between the  
71 parties (physical or otherwise, including, but not limited to verbal, non-verbal, written,  
72 electronic, text message, email, third parties, and social media). A violation of a No  
73 Contact Directive will result in an additional violation of the Standards of Student  
74 Conduct.

75 **Resolution** - Commonly known as a sanction, the resolution serves as the

76 outcome assigned to a student when they are found responsible for a violation of the  
77 Standards of Student Conduct. Resolutions may include administrative actions and  
78 educational assignments.

79 **Standards of Student Conduct** – Board Policy 5500, which defines behavior that is  
80 prohibited and would constitute good cause for discipline.

81 **Student** – Any person who has applied for admission, who is or has been enrolled,  
82 or who has expressed their intent to enroll for any college program within the District  
83 for the period in which the alleged violation of the Standard of Student Conduct  
84 occurred, and/or who maintains an ongoing relationship with the District.

85 **Student Conduct Officer** - A district employee designated as responsible for  
86 administering student conduct conferences to determine findings of responsibility  
87 and issue resolutions.

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

### 93 **Standard of Proof**

94 The District will use the “preponderance of the evidence” standard of proof throughout  
95 the process of reaching factual findings, conclusions and determinations of  
96 responsibility for violations of the Standards of Student Conduct. A preponderance of  
97 the evidence means that the evidence on one side outweighs, preponderates over, or is  
98 more than, the evidence on the other side (e.g. more likely than not). This is a  
99 qualitative, not quantitative, standard.

### 100 **Student Rights**

101 Students also have the right to bring an advisor of their choosing with them to the  
102 administrative conference, appeal hearing, and/or expulsion hearing. If the student  
103 chooses to bring an attorney to serve as their advisor, the student must inform the  
104 Student Conduct Officer no later than five (5) days prior to the meeting or hearing date,  
105 so that the district may make accommodations to have their own legal counsel attend  
106 the meeting as well. Failure to provide this notice in a timely manner will result in  
107 exclusion of the attorney from any meeting, conference, or hearing.

108 Students also have the right to request reasonable accommodations. This request must  
109 be made in writing to the assigned Student Conduct Officer at least three (3) days in  
110 advance of the administrative conference, and/or five (5) days in advance of an Formal  
111 Hearing. The Student Conduct Officer will review the request and consult with Student  
112 Accessibility Services (SAS) to determine if and how the accommodation request can  
113 be fulfilled. Timelines within this procedure may be extended as needed to ensure  
114 reasonable accommodations, as determined by SAS, can be arranged.

115 The Family Educational Rights and Privacy Act (FERPA) protects student privacy rights.  
116 Student privacy rights are maintained through the student conduct process. Allegations,  
117 findings of responsibility, and resolutions remain private to the extent required by law. A  
118 record of all cases will be held within the Office of Student Conduct & Grievances.

## 119 **Interim Measures**

120 Pending the outcome of a student's administrative conference, interim measures  
121 may be administratively imposed. Student Conduct Officers also retain the right to  
122 administratively implement interim measures when a report of student behavior  
123 indicates that the student poses a threat of harm or is inimical to the welfare of others,  
124 or if it is necessary to ensure the orderly operations of the district. An interim measure  
125 may be put in place to ensure the safety of the campus community, provide time for  
126 further evidence to be gathered and reviewed, and/or offer support to the responding  
127 party. A responding party will receive verbal and/or written notice of the interim  
128 measure. Interim measures may include, but are not limited to, no contact directives,  
129 withdrawal of consent to remain on campus, restricted use of district property, class  
130 removal with academic accommodations (i.e. make up missing work, absence excuse,  
131 etc.), interim suspension, or more as deemed appropriate by the student conduct  
132 officer.

133 **Interim Suspension** - To protect lives, property, or to ensure the orderly operations of  
134 the district, the student may be placed on interim suspension (Education Code section  
135 66017). Reasonable opportunity, such as academic accommodations, may be provided  
136 to the student during their interim suspension.

137 A student placed on interim suspension shall be provided prompt notice of the charges  
138 pending against them and a factual description of the conduct alleged to form the basis  
139 for the charges. The student may request a hearing to determine whether interim  
140 suspension is appropriate by filing a request in writing with the Student Conduct Officer.  
141 Within 10 Instructional Days of the request, a hearing shall be conducted following the  
142 Hearing Guidelines and Procedures identified within to determine whether there is  
143 reasonable cause to believe that the continued interim separation of the student is  
144 necessary to protect the personal safety of persons within the District community or  
145 District Property, and to ensure the maintenance of order.

146 If the District establishes that there is reasonable cause for the interim suspension to  
147 continue, it shall remain in effect until the District closes the disciplinary matter, whether  
148 by resolution, final decision or dropped charges, but in no case longer than the  
149 President/Superintendent or designee has determined is required to protect the  
150 personal safety of persons within the District community or District Property, and to  
151 ensure the maintenance of order.

152 **Withdrawal of Consent to Remain on Campus** - The President/Superintendent or  
153 designee may notify any person for whom there is a reasonable belief that the person  
154 has willfully disrupted the orderly operation of the campus that consent to remain on

155 campus has been withdrawn. If the person is on campus at the time, they must  
156 promptly leave or be escorted off campus.

157 The person from whom consent has been withdrawn may submit a written request for a  
158 hearing on the withdrawal within the period of the withdrawal. The hearing will be  
159 conducted in accordance with the provisions of this procedure relating to interim  
160 suspensions.

161 In no case shall consent be withdrawn for longer than 14 days from the date upon which  
162 consent was initially withdrawn.

### 163 **Instructor Removal from Class** (Education Code Section 76032)

164 Any instructor may order a student removed from their class for the day of the removal  
165 and up to the next class meeting. The instructor shall immediately report the removal to  
166 the Office of Student Conduct and Grievances through completion of a Student Conduct  
167 Incident Form. The Faculty Coordinator or designee may arrange for a conference  
168 between the student and the instructor regarding the removal. If the instructor or the  
169 student requests, the Faculty Coordinator or designee may attend the conference.

### 170 **Complaint Intake/Investigation**

- 171 1. Within twenty (20) days from the time the Student Conduct Officer is informed of  
172 allegations which may constitute a violation of the Standards of Student Conduct,  
173 the Officer shall:
- 174 a. Conduct a fact-finding investigation to determine whether it is appropriate  
175 to charge a student with a violation of the Standards of Student Conduct;
  - 176 b. Consider if no contact directives concerning one or more members of the  
177 District community should be implemented; and
  - 178 c. Consider whether to implement an interim suspension or withdrawal of  
179 consent to remain on campus.

### 180 **Notice of Administrative Conference and Conference**

181 1. If after the investigation is complete and sufficient evidence exists to support a  
182 possible violation of the Standards of Student Conduct, the Student Conduct  
183 Officer shall notify the student in writing that an administrative conference has  
184 been scheduled or that the student is directed to promptly schedule a conference  
185 with the Student Conduct Officer. The conference must occur no sooner than five  
186 days after the notice is provided.

- 187 2. The Notice of Conference shall include the following information:
- 188 a. The specific section(s) of the Standards of Student Conduct that are the  
189 subject of the charges.
  - 190 b. A short statement of the facts forming the basis of the charges.
  - 191 c. The right of the student to meet with the Student Conduct Officer to  
192 discuss the accusation, or to respond in writing.

- 193 d. The nature of the administrative resolution (i.e. warning, probation,  
194 suspension) that is being considered, or the range of the resolution.
- 195 e. The location on the Campus where the student can view their discipline  
196 file.
- 197 f. Notification of any immediate actions, such as no contact directives,  
198 location restrictions, interim suspension, and/or withdrawal of consent to  
199 remain on campus.
- 200 g. Notification of the student's right to be accompanied at the conference by  
201 an advisor of their choosing.
- 202 h. Notification of the student's right to request reasonable accommodations,  
203 as confirmed by SAS, to ensure ability to equally participate in the  
204 conference.
- 205 i. A copy of this procedure, and BP5500 Standards of Student Conduct.

206 3. The Administrative Conference shall be conducted as follows:

- 207 a. The conference shall not be recorded, except in cases where audio  
208 recording is an approved accommodation from SAS. Students for whom  
209 audio recording is their approved accommodation shall be provided a copy  
210 of the recording upon official request. The recording shall be used for  
211 accommodation purposes only.
- 212 b. The Student Conduct Officer controls the conference and may exclude  
213 any Advisor who materially disrupts the conference.
- 214 c. The conference opportunity is waived if the student fails to attend the  
215 conference, respond in writing, or otherwise decline to cooperate. In these  
216 circumstances the Student Conduct Officer shall determine findings based  
217 on the information available, without input from the student.
- 218 d. The student shall respond to the charges of misconduct at the conference.  
219 The student has the right to receive notice of the allegations, share their  
220 perspective, present evidence related to the allegation, accept or deny  
221 responsibility for the charges, and discuss appropriate resolution to the  
222 charges if found responsible.
- 223 e. Formal rules of evidence do not apply. Relevant evidence, including  
224 hearsay, can be considered if it is the type of evidence that reasonable  
225 members of the college community would rely upon to make a decision.
- 226 f. Determination of responsibility for the charge(s) will be determined either  
227 during the administrative conference, or at a later date that allows for  
228 additional consideration of the evidence, to be determined by the Student  
229 Conduct Officer. This date shall be no later than 5 days after the  
230 administrative hearing and may be extended with mutual consent of the  
231 Student Conduct Officer and the student.
- 232 g. If a finding of responsibility is reached for violation(s) of the Standards of  
233 Student Conduct, the Student Conduct Officer will determine the  
234 appropriate resolution, taking into account feedback from the student  
235 provided in the administrative conference. The proposed resolution will be  
236 provided to the student in writing, and they will be provided the opportunity



- 237 to request an appeal of the outcome and resolution through a request for a  
238 Formal Hearing.
- 239 h. Any request for a Formal Hearing must be made in writing to the Student  
240 Conduct Officer within 5 days of the receipt of the resolution proposal. If  
241 no appeal is submitted within the 5 days, the resolution will be determined  
242 final and binding.
- 243 i. All cases in which the range of discipline may result in Expulsion will  
244 require a formal hearing.

### Formal Hearing

245  
246 The matter shall proceed to a formal hearing if the student requests an appeal to the  
247 resolution proposed by the Student Conduct Officer, and in all cases in which the range  
248 of discipline includes Expulsion. The Hearing Officer shall be responsible to the  
249 President/Superintendent for reviewing and making a recommendation to the  
250 President/Superintendent or designee.

### 251 **Notice of Hearing**

- 252 1. The Student Conduct Officer will issue a Notice of Hearing within 5 days of the  
253 student's appeal request, or within 5 days of the issuing of a recommended  
254 resolution that includes Expulsion.
- 255 2. The Student Conduct Officer shall schedule the hearing promptly, but in any  
256 event no sooner than 10 days after, and no later than 20 days after, the date of  
257 the Notice of Hearing.
- 258 3. A notice to appear at the hearing shall be sent to any District-related witnesses at  
259 least 5 days before the hearing.
- 260 4. The Notice of Hearing may be amended at any time, and the Student Conduct  
261 Officer may postpone the hearing for a reasonable period of time.
- 262 5. The Notice of Hearing shall include:
- 263 a. The specific section(s) of the Standards of Student Conduct that are the  
264 subject of the charges.
- 265 b. A short statement of the facts forming the basis of the charges.
- 266 c. The proposed resolution from the Student Conduct Officer, including  
267 details on any administrative sanctions and educational assignments.
- 268 d. The location on the Campus where the student can view their discipline  
269 file and any investigation reports.
- 270 e. The date, time, and location of the hearing.
- 271 f. Notification of the student's right to be present and participate at the  
272 hearing, and that the hearing shall proceed in the absence of the student  
273 unless a satisfactory explanation has been provided.
- 274 g. Notification of the student's right to be accompanied at the conference by  
275 an advisor of their choosing, and guidelines surrounding use of attorneys.  
276 If the student intends to bring an attorney as their advisor, the student  
277 must inform the Student Conduct Officer at least 5 days before the

- 278 hearing. Failure to provide notice in a timely manner will result in  
279 exclusion of the attorney from the hearing.
- 280 h. Notification that in cases where the proposed discipline does not include  
281 Expulsion, the student can waive the right to a hearing by accepting the  
282 proposed resolution.
- 283 i. Notification of any immediate actions, such as no contact directives,  
284 location restrictions, interim suspension, and/or withdrawal of consent to  
285 remain on campus.
- 286 j. Notification of the student's right to request reasonable accommodations,  
287 as confirmed by SAS, to ensure ability to equally participation in the  
288 hearing.
- 289 k. A copy of this procedure and BP5500 Standards of Student Conduct.

### Hearing Guidelines

- 290
- 291 1. **Attendance** - The hearing is closed to all persons except the Student Conduct  
292 Officer; the Student charged; their chosen Advisor (if applicable); the Hearing  
293 Officer; and one person to assist the Hearing Officer in audio recording the  
294 hearing. A police or security officer may also be present if deemed appropriate or  
295 necessary by the Hearing Officer. If the student charged is not able to meet in  
296 person, accommodations may be made to hold the hearing through electronic  
297 means, such as video conferencing. Witnesses participating in the hearing shall  
298 not be present at the hearing when not testifying, and will be provided a waiting  
299 area.
- 300 2. **Official Recording** - The hearing shall be closed and confidential. An official  
301 audio recording of the hearing will be taken and maintained by the Office of  
302 Student Conduct and Grievances. No other recording of the hearing is permitted.  
303 No witness who refuses to be recorded may be permitted to give testimony. The  
304 recording will remain the property of the District and maintained in the Office of  
305 Student Conduct and Grievances. The student may schedule time to access and  
306 review the recording. No copies of the recording may be made, except in cases  
307 where audio recording is an approved accommodation through SAS. Students  
308 for whom audio recording is their approved accommodation shall be provided a  
309 copy of the recording upon official request. The recording shall be used for  
310 accommodation purposes only.
- 311 3. **Failure to Appear** - If the student charged or Reporting Party fails to appear at  
312 the hearing without good cause, the hearing shall nevertheless proceed. The  
313 student charged may not be found to have violated the Standards of Student  
314 Conduct solely because the student charged failed to appear at the hearing. Nor  
315 may the Student charged be found not to have violated the Standards of Student  
316 Conduct solely because a Reporting Party or witness failed to appear at the  
317 hearing.
- 318 4. **Maintenance of Order** - The Hearing Officer is responsible for maintaining order  
319 during the hearing and makes whatever rulings are necessary to ensure a fair  
320 hearing. Abusive or otherwise disorderly behavior that causes a material  
321 disruption is not tolerated. The Hearing Officer may eject or exclude anyone

322 (including the Student charged and/or the Student's Advisor) whose behavior  
323 causes a material disruption. The Hearing Officer's decisions regarding  
324 procedural issues are final.

- 325 5. **Evidence** - Formal rules of evidence applied in civil or criminal courtroom  
326 proceedings (e.g., California Evidence Code) are not used in student discipline  
327 hearings. All relevant evidence is admissible, including but not limited to  
328 testimony of witnesses, physical objects, police reports, photographs, and copies  
329 of documents. All information that responsible persons are accustomed to rely  
330 upon in the conduct of serious affairs is considered. Hearsay may be considered  
331 and will be given the weight appropriate under all of the circumstances. The  
332 Hearing Officer shall rule on the relevance of all evidence.
- 333 6. **Consolidation of Cases** - Where there is more than one Student charged with  
334 misconduct in connection with a single occurrence or related multiple  
335 occurrences, the Student Conduct Officer and the students charged may agree  
336 to a single hearing. A student may request consolidation of their case with others,  
337 or the Student Conduct Officer may initiate the consolidation (subject to FERPA  
338 and other applicable privacy laws).
- 339 7. **Right to Waive the Hearing** - At any time during the hearing, the Student may  
340 waive the right to a hearing and accept the prior proposed resolution. This waiver  
341 must be made in writing, directed to the Student Conduct Officer. This right does  
342 not apply to student facing an outcome of Expulsion, which requires a hearing.

### 343 **Hearing Procedures**

- 344 1. Hearings are intended to be educational rather than adversarial.
- 345 2. **Review of Complaint** - Prior to the hearing date the Hearing Officer may review  
346 the initial report, the student's conduct history, the Student Conduct Officer's  
347 justification for the finding of responsibility and the proposed resolution, the  
348 student's transcript, and any evidence or statements provided.
- 349 3. **Opening** - The Hearing Officer shall call the hearing to order, ask each person  
350 present to identify themselves by name, and thereafter shall ask witnesses to  
351 identify themselves by name at the time they enter the hearing. The Hearing  
352 Officer then states "this Hearing is proceeding pursuant to AP 5520 to hear  
353 charges against (student's name) and to make findings of fact and  
354 recommendations for action to the President/Superintendent or designee."  
355 a. The Student Conduct Officer shall first provide an opening statement that  
356 includes a summary of the incident that lead to charges, the facts  
357 supporting the accusation, outlines the assigned charges, and the  
358 proposed resolution that was provided to the student.  
359 b. The student then shall have the opportunity to provide an opening  
360 statement.
- 361 4. **Burden of Proof** - The Student Conduct Officer has the burden of proving that  
362 each charge is true. A preponderance of evidence (more likely than not) must be  
363 established by the Student Conduct Officer.  
364 a. The Student Conduct Officer will present relevant evidence and may call  
365 witnesses in support of the charges first.

- 366                   b. Then, the student may present evidence to refute the Student Conduct  
367                   Officer's evidence, and may call witnesses that refute the charges.
- 368                   5. **Questioning** – The Hearing Officer may ask questions of the charged student,  
369                   the Student Conduct Officer, and/or witnesses at any time. The Student Conduct  
370                   Officer and the student may be allowed to question witnesses presented by the  
371                   other. All questions for witnesses are subject to a relevance determination by the  
372                   Hearing Officer. The Hearing Officer will limit or disallow questions on the basis  
373                   that they are irrelevant, unduly repetitious (and thus irrelevant), or abusive. The  
374                   Hearing Officer has final say on all questions and determination of relevance.
- 375                   6. **Closing Statements** - First the Student Conduct Officer, and then the student,  
376                   shall be afforded the opportunity to make a closing statement.

377                   **Standard of Proof; Report and Recommendations of the Hearing Officer**

- 378                   1. After the hearing, the Hearing Officer shall make findings of fact and conclusions  
379                   about whether the student violated the Standards of Student Conduct, as  
380                   sustained by a preponderance of the evidence standard of proof. It is the  
381                   District's burden to show that it is "more likely than not" that the student violated  
382                   the Standards of Student Conduct.
- 383                   2. The Hearing Officer's report shall be based only on the information received at  
384                   the hearing. The Hearing Officer shall not, prior to preparing the report, have  
385                   substantive communications about the facts of the case with the Student  
386                   Conduct Officer, the Reporting Party, the student charged, or the witnesses,  
387                   unless both the Student Conduct Officer and the student charged are present.
- 388                   3. The Hearing Officer shall submit a written report of findings and conclusions to  
389                   the President/Superintendent or designee within 10 Instructional Days after the  
390                   hearing. The report must include a summary of the allegations, findings of fact  
391                   and supporting evidence, a statement of analysis and determination, and  
392                   recommended resolutions.

393                   **Final Decision/Notification**

- 394                   1. The President/Superintendent or designee shall review the Hearing Officer's  
395                   report and issue a final decision. The President/Superintendent or designee may  
396                   impose the recommended resolution, adopt different resolutions, reject the  
397                   resolutions altogether, or refer the matter back for further findings on specified  
398                   issues. If the President/Superintendent or designee adopts a different resolution  
399                   than what is recommended by the Hearing Officer, the President/Superintendent  
400                   or designee must set forth the reasons in the final decision letter. The  
401                   President/Superintendent or designee's final decision letter shall be issued within  
402                   10 Instructional Days after receipt of the Hearing Officer's report.
- 403                   2. In cases in which the recommended resolution is Expulsion the Hearing Officer's  
404                   report will be forwarded to the Board of Trustees for final review and action.  
405                   Refer to 'Expulsion' under Resolutions for the remaining process.

406                   **Student Withdrawal While Allegations Pending**

407 If a student has an allegation pending for violation of the Standards of Student Conduct,  
408 the District may place a hold on a student's ability to graduate and/or to receive an  
409 official transcript/diploma. Should a student decide to not participate in the resolution  
410 process, the process proceeds absent their participation to a reasonable resolution.  
411 If the student withdraws or takes a leave for a specified period of time (e.g., one  
412 semester or term), the resolution process may continue remotely and that student is not  
413 permitted to return to the District unless and until all sanctions have been satisfied.

#### 414 **Resolutions**

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

- 417 1. **Restitution** - Compensation for loss, damages or injury. This may include  
418 appropriate service and/or monetary material replacement.
- 419 2. **Educational Resolutions** - Assignments, such as work, research, essays,  
420 service to the District or the community, training, counseling, removal from  
421 participation in recognized student clubs and organizations, and/or District  
422 events, or other remedies intended to discourage similar misconduct or as  
423 deemed appropriate based upon the nature of the violation. The purpose of  
424 educational resolutions is to help students deepen their understanding of their  
425 behavior from a new perspective, learn about the impact of their behavior,  
426 identify their values and goals, or support their learning.
- 427 3. **Restorative Resolutions** - Restorative resolutions focus on addressing impact  
428 of behavior and reintegrating charged students into the community. A restorative  
429 resolution requires the full agreement and voluntary participation of the charged  
430 student and other parties involved in the case, including but not limited to  
431 reporting parties and impacted parties. Restorative resolutions are designed to  
432 assist the charged student with identifying the impact or harm that was caused by  
433 their behavior, and provide a means for the charged student to repair that harm  
434 or impact as an active member of the community. Restorative resolutions should  
435 be timely in response. A responding party has the right to request a restorative  
436 resolution for consideration, and the Student Conduct Officer retains the right to  
437 not issue a restorative resolution should they deem it inappropriate for the  
438 situation.
- 439 4. **No Contact Directive** - The directive is intended to prevent conflict between  
440 parties. The no contact order between two or more parties prevents any contact  
441 between the parties (physical or otherwise, including, but not limited to verbal,  
442 non-verbal, written, electronic, text message, email, third parties, and social  
443 media). A violation of a No Contact Directive will result in an additional violation  
444 of the Standards of Student Conduct.

- 445 5. **Restricted Access to District Property** - The Student Conduct Officer has the  
446 right to restrict, modify, or limit a charged student's access to district property,  
447 including specific locations and equipment.
- 448 6. **Disciplinary Warning** – A written warning is issued as a directive to cease the  
449 behavior in question and other violations of the standards of student conduct.  
450 Warnings may be issued to those found responsible for a first time, low-level  
451 violation with minimal impact. Following a written warning, any other violations of  
452 the Standards of Student Conduct will result in an additional resolution.
- 453 7. **Disciplinary Probation** – A designated period of time during which privileges of  
454 continuing in student status are conditioned upon future behavior. Conditions  
455 may include the potential loss of specified privileges to which a current student  
456 would otherwise be entitled, or the probability of more severe disciplinary  
457 sanctions if the Student is found to violate the Standards of Student Conduct or  
458 any District policy or procedure during the probationary period.
- 459 8. **Suspension** – Temporary separation of the student from active student status or  
460 student status. Conditions for re-enrollment may be specified, including  
461 completion of assigned educational or restorative resolutions, placement on  
462 probation upon return, and/or the requirement for a Clearance to Return review.
- 463 ○ **Relevant Campus Personnel Notification** – Upon suspension of a  
464 student from the District, and following FERPA requirements, the following  
465 areas will receive notification that the student has been suspended: the  
466 student's current faculty, Admission & Records to withdraw the student  
467 from their course(s), Financial Aid, and Campus Police.
  - 468 ○ **Financial obligations** – Students placed on suspension will not receive a  
469 refund of tuition/fees for the current term, and the withdrawal of courses  
470 may impact a student's financial aid package. Students will be directed to  
471 consult with the Financial Aid Office on the impact to their financial aid.
  - 472 ○ **Clearance to Return** – Prior clearance to return to the college (in-person  
473 and/or online) may be required and would be conducted by the Dean of  
474 Student Services. Clearance requirements may include completion of  
475 educational or other courses or processes as specified in the resolution.  
476 This requirement may include confirmation that the individual is ready for  
477 the college classroom and/or that the individual's continued presence on  
478 campus is not a threat to themselves, others, and/or the property of the  
479 District or others. In determining consideration of reinstatement, the  
480 following factors will be considered (CA Education Code 76030): the gravity  
481 of the offense, evidence of subsequent offenses (if any), and the likelihood  
482 the student would cause substantial disruption if they are reinstated.  
483 Following review, the Dean of Student Services will take one of the  
484 following actions, and notify the student in writing: deny reinstatement,  
485 permit reinstatement, permit conditional reinstatement and specify the  
486 conditions under which reinstatement will be permitted.

487 9. **Immediate Interim Suspension** (Education Code Section 66017): The  
488 President/Superintendent or designee may order immediate suspension of a  
489 student where he or she concludes that immediate suspension is required to protect  
490 lives or property and to ensure the maintenance of order. In cases where an  
491 interim suspension has been ordered, the time limits contained in these procedures  
492 shall not apply, and all hearing rights, including the right to a formal hearing where a  
493 suspension or expulsion is recommended, will be afforded to the student within ten  
494 days.

495 ○ **Relevant Campus Personnel Notification** – Upon interim suspension of a  
496 student from the District, and following FERPA requirements, the following  
497 areas will receive notification that the student has been placed on interim  
498 suspension: the student’s current faculty and Campus Police.

499 10. **Expulsion** – Action by the Board of Trustees to terminate student status in the  
500 District indefinitely.

501 ○ A decision of the Board of Trustees to impose expulsion shall be reached no  
502 later than the next regularly scheduled regular meeting of the Board after  
503 receipt of the recommended resolution from the Hearing Officer.

504 ○ The Board shall consider an expulsion recommendation in closed session,  
505 unless the student has requested that the matter be considered in a public  
506 meeting in accordance with these procedures. (Education Code Section  
507 72122)

508 ○ The student shall be notified in writing, at least five days prior to the meeting,  
509 of the date, time, and location of the Board's meeting.

510 ○ Notification of the student's right to request reasonable accommodations, as  
511 confirmed by SAS, to ensure ability to equally participation in attending the  
512 Board meeting.

513 ○ The Board may accept, modify, or reject the findings, decisions and  
514 recommendations of the Hearing Officer. If the Board modifies or rejects the  
515 decision, the Board shall review the record of the hearing, and shall prepare a  
516 new written decision which contains specific factual findings and conclusions.  
517 The decision of the Board shall be final.

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

520 ○ **Relevant Campus Personnel Notification** – Upon expulsion of a student  
521 from the District, and following FERPA requirements, the following areas will  
522 receive notification that the student has been expelled (as applicable): the  
523 student’s current faculty, Admission & Records to withdraw the student from  
524 their course(s), Financial Aid, and Campus Police.

525 ○ **Financial obligations** – Students expelled will not receive a refund of  
526 tuition/fees for the current term, and the withdrawal of courses may impact  
527 a student’s financial aid. Students will be directed to consult with the  
528 Financial Aid Office on any costs owed the District.

529 A withdrawal of consent to remain on campus, suspension, or expulsion prohibits both  
530 physical presence on the campus and at a facility or activity operated by the College

531 and any type of online or distance education presence or participation in classes,  
532 activities, and/or operations of the College (i.e. phone calls or emails to offices or  
533 employees). Permission to access the campus (in person or online) must be requested  
534 in writing to the Dean of Student Services, and approval must be granted in writing  
535 before access is granted.

536 Any person as to whom consent to remain on campus has been withdrawn who  
537 knowingly reenters the campus during the period in which consent has been withdrawn,  
538 except to come for a meeting or hearing, is subject to arrest (Penal Code Section  
539 626.4).

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

542 These procedures may change from time to time and may be superseded by current  
543 state and federal laws and regulations.

544 Also see BP 5500 titled Standards of Student Conduct. CA Ed Code 76030

545 Office of Primary Responsibility: Vice President, Student Services

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**Date Approved: May 21, 2007**

**Dates Revised: April 12, 2010; February 8, 2016**

**Date Reviewed: February 20, 2019**

*(Replaces former Cerritos College Policies 4806 and 4806.1)*





## STUDENT LIFE COMMITTEE

March. 4, 2021  
Online Meeting  
1:00 PM

### COMMITTEE GOALS 2020-2021

1. Finalize revisions BP5500 (Standards of Student Conduct).
2. Review and propose revisions to AP 5520 (Student Discipline Procedures).
3. To establish intentional community building and student engagement consortium on campus, to allow for coordinated action and communication relate to events, programs, and activities.

### MINUTES

#### 1. Welcome: Introductions & Roll Call

Member Role (*denotes Ex-Officio Member)	20-21 Member	Present - P; Absent - A; Vacant - V
Dean of Student Services	Elizabeth Miller	P
VP of Student Services	Dilcie Perez	A
Coord. of Student Conduct	Cynthia Lavariere	P
Student Activities Coordinator	Amna Jara	P
ACCME rep 1	Rory Natividad	P
ACCME rep 2	Debra Ward	P
Faculty rep 1 (instructional)	Claudia Quilizapa	P
Faculty rep 2 (student services)	Nellie Hernandez-Garcia	P
Faculty rep	Brooke Hanniff	P
Confidential Rep	Edith Finney	P
CSEA rep 1	Nikki Jones	P
CSEA rep 2	Maria Isai	P
ASCC Director of Student Services	Valery Escobar	P
ASCC student representative	Christian Pena	A
Bookstore Manager*	Brianne Freeman	P
Associate Dean of Student Health*	Hillary Mennella	P
Dean of SAS, or designee*	Elizabeth Page	P
Chief of Campus Police*	Don Mueller	A
Facilities representative*	Juan Carlos Serna	P
<b>Quorum: Fall - 6; Spring - 9</b>	<b>ATTENDANCE</b>	<b>16</b>

Guests: Robin Taylor, Diana Madueno, Sarah Pirtle, and Denise Marshall

#### 2. Information & Discussion: Commencement 2021

- The committee continued discussion of proposed Commencement options for spring 2021. Dean Miller will inform campus groups about the Commencement events.
  - i. Grad Fair
    1. Updated dates & times: Wed. May 12th 10am-2pm and Thurs. May 13th 3pm-7pm (information is updated on the commencement webpage).
  - ii. Carmencement (Friday, May 28<sup>th</sup>)
    1. Grouping of academic divisions between the two time-blocks,
      - a. Morning 9am-12pm and Afternoon 2-5pm (grouping on next page)

Morning 9am-12pm	2491
Business	1269
SEM	164
Kinesiology	38
Health Occupations	554
Technology	466

Afternoon 2-5pm	2290
Liberal Arts	1776
Humanities & social science	430
Fine Arts	84

## 2. Day-of logistics

- a. Walk-up graduates (i.e. students taking public transportation)
- b. Live stream:
  - i. A/V: In meeting with Media Services it has been determined that this scale of an event is too large to be done in-house. Sarah Pirtle (Media Services) will request a quote for A/V services, from the vendors we have worked with in the past.
  - ii. Live stream of event will be on the college's YouTube page.
- c. Parade route:
  - i. Dean Miller gave an overview of the vehicle route, from the entrance at lot 10, to the exit next to lot 2.
  - ii. Dean Miller will schedule a Logistics Group meeting to further discuss event logistics. Logistics Group will include: Student Affairs, Facilities, and Campus Police.
- d. Event RSVP: with assistance from Counseling, we will provide event registration/RSVP links via the eSARS system.
  - i. Graduates will be able to sign-up for an arrival time, request accommodations, and indicate the type of arrival (own vehicle, public transportation, etc.)
- e. Support Staff: More info will be sent out to staff and faculty via email in April.

### iii. Pre-recorded Ceremony:

1. Student Affairs met with Miya Walker and Sarah Pirtle to discuss details for the President's Party pre-recorded video. Filming location will be in the Conference Center.
  - a. Pre-recording will include message from President and Board Members
  - b. Highlight Graduates: A call to nominate a graduate with an inspirational story, to be featured in the video, will be emailed out to campus.

## 3. Discussion: Revisions to BP5500 Standards of Student Conduct & AP5520 Student Discipline Procedures

- The committee received an update on the revision process for BP5500.
  - i. Dr. Elan Helsper reviewing the document to make sure it includes required Title IX language. Next, the BP will be sent to Coordinating Committee, then to the Board.
- The committee reviewed the overview of the proposed revisions to AP5520.

**4. Information: Student Events Collaborative (SEC)**

- The committee received an update on the Student Events Collaborative group.
  - i. The next SEC meeting will be March 15, 2021 at 1pm – topics include virtual event security, creating standardized event evaluations, and how to create active participation in virtual events.

**5. Cerritos College Food Court, Vending, & Bookstore Services**

- The committee received COVID-19 updates on this agenda topic.
  - i. Continuing as is. An update will be provided once the campus knows more information about a return to campus.
  - ii. Bookstore is operating online

**6. Announcements**

- Yoga every Mondays and Fridays, 10-11am, open to all. Link in Daily Falcon.
- Covid support group for students happening this spring. Link in Daily Falcon
- ASCC Student Government Leaders applications for 2021-2022 close March 10<sup>th</sup>.
- Next Student Life Committee Meeting is Thursday, April 1, 2020 at 1:00 PM

**7. Adjourn – 2:00 p.m.**