



Academic Senate of El Camino College 2015-2016

September 15, 2015

16007 Crenshaw Blvd., Torrance CA 90506-0002 (310)532-3670 x3254

Officers & Executive Committee

Co –Presidents	Chris Jeffries/ Claudia Striepe	VP Finance & Special Projects	Lance Widman
VP Compton Educ'l Center	Paul Flor	VP Academic Technology	Pete Marcoux
Curriculum Chair	Allison Carr	Co-VPs Faculty Development	Kristie Daniel-DiGregorio
VP Educational Policies	Chris Gold	VP Instructional Effectiveness	Russell Serr
Secretary	Sara Di Fiori		

<u>Adjunct</u>	(1 yr term)	<u>Health Sci & Athletics/Nursing</u>	<u>Natural Sciences</u>
Dustin Black (BSS)	15/16	Russell Serr	17/18
Karl Striepe (BSS)	15/16	Robert Uphoff*	15/16
		Colleen McFaul	17/18
<u>Behavior & Social Sciences</u>		Andy Alvillar	16/17
		Traci Granger	16/17
Christina Gold	16/17		
Kristie Daniel-DiGregorio	17/18	<u>Humanities</u>	<u>Academic Affairs & SCA</u>
Daniel Walker	16/17	Rose Ann Cerofeci	15/16
Lance Widman*	17/18	Peter Marcoux*	15/16
Michael Wynne	17/18	Christina Nagao	15/16
<u>Business</u>	Tim Miller 15/16	Barbara Jaffe	15/16
	Phillip Lau*	Ashley Gallagher	15/16
	Nic McGrue		<u>Associated Students Org.</u>
	Josh Troesh		Stephanie Pedrahita
		<u>Industry & Technology</u>	
<u>Compton Educational Center</u>		Patty Gebert	15/16
Estina Pratt	14/15	Ross Durand	15/16
Chris Halligan	14/15	Mark Fields	15/16
Essie French-Preston	14/15	Tim Muckey	15/16
Paul Flor	14/15	Merriel Winfree	15/16
vacant		Lee MacPherson*	15/16
<u>Counseling</u>		<u>Learning Resource Unit</u>	
Yamonte Cooper	17/18	Moon Ichinaga	15/16
Chris Jeffries*	15/16	Claudia Striepe*	15/16
Rene Lozano	16/17	<u>Mathematical Sciences</u>	
<u>Fine Arts</u>		Zachary Marks	15/16
Ali Ahmadpour	14/15	Jasmine Ng	16/17
Chris Wells*	14/15	Megan Granich	16/17
Russell McMillin	14/15	Matthew Mata	17/18
Vince Palacios	14/15	Benjamin Mitchell	16/17
Vacant			
			<u>Institutional Research</u>
			Irene Graff
			Carolyn Pineda

Dates after names indicate the last academic year of the senator's three year term, for example 15/16 = 2015/2016

*denotes senator from the division who has served on Senate the longest (i.e. the "senior senator")



SENATE'S PURPOSE (from the Senate Constitution)

- A. To provide an organization through which the faculty will have the means for full participation in the formulation of policy on academic and professional matters relating to the college including those in Title 5, Subchapter 2, Sections 53200-53206. *California Code of Regulations*. Specifically, as provided for in Board Policy 2510, and listed below, the "Board of Trustees will normally accept the recommendations of the Academic Senate on academic and professional matters of:
 - 1. Curriculum, including establishing prerequisites and placing courses within disciplines
 - 2. Degree and certificate requirements
 - 3. Grading policies
 - 4. Educational program development
 - 5. Standards and policies regarding student preparation and success
 - 6. District and college governance structures, as related to faculty roles
 - 7. Faculty roles and involvement in accreditation process, including self-study and annual reports
 - 8. Policies for faculty professional development activities
 - 9. Processes for program review
 - 10. Processes for institutional planning and budget development, and
 - 11. Other academic and professional matters as mutually agreed upon between the Board of Trustees and the Academic Senate."

- B. To facilitate communication among faculty, administration, employee organizations, bargaining agents and the El Camino College Board of Trustees.

ECC ACADEMIC SENATE MEETING DATES AND LOCATIONS (1st and 3rd Tuesdays)

FALL 2015

September 1	Alondra Room
September 15	DE166
October 6	DE166
October 20	DE166
November 3	Alondra Room
November 17	Alondra Room
December 1	Alondra Room

SPRING 2016

February 2	Alondra Room
February 16	Alondra Room
March 1	Alondra Room
March 22	Stadium Room
April 5	Alondra Room
April 19	Alondra Room
May 3	Alondra Room

CEC ACADEMIC SENATE MEETING DATES AND LOCATIONS (Thursday after ECC Senate, usually)

FALL 2015

September 3	Board Room
September 17	Board Room
October 8	Board Room
October 22	Board Room
November 5	Board Room
December 3	Board Room

SPRING 2016

January 21 (if needed)	Board Room
February 4	Board Room
February 18	Board Room
March 3	Board Room
March 24	Board Room
April 7	Board Room
April 21	
May 5	

Per the Brown Act all votes must be recorded by name. Only No's and Abstentions will be recorded by name in the minutes, If you were signed in to the meeting and did not vote No/Abstain, your vote will be assumed to be a Yes.

<u>SENATE COMMITTEES</u>	<u>Chair / President</u>	<u>Day</u>	<u>Time</u>	<u>Location</u>
Academic Technology Comm.	Pete Marcoux, Virginia Rapp			Alonda Room
Assessment of Learning Comm.	Jenny Simon Russell Serr	2 nd & 4 th Mon.	2:30-4:00	Admin 131
Academic Program Review Comm.	Karen Whitney, Co-Chair	Most Thursdays	12:30-2:00	Admin 131
Compton Academic Senate	Paul Flor	1 st & 3 rd Thurs	1:00-2:00	CEC Board Room
Compton Faculty Council	Paul Flor	1 st & 3 rd Thurs	1:00-2:00	CEC Board Room
Curriculum Committee	Allison Carr, Chair	2 nd & 4 th Tues	2:30-4:30	Admin 131
Educational Policies Comm.	Chris Gold	2 nd & 4 th Tues	1:00-2:00	Admin 127
Faculty Development Comm.	Kristie Daniel-DiGregorio	2 nd & 4 th Tues	1:00-2:00	West. Library Basement

Committees

<u>CAMPUS COMMITTEES</u>	<u>Chair</u>	<u>Senate / Faculty Representative/s</u>	<u>Day</u>	<u>Time</u>	<u>Location</u>
Accreditation	Jeanie Nishime	Matt Cheung, Holly Schumacher			
Basic Skills Advisory Group	Arturo Martinez	Jason Suarez			
Board of Trustees	Bill Beverly	Chris Jeffries, Claudia Striepe	3 rd Mon.	4:00	Board Room
Calendar Committee	Jeanie Nishime	Chris Jeffries Vince Palacios Alice Martinez			
Campus Technology Comm	Virginia Rapp	Pete Marcoux		12:30-2:00	Stadium Room
College Council	Tom Fallo	Chris Jeffries, Claudia Striepe Estina Pratt	Mondays	1-2:00	Admin 127
Dean's Council	Jean Shankweiler	Chris Jeffries, Claudia Striepe	Thursdays	8:30-10:00	Library 202
Distance Education Advisory Committee	John Ayala				
Facilities Steering Comm.	Tom Fallo	Chris Jeffries, Claudia Striepe			
Planning & Budgeting Comm.	Rory Natividad	Lance Widman Emily Rader (alternate)	1 st & 3 rd Thurs.	1-2:30	Library 202
Student Success Advisory Committee	Dipte Patel & Mary Beth Barrios	Chris Jeffries, Cynthia Mosqueda, Janice Poshikawa	2 nd Thursday	1-2:00	Library 202

All of these Senate and campus committee meetings are open, public meetings. Please feel free to attend any meetings that address issues of interest or concern to you



AGENDA & TABLE OF CONTENTS

		Pages
A. CALL TO ORDER		
B. APPROVAL OF MINUTES		6-11
C. OFFICER REPORTS	A. President – Chris Jeffries/Claudia Striepe B. VP – Compton Education Center – Paul Flor C. Chair – Curriculum – Allison Carr D. VP – Educational Policies – Chris Gold E. VP – Faculty Development –Kristie Daniel-DiGregorio F. VP – Finance – Lance Widman G. VP – Academic Technology – Pete Marcoux H. VP – Instructional Effectiveness/Assessment of Learning Committee & SLOs Update – Russell Serr	12-15 16-20 21-22 23-26 27-29
D. SPECIAL COMMITTEE REPORTS	A. ECC VP of Academic Affairs and ECC VP of Student and Community Advancement – Jean Shankweiler and Jeanie Nishime	
E. UNFINISHED BUSINESS	A. Election of Officers and Senators – Claudia Striepe	

<p>F. NEW BUSINESS</p>	<p>A. A/P 5520 – Student Discipline Procedures – C. Gold This procedure is being brought back for a 1st reading since there were some substantial changes made during the summer by our new director of Student Development, Greg Toya. A copy of the CLCC template is also being provided.</p> <p>B. B/P&A/P 3540 Sexual Misconduct – C. Gold/J. Ishikawa This policy and specifically the procedure have been updated to include changes in the laws and regulations not limited to, but including the reporting of sexual misconduct on and off campus. Our Title IX officer is here to talk about the changes and answer any questions. This is the first reading for both. The CLC template is also being provided.</p>	<p>30-63</p> <p>64-76</p>
<p>G. INFORMATION ITEMS – DISCUSSION</p>	<p>A. B/P 4030 – Academic Freedom This policy will go back to the Board of Trustees after a small change in grammar was corrected by the request of one of the trustees.</p>	
<p>H. FUTURE AGENDA ITEM</p> <p>I. PUBLIC COMMENT</p> <p>J. ADJOURN</p>	<p>A. Mary Beth Barrios – presentation on SSSP plan</p> <p>B. Sabra Sabio and Bernadette Flameno – presentation on Ed Planning Initiative (EPI)</p>	

Senate Goals

- Ensure full Division representation on Senate. *Measure: ensure Divisions have required number of Senate members and that elections are held accordingly.*
- Ensure Executive and Committee Chairs are in place. *Measure: Recruit and elect according to Senate by-laws.*
- Build campus morale. *Measure: Arrange for “positive” presentations showcasing success, General faculty survey of perception.*
- Enhance communication with all groups and partners. *Measure: ask Senators to post meeting minutes in Division areas, will begin posting Senate PowerPoints to all faculty, General faculty survey of Senate effectiveness*
- Assert Faculty voice and leadership on campus. *Measure: General faculty survey of Senate effectiveness*

ACADEMIC SENATE ATTENDANCE
September 1, 2015

Adjunct (1 year)

Dustin Black XX
Karl Streipe XX

Behavioral & Social Sciences

Daniel Walker XX
Christina Gold XX
Kristie Daniel-DiGregorio
Lance Widman XX
Michael Wynn XX

Business

Phillip Lau XX
Tim Miller
Josh Troesh XX
Nic McGrue XX

Counseling

Yamonte Cooper EXC
Chris Jeffries XX
Rene Lozano XX

Fine Arts

Ali Ahmadpour
Chris Wells XX
Russell McMillin
Vince Palacios XX

Health Sciences & Athletics

Russell Serr
Robert Uphoff XX
Andrew Alvillar XX
Tracy Granger XX

Humanities

Rose Ann Cerofeci XX
Christina Nagao XX
Barbara Jaffe XX
Ashley Gallagher

Industry & Technology

Patty Gebert XX
Ross Durand
Mark Fields XX
Tim Muckey XX
Merriel Winfree XX
Lee MacPherson XX

Learning Resources Unit

Moon Ichinaga XX
Claudia Striepe XX

Mathematical Sciences

Zachary Marks XX
Jasmine Ng XX
Megan Granich XX
Matthew Mata XX
Ben Mitchell XX

Natural Sciences

Sara Di Fiori XX
Miguel Jimenez
Anne Valle XX
Mohamad Abbani
Ryan Turner XX

Academic Affairs & SCA

Jean Shankweiler XX
Karen Lam
Jeanie Nishime XX
Karen Whitney

Assoc. Students Org.

Brianna Thomas
Stephanie Pedrahita XX

Compton Education Center

Estina Pratt
Chris Halligan XX
Essie French-Preston
Paul Flor
Vacant

Division Personnel

Connie Fitzsimons XX

Ex-Officio Positions

Ken Key (ECCFT)
Nina Velasquez (ECCFT)

Curriculum Chair

Allison Carr XX

Deans' Reps.; Guests/Other Officers:

Tom Lew
Irene Graff
Carolyn Pineda XX
Karen Green
Greg Toya
Tayle Dahm
Stefanie Frith
Bruce Tran

ACADEMIC SENATE MINUTES

September 1, 2015

Unless noted otherwise, all page numbers refer to the packet used during the meeting, not the current packet you are reading now.

1. CALL TO ORDER Senate Co-Presidents Jeffries and Striepe called the first Academic Senate meeting of the Fall 2015 semester to order on September 1, 2015 at 12:39.

2. APPROVAL OF MINUTES

See pgs. 6-11 of packet for minutes of the May 5 meeting.

CS: Please review the minutes. CJ: Seeing no corrections we'll approve the minutes as recorded.

3. OFFICER REPORTS

A. Co-Presidents – Chris Jeffries (CJ) and Claudia Striepe (CS) (pgs. 12 - 22)

CJ: This is our second term as co-presidents. I'm a counselor here. My 25th anniversary at ECC is tomorrow. CS: I'm from the library and I get to see a lot of people there. Russ Serr is stepping in for Karen Whitney. Allison Carr is taking over for Mark Lipe. Welcome new senators Christina Nagao and Matthew Mata, Dustin Black and Karl Striepe. Attendance is important. Please make as many meetings as you can. Or email Sara Di Fiori if you can't attend. (Chris Jeffries read the attendance policy.) CJ: If you miss two or more consecutive meetings a replacement will be appointed. We need quorum to vote.

CJ: Regarding the Task force report on accreditation (from Chancellors Office), the current approach is not serving students well, in the opinion of the Chancellor.

CS: The last board meeting had several presentations on the search for President Fallo's successor. They've chosen candidates for the first interview. Finalists will be invited back for forums with faculty and a final interview with board members. We have an involved board.

CJ: At the last Council of Deans meeting, financial aid was early for several thousand students. They're on track. We had a joint retreat with SSP and SEP to get together and discuss our plans and goals, which are re-written and will be in future packets for review. Guests involved in our initiatives at state level may come in to update us. The early alert process will be piloted for fall. The degree audit system will be coming forward too. Thank you all who are involved. Student success will remain a theme for us. J. Ishikawa will come by to speak on BPAP 3540, which has been updated and finalized. R. Lazano: I'm part of the FAC committee statewide. I can also announce upcoming events, like our diversity conference. I would love to come present on that.

CS: Did you know (p. 12 – 15) our mission includes fostering effective participation, the 10+1 and serving as the voice of the faculty. We strive to facilitate communication to various areas.

CJ: The 10+1 are academic matters. We're one of many collegial consultation committees. We've updated the making decisions document. They are all in your senate handbook. On p. 13 BP' S and AP's. Here are the things in which we have a say. C. Gold is the new Ed Policies VP. She has a wealth of knowledge in these areas. Take this back to your divisions and get feedback.

CS. The new ECC federation board members are listed in the packet. ECC missed the deadline for the bachelor's degrees, but some college's programs have been approved.

B. VP – Compton Education Center – Paul Flor

C. Chair – Curriculum – Allison Carr (pgs. 23 - 29)

We met Tuesday and had a standard approval of carry-over courses from last spring.

D. VP – Educational Policies – Chris Gold

Our first meeting is next Tuesday. We're looking at a cluster of policies and procedures. I'll bring these forward here. Stay tuned.

E. VP – Faculty Development – Kristie Daniel –DiGregorio

CS: Kristie couldn't be here but shared the mission statement for faculty development (see minutes).

The approach to flex credit will be changing and we hope to work closely with Lisa Mednick. Administration and classified have to do flex now. It's called professional development now, not flex. Contact Lisa or Kristie if you'd like to join in. D. Black: I'm on that committee, my schedule allows for that now.

CJ: See page 3 for a list of meetings, days, locations, and times. Check the front page to make sure your divisions are all up to date.

F. VP – Finance – Lance Widman (pgs. 30 - 36)

L. Widman: Welcome back. I'm VP of Finance and special projects and a voting member on PBC. Accreditation changes are coming. The chancellor's office has a committee with major changes that are long overdue. The changes may take a couple years to implement.

On p. 30-35 are the minutes from two meetings in June.

We're developing our tentative budget. We have recommended it to the Board of Trustees. Regarding the faculty obligation number (full time required by each district), ECC has been above this number. The downside is more money off the table for salary when we hire more full-time. What are the trade-offs? Resources are scarce. How can we keep students enrolled that can't pay their fees? Topics with budget implications come up. President Fallo joined us for an informal meeting about budget. It's an open meeting. Everyone should attend. We discussed a surplus of 14 million dollars. Also, winter session was discussed. We meet again this Thursday. The final budget will be voted on and represented.

CJ. Winter will be restored for 2017. It's been great for Ed plans. We love it in counseling.

G. VP – Academic Technology – Pete Marcoux

We have two major tech committees: collegial consultation and academic tech committee. We meet twice a semester. We organize a tech conference. Faculty laptops are on their way. We hope to get them before finals when the warranty expires. The ITS new director position on board agenda for October. It's the chief tech officer and has higher pay.

Dr. Nishime: We'll give the tablet/laptop combo option for faculty. This model has a docking station and monitor. The tablet is different so we'll need to roll out training. We're hiring 6 support positions. T. Muckey: We can do things if given permission. Six months is too long for installing software. CJ: What's the timeline for those positions? Dr. Nishime: I'll report on that next time. Also you can't just call; you need to use the system for work orders. CJ: My work orders have been responded to. M. Ichinaga: Is it the same reporting structure? P. Marcoux: Yes. And on the executive board we've discussed the digitization of El Camino. Students expect it. College should not be a step back from high school. Lets start the conversation here. There are wifi issues even in new buildings.

H. VP – Instructional Effectiveness/ Assessment of Learning Committee and SLO's Update – Russell Serr

RS: I'll assist Karen with program reviews. The SLO and PLO assessments will be input in Trackdat's new and improved system. I'm offering workshops on the new input. There are glitches, but you can still enter reports. That part works. In the ALC committee we're planning the next ILO (critical thinking). By Christmas we hope to have a plan in place. We hope to give faculty more time to plan next year. Our completion rates look good.

CJ. Thanks Russell for stepping in for Karen Whitney who has stepped in for Bob Klier.

4. SPECIAL COMMITTEE REPORTS

A. ECC VP of Academic Affairs and ECC VP of Student and Community Advancement – Jean Shankweiler and Jeanie Nishime

Dr. Shankweiler: Enrollment is big right now. Were down 2.3%. It's been low since registration began. We'll make an enrollment management committee. The faculty hiring process is ongoing. We're recruiting for six positions from last spring. The process for identifying hires for next fall is ongoing. There will be only 1100 hires statewide. It's accelerated. Also, regarding equipment, the VP's prioritized the request. It's going forward this week.

L. Widman: Friday is the last day to add. Remind students, especially those on the waitlist. Dr. Shankweiler: Student Services is open until 7:00. CJ: Remind your students too that they may need to reapply. It's a 2-3 day process if they took a semester off. Counseling is open until 7:00 Monday thru Thursday and from Fridays 9-1:00.

Dr. Nishime: Regarding accreditation, we must comply with all standards. We've responded to three recommendations from the team visit: 1. Institutional effectiveness and leadership and governance (includes purposeful dialogue.) Look at the document. It was difficult to rewrite because it was already good. It includes moving to Trackdat, transparency, etc. Our weakness is capturing dialogue that takes place. Minutes don't always include dialogue. 2. Compton center management plan to ensure fiscal transparency, but they had a clean audit. 3. Planning and Decision Making: the making decisions document and survey. The committees felt that they understood the process and many had read the whole document. One third of members may not be knowledgeable about the process. Senators, please become aware so you can participate effectively. We'll survey again at end of the semester. I appreciate the comments regarding improvements. PBC looks at a prioritized list. The VPs try to make it clear. A budget page has been changed to clarify. CS: We can send it out electronically. Would you like comments? Dr. Nishime: Yes, I'll entertain comments sent to me by September 15 and then move on to final edits. M. Ichinaga: We're accelerating the ID process for faculty hire. That is an area that could use more dialogue. Sometimes changes are made without transparency. We've been hiring, but prioritization is sometimes unclear. Dr. Nishime: Dr Arce used to write a rationale when President Fallo didn't accept

recommendations. We didn't know there was a need for more clarity. CJ: Last year they accepted the recs. M. Ichinaga: In some cases the vote was in for a top ten placement for a position, that didn't display that way. C. Wells: Usually the VP shares the justification. The part that is missing is how previous decisions inform a current position. Maybe the history should be included. P. Marcoux 2510 requires it. CS: The bucks till stops at the president. Dr. Nishime: He'll do the final acceptance. M. Ichinaga. I thought that presentation is important, but the president isn't there. Dr. Nishime: He isn't at all consultation committees. He is really thorough. C. Wells: Will they look at the size of divisions, need, and Ed plans, or the number of majors? Dr. Nishime: that's not the dataset we use. We use the IR data scan that takes into effect high schools, etc. J. Shankweiler: EPI implementation data will affect it, and the Ed planning initiative.

5.UNFINISHED BUSINESS

A. Election of Officers and Senators – Claudia Striepe

CS: Have senior senators on the list updated the timing of senator term expiries or arranged elections? Chris and I will complete our term and call for an election or nominations for new presidents.

B. AP 5520 – Student Discipline Procedures – C. Gold

The second reading of AP 5520 has been delayed because there are some new updates coming to the Ed Policies Committee from William Garcia.

6. NEW BUSINESS

A. Presentation by new Student Development Director – Greg Toya

GT: Thank you for giving me a few minutes. My position has overlap with faculty duties. I've worked at many schools. SDO relates with co-curricular education. Promoting leadership skills for students, student government, and our student rep is here. ICC governs 50 student clubs.

Student Discipline is also covered. This is also learning outside the classroom. AP's under review concern sexual misconduct. I wont' go into that process here. We also cover disruptive behavior, etc. Please send in your paperwork. And commencement, May 13, 2016 will be here before you know it.

7. INFORMATION ITEMS –DISCUSSION

A. Academic Senate Satisfaction Survey

CS. We're required for accreditation purposes to get senate satisfaction surveys out, both for the campus at large and also a survey just for senators.

8. FUTURE AGENDA ITEMS

CS: On September 15, J. Ishikawa will explain sexual misconduct. We also hope to have Lisa Mednick speak about consistency for Professional Development. CJ: And Marybeth Barrios will speak on SSSP. We'll have some counselors on Ed Planning Initiative and Yamonte Cooper on career planning.

9. PUBLIC COMMENT

P. Marcoux: Study abroad is back. They are looking for faculty for Italy.

10. ADJOURN

The meeting adjourned at 1:52.

SD/ECCFall15



**NOTES – COUNCIL OF DEANS
August 27, 2015**

Present: J. Anaya, J. Ayala, M. Barrios, R. Bell, T. Bonacic, W. Cox, C. Fitzsimons, W. Garcia, E. Geraghty, I. Graff, A. Grant, A. Hernandez, K. Holmes, P. Humphreys, C. Jeffries, T. Lew, G. Miranda, W. Morris, B. Mulrooney, R. Murray, R. Natividad, J. Nishime, A. Osanyinpeju, D. Patel, S. Pedrahita, V. Rapp, S. Rodriguez, J. Shankweiler, J. Sims, C. Striepe, C. Subramaniam, R. Totorp, W. Warren K. Whitney

Other Guests: J. Ishikawa, D. Mussaw, I. Reyes

I. INFORMATION

- A. Notes of 6/11/2015: minutes reviewed and approved.
- B. Introductions: Stephanie Pedrahita, Vice President ASO; Karen Whitney, Interim Associate Dean Academic Affairs; Walter Cox, Interim Associate Dean Fine Arts.
- C. Updates: CEC, none. S. Pedrahita reported ASO just finished Welcome Week. They had one fundraiser already, and a very successful Welcome Day. Academic Senate, none.

II. DISCUSSION/ACTION

- A. BP/AP 3540: J. Ishikawa provided an update and distributed a revised BP 3540:
 - Title IX requires the District to offer resources to students and employees. It includes multiple categories, not only sexual assault. Title IX is expanding to include sexual harassment, stalking, dating violence, and domestic violence.
 - The new term being included in the BP 3540 is Sexual and Gender-Based Misconduct. BP 3540 includes incidents on and off campus (student leader events, athletic events, etc.). The District has a responsibility to investigate off campus incidents.
 - AP 3540 is being amended to include definitions and an overview of what will be offered to students. It includes the new California consent “Yes Means Yes” instead of “No Means No”, outlines the victim’s right to decline reporting the incident and all other victim rights, and includes education and prevention information.
 - The District is required to provide training and resources to students and employees. This information is being incorporated into the student orientation, and all new changes will be implemented this semester once board approved. J. Ishikawa will review all language to ensure it reflects as an equal process for all. Members are encouraged to provide input as soon as possible.
 - Two additional handouts discussed: one for students and one for employees. Sexual and Gender-Based Misconduct: A Guide for College Employees includes reporting obligations. J. Ishikawa would like feedback regarding how to offer training to faculty/employees. All faculty are considered “Responsible Employees” and are required to report incidents to Title IX Coordinator (J. Ishikawa), must tell the student that you are required to report, and that he/she can go to Health Center and School Psychologist. CEC has these same handouts in maroon color. CEC will go through the consultative process, and will likely set two dates per year for faculty training. Students are not required to report. “Mandated Reporter” is for child abuse; “Responsible

Employee” (faculty and administrators only) is for sexual misconduct. Academic Senate would like J. Ishikawa to attend the 9/18/15 and 10/6/15 meetings to review.

B. Drop/Add Date for Non-Standard Classes: D. Mussaw provided an update:

- J. Shankweiler reported students have continual problems adding non-standard classes. D. Mussaw reported that there is no programming for the positive attendance sections (Fire Tech, Health, etc.). One issue is students can be added beyond the 20%, which is against Title 5. Another issue is census dates are being calculated incorrectly. Census dates affect Title 5 funding and Admission & Records.
- D. Mussaw will work with W. Warren and B. Mulrooney on possible solutions. Council members reported some classes had a “Last Day to Drop” date before the class even began; this is very confusing and frustrating for students. D. Mussaw will inquire how other schools manage this; B. Mulrooney will provide contacts. W. Warren reported ITS does not have algorithms for this. J. Shankweiler noted 100 sections can be manually corrected before the drop date this semester. It was suggested that manual alterations be a short-term solution before any registration begins (in March), but definitely need long-term solution. Espie Nieto will be heavily involved in corrections. Will meet again in October to ensure changes were made correctly.
- Divisions should direct add issues to B. Mulrooney; D. Patel and R. Bell requested to be involved to keep their staff informed. Need to inform D. Mussaw and B. Mulrooney of course changes and additions made after registration to minimize the errors.

C. Student Equity Plan: I. Reyes provided an update:

- I. Reyes reported collaborating with Math, English, BSS, and Counseling divisions to support their events: funded Black History Month events, assisted with Historically Black Colleges events and Chicano culture events, provided tours to the Museum of Tolerance, sent faculty to a diversity conference, and participated in Summer Math Academy and funded two cohorts.
- Services are being augmented for Puente & Project Success, working with Writing Center to establish Embedded Tutor Program, collaborating with English department for English Consistency Projects, and working with LRC to provide a training program.
- A new Project Success was launched, which targets African-American and Hispanic students who are disproportionately impacted. There are 140 students. Administration 201 and 202 will be available for counseling and classroom intervention, tutoring services, and a center. The center will fill in gaps of what other centers/programs on campus offer. Books and calculators are available on loan to students. Had a retreat with SSSP to discuss how to bridge the gaps and work collectively. Needs culturally diverse artwork to make students feel welcome.
- Chancellor’s Office informed that the College’s activities did not have measures or outcomes. Two handouts were distributed: Goals, Activities, & Proposed Budget, and Success Indicator: ESL and Basic Skills Completion. A meeting will be held to discuss what members have done with funding, what data collection is needed, and budget needs and plans for fall. Members were reminded that any program or division receiving funding needs outcomes and measures. Research & Planning can help to establish some measures.

- PowerPoint slides from retreat: 1. Unprepared for College; 2. Completion Rates 3. Remedial Progression Rates. I. Reyes reported working with Research & Planning on breaking down and analyzing data. Scorecard is six years of data; the current data (from May until now) shows that 1,200 students placed into Math 37. I. Reyes has been heavily recruiting from that data. The College needs to plan more sections to accommodate the need, as 27 students were turned away from Math 37. Council members who received funds will be asked for their data.
- D. PBC Update: R. Natividad provided an update:
- June: Discussed and compared the District to other districts, shared FON data, discussed student drop fees, reasons for drops, and ways to reduce drops for non-payment. Developed annual meeting calendar.
 - July: Calendar was finalized.
 - August 6th: Discussed budget with President Fallo, J. Ishikawa discussed Title IX, and I. Graff provided TracDat update. Reviewed schedule and discussed why meeting was no longer on Flex Day.
 - Recommending approval to the President today and on September 3rd.
 - Committee spots available; interested persons should discuss with their manager.
- E. Student Costs for Gainful Employment Programs: W. Garcia and I. Graff provided update:
- New legislation requires the College to submit gainful employment information for certificates only. Various departments on campus have collaborated to provide data. Programs 16 units or greater, are financial aid eligible, and lead to employment. Need to collect data from 2008 to show that students are completing certificates, are employed, how much they are earning, if they have students loans, and whether they can pay them.
 - Handout reviewed and discussed. Books and supplies will change over time; may need to collect data annually, unless members believe inflation rate can suffice. Data should be as accurate as possible, as it is provided to the government and students. 2013-14 and 2014-15 data was collected; 2015-16 is being collected. Will be submitting 2014-15 data by October 1. Members requested clear, electronic version of data sheets. Need to report Median loan debt, but also percent who earn jobs in the field to disclose to students. Data is gathered through student surveys funded by V. Rapp's Perkins Grant. Currently receiving 25% student response; hoping in-house approach will have a better response at a lower cost. CEC data is included. Data will be in Colleague to make it easier in the future.
 - V. Rapp: Career Coach is up and running. It is posted on school website, has a tutorial, is available to anyone, and helps match jobs to person's background.
- F. Maxient Software:
- W. Garcia: Contract with Maxient to be initiated soon. The College has kept hard copy records and Excel spreadsheets with data for the last 20+ years; need to be electronic to be able to run reports, queries, etc. New software will enable faculty to report student incidents and misconduct. Expects to be available spring 2016.

III. OTHER

A. Announcements:

- Research & Planning: I. Graff reported Mike Wilson no longer with ECC. Faculty should contact ahead of time for survey requests. Services are expanding to include survey consultation. A score-able feature is now available related to SLO and PLO. Requester should fill out request form, and the researcher assigned will contact him/her to coordinate.
- W. Garcia: Dawn Reid has resigned as Director of EOPS/CalWORKs/CARE; she is now Associate Dean at LAHC. W. Garcia will be Interim Director of EOPS/CalWORKs/CARE until replacement starts in January 2016, in addition to role of Dean of Student Support Services. David Brown was promoted to Assistant Director of EOPS and CalWORKS.
- C. Fitzsimons: University Ticketing is being recommended for ticketing systems. Report will be ready in two weeks.
- R. Totorp has resigned and will be Director of Athletics at LBCC. Last day is 9/11/15. R. Natividad will cover as Director of Athletics until replacement starts.
- S. Rodriguez: Grand Opening in ITEC building on September 17th at 4 p.m.
- K. Whitney: SLO Coordinators are willing to train on new TracDat, if needed.
- W. Garcia: CEC dispersed over \$1 million of financial aid one day early, and ECC dispersed \$5 million of financial aid two days early.
- Shankweiler: Council members were reminded to ask faculty to be patient with students regarding parking.

IV. NEXT MEETING

September 10th
8:30 am – 10:00 am
Adm 131

EL CAMINO COLLEGE
MINUTES OF THE COLLEGE CURRICULUM COMMITTEE
May 5, 2015

CALL TO ORDER

Meeting called to order at 2:32 p.m. by Chair Lipe.

Members:

Present: S. Bartiromo, S. Bosfield, W. Brownlee, T. Bui, A. Carr, A. Cornelio, B. Flamenno, E. French-Preston, A. Hockman, L. Houske, R. Klier, M. Lipe, V. Nemie, D. Pahl, J. Shankweiler

Ex-Officio Members:

Present: Q. Chapman

Absent: K. Nakao, L. Suekawa, L. Young

Guests: C. Fitzsimons, D. Hayden, K. O'Brien, S. Rodriguez, P. Sorunke, C. Subramaniam

VICE PRESIDENT'S REPORT

Vice President Academic Affairs – Dr. Shankweiler – No report

APPROVAL OF MINUTES

The committee approved the minutes of the College Curriculum Committee meeting of February 24, 2015.

CURRICULUM REVIEW

A. Full Program Review

The committee reviewed the following new program, which is ready for final action:

1. Film, Television, and Electronic Media AS-T Degree

B. Full Course Review

The committee reviewed the following courses, which are ready for final action:

1. Automotive Collision Repair/Painting 4C (ACRP 4C)
2. Biology 10H (BIOL 10H)
3. English 50AR (ENGL 50AR)
4. English 50AW (ENGL 50AW)
5. Film/Video 100 (FILM 100)
6. Film/Video 105 (FILM 105)
7. Film/Video 109 (FILM 109)

C. Standard Review/Consent Agenda Proposals

The committee reviewed the following courses, which are ready for final action:

1. Chemistry 21B (CHEM 21B)
2. English B (ENGL B)

The committee reviewed the following course inactivation, which is ready for final action:

1. Computer Information Systems 3 (CIS 3)

CURRICULUM DISCUSSION

A. Full Course Review Proposal

Fine Arts Division

Motion: Moved by B. Flameno, and seconded by E. French-Preston to approve new course proposals for Film/Video 100, 105, and 109.

Vote: Motion carried unanimously

Motion: Moved by B. Flameno, and seconded by E. French-Preston to approve new AS-T Degree program in Film, Television, and Electronic Media.

Vote: Motion carried unanimously

Humanities Division

Motion: Moved by B. Flameno, and seconded by W. Brownlee to approve new course proposals for English 50AR and English 50AW.

Vote: Motion carried unanimously

Industry and Technology Division

Motion: Moved by B. Flameno, and seconded by A. Carr to approve new course proposal for Automotive Collision Repair/Painting 4C.

Vote: Motion carried unanimously

Natural Sciences Division

Motion: Moved by B. Flameno, and seconded by A. Carr to approve new course proposal for Biology 10H.

Vote: Motion carried unanimously

B. Standard Review/Consent Agenda Proposals

Motion: Moved by B. Flameno, and seconded by T. Bui to approve course proposals for Chemistry 21B, English B, and inactivation proposal for Computer Information Systems 3.

Vote: Motion carried unanimously

CHAIR'S REPORT

Chair Lipe thanked the committee for their accomplishments this semester. Chair Lipe expressed his confidence in A. Carr as the new chair. J. Shankweiler presented Chair Lipe with a plaque for his dedication and service to the College Curriculum Committee. Chair-elect A. Carr will assume responsibility effective fall 2015.

ADVISORY REPORT

Curriculum Advisor – Quajuana Chapman – No report

ADJOURNMENT

Chair Lipe called a motion to adjourn the meeting. B. Flameno moved, T. Bui seconded, and the motion carried. The meeting adjourned at 3:55 p.m.

EL CAMINO COLLEGE
MINUTES OF THE COLLEGE CURRICULUM COMMITTEE
August 25, 2015

CALL TO ORDER

Meeting called to order at 2:35 p.m. by Chair Carr.

Members:

Present: W. Brownlee, T. Bui, A. Carr, A. Cornelio, E. French-Preston, A. Hockman,
L. Houske, K. Iino, V. Nemie, D. Pahl, S. Rodriguez, A. Sharp, J. Shankweiler

Absent: S. Bartiromo, S. Bosfield

Ex-Officio Members:

Present: Q. Chapman, A. Flores-Linares, A. Osanyinpeju, L. Suekawa, K. Whitney

Absent: M. Lipe, L. Young

Guests: C. Brewer-Smith, S. Murray, J. Sims, P. Sorunke

VICE PRESIDENT'S REPORT

Vice President Academic Affairs – Dr. Shankweiler – No report

APPROVAL OF MINUTES

It was moved by W. Brownlee, seconded by V. Nemie, that the minutes of the College Curriculum Committee meeting of April 28, 2015, be approved. Motion carried.

The committee approved the minutes of the College Curriculum Committee meeting of April 14, 2015, during the summer.

CURRICULUM REVIEW

Standard Review/Consent Agenda Proposals

The committee reviewed the following courses, which are ready for final action:

1. Chemistry 21A (CHEM 21A)
2. Cosmetology 11 (COS 11)
3. Engineering Technology 10 (ETEC 10)
4. Engineering Technology 10A (ETEC 10A)
5. Engineering Technology 10B (ETEC 10B)
6. Film/Video 113 (FILM 113)
7. Welding 1 (WELD 1)

The committee reviewed the following course inactivations, which and are ready for final action:

1. Business 50 (BUS 50)
2. Computer Aided Design/Drafting 50 (CADD 50)
3. Computer Information Systems 50 (CIS 50)

4. Cosmetology 50 (COSM 50)
5. Fashion 50 (FASH 50)
6. Fire and Emergency Technology 142abcd (FTEC 142abcd)
7. Law 50 (LAW 50)
8. Philosophy 11 (PHIL 11)
9. Physical Science 50 (PSCI 50)
10. Real Estate 50 (RE 50)
11. Welding 50 (WELD 50)

CURRICULUM DISCUSSION

Standard Review/Consent Agenda Proposals

It was moved by L. Houske, seconded by D. Pahl, that the committee approve the standard review/consent agenda proposals. Motion carried.

Curriculum Advisor Q. Chapman discussed the full review and standard review criteria for curriculum proposals.

IN-SERVICE TRAINING

Curriculum Advisor Q. Chapman gave an overview of the College Curriculum Committee Review Process in CurricUNET.

Chair Carr gave an overview of the Division Curriculum Committee Technical Review Process and College Curriculum Committee Representative Role.

CHAIR'S REPORT

Chair Carr made a request for volunteers to support the fall 2015 Standard Technical Review Subcommittee. The following assignments were made:

September 10	T. Bui
October 1	D. Pahl
October 15	V. Nemie
October 29	E. French-Preston
November 12	L. Houske

CURRICULUM ADVISOR REPORT

Over the summer break, Curriculum Advisor Q. Chapman met with M. Lipe to discuss Cooperative Work Education Experience (CWEE) course review. Specific sections of the course outline of record are being updated for compliance purposes and to meet local standards. For example, all CWEE outlines need a Student Learning Outcome (SLO) statement, representative assessment methods for course objectives, and updates to major topics to meet "To be Arranged" (TBA) guidelines. The plan is for the CCC to review updated CWEE courses this semester.

Q. Chapman also discussed the Fall 2015 CCC Timeline. For the upcoming September meetings, the priority should be six-year and two-year course review compliance. Any general education articulation concerns can be discussed with Articulation Officer, Lori Suekawa. We will continue to work on AA-T/AS-T degrees as they come through the statewide system. As outlined in the timeline, each division is given priority review at two different times during the semester. No first time proposals will be accepted the last meeting of the semester – Tuesday, December 1.

The committee was cautioned about submitting new proposals for approval at the end of the fall semester. New proposals require time for CCC review, board approval, and Chancellor's Office approval. The college cannot offer new curriculum without Chancellor's Office approval. The Curriculum Advisor cannot guarantee new course approvals in time for official college publications. At the end of the fall semester, Chancellor's Office approval could take approximately 30 to 90 days. Faculty are encouraged to submit new course proposals in CurrciUNET now to ensure enough time for approval.

ADJOURNMENT

Chair Carr called a motion to adjourn the meeting. W. Brownlee moved, K. Iino seconded, and the motion carried. The meeting adjourned at 3:45 p.m.

ACADEMIC SENATE EDUCATIONAL POLICIES COMMITTEE

MINUTES

Tuesday, Sept. 8
1:00-2:00 Admin 127

Fall Meetings: 1-2:00 in Admin 127. Sept. 8 & 22; Oct. 13 & 27; Nov. 10 & 24

Members: Christina Gold (Chair), Mark Fields, Connie Fitzsimons, Vanessa Haynes, Chris Jeffries, Lori Suekawa, Susan Taylor, and Alice Martinez (All in attendance)

Visitors: Jaynie Ishikawa and William Garcia

I) Committee Business

- Membership – Chris G. will recruit an English faculty member to the committee
- Posting minutes – the committee decided to continue to publicize the minutes through the Senate packet and not to post them separately in the portal
- Mission statement – At an upcoming meeting the committee will develop a mission statement and review “Making Decisions at El Camino College”
- To Do List – the committee will review the To Do list next time

II) BP 4030 Academic Freedom

- This was sent back from the Board with a request for editorial revision
- The committee agreed that the Board suggestion to pluralize “responsibility” is a good one.
- Chris G. will make the change and send it directly to the VPAA
- The committee determined that is a very minor editorial change that does not change the substance of the policy and therefore it does not need to go back to the Senate for review.

III) BP/AP 3540 Sexual and Gender Based Misconduct

- Jaynie Ishikawa, the Director of Diversity attended to answer questions
- Jaynie walked the committee through the major portions of the policy and procedure.
- The committee made some suggestions, including but not only, to remove the section detailing the information to be included in a report in lieu of simply saying the report will be filed as directed and the inclusion of the accused person in the privacy protections.
- Jaynie will make the changes and forward them to Chris J. and Chris G.
- The revised BP/AP 3540 will come to the Senate for a first reading on Sept. 15.

IV) AP 5520 Student Discipline Procedure

- Although there was a first reading in the Senate last spring, over the summer the new Director of Student Development, Dr. Greg Toya, offered suggestions for improvement. The AP is back for consultation.
- William Garcia walked the committee through the changes made over the summer.
- The committee suggested some clarification of the relationship between the disciplinary processes and actions at CEC and those of the ECC District and campus.
- William will work with Jaynie to make sure that AP 5520 correlates with BP/AP 3540.
- William will forward any revisions to Chris J. and Chris G.
- The committee determined that the procedure should have another first reading in the Senate since there were substantial changes and there has been turnovers in Senate membership since the first reading in spring.
- There will be a first reading in the Senate on Sept. 15

V) AP 5530 Student Rights and Grievances

- There was not time for the committee to discuss this AP.
- If William is available, he will come back to discuss it at our next meeting on Sept. 22

Minutes by: Chris Gold

Faculty Development Committee Meeting
Minutes for Tuesday, May 12, 2015, in Library 102, 1-1:50 pm

Name	Abbreviation	Division
Florence Baker (present)	(FB)	Behavioral & Social Sciences
Rose Ann Cerofeci (present)	(RC)	Humanities
Kristie Daniel-DiGregorio* (present)	(KDD)	Behavioral & Social Sciences
Ross Durand (present)	(RD)	Industry & Technology
Briita Halonen (present)	(BH)	Humanities
Sheryl Kunisaki (present)	(SK)	Learning Resources
Sumino Otsuji (present)	(SO)	Humanities
Margaret Steinberg (excused)	(MS)	Natural Sciences
Lisa Mednick Takami (present)	(LMT)	Professional Development
Evelyn Uyemura (present)	(EU)	Humanities
Andree Valdry (excused)	(AV)	Learning Resources/Compton Center

*Committee Chair

Mission Statement: The El Camino College Faculty Development Committee provides opportunities and support to promote instructional excellence and innovation through faculty collaboration.

Spring 2015 Meetings: February 10 & 24, March 10 & 24, April 14 & 28, and May 12 (if needed).

AGENDA

1. Fall Professional Development (Flex) Day:

a. Demonstration of Poll Everywhere Audience-Response System. The meeting location was changed to Library 102 and Elana Azose was invited as a guest of the FDC so that the team could pilot the Poll Everywhere® Audience-Response System. Ms. Azose provided a variety of models for presenting an audience-response survey at the general session. A number of considerations were identified.

What is the best way to ensure faculty understand how to utilize the response system? Faculty who don't use text messaging frequently may need directions for locating that function on their phone. Initially, there was confusion regarding where to input the contact details and question answers. It will be important to provide enough information without wasting time on a lengthy orientation and detracting from the content and learning objectives for the session.

Learning objectives. The purpose of the session is to raise faculty awareness of state-mandated changes and to generate interest in the afternoon breakout sessions. (SK) noted that in, *Make It Stick: The Science of Successful Learning* (Brown, Roediger, and McDaniel, 2014) the authors provide evidence that learning occurs when you talk about what you're doing. She suggested a think-pair-share activity would be useful. The team decided that, before opening the survey for polling, the question would be posted and time allowed for faculty to discuss their answers with a partner.

Survey format. The team discussed the advantages and disadvantages of different formats, including those requiring faculty to enroll with Poll Everywhere and those for which the answers were 5-digit randomized numbers. Some team members expressed concern that faculty may choose not to participate in the survey if enrollment is required. Ms. Azose was able to increase font sizes and simplify the survey questions to enhance clarity.

Image quality. Consideration will need to be given to the resolution of the screen in Marsee and to lighting to ensure all faculty, even those seated in the back, are able to view the questions.

Cellular reception. The Professional Development team will test cell reception in the Marsee. Members of the FDC team who are available during the summer may be invited to participate in the test.

b. Update on Call for Proposals. The team reviewed the 20 proposals submitted, organized by relevance to the theme. Minor suggestions were made regarding session titles. Several sessions require minor revisions to align with the theme. By adding faculty co-presenters and active learning strategies, the sessions will meet the criteria that sessions showcase effective academic/student support collaborations and engage attendees.

c. Format for General Session. (KDD) discussed the components of the general session:

- Brief videos of students discussing their college experiences and showcasing effective academic/student support collaborations.
- Key questions about state-mandated changes, interspersed with brief discussions of how these changes impact our college and our students.

Information regarding educational planning, college success and retention rates and the strategic initiatives will also be included. She suggested that someone from Student Services co-present with her in the general session. All attendees will receive printed information about campus resources and emergency contact information. A variety of formats have been discussed, including a reference guide posted in every classroom. A brief, user-friendly tool – such as a one-page laminated document – will be the focus for Fall PD Day.

Meeting adjourned at 1:55 p.m.

Faculty Development Committee Meeting
Minutes for Tuesday, May 12, 2015, in Library 102, 1-1:50 pm

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Sheryl Kunisaki (present)	(SK)	Learning Resources
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Meeting adjourned at 1:55 p.m.

KDD/5.27.15

EL CAMINO COLLEGE
Planning & Budgeting Committee
Minutes
Date: August 27, 2015

MEMBERS PRESENT

- | | |
|--|---|
| <input checked="" type="checkbox"/> David Brown - ECCE | <input type="checkbox"/> Vacant – Student & Community Adv. |
| <input checked="" type="checkbox"/> Connie Fitzsimons – Academic Affairs | <input checked="" type="checkbox"/> Cheryl Shenefield–Administrative Services |
| <input type="checkbox"/> Vacant -Management/Supervisors | <input type="checkbox"/> Dean Starkey – Campus Police |
| <input checked="" type="checkbox"/> Ken Key - ECCFT | <input type="checkbox"/> Vacant – ASO, Student Rep. |
| <input checked="" type="checkbox"/> Rory K. Natividad – Chair (non-voting) | <input checked="" type="checkbox"/> Lance Widman - Academic Senate |

Other Attendees: Members: W. Garcia, E. Rader, A. Sala, J. Sims, E. Solarzano, G. Turner **Support:** L. Beam, J. Ely, I. Graff, J. Higdon, C. Jeffries, J. Nishime, J. Shankweiler, **Guest:** T. Fallo, L. Smith, A. Garten, W. Warren, S. Firth

The meeting was called to order at 1:02 p.m.

Approval of the August 6, 2015 Minutes

1. Clarification was requested for the second sentence under #5, Title IX Compliance and Updates. R. Natividad will follow up with J. Ishikawa for specifics.
2. The revised minutes will be sent back out to the committee and posted on the website.

Final Budget Presentation – Dr. Fallo (Handouts)

1. The 2015/16 final budget was presented by President T. Fallo to the PBC. The tentative budget was previously presented to the board. The final budget will be presented for approval at the board meeting in early September.
2. It was reported the state is inundated in funding for K-14 education. There is a Cost of Living Adjustment (COLA) of 1.02% and the growth statewide is 3%. El Camino’s growth is approximately 2% and the state is allocating each district additional money for faculty hires. There is a great windfall of paying off state mandates. The State recently surprised the system with a large state-wide allocation for mandated costs and COLA of \$600 million and another \$266 million allocation and strongly suggested it be used for future pension liability. Statewide apportionment was also increased for community colleges by 4%.
3. The handout on the summary of FTES was reviewed by the committee. It was noted the administration wants to bring back the winter intersession for many reasons one of which is to generate additional FTES. The FTES projected to be borrowed from 2015-16 summer is 1,000. Since summer 2011–12 we have steadily increased the borrowing from the summer. In two years we could make up the 1,000 FTES we have borrowed if we had the winter intersession in place. We are going to plan a healthy winter session for 2017 to help lower this figure down to zero and have everything contained in the same fiscal year.
4. In 2013-14 it was thought we had stabilized the FTES for Compton at 6,060 but this didn’t happen. Instead of Compton borrowing in summer they are going one year of stabilization. They will get the money for the previous year’s FTES but they will have to make that up. Even after Compton went

- into stabilization for 2014/15 they still have to borrow 200 in their projection right now for 2015/16. Compton will also have a winter inter session in 2017. This should help Compton get back on track.
5. It was acknowledged a couple of years back, the District wanted to get rid of the winter intersession and have two summer sessions to attract different groups of students. It was asked why is the school so confident going back to having the winter intersession again instead of the two summer sessions. It was noted attracting different groups of students was only one of the reasons for letting go of winter. The other concern during that winter period was whether or not we were going to have to close down the college between fall and spring when no school was in session. Also at that time we were not in need of the FTES. The college is at a place now where the important issue is we do need the FTES back so winter needs to be brought back. This should succeed because it is succeeding everywhere else. Concern was expressed if having winter back again will just be for the short term will it be reinstated for the long haul. It was pointed out winter will be here for the foreseeable future. It was noted that even if we are self-sufficient in our winter and summer sessions, it is thought that FTES will still be an issue because of California being a growth-“cult” state. It was discussed and recommended that decision to add winter be decided early before rolling over spring.
 6. Page 3 of the final budget is the most important page of the budget as it tells what is happening at the State level. Our ending balance from last year and our beginning balance from this year is \$17 million. An important notation is h) – Full-Time Faculty Hiring, which is a new program by the governor to provide \$620 million for faculty hires to increase the colleges faculty obligation numbers. This relates to nine new full-time faculty hires for El Camino College. For each new faculty hire it is estimated to cost \$115,000. The faculty hiring process will start immediately in the fall to allow for early spring interviews. It is important for El Camino to get announcements out and complete the process early since there is an anticipated that community colleges could hire approximately 620 new faculty members this coming year.
 7. One of the critical issues in this budget is what happens to Proposition 30 which expires in two different years: the 21% from sales tax expires on December 31, 2016 and the 79% from income tax expires December 31, 2018. The government has specified this is a one-time only tax.
 8. Notation j) – Mandated Cost Claims –P/Y Pay Down. We were given \$10.6 million which no one expected this amount. The State is going to be giving this money in the future based on FTES.
 9. The most important part of the expenditure side of the budget is listed on page 6 of the final budget proposal. The governor included a 4% increase in our apportionment. The Chancellor’s Office suggested that this money be put away for future increases in each districts cost for PERS and STRS. We now have to report on the 311 form (Pension Contribution Costs) how we are going to fund this long-term obligation.
 10. Notations Pg. 8 tentative budget x) – Reserve For Future Pension Liabilities in PERS/STERS and y) – Reserve for One-Time Expenditures were noted . We will use about \$3 million of our previous year’s reserves which would then put us at \$14.5 million at the end of the current fiscal year.
 11. It was reported last week, Assemblyman Gibson held a special joint audit committee of the legislature including senators and assemblymen at the Compton Center. Comparisons were made as to why the accreditation of Compton was not like the accreditation of San Francisco. The issue was what the assemblyman going to do as a result of this audit. There was a hearing on Tuesday in Sacramento of the audit committee and the request for an audit was pulled. We are now pleased with where we are with the Compton Center. The goal is for Compton to become a self-sufficient campus within the El Camino Community College district for about a month and then we can transfer the control to the Compton Community College district.
 12. The summary of allocations for fund 14 was reviewed and a correction was noted. Number 19 – Other Services needs to be corrected to reflect the amount of \$60,507. The new total will be corrected to \$1,189.695.
 13. The summary of allocations for fund 15 was reviewed and money has been earmarked for the Campus Technology Plan - \$3 million. It was noted this money will not be here in the long run so it was encouraged to get all expenditures done. A report is requested by the Board to update them monthly

on what is happening with the IT plan. A chief technology officer is anticipated to soon be hired and the board item presented to the Board by October.

14. Another allocation of \$1.5 million from Compton to El Camino is for the police department at the Center. The officers are employees of the El Camino Police Department and when we separate those employees will become part of Compton College again.
15. It was pointed out for professional development there used to be separated money which was allocated from the Chancellor's Office but it has now diminished to almost nothing. There was some discussions regarding putting some professional development funds in the state budget this year as part of AB 2488. We haven't heard if this has happened. It was noted an answer would try to be found regarding any specific allocation for flex actives.
16. All of the monies for the specially funded programs like the SSSP and SEP have almost doubled this year. They are sources for support for students and faculty.
17. It was noted there was rather significant increases in the accounts for instructional and non-instructional supplies. An allocation of an additional \$500,000 was made from our plans for instructional and non-instructional supplies. This will be looked at further but for now the money is just a place holder.
18. The budget will be brought back at the next PBC meeting, September 3, for further questions and approval.
19. It was noted the board members who are up for re-election are running unopposed so there will be not election for them. They will be appointed in-lieu of election.

Adjournment – R. Natividad

1. The meeting adjourned at 2:04 p.m. The next meeting is scheduled for **September 3, 2015, at 1:00 p.m.**, in Library 202.

RKN/lmo

AP 5520 Student Discipline Procedures

References:

Education Code Sections 66017, 66300, 72122, 76030, and 76030 et seq.;
Penal Code Section 626.4

NOTE: *This procedure is **legally required**, except as specifically noted. Local practice may be inserted, but must comply with the standards of due process reflected in this example.*

The purpose of this procedure is to provide a prompt and equitable means to address violations of the Standards of Student Conduct, which guarantees to the student or students involved the due process rights guaranteed them by state and federal constitutional protections. This procedure will be used in a fair and equitable manner, and not for purposes of retaliation. It is not intended to substitute for criminal or civil proceedings that may be initiated by other agencies.

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

Definitions:

District – The *[insert name of district]*.

Student – Any person currently enrolled as a student at any college or in any program offered by the District.

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

Short-term Suspension – Exclusion of the student by the *[CEO]* for good cause from one or more classes for a period of up to ten consecutive days of instruction.

Long-term Suspension – Exclusion of the student by the *[CEO]* for good cause from one or more classes for the remainder of the school term, or from all classes and activities of the college for one or more terms.

Expulsion – Exclusion of the student by the Board of Trustees from all colleges in the District for one or more terms.

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

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

Withdrawal of Consent to Remain on Campus – Withdrawal of consent by the **[designate authority]** for any person to remain on campus in accordance with California Penal Code Section 626.4 where the **[designate authority]** has reasonable cause to believe that such person has willfully disrupted the orderly operation of the campus.

Day – Days during which the District is in session and regular classes are held, excluding Saturdays and Sundays.

Short-term Suspensions, Long-term Suspensions, and Expulsions: Before any disciplinary action to suspend or expel is taken against a student, the following procedures will apply:

- **Notice** – The **[designated position]** will provide the student with written notice of the conduct warranting the discipline. The written notice will include the following:
 - the specific section of the Standards of Student Conduct that the student is accused of violating.
 - a short statement of the facts supporting the accusation.
 - the right of the student to meet with the **[designated position]** or designee to discuss the accusation, or to respond in writing.
 - the nature of the discipline that is being considered.
- **Time limits** – The notice must be provided to the student within **[number of days]** of the date on which the conduct took place; in the case of continuous, repeated or ongoing conduct, the notice must be provided within **[number of days]** of the date on which conduct occurred which led to the decision to take disciplinary action.
- **Meeting** – If the student chooses to meet with the **[designated position]**, the meeting must occur no sooner than **[number of days]** after the notice is provided. At the meeting, the student must again be told the facts leading to the accusation, and must be given an opportunity to respond verbally or in writing to the accusation.

Short-term Suspension – Within **[number of days]** after the meeting described above, the **[CEO]** shall, pursuant to a recommendation from the **[number of days]**, decide whether to impose a short-term suspension, whether to impose some lesser disciplinary action, or whether to end the matter. Written notice of the **[CEO]** decision shall be provided to the student. The notice will include the length of time of the

suspension, or the nature of the lesser disciplinary action. The **[CEO's]** decision on a short-term suspension shall be final.

Long-term Suspension – Within **[number of days]** after the meeting described above, the **[CEO]** shall, pursuant to a recommendation from the **[designated position]**, decide whether to impose a long-term suspension. Written notice of the **[CEO]** decision shall be provided to the student. The notice will include the right of the student to request a formal hearing before a long-term suspension is imposed, and a copy of this policy describing the procedures for a hearing.

Expulsion – Within **[number of days]** days after the meeting described above, the **[CEO]** shall, pursuant to a recommendation from the **[designated position]**, decide whether to recommend expulsion to the Board of Trustees. Written notice of the **[CEO's]** decision shall be provided to the student. The notice will include the right of the student to request a formal hearing before expulsion is imposed, and a copy of this policy describing the procedures for a hearing.

Hearing Procedures – Request for Hearing.

NOTE: *Timelines may be locally determined. Five days is usually the minimum notice time accepted by courts.*

Within **[number]** days after receipt of the **[CEO's]** decision regarding a long-term suspension or expulsion, the student may request a formal hearing. The request must be made in writing to the **[CEO]** or designee.

Schedule of Hearing – The formal hearing shall be held within **[number]** days after a formal request for hearing is received.

NOTE: *The Board of Trustees may hear these matters itself, or may use the services of a hearing officer or a panel. If the hearing panel format is adopted, the following is suggested.*

Hearing Panel – The hearing panel for any disciplinary action shall be composed of **[insert composition, such as one administrator, one faculty member and one student.]**

The **[CEO]**, the president of the Academic Senate, and the AS president shall each, at the beginning of the academic year, establish a list of at least five persons who will serve on student disciplinary hearing panels. The **[CEO]** shall appoint the hearing panel from the names on these lists. However, no administrator, faculty member or student who has any personal involvement in the matter to be decided, who is a necessary witness, or who could not otherwise act in a neutral manner shall serve on a hearing panel.

Hearing Panel Chair – The **[CEO]** shall appoint one member of the panel to serve as the chair. The decision of the hearing panel chair shall be final on all matters relating to the conduct of the hearing unless there is a vote by both other members of the panel to the contrary.

Conduct of the Hearing

NOTE: *The hearing must comply with principles of due process, including the right to confront and cross examine witnesses. The following procedure is **legally advised**.*

The members of the hearing panel shall be provided with a copy of the accusation against the student and any written response provided by the student before the hearing begins.

The facts supporting the accusation shall be presented by a college representative who shall be the **[designate position]**.

The college representative and the student may call witnesses and introduce oral and written testimony relevant to the issues of the matter.

Formal rules of evidence shall not apply. Any relevant evidence shall be admitted.

Unless the hearing panel determines to proceed otherwise, the college representative and the student shall each be permitted to make an opening statement. Thereafter, the college representative shall make the first presentation, followed by the student. The college representative may present rebuttal evidence after the student completes his or her evidence. The burden shall be on the college representative to prove by the preponderance of the evidence that the facts alleged are true.

The student may represent himself/herself, and may also have the right to be represented by a person of his/her choice. **[Suggested language: *except that the student shall not be represented by an attorney unless, in the judgment of the hearing panel, complex legal issues are involved. If the student wishes to be represented by an attorney, a request must be presented not less than five days prior to the date of the hearing. If the student is permitted to be represented by an attorney, the college representative may request legal assistance. The hearing panel may also request legal assistance; any legal advisor provided to the panel may sit with it in an advisory capacity to provide legal counsel but shall not be a member of the panel nor vote with it.***

Hearings shall be closed and confidential unless the student requests that it be open to the public. Any such request must be made no less than **[number of days]** prior to the date of the hearing.

In a closed hearing, witnesses shall not be present at the hearing when not testifying, unless all parties and the panel agree to the contrary.

The hearing shall be recorded by the District either by tape recording or stenographic recording, and shall be the only recording made. No witness who refuses to be recorded may be permitted to give testimony. In the event the recording is by tape recording, the hearing panel chair shall, at the beginning of the hearing, ask each person present to identify themselves by name, and thereafter shall ask witnesses to identify themselves by name. Tape recording shall remain in the custody of the District at all times, unless released to a professional transcribing service. The student may request a copy of the tape recording.

All testimony shall be taken under oath; the oath shall be administered by the hearing panel chair. Written statements of witnesses under penalty of perjury shall not be used unless the witness is unavailable to testify. A witness who refuses to be tape recorded is not unavailable.

Within **[number]** days following the close of the hearing, the hearing panel shall prepare and send to the **[CEO]** a written decision. The decision shall include specific factual findings regarding the accusation, and shall include specific conclusions regarding whether any specific section of the Standards of Student Conduct were violated. The decision shall also include a specific recommendation regarding the disciplinary action to be imposed, if any. The decision shall be based only on the record of the hearing, and not on matter outside of that record. The record consists of the original accusation, the written response, if any, of the student, and the oral and written evidence produced at the hearing.

[CEO's] Decision:

Long-term suspension – Within **[number of days]** following receipt of the hearing panel's recommended decision, the **[CEO]** shall render a final written decision. The **[CEO]** may accept, modify or reject the findings, decisions and recommendations of the hearing panel. If the **[CEO]** modifies or rejects the hearing panel's decision, the **[CEO]** shall review the record of the hearing, and shall prepare a new written decision which contains specific factual findings and conclusions. The decision of the **[CEO]** shall be final.

Expulsion – Within **[number of days]** following receipt of the hearing panel's recommended decision, the **[CEO]** shall render a written recommended decision to the Board of Trustees. The **[CEO]** may accept, modify or reject the findings, decisions and recommendations of the hearing panel. If the **[CEO]** modifies or rejects the hearing panel's decision, he or she shall review the record of the hearing, and shall prepare a new written decision which contains specific factual findings and conclusions. The **[CEO]** decision shall be forwarded to the Board of Trustees.

Board of Trustees Decision: The Board of Trustees shall consider any recommendation from the **[CEO]** for expulsion at the next regularly scheduled meeting of the Board after receipt of the recommended decision.

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

The student shall be notified in writing, by registered or certified mail or by personal service, at least three days prior to the meeting, of the date, time, and place of the Board's meeting.

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

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

The Board may accept, modify or reject the findings, decisions and recommendations of the **[CEO]** or the hearing panel. If the Board modifies or rejects the decision, the Board shall review the record of the hearing, and shall prepare a new written decision which contains specific factual findings and conclusions. The decision of the Board shall be final.

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

Immediate Interim Suspension (Education Code Section 66017): The **[CEO]** may order immediate suspension of a student where he/she concludes that immediate suspension is required to protect lives or property and to ensure the maintenance of order. In cases where an interim suspension has been ordered, the time limits contained in these procedures shall not apply, and all hearing rights, including the right to a formal hearing where a long-term suspension or expulsion is recommended, will be afforded to the student within ten (10) days.

Removal from Class (Education Code Section 76032): Any instructor may order a student removed from his/her class for the day of the removal and the next class meeting. The instructor shall immediately report the removal to the **[CEO]** and the **[designated position]**. The **[designate position]** shall arrange for a conference between the student and the instructor regarding the removal. If the instructor or the student requests, the **[designated position]** shall attend the conference. The student shall not be returned to the class during the period of the removal without the concurrence of the instructor. Nothing herein will prevent the **[designated position]** from recommending further disciplinary procedures in accordance with these procedures based on the facts which led to the removal.

Withdrawal of Consent to Remain on Campus: The *[designate position]* may notify any person for whom there is a reasonable belief that the person has willfully disrupted the orderly operation of the campus that consent to remain on campus has been withdrawn. If the person is on campus at the time, he/she must promptly leave or be escorted off campus. If consent is withdrawn by the *[designate position]* a written report must be promptly made to the *[CEO]*.

The person from whom consent has been withdrawn may submit a written request for a hearing on the withdrawal within the period of the withdrawal. The request shall be granted not later than seven days from the date of receipt of the request. The hearing will be conducted in accordance with the provisions of this procedure relating to interim suspensions.

In no case shall consent be withdrawn for longer than *[number of days, no more than 14 days]* from the date upon which consent was initially withdrawn.

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

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

Revised 6/13, 4/14, 4/15

El Camino Community College District
Administrative Procedure 5520

Student Discipline ~~& Due Process~~ Procedures

The purpose of this procedure is to provide a prompt and equitable means to address violations of the Standards of Student Conduct, which guarantees to the student or students involved the due process rights guaranteed them by state and federal constitutional protections. This procedure will be used in a fair and equitable manner, and not for purposes of retaliation. It is not intended to substitute for criminal or civil proceedings that may be initiated by other agencies.

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

DEFINITIONS

College District - El Camino Community College District. Student discipline sanctions imposed to students at El Camino College will also apply to the El Camino College Compton Center.

Student - Any person who has applied for admission or currently enrolled as a student in any program offered by the College District.

Instructor - Any academic employee of the College District in whose class a student subject to sanction is enrolled, or counselor who is providing or has provided services to the student, or other academic employee who has responsibility for the student's educational program.

Complainant - A person who submits a charge alleging that a student has violated the College District's Student Code of Conduct.

Accused Student - A student who has been accused of violating the Student Code of Conduct by a College District employee, student, or visitor.

Advisor – An advisor is anyone other than the complainant or accused student. An advisor may include, but is not limited to, another student, family member, attorney, College personnel, or community member. The advisor's role is to observe, provide counsel, or support the complainant or accused student.

Business Day - Unless otherwise provided, a business day shall mean a day during which the College District is in session and regular classes are held, excluding Saturdays, Sundays, and public holidays.

College District Property - Property under the control of the El Camino Community College District or any place that is the site of a College District approved activity or function.

JURISDICTION OF THE COLLEGE

Sanctions for violations of the Student Conduct Code may be imposed for conduct which occurs on the College premises, in or out of the classroom setting, while using College technology, at off-campus instructional sites, during off-campus College-sponsored events and for off-campus conduct which materially and substantially interferes with the College's operational and educational programs.

FILING A COMPLAINT

Any person may allege a violation of the Student Conduct Code by completing a Student Conduct Incident Report Form and submitting it to the Student Development Office. The College reserves the right to initiate a student conduct process based on available information, even if a formal complaint has not been received. The complaint shall describe the conduct in question and, if known, the name of the person or persons alleged to have engaged in that conduct. The filing of a complaint assumes that the complainant desires to initiate the inquiry that may result in official disciplinary action against the alleged violator. The complainant should file a complaint within a reasonable amount of time not to exceed thirty (30) business days from the date of the incident.

OVERVIEW OF DISCIPLINE PROCESS

1. Each student is responsible for reading and complying with the Standards of Student Conduct which is made available on the El Camino College website on the Student Development Office page or from the Student Development Office located in the Activities Center, Room 160 and the College Catalog.
2. Any member of the College community can initiate an accusation of an alleged violation.
3. If a student is accused of an alleged violation, he or she will receive written notice of the conduct warranting discipline via El Camino College issued e-mail account with delivery notification. The notice may include a request for a review meeting and will include:
 - a. The specific code violations;
 - b. A short statement of the facts supporting the accusation;

- c. The right of the student to meet with the Director of Student Development or designee;
 - d. Reference to the Standards of Student Conduct outlining the process and rights of students; and
 - e. The nature of the sanctions being considered.
4. Time Limits - The notice must be provided to the student within forty (40) business days of the date on which the conduct took place; in the case of continuous, repeated or ongoing conduct, the notice must be provided within ten (10) business days of the date on which conduct occurred which led to the decision to take disciplinary action.
5. Meeting - If the student chooses to meet with the Director of Student Development or designee, the meeting must occur no sooner than five (5) business days after the notice is provided. At the meeting, the student must again be told the facts leading to the accusation, and must be given an opportunity to respond verbally or in writing to the accusation.
- a. Both the complainant and the accused student may be accompanied by an advisor to any meetings, interviews, or hearings. The advisor's role is to observe, provide counsel, or support the complainant or accused student. An advisor may not speak on behalf of the complainant or accused student or speak to the Director of Student Development or designee. Advisors who do not comply with their role may be removed from the meeting, interview, or hearing.
6. Upon completion of the review meeting, the student, ~~if necessary,~~ shall have the right to the following:
- a. Be provided a written list of findings by the Director of Student Development or designee;
 - b. Accept or deny responsibility;
 - c. Have sanctions imposed, if found in violation of the Standards of Student Conduct;
 - d. Request a hearing of the Disciplinary Hearing Panel should the student disagree with the finding(s) and sanction(s) of the Director of Student Development or designee;
 - e. Be informed of the appropriate policy and procedure; and
 - f. Be informed of his/her right to request a copy of their student conduct file.
7. Students should be aware that the student conduct process is different from criminal and civil court proceedings. Procedures and rights in student conduct proceedings are conducted with fairness to all but do not include the same

protections of due process afforded by the courts. The standard used to determine whether a violation of the Standards of Student Conduct has occurred will be a preponderance of evidence (more likely than not). Due process within these procedures, assures timely written notice, a hearing before an objective decision-maker or panel (should one be requested) and a process for appeal.

8. Students continue to be subject to city, state, and federal laws while at El Camino College and allegations, charges, or violations of those laws may also constitute violations of the Standards of Student Conduct. In such instances, El Camino College may proceed with disciplinary action under the Standards of Student Conduct independently of any criminal proceeding involving the same conduct and may impose sanctions for violation of the Standards of Student Conduct even if such criminal proceeding is not yet resolved or is resolved in the student's favor.
9. No student will be found in violation of El Camino College Standards of Student Conduct without information showing by preponderance of the evidence that a policy violation has occurred. At El Camino College's sole discretion, sanctions will be proportionate to the severity of the violation(s).
10. If a student is found responsible for one or more violations of the Standards of Student Conduct, the student's prior conduct record will be taken into consideration and may result in progressive sanctions because of a pattern of behavior.

DETERMINATION OF SANCTIONS

The following factors may be considered in determining what sanctions are appropriate in a particular case. While sanctions are applied equitably and fairly, it is done so with consideration for the uniqueness of each individual case.

1. The nature and/or severity of the violation(s).
2. Prior violations and disciplinary history.
3. Mitigating circumstances surrounding the violation.
4. The student's motive or purpose for engaging in the behavior.
5. Sanctions which have been imposed in similar cases in the past.
6. The developmental and educational impact on the student.

POSSIBLE SANCTIONS

Multiple sanctions may be imposed including, but not limited to:

Sanctions for Academic Dishonesty

Students found to be responsible for academic dishonesty may incur any of the below sanctions:

1. The instructor may assign a failing grade to the examination or assignment in which the alleged cheating or plagiarism occurred;
2. The instructor may dismiss the student from the class or activity for the present and/or following class session(s);
3. The instructor or the Division administrator may require a meeting with the instructor and/or the Administrator; and/or
4. The instructor shall complete a Student Conduct Incident Report and forward a copy to the Division administrator and the Director of Student Development or designee.

Other Sanctions

Written or Verbal Reprimand - An admonition to the student to cease and desist from conduct determined to violate the Standards of Student Conduct. Written reprimands may become part of a student's permanent record at the College District. A record of the fact that a verbal reprimand has been given may become part of a student's record at the College District.

Educational Sanctions - An educational sanction may include additional work assignments, essays, community service, behavioral contract, administrative referral, or other related educational assignment.

Probation - A reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be in violation of any Standards of Student Code during the probationary period. It may include restriction from contact with specified individuals, College activities, services, offices, or designated areas. Probation shall not be imposed for a period longer than one (1) academic year.

Restitution - A payment to compensate an injured party for financial harm in cases involving misconduct including, but not limited to, theft, destruction of property, or deception.

Removal from Class/Facility/College District Entity - Any instructor or Division administrator or designee may remove a student from the class, activity, office, department, or other educational forum for the day of the incident and one additional instructional day. The instructor or Division administrator or designee shall immediately report the removal to the Director of Student Development or designee and his or her Division Dean or Associate Dean. The student shall not be returned to the class during the period of the removal without the concurrence of the instructor.

Withdrawal of Consent to Remain On-Campus - The College District's Campus Police Department, may notify any person for whom there is a reasonable belief that the person has willfully disrupted the orderly operation of the campus, that consent to remain on-campus has been withdrawn. If the person is on-campus at the time, he or she must promptly leave or be

escorted off-campus. If consent is withdrawn a written report must be promptly made to the Superintendent/President or designee.

The person from whom consent has been withdrawn may submit a written request for a hearing on the withdrawal within the period of the withdrawal. The request shall be granted not later than ten (10) business days from the date of the receipt of the request. The hearing will be conducted in accordance with the provisions of this administrative procedure relating to interim suspensions.

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

No Contact Order - An issuance that there should be no personal or interpersonal contact or communication between involved parties. This includes verbal and non-verbal communication.

Short-Term Suspension - Exclusion of the student by the Director of Student Development or designee for good cause from one or more classes and/or from all activities of the College District for a period of up to ten (10) consecutive days of instruction.

Within five (5) business days after the student meets with the Director of Student Development or designee, the Director of Student Development or designee shall decide whether to impose a short-term suspension, whether to impose some lesser sanction, or whether to end the matter. Written notice of the Director or designee's decision shall be provided to the student. The notice will include the length of time of the suspension or the nature of the lesser sanction. The Director of Student Development or designee's decision on a short-term suspension shall be final.

Long-Term Suspension - Exclusion of the student by the Director of Student Development or designee for good cause from one or more classes for the remainder of the school term and/or from all classes and activities of the College District for the remainder of the current term with a maximum of two (2) academic years.

Within five (5) business days after the student meets with the Superintendent/President or designee, the Director of Student Development or designee shall, pursuant to a recommendation from the Director of Student Development or designee, decide whether to impose a long-term suspension. Written notice of the Superintendent/President or designee's decision shall be provided to the student. The notice will include the right of the student to request a formal hearing before a long-term suspension is imposed, and a copy of this policy describing the procedures for a hearing.

Students who receive long-term suspensions are permitted on-campus to conduct student business, but must receive permission from the Director of Student Development or designee

prior to coming to campus and must check-in with the College District's Campus Police Department to obtain a police escort while on-campus.

IMMEDIATE INTERIM SUSPENSION (Education Code Section 66017)

The Director of Student Development or designee may order immediate interim suspension of a student where he or she concludes the following:

1. To ensure the safety and well-being of members of the College District community or preservation of College District property;
2. To ensure the student's own physical or emotional safety and well-being;
3. That the student poses an immediate threat or disruption of or interference with the normal operations of the College District; and/or
4. That the student has been accused of a severe violation and cannot be located and/or does not participate in the conduct process.

In cases where an interim suspension has been ordered, the time limits contained in this administrative procedure shall not apply, and all hearing rights, including the right to a formal hearing where a long-term suspension or expulsion is recommended, will be afforded to the student within ten (10) business days of the decision to impose an interim suspension.

Expulsion

Expulsion is the permanent separation of a student from El Camino College and El Camino College Compton Center by action of the Board of Trustees for good cause when other means of correction fail to bring about appropriate conduct, or when the presence of the student causes a continuing danger to the safety of others. The student is prohibited from College District property, functions, events, and activities. Permanent notification will appear on student's El Camino College official transcript.

Within ten (10) business days after the student meets with the Director of Student Development or designee, the Director of Student Development or designee shall decide whether to recommend expulsion to the Board of Trustees. Written notice of the Director or designee's decision shall be provided to the student. The notice will include the right of the student to request a formal hearing before expulsion is imposed, and a copy of this policy describing the procedures for a disciplinary hearing.

DISCIPLINARY HEARING PROCEDURES

Request for Disciplinary Hearing

Within five (5) business days after the receipt of the Director of Student Development or designee's decision regarding a long-term suspension or expulsion, the student may request a formal hearing. The request must be made in writing to the Director of Student Development or designee.

Schedule of Disciplinary Hearing

The formal hearing shall be held no sooner than ten (10) to twenty (20) business days after a formal request for hearing is received by the Student Development Office.

The Dean of Student Support Services or designee will inform the student of the hearing date and time by certified mail, return receipt requested, e-mail to his or her El Camino College issued e-mail account, with delivery notification and/or in person with signature verification of receipt at least five (5) business days prior to the hearing date. The notice will enclose a description of the procedures to be followed at the hearing.

The student and the College have the right to receive copies of all documents that are to be presented to the Disciplinary Hearing Panel.

The Disciplinary Hearing Chair shall provide the student copies of all documents to be presented to the panel. The Chair shall make such documents available to the student as soon as practical before the hearing but not less than two (2) business days before the hearing.

If the student intends to present any documents to the Disciplinary Hearing Panel he or she shall provide copies of the same to the Disciplinary Hearing Chair no less than two (2) business days prior to the hearing.

If a student who has been given notice does not appear for the hearing the information in support of the alleged violation(s) will be presented and considered in the student's absence. A student will be considered absent fifteen (15) minutes after the time the hearing was scheduled to convene.

Disciplinary Hearing Panel

The Hearing Panel shall consist of the Dean of Student Support Services or designee as the Disciplinary Hearing Chair and one representative from each of the following groups: (1) Academic Senate; (2) Classified Employees; (3) Associated Student Organization; and (4) College Management which may include College supervisors.

An affirmative vote of three members of the Disciplinary Hearing Panel shall be required to determine responsibility and sanctions.

The Superintendent/President or designee, the president of the Academic Senate or designee, the president of the Classified Employees bargaining unit or designee, and the president of the Associated Student Organization (ASO) or designee shall each, at the beginning of the academic year, establish a list of at least five (5) persons who will serve on the Student Disciplinary Hearing panels. The Superintendent/President or designee shall appoint the hearing panel from the names on these lists. However, no administrator, faculty member, classified staff member, or student who has any personal involvement in the matter to be decided, who is a

necessary witness, or who could not otherwise act in a neutral manner shall serve on a Disciplinary Hearing Panel.

Disciplinary Hearing Panel Chair

The decision of the Chair of the Disciplinary Hearing Panel shall be final on all matters relating to the conduct of the hearing unless there is a vote by other members of the panel to the contrary.

CONDUCT OF THE DISCIPLINARY HEARING

All hearings shall be held in closed session and are confidential - they are not open to the public.

1. The members of the disciplinary hearing panel shall be provided with a copy of the complaint(s) against the student and any written response provided by the student before the hearing begins.
2. The facts supporting the accusation shall be presented by a College representative who shall be the Director of Student Development or designee.
3. The College representative and the student may call witnesses and introduce oral and written testimony relevant to the issues of the matter.
4. Formal rules of evidence shall not apply. The standard of proof for Student Disciplinary Hearings will be a preponderance of evidence.
5. Unless the disciplinary hearing panel determines to proceed otherwise, the College representative and the student shall each be permitted to make an opening statement. Thereafter, the College representative shall make the first presentation, followed by the student. The College representative may present rebuttal evidence after the student completes his or her evidence. The burden shall be on the College representative to prove by preponderance of evidence that the facts alleged are true.
6. The student has the right to be assisted in the hearing by an advisor. The advisor may provide counsel or support to the student but are not permitted to speak to the panel or participate directly in the hearing. Advisors who do not observe this restriction can be removed from the hearing by the Chair of the Disciplinary Hearing Panel.
7. If the student is a minor, the student's parent(s) or legal guardian must accompany him or her to the disciplinary hearing and may act on his or her behalf.
8. Witnesses shall not be present at the hearing when not testifying.

9. The student and the Dean of Student Support Services or designee may arrange for witnesses to present pertinent information to the Disciplinary Hearing Panel. Witnesses will provide information to and answer questions from the Disciplinary Hearing Panelists. All questions and responses are to be directed to the Panel, preferably the Chair, not between witnesses, complainant, and accused student.
10. If the complainant is unable to attend the hearing, his or her written statement will stand as his or her testimony.
11. The student and his or her advisor, if any, will be allowed to attend the entire portion of the hearing at which information is received, excluding deliberations of responsibility or sanctioning.
12. Should a student have an attorney present to advise him or her, the student must notify the Dean of Student Support Services or designee at least five (5) business days prior to the Disciplinary Hearing that his or her intent to bring an attorney.
 - a. The student discipline process is an administrative process, not a court-like trial or proceeding. Attorneys are allowed to serve as advisors in meetings, interviews, or hearings but may not speak on behalf of the complainant or accused student or speak to the Dean of Student Support Services or designee during the meeting, interview, or hearing. If complainants or accused students bring an attorney to a meeting, interview, or hearing, College personnel may request legal assistance.
13. In hearings involving more than one student in the same situation, the Dean of Student Support Services or designee may permit the hearings concerning each student to be conducted jointly.
14. Supporting documentation, including pertinent records, exhibits and written statements may be accepted as information for consideration at the discretion of the Chair. Prior student conduct violations may be considered in a hearing and for determination of sanctions.
15. Questions of whether potential information will be received will be resolved at the discretion of the Chair. All procedural questions are subject to the final decision of the Chair.
16. The Panel will determine whether the student is responsible for violating each section of the Standards of Student Conduct which the student is accused of violating. The Panel's determination will be made on the basis of whether it is more likely than not (preponderance of evidence) that the student violated the Standards

of Student Code. The Panel will then determine what sanctions they deem appropriate for such violations.

17. Hearings (excluding deliberations) will be audio-recorded and made a part of the student's conduct file.

18. The Chair will prepare a written report detailing the finding, the vote, the information cited by the Panel in support of its findings and any information the Panel excluded and why, concluding with any recommended sanctions. The Chair will forward this document to the Director of Student Development or designee within five (5) business days upon the conclusion of the hearing.

Additionally:

1. Complainants are to be notified when written notice of the allegation/hearing is delivered to the accused student.
2. All parties to an allegation have a right not to face questions or discussion of their history or character unless the Hearing Panel Chair determines that such information is highly relevant to determining whether the policy has been violated.
3. Each party has the right to be present for all testimony and questioning. However, if requested the Hearing Panel must make arrangements so that the complainant and accused are not in the same room at the same time.
4. The College must not require a complainant to be present as a prerequisite for the hearing to proceed or sanctions imposed.
5. Neither party is allowed to cross-examine each other or witnesses. All questions must be submitted to the Hearing Panel Chair.
6. Both parties have the right to appeal the decision of the panel.

The hearing shall be recorded by the College District by tape recording, and shall be the only recording made. No witness who refuses to be recorded may be permitted to give testimony. In the event the recording is by tape recording, the Hearing Panel Chair shall, at the beginning of the hearing, ask each person present to identify themselves by name, and thereafter shall ask witnesses to identify themselves by name. Tape recording shall remain in the custody of the College District at all times, unless released to a professional transcribing service. The student may request a copy of the tape recording.

SPECIAL PROVISIONS FOR SEXUAL AND GENDER-BASED MISCONDUCT

Cases of alleged sexual and gender-based misconduct as defined in Board Policy 3540 and Administrative Procedure 3540 will be directed to the Title IX Coordinator for review and investigation. The Title IX Coordinator will work in coordination with the Director of Student Development or designee to address any violations to the Standards of Student Conduct that are in addition to the allegations of sexual and/or gender-based misconduct as outlined below.

Sexual and gender-based misconduct includes, but is not limited to:

- a. Bullying;
- b. Dating Violence;
- c. Discrimination;
- d. Domestic Violence;
- e. Intimidation;
- f. Retaliation;
- g. Sexual Assault
 - a. Non-consensual sexual contact; and
 - b. Non-consensual sexual intercourse;
- h. Sexual Exploitation;
- i. Sexual Harassment
 - a. Hostile environment caused by sexual harassment;
- j. Stalking;
- k. Threatening or causing abuse including physical and verbal; and
- l. Violence between those in intimate/dating relationships to each other.

NOTICE OF THE DECISION

The Dean of Student Support Services or designee shall provide the student written notice of the final resolution of charged violation(s). The written notice shall be sent to the student by certified mail, return receipt requested, or receipted for personal delivery or via El Camino College issued e-mail account with delivery notification, within five (5) business days of the written findings and decision of the Student Disciplinary Hearing Panel. In cases alleging gender-based or sexual misconduct, the complainant will receive comparable notice of the relevant findings and sanctions from the Title IX Coordinator or designee.

The written notice to the student shall include:

1. The specific provision of the Standards of Student Conduct that was violated;
2. The sanction(s) imposed and the date(s) on or periods for which they are in effect;
3. A statement of the student's right to appeal in writing to the Vice President of Student and Community Advancement; and
4. A statement that the failure to file a request for such an appeal within the time provided shall be deemed a waiver of the right to an appeal.

APPEALS TO THE VICE PRESIDENT OF STUDENT AND COMMUNITY ADVANCEMENT

An appeal to the Vice President of Student and Community Advancement or designee as a result of a Student Disciplinary Hearing Panel may be filed on the following grounds:

1. Proper procedures were not followed.
2. There is new relevant evidence not reasonably available at the time of the hearing or the imposition of the sanction(s).
3. The evidence does not clearly support the finding(s).
4. The sanctions are inappropriate relative to the violation.
5. Discrimination as defined in Board Policy 3410 and Administrative Procedure 3410.

In cases alleging a violation of gender-based or sexual misconduct, both the accused student and the complainant have the right to appeal the findings of responsibility and/or sanctions based on the above criteria.

An appeal must be submitted in writing to the Vice President of Student and Community Advancement or designee within five (5) business days of receiving written notification of the hearing decision. The Vice President or designee will review the appeal and the hearing findings and may make a decision to uphold, reverse, revise, or modify the decision and sanctions imposed on the student.

The Vice President or designee will notify the student in writing by certified mail with registered receipt or via El Camino College issued e-mail account with delivery notification within ten (10) business days following receipt of the request for appeal of his or her decision.

The decision of the Vice President of Student and Community Advancement or designee shall be final except in the case of expulsion.

PROCEDURES FOR EXPULSION

The Board of Trustees is authorized to expel a student for good cause when other means of correction fail to bring about proper conduct or when the presence of the student causes a continuing danger to the physical safety of others. The notice of expulsion will be sent to the student with copies to the student file, Director of Student Development or designee, Dean of Student Support Services or designee, Director of Admissions & Records or designee, Vice President of Student and Community Advancement or designee, Superintendent/President or designee, and El Camino College Campus Police Department.

In the event the Vice President or designee has determined that he or she will seek a student's expulsion, the following procedures will be followed:

Recommendation for Expulsion: If the Vice President of Student and Community Advancement or designee determines that the student should be expelled, he or she shall deliver a written recommendation for the student's expulsion to the Superintendent/President. A copy of the Vice President of Student and Community Advancement or designee's recommendation shall

be provided to the student or if the student is a minor to his or her parent or guardian. The Vice President or designee's recommendation for expulsion shall contain a statement of the charges against the student that provide the basis for his or her request that the student be expelled, including a factual description of the conduct upon which the charges are based, the action(s) taken by the Student Conduct Administrator and the recommendation of the Student Disciplinary Hearing Panel.

The Board of Trustees shall consider any recommendation from the Superintendent/ President for expulsion at the next regularly scheduled meeting of the Board of Trustees after receipt of the recommended decision.

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

The student shall be notified in writing, by registered or certified mail, by personal service, or via El Camino College issued e-mail account with delivery notification at least five (5) business days prior to the meeting, of the date, time, and place of the Board of Trustees' meeting. The student may, within forty-eight hours (48) after receipt of the notice, request that the hearing be held as a public meeting. Even if a student has requested that the Board consider an expulsion recommendation in a public meeting, the Board will hold any discussion that might be in conflict with the right to privacy of any student other than the student requesting the public meeting in a closed session.

The Board may accept, modify, or reject the findings, decisions, and recommendations of the Superintendent/President. If the Board modifies or rejects the decision, the Board shall review the record of the hearing, and shall prepare a new written decision which contains specific factual findings and conclusions. The decision of the Board shall be final. The final action of the Board on the expulsion shall be taken at a public meeting and the result of the action shall be a public record of the College District.

The Vice President of Student and Community Advancement or designee shall notify the student in writing within five (5) business days of the decision made by the Board of Trustees. The decision of the Board of Trustees shall be final.

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

GENERAL PROVISIONS

Failure of Student to Participate - Student conduct procedures under this policy may proceed or continue notwithstanding the failure or refusal of a student to respond, attend, or otherwise participate after having been properly notified of the proceeding as provided herein.

Technical Departures from this Policy - Technical departures from this policy shall not be grounds to void the College District's right to take disciplinary action against a student; unless the technical departure or error prevented a fair determination of the issue.

Time Limits

Any times specified in this administrative procedure may be shortened or lengthened if there is mutual concurrence by all parties.

References:

Education Code Sections 66300, 72122, and 76030

El Camino College

Adopted: December 21, 2009

Revised:

Disciplinary Action

~~Disciplinary action appropriate to the misconduct as defined in BP 5500 may be taken by an instructor (see items C 1 and 5 below), the Director of Student Development or his or her designee (see items C 1, 2, 3, 4, 6, and 7 below), and the Board of Trustees (see item C8 below).~~

~~A. Consequences for Academic Dishonesty~~

~~When an instructor has determined that there is evidence of dishonesty in any academic work, the student may receive a failing grade for that piece of work and disciplinary action may be pursued. Any or all of the following actions may be imposed:~~

- ~~1. The instructor may assign a failing grade (no credit) to an examination or assignment in which academic dishonesty occurred.~~
- ~~2. The instructor may remove the student from the class or activity for the day of the incident and one additional class day as stipulated in C.5 of this procedure.~~
- ~~3. The instructor may complete the appropriate reporting forms (Disciplinary Form C – Academic Dishonesty Report Form and /or Disciplinary Form B – Notice of Suspension from Class/Lab/Library) and submit them along with a copy of the evidence to the Director of Student Development or his or her designee. This information will be placed in the student file.~~

~~4. If there is evidence of serious or repeated violations of academic honesty, the college may pursue additional disciplinary action in accordance with the disciplinary measures outlined in this procedure.~~

~~**B. Notify Campus Police**~~

~~Misconduct as noted in BP 5500 sections II, III, IV, V and VI should be brought to the immediate attention of the Campus Police or local police department/security force (for courses taught off campus). This does not preclude a staff member from calling Campus Police for any other misconduct that warrants such action. Campus Police are to be called immediately and a police report will be written with notice to the Director of Student Development, or his or her designee.~~

~~**C. Discipline**~~

~~The following types of disciplinary action may be taken or pursued by the college:~~

- ~~1. **Warning**—A verbal or written notice, given to the student by a faculty member, the Director of Student Development, or his or her designee, or any college manager or delegated authority that continuation or repetition of the specified conduct may be cause for other disciplinary action. A copy of such action shall be sent to the Director of Student Development or his or her designee and placed in the student file.~~
- ~~2. **Reprimand**—A written reprimand for violation of specified regulations sent to the student by the Director of Student Development, or his or her designee, noting that continued violations may result in further disciplinary action. The Director of Student Development or his or her designee shall place a copy of this reprimand in the student file.~~
- ~~3. **Restitution**—A letter from the Director of Student Development, or his or her designee, requesting reimbursement for damage or misappropriation of property will be sent to the student. A copy of this letter will be sent to the student file, Dean of Enrollment Services, and the Vice President of Student and Community Advancement. Reimbursement may take the form of appropriate service to repair or otherwise compensate for the damage.~~
- ~~4. **Disciplinary Probation**—Exclusion from college activities or services set forth in the notice of disciplinary probation. It may include one or all of the following and may be imposed upon an individual or groups of students.~~
 - ~~a. Removal from any or all college organization offices.~~
 - ~~b. Denial of privileges or participation in any or all college or student-sponsored activities or services. Disciplinary probation may be imposed~~

for a period not to exceed one year. Repetition of conduct resulting in disciplinary probation may be cause for suspension or further disciplinary action. A written statement from the Director of Student Development, or his or her designee, will state those activities from which the student will be excluded. A copy of the disciplinary probation letter will be sent to the student file, Dean of Enrollment Services, Vice President of Student and Community Advancement, and Campus Police.

- e. Requirement to complete one or more counseling or behavioral modification programs or classes including but not limited to drug/alcohol diversion program, anger management workshop, interpersonal communication workshop, life-skills class, Special Resources Center program and academic or psychological counseling appointments.

~~5. Removal by Instructor – In cases of academic dishonesty or disruptive behavior, an instructor may remove (suspend) a student from his or her class for the day of the incident and the next class meeting. During this period of removal, a conference shall be held with the instructor and the student in an attempt to resolve the situation that led to the student’s removal.~~

~~a. If a student is suspended for one class meeting, no additional formal disciplinary procedures are necessary. A record of the suspension should be sent to the Director of Student Development or his or her designee and placed in the student file.~~

~~b. If a student is suspended from class for the day of the incident and the next class meeting, the instructor shall send a written report of the action to his or her dean who shall forward this information to the Director of Student Development, or his or her designee. The Director of Student Development, or his or her designee, shall send copies to the Vice President of Student and Community Advancement and the President. If the student removed by an instructor is a minor, the Director of Student Development, or his or her designee, shall ask a parent or guardian of the student to attend a parent conference with the instructor regarding the removal as soon as possible. A college administrator shall attend the conference if any party (instructor, parent, or guardian) so requests.~~

~~c. The instructor may recommend to his or her dean that a student be suspended for longer than two class meetings. If the dean, instructor, and student cannot resolve the problem, the recommendation for a suspension of more than two class sessions will be referred to the Director of Student Development, or his or her designee, for possible actions described in Section 6 of this procedure.~~

~~d. During the period following the initial suspension from class for the day of the incident and the following class meeting, the student shall be allowed to return to the class until due process and the disciplinary procedures are completed unless the student is further suspended as a result of actions taken as defined in Section 6 of these procedures.~~

~~6. Suspension The Director of Student Development, or his or her designee, may suspend a student as follows:~~

~~a. From one or more classes for a period of up to ten days of instruction; or~~

~~b. From one or more classes for the remainder of the term; or~~

~~c. From one or more classes and activities of the community college for one or more terms not to exceed a period of two years. The Director of Student Development, or his or her designee, shall send the notice of suspension to the student, the student file, Dean of Enrollment Services, Vice President of Student and Community Advancement, President, and Campus Police. Whenever a minor is suspended from the College, the parent or guardian shall be notified in writing by the Director of Student Development, or his or her designee.~~

~~7. Immediate Suspension Any college manager or college delegated authority during non-school hours, may immediately suspend a student from the campus in an emergency action to protect lives or property and to insure the maintenance of order. Within twenty four (24) hours or the next regular work day of the suspension, the college manager or college delegated authority shall send to the Director of Student Development, or his or her designee, a written report of the suspension. The Director of Student Development, or his or her designee, shall send a written notice to the suspended student, informing the student of his/her right to a hearing within ten (10) business days of the suspension. A copy of this notice will be sent to the student file, Dean of Enrollment Services, Vice President of Student and Community Advancement, President, and Campus Police.~~

~~Immediate suspension will be enforced for the following types of student misconduct:~~

~~a. Possession or use of any weapon, firearms, or explosives.~~

~~b. Willful misconduct which results in injury or death to a student or college personnel.~~

~~c. Assault, battery, sex crimes, including sexual assault, or rape.~~

~~When there is probable cause to believe that a student has committed any of the above actions, that student will be immediately suspended from the campus by any college manager or college delegated authority. Within twenty four (24) hours of, or the next regular work day after the suspension, the manager or college delegated authority shall send to the Director of Student Development, or his or her designee, a written report of the suspension. The Director of Student Development, or his or her designee, will then send a written notice to the suspended student, informing the student that he or she has been suspended for the remainder of the semester at a minimum and/or up to two years at a maximum and that he or she has the right to a hearing within ten (10) business days of the suspension.~~

~~8. Expulsion – The termination of student status for an indefinite period of time. The Board of Trustees is authorized to expel a student for good cause when other means of correction fail to bring about proper conduct, or when the presence of the student causes a continuing danger to the physical safety of the student or others. The notice of expulsion will be sent to the student with copies to the student file, Director of Student Development, Dean of Enrollment Services, Vice President of Student and Community Advancement, President, and Campus Police. The expulsion of a student shall be accompanied by a hearing if requested by the student. The Board of Trustees shall consider any recommendation from the Superintendent/ President for expulsion at the next regularly scheduled meeting of the Board after receipt of the recommended decision.~~

~~— The Board shall consider any expulsion recommendation in closed session, unless the student has requested that the matter be considered in a public meeting in accordance with these procedures (Education Code Section 72122). The student shall be notified in writing, by registered or certified mail or by personal service, at least three (3) days prior to the meeting, of the date, time, and place of the Board of Trustees' meeting. The student may, within forty-eight hours after receipt of the notice, request that the hearing be held as a public meeting. Even if a student has requested that the Board consider an expulsion recommendation in a public meeting, the Board will hold any discussion that might be in conflict with the right to privacy of any student other than the student requesting the public meeting in a closed session.~~

~~The Board may accept, modify or reject the findings, decisions and recommendations of the Superintendent/President and/or the hearing panel. If the Board modifies or rejects the decision, the Board shall review the record of the hearing, and shall prepare a new written decision which contains specific factual findings and conclusions. The decision of the Board shall be final. The final action of the Board on the expulsion shall be taken at a public meeting, and the result of the action shall be a public record of the District.~~

~~A. LODGING OF CHARGES~~

1. ~~Charges of misconduct against a student, as defined in Sections I through VII of Board Policy 5500, may be lodged by any person who has personal knowledge of facts indicating that the student participated in the alleged misconduct. Such a witness shall hereinafter be referred to as the "complainant" and the person being charged as the "accused."~~
2. ~~The complainant must first lodge his or her charge(s) with a responsible manager at the level of director or above.~~
3. ~~The responsible manager will review the charge(s): The manager will then either:
 - a. attempt to informally resolve the issue(s) or
 - b. recommend disciplinary action.~~
4. ~~If the responsible manager recommends disciplinary action, he or she will forward the charge(s) to the Director of Student Development, or his or her designee. The Director of Student Development or his or her designee shall review the charge(s) and make an independent determination as to whether or not the conduct charged amounts to misconduct as defined in Items I through VII of Board Policy 5500 and whether disciplinary action should be brought against the accused.~~
5. ~~If disciplinary action is appropriate, the Director of Student Development, or his or her designee or appropriate administrator shall give the accused a written notice of the lodging of charges, the specified acts of misconduct and the proposed disciplinary action. The accused will be notified of his or her right to request a hearing within five (5) business days. A copy of this policy will be included with the notice. If the student does not request a hearing, the proposed disciplinary action will be taken.~~

B. HEARING OF CHARGES

1. ~~Scheduling of Hearing
 - a. ~~Students who are placed on immediate suspension — If the student has been suspended prior to a hearing, the hearing shall be commenced within fifteen (15) business days of the ordered suspension.~~
 - b. ~~Students who have not been placed on immediate suspension:
 - 1) ~~The accused shall receive written notice of the charge(s) giving rise to the proposed disciplinary action.~~
 - 2) ~~The accused has five (5) business days after receipt of written notice of the charge(s) to request a hearing before the Disciplinary Hearing Committee. Failure to request such a hearing in writing within this five day period, or failure to appear at such hearing will constitute a waiver of his or her right to~~~~~~

~~a hearing pursuant to these procedures. Unless the hearing may result in expulsion, the accused is not entitled to representation by counsel. If the accused wishes to be represented by counsel at an expulsion hearing, the accused shall provide written notice in the request for hearing of the intention to be represented. If the accused is a minor, he or she shall be entitled to be accompanied by his or her parent or guardian at any hearing before the Disciplinary Hearing Committee.~~

- ~~3) The Disciplinary Hearing Committee shall be chaired by the Director of Student Development, or his or her designee who will serve as the hearing officer and have as members one representative from each of the following groups: the Academic Senate, the Classified Employees, the Student Senate, and College Management.~~
- ~~4) If the accused requests a hearing, the Director of Student Development, or his or her designee shall schedule a disciplinary hearing to take place within fifteen (15) business days of the receipt by him or her of the written request for a hearing.~~
- ~~5) The Director of Student Development or his or her designee shall give the accused and members of the Disciplinary Hearing Committee written notice of the time, place and date set for the hearing.~~
- ~~6) If the accused does not request a hearing, the Director of Student Development, or his or her designee may finalize the disciplinary action with the exception of expulsion, which must be recommended to the Vice President of Student and Community Advancement. If the Vice President determines that expulsion is appropriate, he or she Board of Trustees Agenda will recommend expulsion to the Board of Trustees for final approval.~~

~~2. How Hearing is to be Conducted~~

- ~~a. The public shall be excluded from this hearing.~~
- ~~b. The hearing shall be recorded by either an audio recording or stenographic recording~~
- ~~c. The hearing officer may conduct the hearing in any manner he or she deems appropriate, provided the accused is given the opportunity to confront the witnesses testifying against him or her and to offer the statements of any supporting witnesses.~~

- d. ~~If the Disciplinary Hearing Committee finds adequate support for the charge(s), it shall take appropriate disciplinary action pursuant to Section I.C of this procedure.~~
- e. ~~When the Disciplinary Hearing Committee reaches a decision, the accused shall be given written notice in a timely manner of the decision, the disciplinary action, if any, to be taken, and the right to appeal the decision to the Vice President of Student and Community Advancement.~~

C. REVIEW BY THE VICE PRESIDENT OF STUDENT AND COMMUNITY ADVANCEMENT

1. ~~The accused may seek review of the decision of the Disciplinary Hearing Committee by delivering to the Vice President of Student and Community Advancement, no later than five (5) business days after notice to the accused of the Disciplinary Hearing Committee's decision, a signed statement containing:
 - a. ~~A statement that the accused appeals the decision; and~~
 - b. ~~A brief statement of why the accused considers the decision to be in error.~~~~
2. ~~The Vice President of Student and Community Advancement shall examine all documents received and shall grant review of the matter only if he or she determines from these documents that the decision of the Disciplinary Hearing Committee was in error or the sanctions imposed were excessive in light of the seriousness of the charge(s).~~
3. ~~If the Vice President of Student and Community Advancement determines that review is not appropriate, he or she shall, within ten (10) business days after receipt of the accused's request for review, send written notice to the accused denying review and affirming the decision of the Disciplinary Hearing Committee.~~
4. ~~If the Vice President of Student and Community Advancement determines that review is appropriate, he or she shall, within ten (10) business days after receipt of the request for review, schedule a meeting giving the accused at least five (5) business days written notice thereof with the accused and the hearing officer, at which time the accused will be allowed to present his or her objections to the Disciplinary Hearing Committee's decision, and the hearing officer will be allowed to respond thereto.~~
5. ~~After such a meeting, the Vice President of Student and Community Advancement may reverse, revise or modify the decision and the disciplinary sanctions therein imposed on the accused, or the Vice President may let the decision and disciplinary sanctions stand.~~

D. GENERAL PROVISIONS

1. ~~If students or other persons are suspended or expelled from the campus, they shall not appear on the campus without permission from the Vice President of Student and Community Advancement or designee and must have a Campus Police escort.~~
2. ~~The time limits specified in the Due Process and Disciplinary Procedures may be shortened or extended if there is a mutual written concurrence between the parties.~~
3. ~~Failure of the accused to appeal any determination at any step to another step within the specified time limits shall be deemed acceptance by the accused of the last determination rendered.~~
4. ~~Written notice to an accused pursuant to these procedures shall be sufficient if sent by first class mail to the last known address of the accused currently on file with the college. Notice shall be deemed given on the day following the date of said mailing. Notice shall be in the English language.~~
5. ~~In the absence of the Director of Student Development, a designee may be appointed by the Vice President of Student and Community Advancement.~~
6. ~~No student shall be removed, suspended or expelled unless the conduct for which the student is disciplined is related to college activity or college attendance. In addition, no student may be removed, suspended, or expelled for parking violations.~~
7. ~~The President or the President's designee (Campus Police) shall, upon the suspension or expulsion of any student, notify the appropriate law enforcement authorities of Los Angeles County or the City of Torrance of any acts of the student which may be in violation of Section 245 of the California Penal Code — Assault with a deadly weapon or force likely to produce great bodily injury.~~

Violation of Standards of Student Conduct — Written Warning

(Board Policy 5500 — Academic Honesty & Standards of Conduct)

Name of Student (Please print)

Student ID Number (Please print)

Name of Faculty Member/Staff/Administrator:

Class _____ Section number _____ Date _____

Please mark the appropriate provision(s) for which the student is in violation:

1. Obstruction or disruption of teaching (or other authorized college activities). Obstruction or disruption includes, but is not limited to, tardiness, use of electronic devices during class (i.e., cell phones, pagers, CD players, ipods), or disrespectful or inappropriate classroom behavior.
2. Continued disruptive behavior, continued willful disobedience, profanity or vulgarity, or continued defiance of the authority of, or abuse of, college personnel or anyone on campus, or failure to comply with the directions of a member of the college personnel (faculty, administrators, supervisors, staff, or campus police).
3. Sexual harassment, which includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. **(Sexual harassment must also be reported to the Director of Staff and Student Diversity immediately.)**
4. Dishonesty, including but not limited to, cheating, plagiarism or knowingly furnishing false information.*
5. Unauthorized entry to or use of college facilities, equipment or supplies, or failure to use facilities, equipment, or campus resources in a responsible manner.
6. Other:

Comments:

If a student violates the Standards of Student Conduct again following receipt of the written warning, the student may be suspended from class for at least one class session (see Board Policy 5500). Disciplinary Form B should be used to notify the student of such action.

Signature of Faculty Member/Staff/Administrator:

Signature of Student:

A copy of this completed form MUST be given to the student. The faculty member/staff/administrator will route copies of this form as listed below. Questions regarding use of this form should be discussed with the Director of Student Development.

***Note to Instructors:** For incidents of Academic Dishonesty, please also fill out Disciplinary Form C.

Notice of Student Suspension from Class/Lab/Library

(Board Policy 5500 – Academic Honesty & Standards of Conduct)

Name of Student (Please print)

Student ID Number (Please print)

Name of Faculty Member/Staff/Administrator:

Division _____ Class _____ Section number _____

Class Day(s)/Time Today's Date

Date(s) of Suspension: 1 day 2 days &

Cause of Suspension:

Please make an appointment to see your instructor or division dean prior to returning to class to discuss what led to this suspension.

Office Hours:

Telephone number:

Please make an appointment to see the Director of Student Development (310-660-3500) regarding this suspension prior to returning to class, lab or library.

Signature of Faculty Member/Staff/Administrator:

A copy of this completed form MUST be given to the student. The faculty member/staff/ administrator will route copies of this form as listed below.

Questions regarding student discipline and use of this form should be discussed with the Director of Student Development.

Academic Dishonesty Report Form

(Board Policy 5500 – Academic Honesty & Standards of Conduct)

Name of Student (Please print)

Student ID Number (Please print)

Name of Faculty Member/Staff/Administrator:

Division _____ Class _____ Section number _____

Class Day(s)/Time _____ Today's Date _____

Date of Incident:

Description of Incident:
(Please attach additional information and/or documentation)

Action Taken:

- 1. Assigned failing grade to the examination or assignment in which the alleged cheating or plagiarism occurred.
- 2. Dismissed student from class/activity for class session(s) at time of alleged violation. **(Disciplinary Form B should be used to notify student of such action.)**
- 3. Dismissed student from class/activity for class session(s) following alleged violation. **Disciplinary Form B should be used to notify student of such action.)**

Further Action Recommended to the Division Dean and/or Director of Student Development:

- 1. Suspension from class for the remainder of the semester.
- 2. Other (please specify):

Signature of Faculty Member/Staff/Administrator:

Questions regarding student discipline and use of this form should be discussed with the Director of Student Development. The faculty member/staff/administrator will route copies of this form as listed below.

CLARIFICATION & PROCEDURES TO DOCUMENT AND HANDLE**CLASSROOM CHEATING & PLAGIARISM**

El Camino College is dedicated to maintaining an optimal learning environment and insists upon academic honesty. To uphold the academic integrity of the institution, all members of the academic community, faculty, staff and students alike, must assume responsibility for providing an educational environment of the highest standards characterized by a spirit of academic honesty.

It is the responsibility of all members of the academic community to behave in a manner which encourages learning and promotes honesty and to act with fairness toward others. Students should not seek an unfair advantage over other students when completing an assignment, taking an examination, or engaging in any other kind of academic activity.

Examples of Cheating or Plagiarism

- Representing the words, ideas or work of another as one's own in any academic exercise, including the use of commercial term paper companies or online sources for essays, term papers, or research papers, whether free or paid.
- Copying from another student or former student or allowing another student to copy from one's work.
- Allowing another individual to assume one's identity or assuming the identity of another individual.
- Falsifying or attempting to falsify attendance records and/or grade rosters.
- Changing answers on a previously scored test, assignment or experiment with the intent to defraud.
- Inventing data for the purpose of completing a laboratory experiment or case study analysis with the intent to defraud.
- Giving and/or receiving information during an examination or test by any means such as sign language, hand signals, secret codes or through the use of electronic devices.
- Obtaining copies of notes, exams or exam questions by any means when prohibited by the instructor. This includes copying and removing exam questions from the classroom for any purpose.
- Using study aids such as calculators, tape recorders, notes or other electronic devices unless specifically authorized by the instructor.
- Handing in the same paper or other assignment in more than one class when prohibited by the instructor.
- Any action that is not an honest reflection of a student's own academic work.

Consequences for Cheating or Plagiarism

When an instructor has determined that there is evidence of dishonesty in any academic work, the student may receive a failing grade for that piece of work and disciplinary action may be pursued. Any or all of the following actions may be imposed:

1. The instructor may assign a failing grade (no credit) to the examination or assignment in which the academic dishonesty occurred.
2. The instructor may dismiss the student from the class or activity for the day of the incident and one additional class day as stipulated in C.5 of Administrative Procedure 5520: Student Discipline & Due Process Procedure.
3. The instructor may complete the appropriate reporting forms (Disciplinary Form C—Academic Dishonesty Report Form and/or Disciplinary Form B—Notice of Suspension from Class/Lab/Library) and submit them along with a copy of the evidence to the Director of Student Development or his/her designee. This information will be placed in the student file.
4. If there is evidence of serious or repeated violations of academic honesty, the college may pursue additional disciplinary action in accordance with the disciplinary measures outlined in Administrative Procedure 5520—Student Discipline & Due Process Procedure.

Questions regarding student disciplinary action should be discussed with the Director of Student Development.

BP 3540 Sexual and Other Assaults on Campus

References:

Education Code Sections 67382, 67385, and 67386;
20 U.S. Code Section 1092(f);
34 Code of Federal Regulations Section 668.46(b)(11)

NOTE: <i>This policy is legally required.</i>

Any sexual assault or physical abuse, including, but not limited to rape as defined by California law, whether committed by an employee, student or member of the public, that occurs on District property, is a violation of District policies and procedures, and is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures. Students, faculty, and staff who may be victims of sexual and other assaults shall be treated with dignity and provided comprehensive assistance.

The [**CEO**] shall establish administrative procedures that ensure that students, faculty, and staff who are victims of sexual and other assaults receive appropriate information and treatment, and that educational information about preventing sexual violence is provided and publicized as required by law.

The procedures shall meet the criteria contained in Education Code Sections 67385, 67385.7, and 67386, and 34 Code of Federal Regulations Section 668.46.

Revised 2/03, 2/06, 8/06, 11/14

REVISED

Board Policy 3540
Misconduct

Sexual and ~~Other Assaults on Campus~~Gender-Based

Any sexual assault or gender-based misconduct or physical abuse, including but not limited to rape as defined by California law, sexual violence, sexual harassment, domestic violence, dating violence, and stalking, whether committed by an employee, student, or member of the public, in connection with all the academic, educational, extracurricular, athletic, and other programs of the District, whether those programs take place in the District's facilities or at another location, or on an off-campus site or facility maintained by the District, or on grounds or facilities maintained by a student organization that occurs on District property, is a violation of District policies and procedures, and is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures. Students, faculty, and staff who may be victims of sexual and other assaults shall be treated with dignity and provided comprehensive assistance.

The District President/Superintendent/President shall establish administrative procedures that ensure that students, faculty, and staff who are victims of sexual and other assaults receive appropriate information and treatment, and that educational information about preventing sexual violence is provided and publicized as required by law.

The procedures ~~for sexual assaults~~ shall meet the criteria contained in Education Code Sections 67385, 67385.7, 67386, and 34 Code of Federal Regulations Section 668.46 and be made widely available to students through the District's website and other means. ~~shall include assurances that:~~

- ~~1. All victims of sexual assault on District property shall be provided with information regarding options and assistance available to them.~~
- ~~2. All alleged victims of sexual assault shall be provided with the following upon request:~~
 - ~~a. A copy of this Board Policy containing the District's policy regarding sexual assault;~~
 - ~~b. A list of personnel on campus who should be notified of the assault, and procedures for such notification, if the alleged victims consents;~~
 - ~~c. A description of available services and the persons on campus available to provide those services including but not limited to transportation to a hospital, counseling by District staff or referral to a counseling center, notice to the police, if desired, and a list of other available campus resources or appropriate off campus resources;~~
 - ~~d. A description of available procedures, including criminal prosecution, civil prosecution (i.e., lawsuit), District disciplinary procedures, and modification of class schedules and tutoring, if necessary; and~~
 - ~~e. Information regarding any ongoing investigation including the status of any student or employee disciplinary proceedings or appeal.~~

~~The District shall maintain the identity of any alleged victim of sexual assault on District property in confidence unless the alleged victim specifically waives that right to confidentiality. The District shall maintain the identity of any alleged assailant who is a student or an employee in confidence unless the alleged assailant waives that right to confidentiality.~~

References:

September 8, 2015

Education Code Section 67385, 67385.7, and 67386;

20 U.S. Code Section 1092(f);

34 Code of Federal Regulations Section 668.47(b)(11)

~~Replaces Board Policy 5148~~

~~El Camino College~~

~~Adopted: 3/19/05~~

AP 3540 Sexual and Other Assaults on Campus

References:

Education Code Sections 67385, 67385.7, and 67386;
20 U.S. Code Section 1092(f);
34 Code of Federal Regulations Section 668.46(b)(11)

NOTE: *This procedure is **legally required**. Local practice may be inserted. The following are the minimum requirements contained in the Education Code and in the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“the Clery Act,” 20 U.S. Code Section 1092(f)). The requirements of the Clery Act are broader than those found in California’s Education Code, and apply to all institutions of higher learning that receive federal aid. Districts may insert local procedures: the following example may be used as a guide.*

In addition, the District may wish to include procedures on responding to domestic violence, dating violence, sexual assaults or stalking at District sponsored activities on non-District property.

This sample procedure addresses domestic violence, dating violence, sexual assaults and stalking. Board Policy 3540 addresses both sexual and physical assaults. Districts may wish to cross reference the administrative procedures related to other physical assaults, including AP 3500, 3510, and 3515 [or insert local numbers].

Any sexual assault or physical abuse, including, but not limited to, rape, domestic violence, dating violence, sexual assault, or stalking, as defined by California law, whether committed by an employee, student, or member of the public, occurring on District property, in connection with all the academic, educational, extracurricular, athletic, and other programs of the District, whether those programs take place in the District’s facilities or at another location, or on an off-campus site or facility maintained by the District, or on grounds or facilities maintained by a student organization, is a violation of District policies and regulations, and is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures. (See also AP 5500 titled Standards of Student Conduct.)

“Sexual assault” includes but is not limited to, rape, forced sodomy, forced oral copulation, rape by a foreign object, sexual battery, or threat of sexual assault.

“Dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of a romantic or intimate relationship will be determined based on the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship.

“Domestic violence” includes felony or misdemeanor crimes of violence committed by:

- a current or former spouse of the victim;
- a person with whom the victim shares a child in common;
- a person who is cohabitating with or has cohabitated with the victim as a spouse;
- a person similarly situated to a spouse of the victim under California law; or
- any other person against an adult or youth victim who is protected from that person's acts under California law.

“Stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or to suffer substantial emotional distress.

It is the responsibility of each person involved in sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.

“Affirmative consent” means affirmative, conscious, and voluntary agreement to engage in sexual activity.

These written procedures and protocols are designed to ensure victims of domestic violence, dating violence, sexual assault, or stalking receive treatment and information. (For physical assaults/violence, see also AP 3500, 3510, and 3515 **[or insert local numbers]**.)

All students, faculty members or staff members who allege they are the victims of domestic violence, dating violence, sexual assault or stalking on District property shall be provided with information regarding options and assistance available to them. Information shall be available from the **[designate office]**, which shall maintain the identity and other information about alleged sexual assault victims as confidential unless and until the **[designate position]** is authorized to release such information.

The **[designate position]** shall provide all alleged victims of domestic violence, dating violence, sexual assault, or stalking with the following:

- A copy of the District's policy and procedure regarding domestic violence, dating violence, sexual assault or stalking;
- A list of personnel on campus who should be notified and procedures for such notification, if the alleged victim consents; **[List who should be notified]**
- Information about the importance of preserving evidence and the identification and location of witnesses;
- A description of available services, and the persons on campus available to provide those services if requested. Services and those responsible for provided or arranging them include: **[list person or office responsible after each item]**
 - transportation to a hospital, if necessary;

- counseling by **[designate]**, or referral to a counseling center;
- a list of other available campus resources or appropriate off-campus resources;
- The victim's option to:
 - notify proper law enforcement authorities, including on-campus and local police;
 - be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and
 - decline to notify such authorities;
- The rights of victims and the institution's responsibilities regarding orders of protection, no contact orders, or similar lawful orders issued by a court;
- Information about how the district will protect the confidentiality of victims; and
- Written notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if requested and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.
- A description of each of the following procedures:
 - criminal prosecution;
 - civil prosecution (i.e., lawsuit);
 - District disciplinary procedures, both student and employee;
 - modification of class schedules;
 - tutoring, if necessary.

The **[designate position]** should be available to provide assistance to District law enforcement unit employees regarding how to respond appropriately to reports of sexual violence.

The District will investigate all complaints alleging sexual assault under the procedures for sexual harassment investigations described in AP 3435, regardless of whether a complaint is filed with local law enforcement.

All alleged victims of domestic violence, dating violence, sexual assault, or stalking on District property shall be kept informed, through the **[designate office]** of any ongoing investigation. Information shall include the status of any student or employee disciplinary proceedings or appeal; alleged victims of domestic violence, dating violence, sexual assault, or stalking are required to maintain any such information in confidence, unless the alleged assailant has waived rights to confidentiality.

A complainant or witness who participates in an investigation of sexual assault, domestic violence, dating violence, or stalking will not be subject to disciplinary sanctions for a violation of the District's student conduct policy at or near the time of the incident, unless the District determines that the violation was egregious, including but not limited to, an action that places the health or safety of any other person at risk or involves plagiarism, cheating, or academic honesty.

In the evaluation of complaints in any disciplinary process, it shall not be a valid excuse to alleged lack of affirmative consent that the accused believed that the complainant consented to the sexual activity under either of the following circumstances:

- The accused's belief in affirmative consent arose from the intoxication or recklessness of the accused.
- The accused did not take reasonable steps, in the circumstances known to the accused at the time, to ascertain whether the complainant affirmatively consented.

In the evaluation of complaints in the disciplinary process, it shall not be a valid excuse that the accused believed that the complainant affirmatively consented to the sexual activity if the accused knew or reasonably should have known that the complainant was unable to consent to the sexual activity under any of the following circumstances:

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

The District shall maintain the identity of any alleged victim, witness, or third-party reporter of domestic violence, dating violence, sexual assault, or stalking on District property, as defined above, in confidence unless the alleged victim, witness, or third-party reporter specifically waives that right to confidentiality. All inquiries from reporters or other media representatives about alleged domestic violence, dating violence, sexual assaults, or stalking on District property shall be referred to the District's **[designate office]**, which shall work with the **[designate office]** to assure that all confidentiality rights are maintained.

Additionally, the Annual Security Report will include a statement regarding the District's programs to prevent sexual assault, domestic violence, dating violence, and stalking and procedures that should be followed after an incident of domestic violence, dating violence, sexual assault, or stalking has been reported, including a statement of the standard of evidence that will be used during any in any district proceeding arising from such a report. The statement must include the following:

- A description of educational programs to promote the awareness of rape, acquaintance rape, other forcible and non-forcible sex offenses, domestic violence, dating violence, or stalking;
- Procedures to follow if a domestic violence, dating violence, sex offense, or stalking occurs, including who should be contacted, the importance of preserving

evidence to prove a criminal offense, and to whom the alleged offense should be reported;

- Information on a student's right to notify appropriate law enforcement authorities, including on-campus and local police, and a statement that campus personnel will assist the student in notifying these authorities, if the student so requests, and the right to decline to notify these authorities;
- Information about how the District will protect the confidentiality of victims;
- Information for students about existing on- and off-campus counseling, mental health, victim advocacy, legal assistance or other services for victims;
- Written notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if requested and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement;
- Procedures for campus disciplinary action in cases of an alleged domestic violence, dating violence, sexual assault, or stalking including a clear statement that:
 - Such proceedings shall provide a prompt, fair, and impartial resolution;
 - Such proceedings shall be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability;
 - The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding; and
 - Both the accuser and the accused must be informed of the outcome of any institutional disciplinary proceeding resulting from an alleged domestic violence, dating violence, sexual assault or stalking, the procedures for the accused and victim to appeal the results of the disciplinary proceeding, of any chances to the results that occurs prior to the time that such results become final, and when such results become final. Compliance with this paragraph does not violate the Family Educational Rights and Privacy Act. For the purposes of this paragraph, the outcome of a disciplinary proceeding means the final determination with respect to the alleged domestic violence, dating violence, sex offense, or stalking and any sanction that is imposed against the accused.
- A description of the sanctions the campus may impose following a final determination by a campus disciplinary proceeding regarding rape, acquaintance rape, or other forcible or non-forcible sex offenses, domestic violence, dating violence, or stalking.

Education and Prevention Information

The **[designate position]** shall:

- Provide, as part of each campus' established on-campus orientation program, education and prevention information about domestic violence, dating violence, sexual assault, and stalking. The information shall be developed in collaboration with campus-based and community-based victim advocacy organizations, and shall include the District's sexual assault policy and prevention strategies

including empowerment programming for victim prevention, awareness raising campaigns, primary prevention, bystander intervention, and risk reduction.

- Post sexual violence prevention and education information on the campus internet website regarding domestic violence, dating violence, sexual assault and stalking.

Revised 2/03, 2/06, 8/06, 3/12, 6/13, 11/14, 4/15

PROPOSED
AP 3540

Sexual and Gender-Based Misconduct

Any sexual and gender-based misconduct or physical abuse, including, but not limited to sexual assault such as rape, as defined by California law, dating violence, domestic violence, and stalking, whether committed by an employee, student, or member of the public, in connection with all the academic, educational, extracurricular, athletic, and other programs of the District, whether those programs take place in the District’s facilities or at another location, or on an off-campus site or facility maintained by the District, or on grounds or facilities maintained by a student organization, is a violation of District policies and regulations, and is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures. (See also AP 5500 titled Standards of Student Conduct.)

“Sexual assault” includes but is not limited to, rape, forced sodomy, forced oral copulation, rape by a foreign object, sexual battery, or threat of sexual assault.

“Dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of a romantic or intimate relationship will be determined based on the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship.

“Domestic violence” includes felony or misdemeanor crimes of violence committed by:

- a. a current or former spouse of the victim;
- b. a person with whom the victim shares a child in common;
- c. a person who is cohabitating with or has cohabitated with the victim as a spouse;
- d. a person similarly situated to a spouse of the victim under California law; or
- e. any other person against an adult or youth victim who is protected from that person’s acts under California law.

“Stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or to suffer substantial emotional distress.

“Affirmative consent” means affirmative, conscious, and voluntary agreement to engage in sexual activity.

It is the responsibility of each person involved in sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.

This procedure, in addition to the procedures for unlawful discrimination and Title IX investigations from the Office of Staff & Student Diversity, are designed to ensure victims of

sexual or gender-based misconduct receive treatment and information. (For physical assaults/violence, see also AP 3500, 3510, and 3515.)

All students and employees who allege they are the victims of sexual and gender-based misconduct shall be provided with information regarding options and assistance available to them. Information shall be available from the Office of Staff & Student Diversity, which shall maintain discretion and confidentiality, to the extent possible, regarding the identity and other information about alleged sexual assault victims.

The Title IX Coordinator shall make available to alleged victims of sexual or gender-based misconduct the following:

1. A copy of the District's policy and procedures regarding sexual or gender-based misconduct;
2. Information about the victim's option to:
 - a. notify proper law enforcement authorities, including on-campus and local police;
 - b. be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and
 - c. decline to notify such authorities;
3. A description of available services and resources, regardless of whether the victim chooses to report the crime to campus police or local law enforcement. Services and resources may include:
 - a. transportation to a hospital by Campus Police, if necessary;
 - b. counseling by a Student Health Center psychologist or referral to a counseling center;
 - c. notice to applicable law enforcement, if desired;
 - d. assistance with the disciplinary process by the District Disciplinary Officer;
 - e. information about existing on- and off-campus counseling, mental health, victim advocacy, legal assistance and remedies, and other services for victims by the Title IX Coordinator;
4. Information about the importance of preserving evidence and the identification and location of witnesses to prove a criminal offense;
5. Information about the following procedures:
 - a. Criminal prosecution;
 - b. Civil prosecution;
 - c. District disciplinary procedures for students and employees;
 - d. Academic accommodations, if necessary.

The District shall investigate all complaints alleging sexual and gender-based misconduct under the procedures for unlawful discrimination and Title IX investigations from the Office of Staff & Student Diversity, regardless of whether a complaint is filed with local law enforcement. These procedures can be found at the Office of Staff and Student Diversity and on the District's website.

Using a preponderance of evidence standard, investigation refers to the fact-finding process the District uses to determine whether it is more likely than not that sexual and gender-based

conduct occurred; and shall be adequate, reliable, impartial, and prompt and include the opportunity for both alleged victims and accused to present witnesses and other evidence.

The District shall maintain discretion and confidentiality, to its best ability, amongst the parties involved (including the alleged victim, alleged assailant, witness, or third-party reporter of sexual or gender-based misconduct), unless the parties specifically state otherwise. All inquiries from reporters or other media representatives about alleged incidents of sexual and gender-based misconduct shall be referred to the District's Office of Public Relations, which shall work with the Office of Staff & Student Diversity to assure that any applicable confidentiality and privacy rights are maintained.

All alleged victims and assailants shall be kept informed, through the Office of Staff & Student Diversity of any ongoing investigation. Information shall include the status of any student or employee disciplinary proceedings or appeals. Alleged victims of sexual or gender-based misconduct are required to maintain any such information in confidence, unless the alleged assailant has waived rights to confidentiality.

Based on its investigative findings, the District may impose sanctions following a determination by a District disciplinary proceeding regarding sexual and gender-based misconduct. Such disciplinary proceedings shall provide prompt, fair, and impartial resolution, where both the accuser and accused are entitled the same opportunities for an advisor and to present witnesses and other evidence.

Additionally, the Annual Security Report ("ASR") issued by the District shall include a statement regarding the District's programs to prevent sexual or gender-based misconduct and procedures that should be followed after an incident of sexual or gender-based misconduct has been reported, including a statement of the standard of evidence that will be used during any District proceeding arising from such a report. The ASR shall be published in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and all other applicable state and federal laws.

Education and Prevention Information

The Title IX Coordinator shall:

1. Provide education and prevention information about sexual or gender-based misconduct. The information shall include the District's sexual and gender-based misconduct policy and prevention strategies including awareness raising campaigns, primary prevention, bystander intervention, and risk reduction.
2. Post sexual violence prevention and education information on the campus internet website regarding sexual and gender-based misconduct.

References:

Education Code Sections 67385, 67385.7, and 67386;
20 U.S. Code Section 1092(f);
34 Code of Federal Regulations Section 668.46(b)(11)

Note: There is currently no AP 3540 for the corresponding BP 3540
("Sexual and Other Assaults on Campus")