

STUDENT RIGHTS & RESPONSIBILITIES

Preamble

The community college exists for the transmission of knowledge, the pursuit of truth, the development of students, and the general well being of society. Free inquiry and free expression are indispensable to the attainment of these goals. As members of the academic community students should be encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for truth and knowledge.

Freedom to teach and freedom to learn are inseparable facets of academic freedom. The freedom to learn depends upon appropriate opportunities and conditions in the classroom, on the campus, and in the larger community. Students should exercise their freedom with responsibility so as not to endanger the rights, goals, and beliefs of other students.

Cerritos College is open to all qualified students regardless of national origin, religion, age, gender, gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, or because he or she is perceived to have one or more of the foregoing characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics, or any other status protected by law in person or in an online environment and, when the victim or victims are associated with the District, whether or not the location is associated with the District.

To report a violation of this nondiscrimination policy, contact Erin Miles, Director of Diversity, Compliance, & Title IX Coordinator by email (emiles@cerritos.edu), phone (562-860-2451, ext. 3968), or in person (11110 Alondra Boulevard, Norwalk, CA 90650).

Classroom Rights & Responsibilities

The professor in the classroom and in conference should permit free discussion, inquiry, and expression of thought by the student. Student performance should be evaluated solely on an academic basis, not on opinions or willingness to accept professors' personal beliefs, or conduct unrelated to academic standards. Student should be free to take reasoned exception to the data or views offered in any course of study for which they are enrolled and for maintaining standards of academic performance established for each course in which they are enrolled. The student has the right to have the course taught in a systematic, meaningful manner and to know at the beginning of the course those academic standards required of the student in the course. Administrative staff and faculty members should respect confidential information about students, such as student views, beliefs and political associations, that is acquired in the course of their work. Transcripts of academic records should contain only information about academic status.

On Campus Rights & Responsibilities

Students should be free to examine and discuss all questions of interest to them, and express opinions publicly and privately. They should be free to organize and join associations to promote their common interests. The membership, policies and actions of a student organization will be determined by vote of only those persons who hold bona fide

membership in that college organization. Campus advisors shall advise organizations in the exercise of their rights and responsibilities.

Student organizations shall be required to submit a statement of purpose, criteria for membership, rules of procedures, a current list of officers, and the advisor shall certify the list of verified members. Campus organizations should be open to all students.

Students and student organizations should be free to support causes by orderly means which do not disrupt the regular and essential operation of the college. Student organizations shall have the right to recommend, invite, and hear any person of their own choosing as long as such speakers and topics are in accordance with federal, state and local laws, and guarantee the safety of students and protection of public property. Guest speakers invited by students or student organizations should be subjected only to those policies, requirements, and regulations as established by the Board of Trustees in order to insure an appropriate and meaningful contribution to the academic community. It should be made clear to the academic community and the larger community that the public expressions of students, student organizations and guest speakers speak only for themselves.

As constituents of the academic community, students should be free, individually and collectively, to express their views on issues of institutional policy, instruction, the evaluation of professors as it pertains to their course content, and on matters of general interest to the student body.

In the Larger Community

College students are both citizens and members of the academic community. As citizens, students should enjoy the same freedom of speech, peaceful assembly, and right of petition that other citizens enjoy. As citizens they should be subject to civil law as others and may incur penalties prescribed by civil authorities when violating these laws. Only where the college's interests as an academic community are distinct and clearly involved should the special authority of the college be asserted.

Student Publications

Student publications and the student press perform the traditional roles of informing, entertaining, and influencing. They are both instructional and informational, and as such should meet the highest academic and professional standards in serving the broad college community and should set forth as the primary goal of the student newspaper the coverage of news events, happenings, and experiences on the college campus.

Associated Student Body, administrative and academic authorities, in consultation with students and advisors have the responsibility to define and clarify the role of student publications, and the standards to be used in their evaluation.

They must also assure that both academic freedom and editorial freedom are protected and exercised so that the integrity of the student publications program and the free press will not be compromised.

It is incumbent upon student editors and managers to act according to the highest ethics of responsible journalism. This corollary responsibility includes careful adherence to the laws of libel and good taste, and such considerations as the avoidance of indecency, undocumented allegations, attacks on personal integrity, and the techniques of harassment and innuendo, and should allow adequate space for rebuttal and differing views in regard to articles in which there is some controversy.

Safeguards to assure freedom of the student press with responsibility should include freedom from censorship or arbitrary control of the press, and protection of editors and managers from arbitrary attack, suspension, or removal because of disapproval of editorial policy or content by any external influence.

Student Rights and Grievances

Note: *Complaints under Section 504, Section 508, and/or the Americans with Disabilities Act are to be made to the Section 504/508/ ADA Coordinator in the Disabled Student Programs and Services Office or to the Diversity/ Compliance/Title IX Officer in the Human Resources Office. Complaints of sexual harassment and other illegal discrimination are to be made to the Diversity/Compliance/Title IX Officer in the Human Resources Office or the Vice President of Human Resources.*

If a student files a grievance under this procedure that includes an allegation of unlawful discrimination, including harassment or retaliation, the grievance, or portion of the grievance, will immediately be referred to

- i. the Diversity/Compliance/Title IX Officer or to the Vice President of Human Resources or designee per AP 3435, "Intake and Processing of the Complaint," or to
- ii. the Cerritos College Section 504/ADA Coordinator per Administrative Procedure 3412, for attempted informal resolution or investigation.

Student Grievance Procedures

A student of the College may address grievances as applied to and regarding academic, administrative, and instructional matters relating to students, and including, but not limited to, any grievance dealing with any academic or management employee of the District.

A grievance shall herein be defined as any act depriving a student of any of the rights set forth in the statement of "Student Rights and Responsibilities," or any state, federal, or local codes. Grades and grading grievances are not addressed within this administrative procedure. The student should refer to "Student Grade Grievance Procedure."

The determination of whether the Statement of Grievance presents sufficient grounds for a hearing shall be based on the following:

- The statement contains facts which, if true, would constitute a grievance under these procedures;
- The grievant is a student, which includes applicants and former students;
- The grievant is personally and directly affected by the alleged grievance;
- The grievance was filed in a timely manner;
- The grievance is not clearly frivolous, clearly without foundation, or clearly filed for purposes of harassment.

If the grievance does not meet each of the requirements, the Office of Student Conduct and Grievance or ASCC Chief Justice or designee shall notify the student in writing of the rejection of the request for a grievance hearing, together with the specific reasons for the rejection and the procedures for appeal.

Grievance Procedure

(Except Grades and Grading, Sexual Harassment, and Other Illegal Discrimination):

Step I - Informal Action

- A. The student with a grievance shall first attempt to resolve the matter by informal discussion with the employee(s) involved.
- B. If the problem is not resolved in step I-A, the student shall then attempt to resolve the matter by informal discussion with the person at the lowest level of supervisory authority for the person with whom there is a complaint.
- C. If the grievant still believes the issue has not been resolved satisfactorily after Step I-B, a student Statement of Grievance form may be obtained from the Office of Student Conduct and Grievance. After completion of the form, specifying the time, place, nature of the complaint and remedy or correction requested, it should be submitted to the Coordinator of Student Conduct and Grievance who will send a copy of the written statement to the ASCC Supreme Court Chief Justice and the Vice President of Academic Affairs. This statement must be submitted within 30 instructional days after the grievant has become aware of the act or condition on which the complaint is based. An instructional day is defined as any day Monday through Friday that all normal college business is conducted, both in the classroom and administrative offices. All weekend days and college holidays are excluded.
- D. The ASCC Chief Justice or Court designee shall attempt to resolve the problem through informal meeting and discussion among the pertinent parties while remaining neutral on all issues involved. This informal meeting and discussion is intended to include the levels of management or administration concerned with the problem and should be completed within ten instructional days, as such days are defined herein. In the event the informal procedure fails, the formal procedure may be implemented.

Step II - Formal Action

- A. **Preliminary Steps**
 1. If the grievant does not believe the grievance has been resolved, the grievant may request Step II-Formal Action through the ASCC Chief Justice. The Chief Justice upon receiving the request of the grievant shall call a meeting of the Student Grievance Hearing Committee. The Hearing Committee will be composed in the following manner:
 - ASCC Chief Justice or designee and two Court Justices or designees,
 - the Vice President of Academic Affairs or administrative designee,
 - the Faculty Senate President or Senate designee, and
 - one Faculty Senate member, chosen by the Faculty Senate.

If replaced per section II.A.5. herein, the ASCC Chief Justice or designee or Court Justices or designees substitute(s) shall be appointed by the ASCC Court.
 2. The Chief Justice or designee shall serve as the Hearing Committee Chair, but shall have no vote in committee decisions. The five voting members of the Hearing Committee may be selected within the first six weeks of the academic year. Names selected by the Faculty Senate are to be submitted to the Chief Justice. Members of the committee are to serve for an academic year.
 3. The Vice President of Academic Affairs or administrative designee shall serve as Hearing Committee Executive Secretary. The Executive Secretary, a voting member of the committee, shall be responsible for keeping necessary records of committee

hearings and assist the ASCC Chief Justice in the conduct of the hearing.

4. Grievance Committee members are to deal with all grievances in a confidential manner, except when both parties agree to a public hearing or otherwise required by law.
5. No person shall serve as a member of a Hearing Committee if that person has been personally involved in any matter giving rise to the grievance, has made any statement on the matters at issue, or could otherwise not act in a neutral manner. Any party to the grievance may challenge for cause any member of the hearing committee prior to the beginning of the hearing by addressing a challenge to the Hearing Committee Chair, who shall determine whether cause for disqualification has been shown. If the Hearing Committee Chair determines that sufficient grounds for removal of a member of the committee have been presented, the Hearing Committee Chair shall remove the challenged member or members and request a substitute from the original appointing constituent group.

B. Formal Hearing

The Hearing Committee shall conduct its proceedings according to the following procedures:

1. The Hearing Committee must meet within 15 instructional days after informal action has been completed and the grievant has requested a formal hearing.
2. The Chair must notify the parties involved within five instructional days before the hearing of the date, time, and location of the hearing and must include a copy of the written complaint, a copy of the Statement of Student Rights and Responsibilities, and copy of the Grievance Procedure.
3. Four members shall constitute a quorum by which Hearing Committee business may proceed. The quorum must include at least one student member, one faculty member, and one administrative member.
4. The members of the Hearing Committee shall be provided with a copy of the grievance and any written response provided by the respondent before the hearing begins.
5. Both parties shall have the right to present personal statements, testimony, evidence, and witnesses. Formal rules of evidence shall not apply. Any relevant evidence shall be admitted. Unless the Hearing Committee determines to proceed otherwise, each party to the grievance shall be permitted to make an opening statement. Thereafter, the grievant or grievants shall make the first presentation, followed by the respondent or respondents. The grievant(s) may present rebuttal evidence after the respondent(s)' evidence. The burden shall be on the grievant or grievants to prove by substantial evidence that the facts alleged are true.
6. Each party shall have the right to be present, to be accompanied by the person of his or her choice (who may not participate in the hearing), and to question witnesses who are present. In a closed hearing, witnesses shall not be present at the hearing when not testifying, unless all parties and the committee agree to the contrary.
7. The hearing shall be recorded by the Coordinator of Student Conduct and Grievance, either by audio recording or stenographic recording, and shall be the only recording made. No witness who refuses to be recorded may be permitted to give testimony. The audio or stenographic recording shall remain in the custody of the District, at all times, unless released to a professional transcribing service. Any recognized party to the grievance may request a copy of the recording.
8. The Hearing Committee 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.
9. The Hearing Committee shall discuss the stated grievance(s), hear testimony, examine witnesses, and receive all available evidence to the charge.
10. The hearing shall be closed to the public unless otherwise agreed upon in writing by both parties.
11. The Hearing Committee shall make decisions in private. The Hearing Committee shall write up findings and decisions. Copies of findings and decisions, including majority and minority reports, are to be sent to each party and the appropriate Vice President. The Hearing Committee's decision(s) shall be final unless appealed.
12. A recording of the proceedings shall be kept in a confidential file in the Office of Student Conduct and Grievance and shall be available at all times to parties directly involved. All documents, communications, and records dealing with the processing of a grievance will be filed separately from the personnel files of the participants. After a period of four years, the grievance file shall be destroyed.
13. Reprisals of any kind will not be taken by the District or any of its agents against any party of interest or any other participant in the grievance procedure by reason of such participation.
14. Evidence and testimony given in each case presented shall not be the sole cause of initiating or filing further grievances.
15. If the grievant does not act within the time limits provided herein, the ability to proceed with the grievance shall be terminated and no further action will be taken.
16. The number of instructional days indicated at each step herein should be considered a maximum and every effort must be made to expedite the process. Time limits may be extended by mutual consent in writing or by decision of the Hearing Committee.
17. The Hearing Committee should attempt to reach a decision by discussion and consensus on a workable solution. Voting should be a last course of action.
18. If in the course of the proceedings a student graduates before a solution is found, the student shall not be denied full consideration under this policy. A student may also submit a grievance after graduation if the grievance did not become known until that time. However, it must be submitted within 30 instructional days after the grievant should have reasonably become aware of the act or condition on which the complaint is based.

C. Appeals Process

1. If a party wishes to formally appeal a recommendation of the Hearing Committee, an appeal must be submitted within ten instructional days to the appropriate Vice President provided the appropriate Vice President is not a direct party to the grievance. If the appropriate Vice President is a direct party to the grievance, and either party is dissatisfied with the recommendation of the Hearing Committee, an appeal may be submitted to a Vice President/Assistant Superintendent not a direct party to the grievance.
2. Upon receiving the findings and recommendations of the Hearing Committee, and after examination of the appeal as requested by either party, the appropriate Vice President or alternate may accept or reject the Hearing Committee's decision.

3. If the appropriate Vice President or alternate rejects the Hearing Committee's decision, he or she shall submit his/her decision with the stated reasons for objections to the Hearing Committee within ten instructional days. The Hearing Committee shall within ten instructional days reconsider its decision(s) and submit its decisions to the appropriate Vice President for a final decision.
4. The appropriate Vice President shall transmit his or her final decision to the parties within ten instructional days.
5. An appeal of the appropriate Vice President's decision may be submitted to the President/Superintendent by either party within five instructional days of the appropriate Vice President's decision. The President/Superintendent shall transmit his or her final decision to the parties within ten instructional days.
6. An appeal of the President/Superintendent's decision may be submitted to the Board of Trustees by either party within five instructional days of the President/Superintendent's decision. The Board of Trustees may review an appeal for two consecutive regular Board meetings before making a final determination of the matter at the District level.
7. The President/Superintendent or designee, or Board of Trustees may reject a Hearing Committee decision only after reviewing a transcription of the involved hearing.

Student Grade Grievance Procedure

A student of the College may present a grade grievance. The California Education Code, Section 76224 (quoted below) states for a final course grade the conditions upon which grades or grading can be questioned.

When grades are given for any courses of instruction taught in a community college district, the grade given to each student shall be determined by the instructor of the course and the determination of the student's grade by the instructor, in the absence of mistake, fraud, bad faith, or incompetence, shall be final. "Mistake" may include, but is not limited to, errors made by an instructor in calculating a student's grade and clerical errors.

Definitions

Fraud: Fraud consists of some deceitful practice with intent to deprive another of their right.

Bad Faith: Intentional design to mislead or deceive another, or neglect or refusal to fulfill some duty or contractual obligation.

Incompetence: That a person is incapable, inefficient, and without the qualities needed to discharge their obligations and duties.

Mistake: An unintentional act, omission, or error.

Instructional Day: Any day Monday through Friday that all normal college business is conducted, both in the classroom and in the administrative offices. All weekend days and college holidays are excluded.

Step I – Individual Action

If a student believes they have valid grounds to challenge a final course grade based on the presence of a mistake, fraud, bad faith, or incompetence, they must first meet with the faculty member to attempt to resolve his or her concern informally. Once grades are available, the student is expected to contact their instructor directly to discuss the dispute. If the instructor is not available or is no longer employed, the student should contact the Division Dean.

When challenging a grade, the burden of proof is on the student to provide evidence of mistake, fraud, bad faith, or incompetence.

Step II – Management Action

Note: If a student files a grade grievance that includes an allegation of unlawful discrimination, including harassment or retaliation, the grievance, or portion of the grievance, will immediately be referred to

- i. the Diversity/Compliance/Title IX Officer or to the Vice President of Human Resources or designee per AP 3435, "Intake and Processing of the Complaint" or to
 - ii. the Cerritos College Section 504/ADA Coordinator per AP 3412, for attempted informal resolution or investigation.
1. The student will submit the Grade Grievance Form on the Office of Student Conduct and Grievance website within 30 instructional days after the completion of the course about which the grade grievance is filed. Information from the form will be used to create a Grade Grievance Petition, provided to the student during the meeting with the Student Conduct Coordinator. Students may obtain an alternate electronic format of this form by request to the Student Conduct Coordinator or Dean of Student Services. Stated deadline still applies.
 2. The Student Conduct Coordinator will meet with the student to review this procedure and the Grade Grievance Petition. The student must schedule and meet with the Student Conduct Coordinator within 10 instructional days of submitting the form. If the student wishes to pursue the grievance, the Student Conduct Coordinator will sign and date the Petition and provide to the student. In the absence of the Coordinator, the Dean of Student Services will perform these duties.
 3. The student will present a copy of the Grade Grievance Petition and all supporting evidence to the applicable Division Dean within 10 instructional days of obtaining the signature of the Student Conduct Coordinator. The Division Dean may schedule a meeting with the student and the faculty if appropriate. The Division Dean shall render a decision, and communicate the decision in writing to all parties within 15 instructional days. The outcome notice must include a summary of the grievance allegations, findings from review of the grievance and supporting evidence, a statement of analysis and determination, and instructions for appeal.

Step III – Administrative Action

If either party is dissatisfied with the decision of the Division Dean, he or she may appeal the matter to the Vice President of Academic Affairs or designee within ten instructional days of the Division Dean's recommendation. The Vice President of Academic Affairs or designee shall call a meeting with the student, the ASCC Chief Justice, the Division Dean, and if needed, the faculty member. The Vice President of Academic Affairs or designee shall transmit his or her decision to the parties within ten instructional days.

The outcome notice must include a summary of the grievance allegations and prior findings, findings from review of the grievance appeal and supporting evidence, a statement of analysis and determination, and instructions for appeal.

Step IV – Board of Trustees Action

If either party is dissatisfied with the decision of the Vice President of Academic Affairs or designee, an appeal may be submitted to the Board of Trustees. The appeal must be submitted within ten instructional days of the Vice President of Academic Affairs or designee's decision. The Board may review an appeal for two consecutive regular Board meetings during closed session, and if needed, request persons involved in the grievance to appear before making a final determination of the matter

at the District level. Following final determination, the outcome will be recorded in the Board minutes and notice provided to all parties in writing from the Office of the President within ten instructional days. The outcome notice must include a summary of the grievance allegations and prior findings, findings from review of the grievance appeal and supporting evidence, and the statement of final determination.

Additional Information

Most complaints, grievances, and disciplinary matters should be resolved at the college level. If a complaint does not fall into one of the college's established procedures, it may be addressed in writing to the President/Superintendent. Individuals are strongly encouraged to make every attempt to resolve matters through the appropriate administrative processes.

Matters that are not resolved at the college level may be submitted to one or more of the following agencies for consideration:

- The Accrediting Commission for Community and Junior Colleges (ACCJC) at www.accjc.org/complaint-process (<http://www.accjc.org/complaint-process/>), if the complaint is associated with the institution's compliance with academic program quality and accrediting standards. The ACCJC is the agency that accredits the academic programs of the California Community Colleges.
- If the complaint does not concern the college's compliance with academic program quality and accrediting standards, it may be directed to the California Community Colleges Chancellor's Office by completing the web form found at www.californiacommunitycolleges.cccco.edu (<http://www.californiacommunitycolleges.cccco.edu>).

BP 5500 Standards of Student Conduct

References

Education Code, Sections 66300, 66301, 67386, 76033, and 76034; ACCJC Accreditation Standards I.C.8 and 10 (formerly II.A.7.b)

Students enrolling in Cerritos College assume an obligation to abide by all District regulations. Students who fail to adhere to District regulations are subject to disciplinary actions. Procedures for student discipline are found in Administrative Procedure 5520 Student Discipline Procedures. Conduct that constitutes sexual harassment under Title IX shall be addressed under Administrative Procedure 3434 Responding to Harassment Based on Sex under Title IX.

"Student" shall be defined as any person who has applied for admission, who is or has been enrolled, or who has expressed their intent to enroll for any college program within the District for the period in which the alleged violation of the Student Code of Conduct occurred, and who maintains an ongoing relationship with the District.

The following conduct shall constitute good cause for discipline: while on District-owned or controlled property; at District-sponsored, supervised, and/or funded activities, including in an online environment; and/or when the conduct threatens the safety or security of the campus community whether or not the location is associated with the District.

Abusive Behavior & Violence

1. Assault, battery, or any threat of force or violence, or causing, attempting to cause, or threatening to cause physical injury to another person, including implied threats and/or inciting violence.
2. Committing or attempting to commit robbery or extortion.

3. Engaging in abusive behavior, including but not limited to coercion, sabotage, hazing and/or intimidating conduct through words or actions, including direct physical contact; verbal abuse, such as teasing or name-calling; social isolation or manipulation; and cyberbullying.
4. Violation of a duly issued restraining order, administrative no contact directive, stalking, and/or a pattern of conduct with intent to follow, alarm, or harass another person, and which causes the person to reasonably fear for their safety, and where the pattern of conduct persisted after the person has requested that the conduct cease.
5. Committing, or attempting to commit, the following acts, as defined by law or District policies or procedures: sexual misconduct, gender or sex-based discrimination or harassment, dating violence, domestic violence, stalking and/or retaliation. Engaging in the following behavior: video or audio recording sexual activity without consent, disseminating a sexual photo/ video without consent, allowing someone to watch sexual activity without consent of all partners, exposing oneself, voyeurism, and knowingly transmitting an STI without informing partner(s).
6. Conduct of a sexual, gender-based, or harassing nature, which is considered unwelcome if a person did not request or invite it, and considered the conduct to be unwelcome, undesirable, or offensive. Unwelcome conduct may be physically or psychologically threatening, harmful, or humiliating. Unwelcome conduct does not have to include intent to harm, or directed at a specific target, or involve repeated incidents.

Discrimination, Harassment & Retaliation

1. Engaging in harassing or discriminatory behavior based on a protected class as defined by law, District policy, or as outlined by the District's annual non-discrimination notice, or because they are perceived to have one or more of the foregoing characteristics or based on association with a person or group with one or more of these actual or perceived characteristics, or any other status protected by law.
2. Committing sexual harassment and/or misconduct as defined by law or by District policies.
3. Intimidation, harassment, or reprisal against an individual for initiating a good faith complaint, participating in an investigation, or for otherwise advocating for themselves or another person in accordance with campus policy.

Dishonesty

1. Dishonesty; forgery; alteration or misuse of District documents, records, or identification; or knowingly furnishing false information to the District.
2. Academic dishonesty which provides or facilitates an unfair academic advantage to oneself or others. Includes, but is not limited to: Plagiarism, in individual or group work or in a student publication, including the act of taking the ideas, words or specific substantive material of another and offering them as one's own without giving credit to the source; cheating; unauthorized discussion and/or collaboration; obtaining exam copies without permission; unauthorized use of notes, other information, or devices; and the unauthorized preparation, giving, selling, transfer, distribution, or publication, for any commercial purpose, of any contemporaneous recording of an academic presentation in a classroom or equivalent site of instruction, including but not limited to handwritten, electronic, or typewritten class notes, except as permitted by any Board policy or administrative procedure.

- Misrepresentation and/or impersonation, including arranging for or allowing another individual to impersonate or otherwise misrepresent themselves to be a student generally or to be a particular student either in person or in an online environment, and/or impersonating or otherwise misrepresenting oneself to be another person, and/or misrepresenting of oneself or an organization to be an agent of the District.
- Unauthorized use of audio, video, or other listening, recording or transmitting device in any classroom, service area or District activity without prior consent of the instructor, service area manager, or activity advisor except as necessary for reasonable accommodation.
- Unauthorized entry upon, into, or use of District facilities, either in person or in an online environment.

Disruptive Behavior & Willful Misconduct

- Disruptive behavior, with or without intent, that includes but is not limited to: verbal or physical instruction, continual or willful disobedience, persistent defiance of the authority, habitual profanity or vulgarity, abuse of District personnel, interference of District instruction, activities, services, operations interference, and/or interferes with student's academic performance, or District employee's work performance.
- Lewd, indecent, obscene, slanderous, or libelous conduct; or conduct that so incites students as to create a clear and present danger of the commission of unlawful acts or violations of Board policies and procedures on college premises.
- Failure to comply with the reasonable request of a District employee acting in the performance of their duties including but not limited to obstruction of a District employee in performance of their duties, and failure to identify oneself when requested to do so by District officials.

Health & Safety

- Endangering, contributing to or causing harm to the health, safety, and/or well-being of a student (including oneself), client, patient, visitor or guest, or District employee, whether or not there was intent to endanger or harm.
- Failure to comply with District and/or department regulations determined necessary to meet health and safety guidelines in specialized instructional areas and/or fields, including but not limited to use of equipment and/or clothing, practices and procedures, and instruction by District personnel.

Prohibited Items

- Possession, use, sale, or otherwise furnishing any firearm, knife, explosive, or other dangerous object or chemical, including but not limited to any facsimile firearm, knife, or explosive without the prior authorization of the President/ Superintendent or designee.
- Unlawful possession, use, sale, offer to sell, or furnishing, or being under the influence of, any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the California Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind; or unlawful possession of, or offering, arranging, or negotiating the sale of any drug paraphernalia, as defined in California Health and Safety Code, Section 11014.5.

Property

Actual or attempted theft of or willful damage/vandalism to District property or property a member of the college community, or knowingly receiving stolen property or private property on District premises.

Violation of Law, Policy &/or Procedure

- Violation of any federal, state, or local laws, Board policies, or administrative procedures in connection with participation in, attendance at, or use of District programs and services.
- Violation of Board policies or administrative procedures governing the use of student user accounts, computers, and telecommunication resources, including but not limited to the unauthorized entry, opening, viewing, downloading, or printing of a file; the unauthorized use of another individual's identification and password; and/or use of computing facilities to interfere with the work of another student or employee of District.
- Violation of Board policies or administrative procedures concerning the registration and operation of student organizations.
- Violation of Board policies or administrative procedures concerning the use of District facilities.
- Willful or persistent smoking, vaping, or e-cigarette use in any area where smoking has been prohibited by law or by regulation of the District.
- Any other cause not listed above which is identified as "Good Cause" by the Education Code or that disrupts the college, its mission, or campus life.

Academic Honesty/Dishonest Policy

Your instructors are eager to help you succeed in your studies at Cerritos College. But success means more than just receiving a passing grade in a course. Success means that you have mastered the course content so that you may use that knowledge in the future, either to be successful on a job, or to continue on with your education in advanced classes.

Your success depends on a combination of the skill and knowledge of your instructors, and your own hard work. You will reach your future goals only if you gain new knowledge from every course you take. That knowledge becomes yours, and can be used by you, only if it is gained through your own personal efforts. Receiving a grade in a course, without acquiring the knowledge that goes with it, diminishes your chances for future success.

While in college, you are also shaping the principles which will guide you throughout the rest of your life. Ethical behavior and integrity are a vital part of those principles. A reputation for honesty says more about you, and is more highly prized, than simply your academic skills.

For that reason, academic honesty is taken very seriously by the Cerritos College faculty. The following guidelines have been prepared so that you will understand what is expected of you in maintaining academic honesty.

Academic dishonesty is normally to be dealt with as an academic action by the instructor, reflected in the student's grade in the particular course, rather than through college disciplinary procedures.

No specific departmental, divisional or institutional procedures are established for academic dishonesty other than the normal process for review and appeal of an instructor's grading procedures. However, plagiarism, cheating, and other forms of academic dishonesty are violations of the college's official Standards of Conduct.

Academic dishonesty is defined as the act of obtaining or attempting to obtain credit for work by the use of any dishonest, deceptive or fraudulent means. Examples of academic dishonesty would include, but not be limited to, the following:

- Copying, either in part or in whole, from another's test or examination;
- Discussion of answers or ideas relating to the answers, on examination or test when the instructor prohibits such discussion;
- Obtaining copies of an exam without the permission of the instructor;
- Using notes, "cheat sheets," or otherwise utilizing information or devices not considered appropriate under the prescribed test conditions;
- Altering a grade or interfering with the grading procedures in any course;
- Allowing someone other than the officially enrolled student to represent the same;
- Plagiarism, which is defined as the act of taking the ideas, words or specific substantive material of another and offering them as one's own without giving credit to the source.

Options may be exercised by the faculty member to the extent that the faculty member considers the cheating or plagiarism to manifest the student's lack of scholarship or to reflect on the student's lack of academic performance in the course. One or more of the following actions are available to the faculty member who suspects a student has been cheating or plagiarizing:

1. Review-no action.
2. An oral reprimand with emphasis on counseling toward prevention of further occurrences.
3. A requirement that work be repeated.
4. A reduction of the grade earned on the specific work in question, including the possibility of no credit for the work.
5. A reduction of the course grade as a result of item 4 above, including the possibility of a failing grade for the course.
6. Referral to the Office of Student Conduct and Grievance for further administrative action, such as suspension or expulsion.

Student Discipline Procedures

Student Conduct Programs should contribute to the teaching of appropriate individual and group behavior as well as to protecting the campus community from disruption and harm. The Programs should be conducted in ways that will serve to foster the ethical development and personal integrity of students and the promotion of an environment that is in accord with the overall educational goals of the institution. 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.

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

Student Conduct Procedures & Sanctions

Definitions

District: The Cerritos Community College District.

Day: A day is defined as any day Monday through Friday that all normal College business is conducted, both in the classroom and in

the administrative offices. All weekend days and College holidays are excluded.

Student: Any person currently enrolled as a student of the District.

Instructor: Any academic employee of the District in whose class a student subject to discipline is or was 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.

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.

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

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

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

Short-term Suspension: Exclusion of the student by the President/Superintendent or designee 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 President/Superintendent or designee 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 the District for one or more terms.

Short-Term Suspensions, Long-Term Suspensions, & Expulsions

Before any disciplinary action to suspend, or expel is taken against a student, the following procedures will apply:

Notice: The President/Superintendent or designee 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 Dean of Student Services 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 20 days of the date on which the administration of the college became aware of the conduct; in the case of continuous, repeated, or ongoing conduct of which the administration of the college has become aware, the notice must be provided within 20 days of the date on which the administration

became aware that the conduct occurred which led to the decision to take disciplinary action.

Hearing Officer Meeting: The student is to have a hearing with the Dean of Student Services or designee serving as the district hearing officer. The hearing must occur no sooner than five 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 five days after the meeting described above, the President/Superintendent or designee shall, pursuant to a recommendation from the Dean of Student Services or designee, 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 President/Superintendent's 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 disciplinary action. The President/Superintendent or designee decision on a short-term suspension shall be final.

Long-term Suspension: Within five days after the meeting described above, the President/Superintendent or designee shall, pursuant to a recommendation from the Dean of Student Services or designee, decide whether to impose a long-term suspension. Written notice of the President/Superintendent or designee decision shall be provided to the student. The notice will include the right of the student to request a formal hearing before the hearing panel before a long-term suspension is imposed, and a copy of this policy describing the procedures for a hearing. The request must be made in writing to the Vice President of Student Services or designee.

Expulsion: Within 10 days after the meeting described above, the President/Superintendent or designee shall, pursuant to a recommendation from the Dean of Student Services or designee, decide whether to recommend expulsion to the Board of Trustees. Written notice of the decision shall be provided to the student. The notice will include the right of the student to request a formal hearing before the hearing panel before expulsion is imposed, and a copy of this policy describing the procedures for a hearing. The request must be made in writing to the Vice President of Student Services or designee.

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

Disciplinary Decisions, Sanctions, and Conditions

Written or Verbal Reprimand: May be initiated by any faculty or College manager and sent in writing to the Office of Student Conduct and Grievances. The Disciplinary Officer (Dean of Student Services or designee) shall determine if there exists good and sufficient reason to initiate disciplinary action and the student should be notified of such actions.

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

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 Faculty Coordinator for Student Conduct and Grievance

and complete a Student Conduct Incident Form. The Faculty Coordinator or designee shall arrange for a conference between the student and the instructor regarding the removal. If the instructor or the student requests, the Faculty Coordinator or designee 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 Faculty Coordinator, or designee from recommending further disciplinary procedures in accordance with these procedures based on the facts which led to the removal.

Immediate Interim Suspension (Education Section Code 66017): The President/Superintendent or designee may order immediate suspension of a student where he or 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 days.

Withdrawal of Consent to Remain on Campus: The President/Superintendent or designee 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 Dean of Student Services or designee, a written report must be promptly made to the President/Superintendent 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 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 14 days from the date upon which consent was initially withdrawn.

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

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

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).

Clearance to Return: Prior clearance to return to the college (in-person and/or online) may be required. Clearance requirements may include completion of educational or other courses or processes as specified in the sanction decision. This requirement may include confirmation that the individual is ready for the college classroom and/or that the

individual's continued presence on campus is not a threat to himself/herself, others, and/or the property of the District or others.

Hearing Panel

The hearing panel for any disciplinary action subject to hearing by a panel shall be composed of one administrator, two faculty members, and two students.

Unless he or she determines to keep the prior year's appointees in place, the president of the Faculty Senate, and the President of ASCC 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 President/Superintendent or designee shall appoint the hearing panel from the names on these lists plus the Dean of Student Services or designee. 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.

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

Membership of the Hearing Panel Shall Include the Following

1. Two members of the instructional staff appointed by the Faculty Senate.
2. Two ASCC Student Court Justices, or two other students who meet the minimum eligibility requirements to hold office in the ASCC if such justices are party to the matter at hand or are otherwise unavailable to serve, appointed by the ASCC Court Chief Justice or by the Associated Students President, if the Court Chief Justice is a party to the matter.
3. The Disciplinary Officer/Dean of Student Services or designee shall serve as the Chairperson of the Hearing Panel, but will not vote except to break a tie.

Procedures for a Hearing, Disposition, & Imposition of Sanctions

1. Written notice of a hearing shall be mailed or delivered to the student. A hearing must be held within ten days of the suspension if the suspension is immediate.
2. Notice shall include date and place of hearing, a statement of all charges, a copy of applicable policies and procedures, the opportunity of the student to appear in person, and the opportunity to present oral and documentary evidence.
3. Hearings shall be conducted in the manner consistent with the orderly conduct of the affairs of the College, and which seems to the hearing panel to be most conducive to the determination of the truth.
4. 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.
5. The facts supporting the accusation shall be presented by a college representative who shall be the Dean of Student Services or designee.
6. The college representative and the student may call witnesses and introduce oral and written testimony relevant to the issues of the matter.
7. Formal rules of evidence shall not apply. Any relevant evidence shall be admitted.
8. 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/her evidence. The burden shall be on the college representative to prove by the preponderance of the evidence that the facts alleged are true.

9. The student may represent himself/herself, and may also have the right to be represented by a person of his/her choice, 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 that legal counsel to the college participate in his/her place. 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.
10. Hearings shall be closed and confidential unless the student requests that it be open to the public. If more than one student's case is under consideration, any and all such other students must also request that the hearing be open to the public in order to make it open to the public. Any such request must be made no less than five days prior to the date of the hearing. Requests contrary to state or federal law or to the safety of the college or participants shall not be approved, subject to appeal to the President/Superintendent or designee.
11. 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.
12. 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 shall not be considered unavailable for the purposes of this section.
13. The hearing shall be recorded by the District either by tape recording or stenographic recording. The official recording 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. The 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 recording. Transcripts may be redacted to comply with law, policies, and to protect the privacy and/or safety of individuals.
14. Within five days following the close of the hearing, the hearing panel shall prepare and send to the President/Superintendent or designee 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 sanction 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.

President/Superintendent's Decision

Long-term Suspension: Within five days following receipt of the hearing panel's recommended decision, the President/Superintendent

or designee shall render a final written decision. The President/Superintendent or designee may accept, modify, or reject the findings, decisions and recommendations of the hearing panel. If the President/Superintendent or designee modifies, or rejects the hearing panel's decision, the President/Superintendent or designee 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 President/Superintendent or designee shall be final.

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

Board of Trustees Decision

Expulsion: A decision of the Board of Trustees to impose expulsion shall be reached no later than the next regularly scheduled regular 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 to the address last on file with the District, 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 President/Superintendent 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.

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

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

Also see BP 5500 titled "Standards of Student Conduct".

The Office of Student Conduct & Grievance

The Office of Student Conduct and Grievance is responsible for the student conduct and disciplinary procedures of the college. Inquiries should be directed to the Dean of Student Services in the Office of Student Affairs or by calling (562) 860-2451, Ext. 2472.

Title IX Policy

No person shall, on the basis of sex/gender, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any "...education program or activity which "benefits from Federal financial assistance (Title IX of the Education Amendments of 1972).

It is the policy of the State of California to afford all persons, regardless of their sex/gender, equal rights and opportunities in the educational institutions of the state (Education Code sections 200-264).

In compliance with Title IX and Board Policy 3410, the District's educational programs and activities are offered to the community without regard to sex/gender. The District's procedures regarding responding to sexual harassment can be reviewed in AP 3433 and AP 3434. For more information, please visit the Title IX website at <https://www.cerritos.edu/title-ix> (<https://www.cerritos.edu/title-ix/>). Questions regarding Title IX policies affecting the educational program should be directed to the Director of Diversity, Compliance, and Title IX Coordinator by calling (562) 860-2451, Ext. 3968, or via email at titleixcoordinator@cerritos.edu.

Equal Opportunity Policy

Cerritos College does not discriminate in educational and employment opportunities on the basis of ancestry, age, color, disability (physical and mental, including HIV and AIDS), genetic information, gender identity, gender expression, marital status, medical condition (genetic characteristics, cancer or a record or history of cancer), military or veteran status, national origin, race, religion (includes religious dress and grooming), sex/gender (includes pregnancy, childbirth, breastfeeding and/or related medical conditions), sexual orientation, or on the basis of perception of having one or more of the foregoing characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics, or any other status protected by law in person or in an online environment and, when the victim or victims are associated with the District, whether or not the location is associated with the District.

The District is strongly committed to achieving staff diversity and the principles of equal opportunity education and employment. The District encourages a diverse pool of applicants for employment and does not discriminate in any of its policies, procedures, or practices. The District encourages applications from all segments of qualified people and Board Policies 3410 and 3420 prohibit discrimination and promote equal opportunity.

Questions concerning the application of these policies may be addressed to the Office of Human Resource Services by calling (562) 860-2451, Ext. 2284.

Section 504/508, Americans with Disabilities Act

Under Section 504/508/ADA of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990, Cerritos College will take

all necessary steps to ensure that no student with a verified disability is denied the benefits of, excluded from participation in, or otherwise subjected to discrimination because of the absence of auxiliary aids or academic accommodations. The decision to authorize such aids or accommodations is the responsibility of the Dean, Student Accessibility and Wellness Services (SAWS), Disability Specialist, or counselor after a review of documentation verifying the disability and any resulting educational limitations.

It is the responsibility of the student with a verified disability and resulting educational limitations to apply for SAS assistance in the Liberal Arts/SAS building or online at www.cerritos.edu/sas/ (<http://www.cerritos.edu/sas/>). The request should be completed with adequate notice provided for an effective response, especially during busy times such as the start of the semester. All authorized accommodations are determined via an interactive process which includes the SAS specialist, the student, and review of disability documentation. It is the student's responsibility to request in advance to receive the authorized accommodations each semester. If the instructor denies the classroom-related request(s) the SAWS Dean or designee will intervene with the appropriate academic staff and attempt to resolve the matter. In the event of continued denial of an accommodation request or request for course substitution or waiver, SAS will provide the student with the Academic Accommodations Policy and related procedures/forms. The SAWS Dean or designee will concurrently inform the student of their right to file a complaint under the College's discrimination complaint procedure and/or the Office for Civil Rights, and will provide the student with the information necessary to do so. Inquiries regarding SAS or the District's non-discrimination policy relative to students, employees, or applicants with disabilities should contact the Director of Diversity, Compliance, and Title IX Coordinator at extension 2276, in the Office of Human Resources.

Section 504/508 Complaint Procedure

The student should first discuss the complaint regarding discrimination due to a disability with the individual(s) involved or with the Director of Diversity, Compliance, and Title IX Coordinator at extension 3968. Alternatively, the student may submit a complaint electronically at www.cerritos.edu/sas/ (<http://www.cerritos.edu/sas/>).

Student Records

Notification of Rights Under FERPA

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. These rights include:

1. The right to inspect and review the student's education records within 45 days of the day the College receives a request for access.

A student should submit to the registrar or designee a written request that identifies the record(s) the student wishes to inspect. The registrar will make arrangements for access and notify the student of the time and place where the records may be inspected.

If the records are not maintained by the registrar, the registrar shall advise the student of the correct official to whom the request should be addressed.

2. The right to request the amendment of the student's education records that the student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

A student who wishes to ask the College to amend a record should write the registrar, clearly identify the part of the record the student wants changed, and specify why it should be changed.

If the College decides not to amend the record as requested, the College will notify the student in writing of the decision and the student's right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

3. The right to provide written consent before the College discloses personally identifiable information from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

The College discloses education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by the College in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the College has contracted as its agent to provide a service instead of using College employees or officials (such as an attorney, auditor, or collection agent); or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for the College. The College may also disclose education records without consent to officials of another school in which a student seeks or intends to enroll.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the College to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue
SW Washington, DC 20202-5901

Directory Information

Cerritos College will not release personal data about students without their prior written consent except to persons and agencies authorized by law. The college may make an exception to legitimate inquiries, by providing general directory information to include:

- Name
- Major field of study
- Class level
- Dates of attendance
- Degrees and awards received
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams, and
- Previous educational institutions attended

Student Records Consent

Cerritos College may permit access to student records to any person for whom the student has executed written consent specifying the records to be released and identifying the party or parties to whom the records may be released. Such consent must be signed and dated by the student. The recipient must be notified that the transmission of the information to others is prohibited (California Administrative Regulations Title 5, section 54616).

Reference: Board Policy and Administrative Procedure 5040

Withholding of Student Records

Student records may be withheld pending satisfaction of certain requirements, per Board Policy and Administrative Procedure 5035.

Policy on Affirmative Consent, Sexual Assault, & Title IX

Cerritos College is committed to providing a safe and secure environment for all members of the campus community. Cerritos College Board Policy (BP) 3540 and Administrative Policies (AP) 3433 and 3434 operationalize state and federal laws covering sexual assaults including rape, fondling, and non-consensual sexual contact; dating violence; domestic violence; stalking; and retaliation. District response, including claimant options, resources, case investigation, and administrative and law enforcement response are provided in AP 3433 and AP 3434. Any student, employee, applicant for admission, or applicant for employment who experiences sexual assault or sexual misconduct is encouraged to report the matter immediately to Erin Miles, Director of Diversity, Compliance, and Title IX Coordinator in the Office of Human Resources at (562) 860-2451, Ext. 3968. The District is dedicated to providing prompt and compassionate services. In the event of an incident, Student Health Services will provide support services and direction. The phone number for Student Health Services is (562) 860-2451, Ext. 2321.

Additional information is available on the Title IX website at <https://www.cerritos.edu/title-ix/default.htm>. Questions should be directed to the Title IX Coordinator via telephone or email at titleixcoordinator@cerritos.edu.

Sexual Harassment

It is the policy of the Cerritos Community College District to provide an educational, employment and business environment free of unwelcome sexual advances, requests or offers for sexual favors, and other verbal or physical conduct or communications constituting sexual harassment, as defined and otherwise prohibited by federal and state statutes.

The Board of Trustees and the President/Superintendent have provided regulations and procedures to implement this policy and the regulations and procedures are included as a part of the District's Equal Employment Opportunity Plan and BP 3540, AP 3433, and AP 3434.

It is a violation of District Policy for anyone who is authorized to recommend or take personnel or academic actions affecting an employee or student, or who is otherwise authorized to transact business or perform other acts or services on behalf of the Cerritos Community College District, to engage in sexual harassment as defined in Board Policy and as described below.

Sexual harassment is conduct, on the basis of sex, that satisfies one or more of the following:

- When an employee of the District conditions (implicitly or explicitly) the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct, or
- Unwelcome conduct determined by a reasonable person standing in the shoes of the Complainant to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or
- Sexual assault, dating violence, domestic violence, or stalking, as defined in BP 3540, AP 3433, and AP 3434.

Formal complaints under this policy shall be processed through AP 3433 and AP 3434 by the District's Director of Diversity, Compliance, and Title IX Coordinator. The District's Board Policies and Administrative Procedures can be found online at: www.cerritos.edu/board/policies/default.htm (<http://www.cerritos.edu/board/policies/default.htm>).

For the purpose of further clarification, sexual harassment includes, but is not limited to:

1. Making written, verbal, physical and/or visual contact with sexual overtones:
 - a. Written examples include, but are not limited to, suggestive or obscene letters, notes, or invitations.
 - b. Verbal examples include, but are not limited to, derogatory comments, slurs, jokes, epithets and/or promulgating sexual rumors.
 - c. Physical examples include, but are not limited to, assault, touching, impeding or blocking movement.
 - d. Visual examples include, but are not limited to, leering, gestures, or display of sexually suggestive objects, pictures, cartoons or posters.
2. Continuing to express sexual interest after being informed that the interest is unwelcome.
3. Making reprisals, threats of reprisals, or implied threats of reprisals following a negative response. For example:
 - a. within the work environment - either implying or actually withholding support for an appointment, promotion, or change of assignment, suggesting a poor performance report will be prepared, or suggesting probation will be failed.
 - b. within the educational environment - either implying or actually withholding grades earned or deserved, suggesting a poor performance evaluation will be prepared, or suggesting a scholarship recommendation or college application will be denied.

Cerritos College Alcohol & Drug Policy

BP 3550 – Alcohol and Drug Free Environment and Alcohol and Drug Abuse Prevention Program

The District shall maintain a drug and alcohol free campus/ workplace environment for students and employees. The District prohibits the unlawful possession, use, or distribution of illicit drugs and/or alcohol by students and employees.

The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in all facilities under the control and use of the District.

Any student who violates this policy will be subject to disciplinary action, which may include, but is not limited to, referral to an appropriate rehabilitation program, suspension or expulsion. Any employee who

violates this policy will be subject to disciplinary action up to and including termination. The District may refer students and employees who violate this policy to the Campus Police or other appropriate law enforcement agency for appropriate criminal action.

The President/Superintendent shall assure that the District annually distributes the information required by the Drug-Free Schools and Communities Act Amendments of 1989 to all students and employees and that the District complies with other requirements of the Act.

The President/Superintendent shall ensure that a biennial report is prepared to review the effectiveness of the District's policies and programs in maintaining a drug and alcohol-free campus and workplace environment.

The District is committed to providing its employees and students with an alcohol and drug-free campus and workplace environment. It emphasizes prevention and intervention through education.

Health Risks that may be Associated with the Use of Illicit Drugs & the Abuse of Alcohol

- Partner and/or child abuse.
- Unintended injuries or death, including motor vehicle crashes.
- Sexual assault, including rape, sexual battery, and threat of sexual assault; dating violence; domestic violence; stalking; and failure to have affirmative consent.
- Being hit, otherwise assaulted, violently attacked, and/or murdered by another under the influence.
- Sexual activity without protection against HIV, hepatitis (A, B, and C), and other STDs.
- Unsafe interactions with medications, including more than 150 medications that should not be mixed with alcohol.
- Binge and other drinking behaviors leading to ingestion of toxic amounts of alcohol, which can lead to alcohol poisoning, with effects including mental confusion, stupor, coma, inability to be roused, vomiting, seizures, slow or irregular breathing, hypothermia, bluish skin color, and paleness, and, if left untreated, seizures, permanent brain damage, and/or death.
- Premature births and low birth weights; alcohol and illicit drug-related birth defects, including fetal alcohol syndrome (FAS) involving severe physical, mental, and behavioral problems; and in the case of prenatal cocaine exposure, a 1.5 times increased likelihood of needing special education services in school.
- Suicide.
- Long-term health problems including liver disease; heart disease; cancers including those of the mouth, throat, larynx (voice box), breast, rectum, and colon; and pancreatitis.
- Homelessness.

Prevention & Intervention Programs

The District provides education and maintains programs and services designed to aid students, employees and their families in receiving assistance for alcohol and/or drug abuse problems. Included in these educational and assistive programs and services are:

- Notification of the dangers of drug use and dependency in the class schedule;
- Mental health services provided to students through the Student Health Services; and

- An Employee Assistance Program (EAP) for employees and their families.

Alcohol & Drug Prohibitions

The unlawful manufacture, distribution, dispensing, possession, or use of alcohol or any controlled substance is prohibited on District property, during District-sponsored field trips, activities or workshops, and in any facility or vehicle operated by the District.

Violation of Board Policy 3550, Drug and Alcohol-Free Environment and Drug and Alcohol Abuse Prevention Program, will be addressed by the District. The District will take appropriate action designed to address each specific violation, which may include, but is not limited to:

- Termination of employment,
- Expulsion,
- Referral to Campus Police or other law enforcement agency for prosecution as permitted by law, or
- Mandatory participation in an alcohol or drug abuse assistance or rehabilitation program.

As a condition of employment, employees of the District will have their fingerprints recorded with the California State Department of Justice and any conviction or violations of the law involving drugs and/or alcohol will be reported to Campus Police and to the Human Resources Office pursuant to the requirements of law. In addition, employees must notify the District within five (5) calendar days of any conviction for violation of a criminal drug statute occurring in the workplace. The District is required to report any violations of criminal drug or alcohol statutes that occur in the workplace to the United States Department of Education on an annual basis.

Information regarding legal sanctions under federal, state, and local laws is available in the following locations:

1. Library
2. Office of Human Resource Services
3. Office of Student Affairs
4. Student Health Services

Alcohol/Drug Abuse Counseling, Treatment, Rehabilitation Information

Referral information and Social Service Directories for Los Angeles and Orange Counties are available in the following locations:

1. Counseling Center, Ext. 2231
2. Student Health Services, Ext. 2321
3. Within the work environment, engaging in implicit or explicit coercive sexual behavior which is used to control, influence, or affect the career, salary, and/or work environment of another employee. Within the educational environment, engaging in implicit or explicit coercive sexual behavior which is used to control, influence, or affect the educational opportunities, grades, and/or learning environment of a student.
4. Offering favors or educational or employment benefits, such as grades or promotions, favorable performance evaluations, favorable assignments, favorable duties or shifts, recommendations, reclassifications, etc. in exchange for sexual favors.

It is a violation of Board Policy for any employee or student to sexually harass another employee, or, student, or campus affiliate, student, or campus affiliate.

Informal and formal complaints under Board Policy shall be processed through the District's Administrative Procedure 3435, Discrimination and Harassment Investigations, through the Vice President of Human Resources. The College's policies and procedures are available on the website at <http://www.cerritos.edu/board/policies> (<http://www.cerritos.edu/board/policies/>).

Smoking Policy

Smoking, including the use of electronic cigarettes or other emission-producing products or devices, is prohibited within 20 feet of any exit, entrance, operable window, or ventilation intake of any campus building or structure; in any enclosed area on campus, including lobbies, lounges, courtyards, waiting areas, stairwells, and restrooms that are a part of any building or structure; and in all District vehicles, including gasoline or electric carts.