



Student Rights and Responsibilities

AP 5500*

**Previously AR 6110*



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Cabrillo College is committed to the California Community College mission to promote high quality learning and teaching in a supportive environment for all students. To this end, we produced the Student Rights and Responsibilities Handbook. It was originally developed with students, faculty, staff and administration in mind, as a guide to protect the individual rights of all students when it is believed these rights may have been violated. This handbook also outlines students' responsibilities to the Cabrillo College Community. As the needs of students change, we are committed to making sure we change with them. Therefore, the current edition was created to evolve with the updates to legislation and requests for clarification from our students and faculty.

I hope we can work together as partners in all of your educational challenges and successes.

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I. STATEMENT OF STUDENT RIGHTS AND RESPONSIBILITIES

The Cabrillo College District is committed to the protection of the individual rights of all students and to the enforcement of District policies. Our District promotes a culture founded on academic integrity, mutual respect and a clear and fair application of regulations.

The College strictly prohibits discrimination or harassment of students based on a student's sex, race, color, national origin, religion, age, disability or sexual orientation. The College has appointed the Dean of Student Services to receive and handle complaints against students regarding discrimination and/or harassment under the College's Non-Discrimination and Sexual Harassment Policy (AR 5040). For complaints against College employees Human Resources should be contacted. All other student complaints are addressed through Grievance Procedures, Section VI of this handbook.

Any questions about these policies or procedures should be addressed to the Dean of Student Services.

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II. STUDENT RIGHTS – Students have a right to:

A. A safe, healthy, and productive learning environment.

All students have access to health care through fees paid at registration. Student health services are available for minor, short-term health issues and access to health care information.

1. If a student contracts an infectious illness that keeps them home from school per the recommendation of his/her healthcare provider, return to school should be based upon that provider's recommendation.
2. Students may also access Student Health Services (see website for hours and location at www.cabrillo.edu/services/health) in order to determine the timing for return to campus and class.

B. Privacy in regards to all College records.

Parents and other advocates may only access student records with the student's written consent as per the Family Educational Rights and Privacy Act (FERPA). See the Cabrillo College *Schedule of Classes* and the Cabrillo College Catalog and/or the following website: <http://www.cabrillo.edu/services/ar/family-support.html>

C. Request intervention/assistance to ensure a healthy, productive learning environment. Students are encouraged to seek assistance from:

1. ASCC Student Senate
2. Campus Sheriff
3. Counselors
4. Dean of Student Services
5. Instructors
6. Student Health Services
7. Vice President of Student Services

D. Access specialized services for which a student qualifies without having any negative effect on a student's record.

E. The Student Right-to-Know and Campus Security Act of 1990

In compliance with the Student Right-to-Know and Campus Security Act of 1990 (Public Law 101-542), it is the policy of our College District to make available its completion and transfer rates and campus crime statistics to all current and prospective students. More information is available at the following link: <http://srtk.cccco.edu/index.asp>

III. ACADEMIC INTEGRITY

A. Academic Honor Code

As a student at Cabrillo College, you join a community of scholars who are committed to excellence in teaching and learning. We expect students to pursue their studies with integrity and honesty. Therefore, all students should know that incidents of academic dishonesty are taken very seriously.

When students are caught cheating or plagiarizing, a process is begun that may result in severe consequences. It is important to your academic success that you know what constitutes academic dishonesty at Cabrillo College.

B. Academic Dishonesty

The two most common kinds of academic dishonesty are cheating and plagiarism.

Cheating is the act of obtaining or attempting to obtain credit for academic work through the use of dishonest, deceptive or fraudulent means (see examples below).

Plagiarism is representing the work of someone else as your own and submitting it for any purpose (see examples below).

It is your responsibility to know what constitutes academic dishonesty. Interpretations of academic dishonesty may differ among individuals and groups. However, as a student at Cabrillo College, you are expected to refrain from the behavior outlined below. If you are unclear about a specific situation, speak to your instructor.

The following list exemplifies some of the activities defined as academic dishonesty:

1. Cheating
 - a. Copying, in part or in whole, from someone else's writing, test, exam, project, or paper;
 - b. Submitting work presented previously in another course, unless approved by the instructor;
 - c. Altering or interfering with grading;
 - d. During an exam or other class activity, using or consulting any sources, electronic equipment, including cell phones and PDAs, or materials unless approved by the instructor; or
 - e. Committing other acts that defraud or misrepresent.

2. Plagiarism
 - a. Incorporating the ideas, words, phrases, sentences, paragraphs or parts of another person's writings, without giving appropriate credit, and representing the product as your own;
 - b. Representing another's artistic or scholarly works such as musical compositions, computer programs, photographs, paintings, drawings or sculptures as your own;
 - c. Submitting a paper purchased from a research or term paper service, including the internet; or
 - d. Undocumented Web source usage.

3. Other Specific Examples of Academic Dishonesty
 - a. Purposely allowing another student to copy from your paper during a test;
 - b. Giving or selling your homework, term paper or other academic work to another student to plagiarize;
 - c. Having another person submit any work in your name;
 - d. Lying or misrepresenting your work to an instructor or college official to improve your grade;
 - e. Stealing tests; or
 - f. Forging signatures on college documents.

C. Consequences of Academic Dishonesty

Academic and/or administrative sanctions may be applied in cases of academic dishonesty.

1. Academic consequences may include:
 - a. Receiving a failing grade on the test, paper or exam;
 - b. Having your course grade lowered;
 - c. Being dropped from the course.

2. Administrative consequences may include:
 - a. Being placed on disciplinary suspension; or
 - b. Being expelled.

The Office of the Dean of Student Services maintains a record of students who have engaged in academic dishonesty. This information is used to identify and discipline students reported for multiple or especially serious single acts of academic dishonesty. A copy of the Cabrillo College Student Rights and Responsibilities Handbook (AR 5500) is available in the Student Affairs Office or online at <http://cabrillo.edu/services/studentaffairs/documents/rightsresponsibilities.pdf> .

We thank the Foothill College Student Affairs Dean's Office and the San José State University Student Affairs Vice President's Office for permission to use their policies on academic dishonesty as models for

this section. The Cabrillo College Academic Honor Code was developed and approved by the college's Academic Senate in 2011.

IV. STUDENT RESPONSIBILITIES

A. Student Conduct

Students are encouraged to access all services available for the purpose of achieving his/her personal and professional/career goals. At the same time, students are expected to conduct themselves in a manner compatible with the College's function as an educational institution and demonstrate the following:

1. Respect among all students, faculty, classified staff and administration.
2. Responsibility for reading and following Cabrillo College rules and regulations:
 - a. Read *Schedule of Classes* and *Cabrillo College Catalog* for all appropriate deadlines and frequently asked questions.
 - b. It is the responsibility of the student to drop a class. A student should not assume that he/she has been automatically dropped from any class, or that the student's instructor has dropped the student from the class.
3. Professional conduct in the classroom by:
 - a. Reading and following the course syllabus.
 - b. Attending all classes and arriving to class on time.
 - c. Completing assignments, projects on time.
 - d. Doing your own work and never plagiarizing the work of others.
 - e. Meeting with your instructor during office hours as needed to clarify course requirements and/or resolve any issues not resolved in class.
4. Respect for all program guidelines and requirements such as those stated for:
 - a. [Allied Health Programs](#)
 - b. Disabled Student Program Services (DSPS)
 - c. Extended Opportunity Program Services (EOPS)
 - d. Tutorial Center
 - e. Math Learning Center
 - f. Student Center
 - g. Library/Learning Resource Center
 - h. [Computer Technology Center \(CTC\)](#)

- i. Student Employment Office
 - j. All other programs and support services available to students
5. Respect for College equipment, buildings and grounds.

B. Principles of Discipline

As an institution of higher education, Cabrillo College is committed to providing an orderly and safe educational environment that is conducive to student learning. The College's policies and procedures are designed to preserve a healthy learning environment. Accordingly, the College will restrict prohibited behavior and/or discipline students if their conduct interferes with a safe and healthy learning environment.

Cabrillo College students are entitled to an impartial hearing in instances where College rules, regulations, or procedures are violated. However, nothing in this section shall be construed to prohibit an immediate suspension where such a suspension is required in order to protect lives or property, or in conformance with applicable legal requirements.

In instances where a student is deemed to be a minor, the student's parents or guardian shall have all of the rights and privileges set forth herein. Students may also be subject to civil authority.

C. Prohibited Conduct – Disruptive Behavior, Classroom and/or District

By enrolling in Cabrillo College, students agree to be responsible members of the College community; obey the law; comply with the published rules and regulations of the College; respect the rights, privileges and property of the other members of the College community; and not interfere with legitimate College affairs.

Students should be aware that the rules of student misconduct do not only apply when on campus or in class. Rather, students can be found to have engaged in misconduct:

- When on campus.
- When in a college-operated facility.
- When off campus, if acting as a student employee.
- When participating in college-related field trips, club activities, conferences, or on a college-sponsored athletic team, or other college-sponsored events. This includes all hours of the day or night while the student is under the supervision of the College.

A student may be disciplined in accordance with the disciplinary procedures set forth in Disciplinary Procedures, Section V, of this handbook if he/she engages in any form of misconduct listed below. Discipline can include suspension or expulsion. The following is misconduct and is strictly prohibited:

1. Theft of, or non-accidental damage to, campus property, or property in the possession of, or owned by, a member of the College community.
2. Forgery, alteration, or misuse of campus documents, records, or identification, or knowingly furnishing false information to the College.
3. Violating academic integrity, cheating, and plagiarism in connection with an instructional program or any College activity.
4. Failure to pay debts such as fines or loans, or failure to return borrowed property when reasonable attempts have been made to retrieve it. However, any violation(s) of law, ordinance, regulation, or rule regulating or pertaining to the parking of vehicles, shall not be cause for the removal, suspension, or expulsion of a student.
5. Failure to make good on returned checks cashed by the College.
6. Physical abuse, on or off campus property, of the person or property of any member of the College community or of members of his or her family or the threat of such physical abuse.
7. Engaging in lewd, indecent, or obscene behavior (this includes indecent exposure) on campus property or at a college-sponsored event, field trip, conference, etc. This includes attire with offensive verbiage or symbols.
8. Possession or use of explosives, dangerous chemicals, or deadly weapons on campus property, at a campus function, or off campus while the student is under the supervision of the College, without prior authorization of the College President or designee. This includes guns, knives, and all firearms, including any imitation or replica weapons that might cause alarm to the College community.
9. Obstruction, disruption, or any disruptive behavior on or off campus property, of the campus educational process, administrative process, or other campus functions such as field trips. This includes athletic teams and conference travel during all hours the student is under the supervision of the College.
10. Violation of any order of the College President or designee.
11. Soliciting or assisting another to commit any act which would subject a student to expulsion, suspension, or probation pursuant to this section.

12. Offensive use of profanity and/or vulgar language toward or around members of the College community.
13. Gambling on College property.
14. Violations of California Vehicle Code or local or district traffic violations that cause a serious threat to persons or property, or the orderly operation of the College by virtue of the nature or frequency of the violations.
15. False accusations or malicious charges against any other student or staff member of the District.
16. Unauthorized entry into, unauthorized use of, or misuse of campus property.
17. Violation of other state, federal or local statute ordinance, or district policy, rule, or regulation while on College property and during all hours, off campus, while the student is under the supervision of the College.
18. Possession, use of, or being under the influence of alcoholic beverages or illegal drugs on College property or at college-sponsored events, including field trips at all hours of the day and night while the student is under the supervision of the College, even during late and early morning hours when formal activities of the field trip or conference have ended. Under special circumstances, wine or beer may be served for educational purposes such as in the instructional use of the Culinary Arts program. Such use requires the permission of the Superintendent/President for each individual occasion.
19. Sale or possession of restricted dangerous drugs, or narcotics as those terms are used in California statutes on campus property, or at any college-sponsored event at any hour while the student is under the supervision of the college (this includes field trips – day and overnight – athletic events, and conference travel), except when lawfully prescribed pursuant to medical or dental care, or when lawfully permitted for the purpose of research, instruction or analysis.
20. Riding roller skates, skateboards, toy vehicles, or other similar riding devices on any roadway, path, service road, sidewalk, or walkway of District property.
21. Riding bicycles on walkways, building perimeters, and other restricted areas.

22. Smoking in non-designated areas of the campus.
23. Bringing dogs or other animals to school. Exceptions:
 - a. Service dogs assisting people with disabilities.
 - i. Service dogs (as defined in AR 6190) must:
 - (1) be licensed with Santa Cruz County Animal Services
 - (2) display current license and rabies tags
 - (3) complete *Service Animal Registration Form* (AR 6190) which is available from Disabled Student Programs & Services or Human Resources.
 - ii. Access Animals (as defined in AR 6190) may be authorized as an effective accommodation on a case-by-case basis through consultation with Disabled Students Programs & Services.
Access Animals must:
 - (1) be authorized through Disabled Students Programs & Services
 - (2) be licensed with Santa Cruz County Animal Services
 - (3) display a current license and rabies tags
 - (4) display an assistant animal identification tag issued by the Santa Cruz County Animal Services
 - b. When approved by College authorities when the presence of the animal is directly related to a classroom assignment or other College program.
24. Sleeping in vehicles between the hours of 10 pm and 8 am and all day Saturday and Sunday or whenever regular College classes are not in session. Special exceptions may be made by the Campus Sheriff's Office.
25. Violating the Sexual Harassment Policy (refer to Administrative Regulation 5040).
26. Hazing of students is expressly prohibited. Hazing includes any act that injures, degrades, or disgraces a fellow student or another person associated with the College.
27. Flaming, bashing, bullying, or any abusive, threatening, coercive, or hostile behavior, including online interaction, affecting the person or property of any member of the College community on or off campus.

28. Willful misconduct which results in injury to or death of a student or College personnel or which results in cutting, defacing, or other damage to any real or personal property owned by the District.
29. Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.
30. Behaviors that discriminate on the basis of race, color, national origin, sex, sexual orientation, disability, or age in any policies, procedures, or practices. Violating the Non-discrimination Policy. (Refer to Administrative Regulation 5040).
31. Attending school/classes with a contagious/infectious illness which creates a serious threat to the health of the student or other students and college personnel. (See Disciplinary Procedures, Section V.F.2.)

V. Disciplinary Procedures

When a student is charged with disruptive behavior related to a class, lab, or other instructional/student support services setting, and the instructor or supervisor has reasonable proof or documentation and/or the student admits to the violation, the instructor or supervising College authority must complete a clear and detailed report. This includes disruptive behavior as described in Academic Integrity, Section III. (See Appendix II, Forms, beginning on page 33.)

A. Disciplinary options include the following:

1. For violence and other emergencies, especially when the safety of personnel or campus property is in question, 911 should be called immediately.
2. Issuing an oral or written notification and warning the student that further acts of this sort will result in additional disciplinary action.
3. Completing one of the following report forms (available at: <http://www.cabrillo.edu/services/studentaffairs>)
 - a. Disruptive Student Behavior Report (DSBR)
 - b. Academic Dishonesty Report (ADR)
 - c. Concern for Student Report (CSR)

For all of the above reports, instructors should make every effort to:

- a. conference with the student.
- b. give the student a copy of the report.
- c. inform appropriate Division Dean.
- d. send a copy of the report to the Dean of Student Services.

4. Removing the student from the class for one or two class sessions. In this case, the instructor must follow the reporting procedures as stated in Disciplinary Procedures, Section V.A.2.

If the student is a minor, as defined by current law, the instructor shall ask the parent or guardian of the student to attend a parent conference regarding the removal as soon as possible. The Division Dean or Dean of Student Services shall attend the conference if the instructor or the parent so requests. When in question, the Dean of Student Services or the Office of Admissions and Records can help determine the status of a minor.

5. Dropping the student from the class:
 - a. Consult with the Division Dean before dropping a student.
 - b. Drop the student through WebAdvisor.
 - c. To drop a student after the 75% mark of the semester, the instructor:
 - i. must request an administrative drop through his/her administrator.
 - ii. also has the option to issue a grade.
 - d. Complete the appropriate report.

Note: Students have the right to appeal by following the procedures outlined in this handbook. See Grievance Procedures, Section VI.

B. Referrals to the Dean of Student Services

A student may be referred to the Dean of Student Services by any member of the staff, faculty, or administration.

1. A report shall be completed and submitted to the Dean of Student Services by the employee who wishes to report a student.
2. The person reporting the student must, if possible, inform the student that he/she is sending the report to the Dean of Student Services. If possible, the student must be given a copy of the report.
3. The Dean of Student Services may, depending upon how serious the referral is, speak with the student and other involved staff members and determine which of the following actions to take:
 - a. File the report for future reference.

- b. Issue a reprimand and/or warning to the student that continued misconduct may result in serious disciplinary action.
- c. Refer the student to a college or community agency for counseling or rehabilitative treatment.
- d. Refer the student to the Disruptive Behavior Intervention Committee (DBIC).
- e. Suspend the student immediately pending a hearing within ten (10) working/school days. This option may only be invoked where the College determines in its discretion that an immediate suspension is required in order to protect lives or property or to ensure the maintenance of order pending a hearing. In all other cases where disciplinary action is to be taken, the College shall follow the procedures for suspension and/or expulsion in Disciplinary Procedures, Section V.D. below.
- f. Arrange a hearing for suspension or expulsion as set forth in Disciplinary Procedures, Section V.D. below.

C. Referrals to Sheriff's Office, Cabrillo Division

1. For violence and other emergencies, especially when the safety of personnel or campus property is in question, 911 should be called immediately.
2. All serious disruptive behaviors may be referred to the campus Sheriff. If such cases are violations of local, state, or federal law, a student may receive legal consequences in addition to College disciplinary procedures.
3. All Crime Reports or Incident Reports that result from referrals to the Sheriff's office will be reported to the Dean of Student Services. These reports may serve as the basis for disciplinary action consistent with other procedures stated in this handbook.

D. Hearing Procedures for Suspension and Expulsion

1. A student may be suspended immediately pending a hearing within ten (10) working/school days only if the Dean of Student Services, or other designee, determines in his/her discretion that an immediate suspension is required in order to protect lives or property or to ensure the maintenance of order pending a hearing. Otherwise, a hearing must take place before a suspension is issued. The hearing will take place before the Hearing Committee. The student may waive his/her right to a hearing by completing a Waiver of Right to Hearing (see Appendix 1, Forms).
2. The Hearing Committee shall be chaired by one of the Hearing Committee members. For membership, see Hearing Committee, Section VII.A.

3. The accused student shall be given the right to be represented by a person (advocate) of her/his choice. If the accused chooses to bring an attorney he/she must inform the District with ample time for the District to be represented by an attorney as well.
4. Students being called to a hearing for possible suspension or expulsion may request postponement from the Dean of Student Services. Postponements will not be granted more than twice. In the case of a student who is waiting to go on trial in city or county courts, upon request, postponement will be granted until the courts have concluded the case.
5. No committee member who is proved to be biased in favor of or against the accused student may sit in judgment of the student. The party alleging bias shall have the burden of establishing that bias exists. If such is the case, this could result in postponement of the Hearing and extension of suspension if a Committee member needs to be replaced. However, the Hearing may proceed, by mutual agreement, without the full four-member panel.
6. The Dean of Student Services shall cause to be delivered to the accused student, by personal service, via certified mail, or in person, a copy of the concerns or complaints against her/him and all other available materials intended to be used against the student. All material shall be delivered at least two (2) days prior to the hearing. Documents submitted after this timeline can be considered. However, the student being accused may request postponement of the Hearing if he/she requests more time to review and respond to the documents.
7. The student being accused may submit documents for the Hearing Panel to review but must deliver these at least two (2) working/school days before the hearing to the Dean of Student Services. Documents may be submitted after this timeline; however, doing so may prevent the Hearing Committee from having ample time to thoroughly review the documents.
8. The District shall have the burden of proof.
9. The Hearing Committee is charged with the responsibility of:
 - a. Conducting an orderly and expeditious deliberation.
 - b. Determining if the charges presented are adequately substantiated.
 - c. Making a recommendation for action to the administration based on its findings.

10. The accused student and his/her advocate shall be given the right to be present when testimony and other evidence are being presented to the Hearing Committee. If the Dean of Student Services has determined that the safety of the college is in question, he/she may direct the student to remain off the campus and will arrange for him/her to participate via teleconference. The student and/or the advocate shall be given the opportunity to question adverse testimony.
11. The accused student shall be afforded the right to present his/her defense and to present witnesses and relevant evidence in his/her defense.
12. The final deliberation of the committee must be based solely on the evidence given. The accused shall not be present during the final deliberation. Deliberations of the committee will be held in closed session and the decision of the committee will be communicated to the student within ten (10) school/working days of the hearing.
13. An audio recording shall be kept of the hearing committee proceedings by the Dean of Student Services for a minimum of two (2) calendar years. Access to tapes shall be limited to the parties involved.
14. The decision of the Hearing Committee is advisory to the Dean of Student Services or other designee. The Administration (Dean of Student Services and/or other administrative Designee) will carefully consider the findings and recommendations of the Hearing Committee and make a final decision for disciplinary action.
15. All copies of all proceedings of the Hearing Committee shall be kept in a confidential file by the Dean of Student Services. All proceedings of the committee shall be closed and strictest confidentiality shall be maintained by all participants in the hearing process.

E. Appeals

1. A student may appeal the decision of the Dean of Student Services or other administrative designee to the Superintendent/President within ten (10) working days of the date the student receives the decision for disciplinary action. The student's appeal must be presented in writing addressed to the President/Superintendent. The President/Superintendent will respond to the student in writing within ten (10) school/working days. The Superintendent/President may overturn the decision of the Hearing Committee if any of the following conditions can be substantiated satisfactorily:

- a. The right of procedural due process had been denied to the student by any or all of the proceedings.
 - b. Compelling new evidence warranting the exoneration of the student is presented.
 - c. The judgment of the Hearing Committee was arbitrary and capricious.
2. A student may appeal the Superintendent/President's decision to the Governing Board within ten (10) school/working days of the date the student received the Superintendent/President's decision. The Governing Board will review the appeal within 45 days after the next regularly scheduled board meeting and may request a hearing.
- a. All deliberations must occur in closed session to protect the student's right to privacy.
 - b. The student must be notified of the date of the Board's intent of action in writing.
 - c. If the Board calls for a hearing, the student must be informed of his/her right to request that the Board Hearing be open to the public. He/she must make this request within 48 hours of the notification. The Governing Board must comply with this request.
 - d. Final action must be taken at a public meeting.
 - e. The decision of the Governing Board shall be final.

F. Suspension or Expulsion

In addition to the conditions outlined above, a student may be suspended by the President, Dean or Vice President of Student Services, or other President designee. The Governing Board may expel a student. Suspensions and expulsions may be issued for any of the following reasons related to College attendance or College activity at any time or place. The following is from the California Education Code Section 76033:

- 1. "Good cause" includes, but is not limited to the following offenses:
 - a. Continued disruptive behavior, continued willful disobedience, habitual profanity or vulgarity, or the open and persistent defiance of the authority of, or persistent abuse of, College personnel.
 - b. Assault, battery, or any threat of force or violence upon a student or College personnel.
 - c. Willful misconduct which results in injury to or death of a student or College personnel or which results in cutting, defacing, or other injury to any real or personal property owned by the District.
 - d. The use, sale, or possession on campus of, or presence on campus under the influence of, any controlled substance, or any poison

classified as such by Schedule D in Section 4160 of the Business and Professions Code.

- e. Willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of the Governing Board.
 - f. Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.
2. Illness, contagious or otherwise, which creates a serious threat to the health of the student or other students and college personnel.

G. Discipline Related to Online or Distance Education

A student's conduct in an online learning environment must conform to those acceptable standards for all students as outlined in this handbook. Unacceptable conduct includes, but is not limited to the following:

1. the use of threatening, harassing, sexually explicit language, or discriminatory language or conduct that violates state and federal law and Cabrillo College policy on sexual harassment or discrimination;
2. disruptive behavior online such as use of profanity, or disrespectful language used in course communication tools such as discussion forums, email, blogs, etc.; (See Section IV. C.)
3. unauthorized posting or transmitting content that violates state or federal law, or Cabrillo's Academic Honor Code. (See Sections III. A. and III. B.) This includes College policy on academic dishonesty;
4. violation of the terms of service agreement for course software, including reconfiguring the software, or gaining unauthorized access.

VI. GRIEVANCE PROCEDURES

A. Introduction

This procedure is intended to ensure that any alleged violation of students' rights will be reviewed and that appropriate action will be taken. Cabrillo College's goal is to ensure an equitable and fair resolution of the grievance. Except as set forth in Complaints Regarding the Non-Discrimination and Sexual Harassment Policy, Section VI.B., this grievance procedure applies to any issue involving a student's rights at the College.

Students in the Allied Health programs must adhere to the guidelines stated in their respective handbooks.

In the event that it becomes necessary to resolve a grievance under this policy, every effort shall be made to maintain confidentiality at each level of the procedure; however, complete confidentiality cannot be guaranteed.

The complaining party bears the burden of proving the facts of his/her grievance.

B. Complaints Regarding the Non-Discrimination and Sexual Harassment Policy

Complaints for discrimination and/or harassment under the College's Non-Discrimination and Sexual Harassment Policy (AR5040) are not dealt with under this grievance policy. Every effort should be made to refer such a complaint to the College's AR5040 administrator, the Dean of Student Services. If a student files a grievance that alleges unlawful discrimination, including harassment, the College shall immediately refer the grievance to the Dean of Student Services. The College will make the referral without a determination as to whether the discrimination/harassment claim is timely filed or states a claim.

If only a portion of a grievance involves a claim of discrimination or harassment, the College will refer those portions of the grievance concerning discrimination and/or harassment to the Dean of Student Services. If the determination of the discrimination/harassment claim is relevant to the other portions of the grievance, then the determination of the Dean of Student Services shall be provided to the Hearing Committee as part of the grievance process set forth below.

Forms for complaints of discrimination/harassment are attached to this Handbook and are also available in the College's Human Resources Office and Student Affairs Office.

C. Rights

To guard against disparate treatment and to ensure the right to due process:

1. Any party to a grievance may seek assistance of an advocate of his or her choosing.
2. Advocates may be present at any stage of the grievance process described herein. In the event that any party to a grievance is entitled by law to legal representation, and chooses to be represented by an attorney, all other parties to the grievance will also be entitled to representation by legal counsel.

3. Students, staff, or faculty having a visual, auditory, or communicative disability, (for students verified by the Disabled Student Services Department) may also seek a reader-interpreter to be present to assist the parties. Such an assistant must limit the participation to the function of an interpreter.
4. Students who do not speak English as their native language may seek an interpreter to be present who speaks both English and their native language to assist the student. Such an assistant must limit participation to the function of an interpreter.

D. Timely Resolutions to All Complaints

Students must respond to each relevant step in the grievance procedure within ten (10) working/school days, unless specified otherwise herein, or unless the timelines are extended by mutual agreement of the parties. In those cases where a portion of a student grievance involves a claim of discrimination and harassment under AR5040 and the determination of the discrimination/harassment claim is relevant to the other portions of the grievance, the grievance may be placed in abeyance by the Dean of Student Services pending the resolution of the discrimination harassment grievance pursuant to AR5040.

E. Pre-Grievance Problem Resolution Procedure

The primary goal of this procedure is to produce a mutually acceptable solution to the student's complaint as soon as possible and at the lowest administrative level possible.

This pre-grievance dispute resolution procedure does not apply to complaints of discrimination and/or harassment under the College's Non-Discrimination and Sexual Harassment Policy (AR5040). If such a complaint is made to the Program Chair, the Division Dean or another administrator, he/she shall immediately refer the complaint (or the relevant portions of the complaint) to the Dean of Student Services.

Experience has shown that most concerns which students have regarding support services and instructional matters are relatively easy to resolve through informal discussion. Students are expected to deal directly with the person(s) causing the alleged complaint to resolve such concerns. To initiate a grievance at the informal level:

Step 1

The student should discuss the problem directly with the person involved for a possible solution. This should be done as soon as possible but no later than the end of the semester following the school term in which the grievable offense occurred. If the student is not comfortable with Step 1, they may proceed directly to Step 2.

Step 2

If the problem cannot be resolved at the first step, the student shall discuss the problem with the Program Chair or immediate supervisor of the person against whom the complaint is directed. The Program Chair or immediate supervisor shall make every effort to resolve the problem with the student and the person being grieved. Upon receipt of the complaint from the student, the supervisor must respond within ten (10) school/working days, stating a decision to the student.

Step 3

If the problem cannot be resolved at the second step, the student shall make an appointment to discuss the grievance with the Division Dean or next level appropriate administrator within 10 school/working days of the step 2 decision. Complaints at this level must be submitted in writing at the time the appointment is being made. The written complaint shall contain the following information:

1. A description of the general and specific grounds on which the grievance is based.
2. A listing of the names of all persons involved in the matter at issue and the times, places, and events in which each person so named was involved.
3. Requested resolution desired by the student (i.e. what outcome does the student desire).

The Division Dean (or other appropriate administrator) must respond in writing to the student's written complaint within ten (10) working/school days.

At any point during the pre-grievance problem-resolution level, a student may also informally and orally present the complaint to the Dean of Student Services. The Dean will attempt to resolve the issue informally, if requested by the student

Step 4

If the problem cannot be resolved at the third step then the student has the right to repeat Step 3 with the appropriate Vice President or next level administrator. The administrator will respond to the claimant, in writing, within 15 school/working days. After appealing to the level of the appropriate Vice President, if the grievance is still not resolved, the complainant may proceed to a formal procedure, except for academic matters.

Academic matters and grade disputes: Final authority to resolve grade disputes and other academic matters rests with the Vice President of Instruction. There are no exceptions.

F. Formal Grievance Procedure

The Formal Grievance Procedure is only to be used by students who are unable to resolve their grievance through the Pre-Grievance Procedure, set forth in Section VI.E. above.

The Formal Grievance Procedure does not apply to complaints for discrimination and/or harassment under the College's Non-Discrimination and Sexual Harassment Policy (AR5040). If such a complaint is made to the Hearing Committee it shall immediately refer the complaint (or the relevant portions of the complaint) to the Dean of Student Services.

1. The student will receive an explanation of his/her rights to appeal and the procedure to appeal by the Dean of Student Services.
2. The offense with which the person is being charged must be one which is contrary to District policy or local, state or federal law.
3. The complainant and person charged in the grievance are entitled to a fair and impartial hearing.
4. To initiate a grievance at the formal level:
 - a. The complainant shall complete all steps in the informal grievance procedures prior to filing the written formal grievance.
 - b. The complainant must complete and submit a Student Grievance Form (see Appendix 1, Forms) within ten (10) school/working days after receiving the decision of the appropriate Vice President.
 - c. The remedy sought by the complainant must be included on the Student Grievance Form.
 - d. The Dean of Student Services will retain the original Student Grievance Form and provide a copy to the complainant and one to the person against whom the grievance was directed.
 - e. Within ten (10) school/working days after the filing date, the person against whom the grievance is directed (respondent) will submit a written response to the allegations to the Dean of Student Services.
 - f. Within twenty (20) school/working days after receipt from the respondent, the Dean of Student Services will convene the Hearing Committee.
5. Hearing Procedures

- a. The Hearing Committee shall be chaired by one of the Hearing Committee members. For Hearing Committee membership, see Section VII.A.
- b. The hearing shall be closed to everyone other than the Hearing Committee members, the complainant and the advocate selected by the complainant, the respondent and his/her advocate, any witnesses while they are presenting testimony, the Dean of Student Services or designee presenting on behalf of the District, and the person designated to record the minutes.
- c. The Dean of Student Services or designee shall first make any further comments or answer questions regarding the procedures of the hearing.
- d. The complainant and respondent together with advocates and witnesses (called at the appropriate time) shall appear before the committee to present evidence. Each party shall be allocated 30 minutes for his/her presentation with the complainant presenting first. Each party may ask to reserve 10 minutes of their 30 minutes allocated to provide rebuttal testimony.
- e. Deliberations of the committee will be held in closed session.
- f. The Hearing Committee will submit its findings and written recommendation on the grievance and the basis for its recommendation to the Dean of Student Services, the complainant, and the respondent within ten (10) working/school days of the hearing.

G. Appeals

If the complainant or respondent is not satisfied by the findings and recommendation of the Hearing Committee:

1. The complainant or respondent may, through the Vice President of Student Services, appeal to the College President within ten (10) working/school days of receipt of the committee's recommendation.
 - a. The student's appeal must be addressed to the Superintendent/President, in writing, and clearly state justification for the appeal and the desired outcome.
 - c. The appeal must be submitted to the Vice President of Student Services. The Vice President of Student Services will review all aspects of the case and refer it to the President.
 - d. The President will consider the appeal and respond, in writing, within 15 working/school days.
2. If not resolved through Grievance Procedures, Section VI. F.1. above:

- a. The complainant may prepare a written appeal addressed to the Board of Trustees within ten (10) school/working days.
- b. The written appeal must state the reason for the appeal and the desired remedy.
- c. The appeal must be addressed to the Board of Trustees and delivered to the Office of the President.
- d. The Governing Board will review all documentation presented within 45 days after the next regularly scheduled board meeting and may request a hearing. The claimant and respondent will be sent a written notification of the final Decision within ten (10) school/working days from the Board's review.
- e. The decision of the Governing Board will be considered the final decision on the grievance matter.

VII. HEARING COMMITTEE

A. Membership

The Hearing Committee is a standing College committee. Members shall serve a two-year term, except the Student Senate representative, who may serve for only one year. The committee shall consist of the following representatives:

1. One (1) administrator appointed by the Vice President of Student Services.
2. One (1) member of the faculty appointed by the Faculty Senate.
3. One (1) student appointed by the ASCC Student Senate President except in the case where the complainant or respondent is a member of the ASCC Student Senate. In such a case, a non-ASCC Student Senate student member will be appointed by the Dean of Student Services.
4. One (1) member from classified staff appointed by the CCEU President.

If, for whatever reason, the President of the Faculty Senate, CCEU, and/or ASCC Student Senate cannot select their representatives for the hearing committee, then the Dean of Student Services shall select them.

B. Responsibilities

The Hearing Committee shall:

1. Hear and examine all supporting facts to determine whether the complainant's charges should be sustained.
2. Examine all written and oral statements presented that are relevant to the charges at hand. Any irrelevant prior knowledge or information concerning any of the parties involved shall not be discussed.
3. Conduct all proceedings with a high level of confidentiality to ensure the confidentiality rights of all parties.
4. Draw conclusions and make recommendations to the administration through the use of consensus whenever possible. When consensus is not possible, the Chairperson shall make a recommendation based on the deliberations of the committee and ask the committee to vote on the recommendation. The number of votes in favor and against, along with the recommendation shall be reported to the administration.

APPENDIX 1 – Other Policies and Administrative Regulations

Non-Discrimination Policy

AR5040

Cabrillo Community College does not discriminate on the basis of race, color, national origin, sex, sexual orientation, disability, or age in any policies, procedures, or practices. This nondiscrimination policy covers admissions and access to, and treatment and employment in, the College's programs and activities. To request more information about equal opportunity policies and the filing of grievance, contact the following:

Director of Human Resources: (831) 479-6234, Room 902

Dean or Vice President of Student Services: (831) 479-6525, SAC East, Room 218

Disabled Student Programs and Services, Section 504 Officer: (831) 479-6379, Room 812.

For more information, a copy of Administrative Regulation AR5040 may be obtained from the Office of Human Resources, Office of Student Affairs or the Office of DSPS (Disabled Student Programs & Services).

Sexual Harassment Policy

AR5040

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

For additional information regarding this policy and the procedures involved, contact:

Dean or Vice President of Student Services: (831) 479-6525, SAC East, Room 218

For more information, a copy of Administrative Regulation AR5040 may be obtained From the Office of Human Resources, Office of the Dean of Student Services or the Office of DSPS (Disabled Student Programs & Services)

In accordance with the Cabrillo College Smoke-Free Environment Policy, the following regulations are implemented:

1. Smoking is prohibited in all indoor areas of all public buildings on/off campus. No smoking signs will be posted at College entryways. Smoking is not permitted in the College theater except as may be required during the rehearsals and performances staged as a portion of a Theater Arts production.
2. Smoking is prohibited in the outside areas beside building doorways, windows and ventilation air intakes. This includes patios underneath building windows and walkways.
3. Smoking is prohibited in all College-owned vehicles including shuttles, automobiles, and all types of delivery, maintenance, and service vehicles.
4. Smoking is permitted in designated parking lot areas only. Receptacles are available for the disposal of cigarettes.
5. Cabrillo College will support and assist efforts to stop smoking by providing literature, referrals to community cessation programs and by sponsoring periodic campus smoking cessation programs.
6. Tobacco products will not be sold on campus either through vending machines or campus establishments.
7. Implementation of the campus smoke-free environment policy will be the responsibility of every student, faculty member, staff person and visitor on campus.

Legal Reference: Education Code Sections 76031 and 76033(e).

Adopted: March 1, 1993

Revised: June 4, 2001

DRUG FREE CAMPUS**BP 6130**

It is the policy of the Cabrillo Community College District to maintain a campus free of the unlawful manufacture, distribution, dispensing, possession or use of controlled substances as listed in Section 22 of the Drug Free Schools and Communities Act Amendment of 1989 (Public Law 101-226), which includes, but is not limited to, substances such as marijuana, heroin, cocaine, amphetamines, and alcohol.

For the purpose of this policy, "campus" shall mean those places where a student is involved in an authorized activity. The campus includes, but is not limited to property owned or leased by the District; any place used by the District for student participation in a field trip; field study; athletic competition; study travel program; and in District or private vehicles being used for official District business.

In furtherance of this policy, all students shall be made aware of the danger of drug abuse and the and community resources available for counseling and rehabilitation of those with drug-related problems. All students shall also be informed of the consequences of drug abuse violations.

These consequences shall include, but not be limited to student disciplinary action pursuant to Education Code and District policy.

As a condition of continued enrollment, students shall abide by the terms of this policy. Individuals on campus who are not Cabrillo students are required to comply with this policy. Such individuals who unlawfully manufacture, distribute, dispense, possess or use controlled substances may be barred from Cabrillo College campuses.

Legal Reference: Section 22 of the Drug-Free Schools and Communities Act of 1989 (Public Law 101-226)

Adopted: September 10, 1990

ADMINISTRATIVE REGULATION 5040 NONDISCRIMINATION POLICY OUTLINE

The following is only an outline of procedures. For complete procedures see AR 5040 located in the Human Resources Office or the Student Affairs Office.

Informal Complaint Procedure

College Official will:

1. Undertake efforts to informally resolve the charges, if appropriate;
2. Advise the complainant that he/she need not participate in informal resolution of the complaint;
3. Notify the person bringing the charges of his or her right to file a formal complaint and explain the procedure for filing a formal complaint;
4. Advise the complainant that he or she may file a complaint with the Office of Civil Rights of the U.S. Department of Education (OCR); and
5. If the complaint is employment-related, the complainant will also be advised that he or she may file a complaint with the State Department of Fair Employment and Housing (DFEH) and/or the U.S. Equal Employment Opportunity Commission.

Formal Complaint Procedure

Complainant must file on a form prescribed by the State Chancellor. See the Forms section in the Student Rights and Responsibilities Handbook.

The completed form must be filed with the Dean of Student Services or mailed directly to the State Chancellor's Office of the California Community Colleges.

When a formal complaint is filed, an investigation will be initiated if the complaint meets the following requirements:

1. The complaint must allege unlawful discrimination or harassment.
2. The complaint must be filed by one who alleges that he or she has personally suffered unlawful discrimination or harassment, or by one who has learned of such unlawful discrimination or harassment in his or her official capacity such as a faculty member or administrator.

3. In any complaint not involving employment, the complaint must be filed within one year of the date of the alleged unlawful discrimination or harassment on which the complainant knew or should have known of the facts underlying the allegation of unlawful discrimination or harassment.
4. Complaints alleging discrimination or harassment in employment must be filed within six (6) months of the date the alleged unlawful employment discrimination occurred. This period can be extended by no more than 90 days following the expiration of the six (6) month period if the complainant first obtained knowledge of the facts of the alleged violation after the expiration of six (6) months.

Upon receipt of a formal written complaint, the responsible District Officer will conduct a full and impartial investigation and notify the State Chancellor's office of the investigation.

Within sixty (60) days of receiving a formal unlawful discrimination or harassment complaint, the investigation will be completed and the responsible District Officer will notify both the complainant and the accused regarding his/her determination based upon the investigation as to whether discrimination did or did not occur with respect to each allegation in the complaint.

If either the complainant or the respondent is dissatisfied with the responsible District Officer's determination, that party may appeal to the District's Advisory Panel in writing within five (5) working days of notification of the determination.

After completing a review, the panel may recommend upholding or revising the District Official's conclusions.

If there is a disagreement between the District Officer's determination and the Advisory Panel, the Superintendent/President shall make the final determination.

The complainant has the right to appeal the final administrative determination to the District's Governing Board.

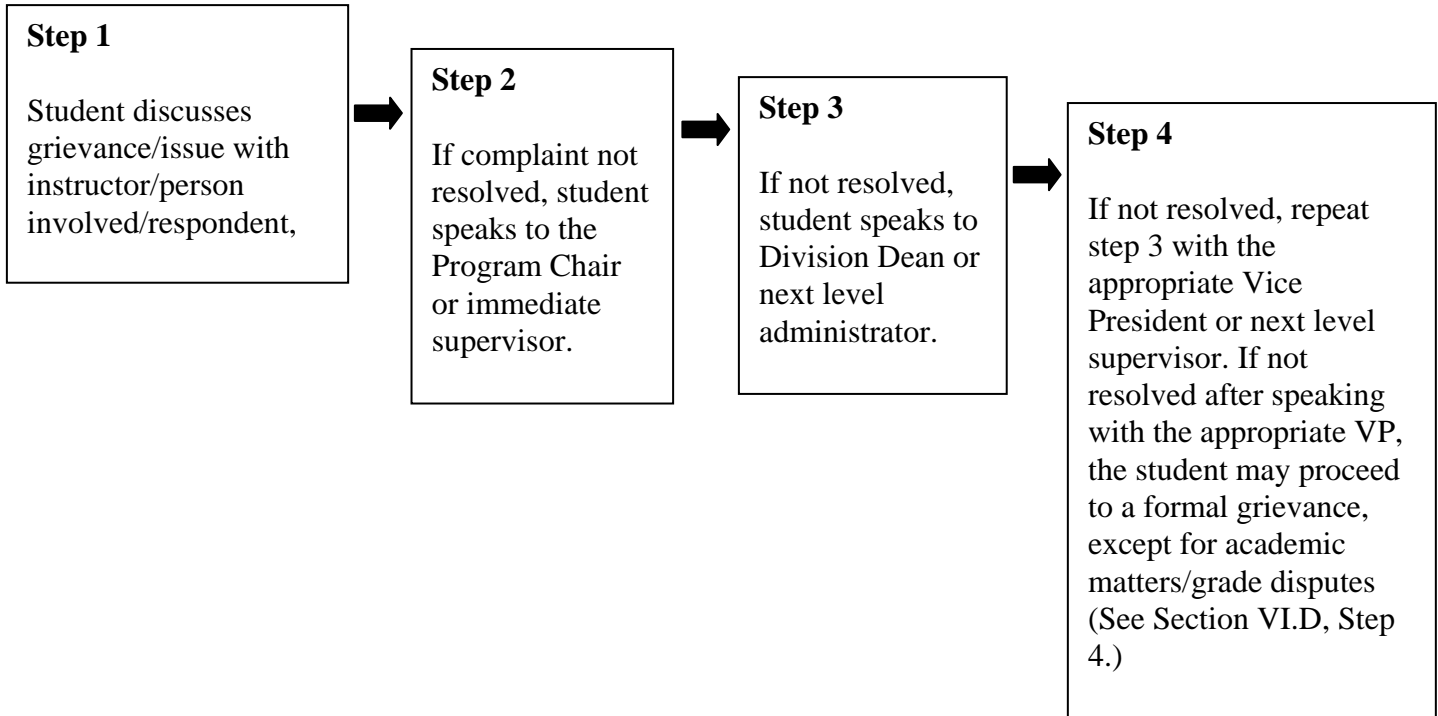
The complainant has the right to file an appeal with the California Community College Chancellor's Office in any case not involving employment.

Student Grievance Procedure Outline

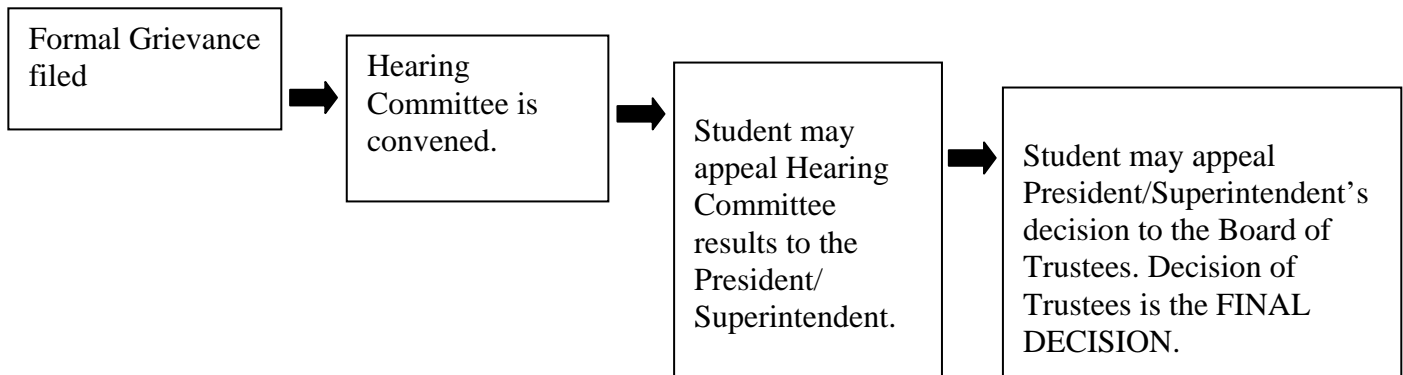
This is intended to serve only as an outline of the steps to follow to file a grievance.

Students must follow the detailed procedures and required filing time limits as stated in GRIEVANCE PROCEDURES, Section VI.D. and VI.E. of this handbook.

Pre-Grievance Procedure



Formal Grievance Procedure



Appendix 2 - FORMS

Cabrillo College Service Animal Registration Form

- STUDENT Submit to DSPS
 EMPLOYEE Submit to Sheriff's Office
 VISITOR Submit to Sheriff's Office

Name _____ SSN/SID _____

Name of Animal _____ Breed: _____ Color: _____

Address: _____ City: _____ Zipcode: _____

Home Phone: _____ Cell/Contact Phone: _____

Veterinarian: _____ Phone/Fax: _____

Is verification of your disability on file with Disabled Students Program & Services or the Sheriff's Office? Yes No

City License Tag Number or County License Tag Number: _____

Rabies Vaccination Tag Number: _____ Date of Vaccination: _____

What service(s) is the animal providing relative to your disability: _____

What special training did the service animal receive? _____

Trainer Name _____ Trainer Phone _____

Medical Professional who prescribed the use of a service animal:

Name _____ Phone _____

Address _____ City _____ State _____ Zip code _____

The partner/handler must follow District policy in cleaning up after the animal defecates. District policy requires the partner/handler to: always carry equipment sufficient to clean up the animal's feces whenever the animal and partner/handler are off the partner's property, or animal's home base.

The partner/handler understands his/her potential liability should the service animal injure someone.

Partner/Handler Signature: _____

Cabrillo College
DISRUPTIVE STUDENT BEHAVIOR REPORT

Student Name: _____ Student ID: _____

Date: _____ Time: _____

Class/Office Involved _____ Person Reporting: _____ Phone: _____

1. Describe clearly and in detail the type of disruptive behavior exhibited. Include the date, time, place of the incident and names of those involved. If more space is required to complete the report, please attach your report to this form. If there are other witnesses to this interaction who may be contacted, please list their name(s).

Description: _____

Witness Name(s): _____

Phone Number(s): _____

2. Action taken by faculty or staff member:

Check all that apply. It is very important that you address the first four (4) boxes before filing this documentation.

- Date you had a conference with student _____. If you are uncomfortable meeting with the student alone, ask your immediate supervisor or other administrator (e.g. Division Dean or Dean of Student Services) to be present.
- If no conference, why? _____
- Notified Program Chair or supervisor. Date: _____
- Notified Division Dean or next level supervisor. Date: _____
- Removed from class for 1 or 2 class periods. Date(s) you removed student _____
- Required student meet with Dean of Student Services before next class. Date: _____
- Issued a failing grade ("F") for assignment in question. Date: _____
- Issued a failing grade ("F") for the course. Date: _____
- Dropped student from class and assigned a withdrawal ("W") for the class, up to last day to withdraw from semester term courses. Date: _____
- I request the student be administratively dropped - Course: _____ Section: _____
- Police contacted. Date _____
- Other _____

3. If possible, give a copy of this report to the student and inform the student that this report will be sent to the Dean of Student Services and may result in further disciplinary action. Students are encouraged to make an appointment with the Dean of Student Services to discuss this report and receive information regarding student rights. For an appointment, call 477-3584.

4. Signature of person reporting _____

(Check all that apply)

- I discussed this matter with the student. Date: _____
- I notified the student that this report will be sent to the Dean of Student Services
- I have given a copy of this report to the student.
-

PLEASE SEND TO THE DEAN OF STUDENT SERVICES AND DIVISION DEAN OR APPROPRIATE SUPERVISOR UNDER CONFIDENTIAL COVER

Cabrillo College
ACADEMIC DISHONESTY REPORT

Student Name: _____ Date: _____
Student ID #: _____ Course: _____
Person Reporting: _____ Phone: _____
Email Address: _____

1. Description of violation: _____

2. Signature of person reporting: _____

3. Occurrence of offense in THIS course:

- First
- Second
- Third

4. Notification of student:

- I have NOT contacted the student yet because _____
- I spoke with the student in person on _____ (date).
- I spoke with the student by telephone on _____ (date).
- Notice was sent via US Mail on _____ (date).
- Notice was sent via email on _____ (date).

Proven violation?

- Circumstantial evidence (no hard evidence to prove it)
- Proven (have data and evidence to prove it)

5. Action taken by Instructor:

- Issued a failing grade on the test, paper or exam
- Lowered the course grade
- Removed student from class for one or two class sessions
- Referred student to Dean of Student Services for possible further disciplinary action
- Other: _____

6. What remedy are you seeking from the Office of the Dean of Student Services?

- For your information – data entry and tracking
- Conference with the Dean of Student Services
- Requesting disciplinary hearing

IMPORTANT: If requesting a disciplinary hearing, you must forward material evidence to the Dean of Student Services that demonstrates your allegation.

Cabrillo College
CONCERN FOR STUDENT REPORT

Student Name: _____ Date: _____ Time: _____

Student ID #: _____ Class/Office Involved: _____

Person Reporting: _____ Phone: _____

1. Describe clearly the behavior exhibited. Include the date, time, place of the incident and names of those involved. If more space is required to complete the report, please attach your report to this form. If there are other witnesses to this interaction who may be contacted, please list their name(s). Use specific language (e.g. "insulting, aggressive, disruptive" is too vague – use descriptive language e.g. "humming out loud 3 or 4 times per week" or "jittery, constantly moving chair, causing others to move away").

Description: _____

Witness Name(s): _____

Phone Number(s): _____

2. Action taken by faculty or staff member (check all that apply):

Conference (date): _____

Provided the following support (describe): _____

Referred to general counseling

Referred for psychological counseling at the Student Health Center

Referred to Student Health Center for general health care concerns

Referred to DSPS/Learning Skills Center

Referred to Tutorial Center

Other _____

3. If possible, inform the student that this report will be sent to the Dean of Student Services for further evaluation. If you can, give a copy of this report to the student.

Students are encouraged to make an appointment with the Dean of Student Services to discuss this report and receive further information. For an appointment, the student should call 477-3584.

4. Signature of person reporting _____

(Check all that apply)

I discussed this matter with the student

I notified the student that this report will be sent to the Dean of Student Services

I have given a copy of this report to the student.

PLEASE RETURN FORM TO THE DEAN OF STUDENT SERVICES UNDER CONFIDENTIAL COVER

Last Rev: 8/17/11



Student Grievance Form

Name of Student _____

Address _____
(Street or P.O. Box) (City, State, ZIP)

Telephone (____) _____ (____) _____
(Home) (Cell)

Instructions to Student

You must be able to answer "Yes" to each question and complete the requested information in order to proceed with a formal Grievance.

1. Was a conference held with the employee against whom this complaint is being filed?

____ Yes ____ No Date of conference _____

2. Was a conference held with the supervisor of the employee against whom the complaint is being filed?

____ Yes ____ No Date of conference _____

3. Was a conference held with the appropriate V.P. regarding your complaint?

____ Yes ____ No Date of conference _____

Outcome of this conference _____

Date on which incident occurred _____

Write a description of the general and specific grounds on which the grievance is based.

Specific remedy desired:

List all documents that should be reviewed (attach legible copies):

- a. _____
- b. _____
- c. _____
- d. _____

I believe that I have pursued all the necessary steps in order to resolve my complaint through the Informal Grievance Procedure and consider the issue of sufficient concern to file a written grievance with College officials.

Signature: _____ Date Filed: _____

cc: Complainant, Respondent (Party against whom the grievance is filed)
Original Copy: Student Services Office



Waiver of Right to Hearing

I understand that I am entitled to a hearing before the Hearing Committee for alleged violation(s) of prohibited student conduct in accordance with Administrative Regulation 5500, the Student Rights and Responsibilities Handbook.

I also understand that such a hearing would include the right to present evidence on my own behalf, to have an advocate, to have the matter decided by a neutral hearing committee, and to appeal the committee's decision to a higher level within the College governance body.

I further understand that, pursuant to disciplinary procedures outlined in the Student Rights and Responsibilities Handbook, disciplinary sanctions, including expulsion, may be recommended to the Superintendent/President.

Initial one of the following:

_____ I voluntarily waive my right to a hearing as described in the Student Rights Responsibilities Handbook. I accept the identified disciplinary action.

_____ I waive my right to a formal hearing as described in the Student Rights & Responsibilities Handbook. I am requesting an administrative review by the Vice President and Dean of Student Services in lieu of a formal hearing. I am waiving all rights to further appeal.

This is to certify that I have read this form and understand it, and hereby agree to voluntarily waive my right to a formal hearing as outlined in the Cabrillo College Student Rights and Responsibilities Handbook.

Student's Name (Print)

Witness (Print)

Student's Signature

Signature of Witness

Address

City, State, Zip

Date

GLOSSARY OF TERMS

ADVOCATE – One who provides support and assistance to the complainant or the party being grieved.

CHEATING –

- a. Copying, in part or in whole, from someone else's writing, test, exam, project, or paper;
- b. Submitting work presented previously in another course, if contrary to the rules of either course;
- c. Altering or interfering with grading;
- d. During an exam using or consulting any sources, electronic equipment, including cell phones and PDAs, or materials not authorized by the instructor; or
- e. Committing other acts that defraud or misrepresent.

COMPLAINANT – Any student or District employee who believes that he/she has been adversely affected by the violation of his/her rights. Any representative of the District charged with the responsibility of student rights and compliance may act as a complainant on behalf of a student.

COMPLAINT – A statement of material facts establishing that the actions of another are in violation of local, state, or federal law, or district policies and regulations.

DISPARATE – Unequal treatment resulting from the different application of written policy.

DISRUPTIVE BEHAVIOR – Any behavior that interferes with a productive, safe, and fair learning environment.

EXPULSION – Permanent exclusion of a student from all College privileges including class attendance by action of the Governing Board resulting from continued and/or extremely serious violations of College rules and regulations, and/or for "good cause".

GRIEVANCE – Any written complaint filed by the student who believes that a College policy or decision has violated his/her rights. However, a "grievance" does not include any matter for which a different appeals procedure is provided either by statutes, ordinances, resolutions, or agreements.

INTEGRITY – Adherence to moral and ethical principles; soundness of moral character; honesty.

MISCONDUCT – Improper behavior as defined by the District Disciplinary Policy.

PLAGIARISM –

- a. Incorporating the ideas, words, phrases, sentences, paragraphs or parts of another person's writings, without giving appropriate credit, and representing the product as your own;
- b. Representing another's artistic or scholarly works such as musical compositions, computer programs, photographs, paintings, drawings or sculptures as your own;
- c. Submitting a paper purchased from a research or term paper service, including the internet; or
- d. Undocumented Web source usage.

PROCEDURAL DUE PROCESS – The right to receive a reasonable notification of all charges with ample opportunity to present a defense. Guaranteed protection of rights when accused of any College violation. This includes the right to face the accuser and the right to written documentation of any and all charges with ample opportunity to prepare a defense.

REMOVAL – Temporary removal from a particular class. Instructors have the authority to remove a student for the remainder of a class and the following class. If the student is a minor (under 18 years of age), parents must be notified and invited to a conference. See Student Responsibilities, Section IV.B.

REPRIMAND – A written notification of specific violation(s) of College rules and regulations.

RESPONDENT – Any faculty, staff or student against whom a complaint is lodged.

SUBSTANTIVE DUE PROCESS – The right to protection from arbitrary, capricious, and unreasonable action; right to expect appropriate penalties for misconduct.

SUPERVISOR – The person to whom the respondent reports.

SUSPENSION

Level I Suspension – Temporary exclusion of students from attending any classes anywhere in the District for the duration of the suspension resulting from violation of College regulations

Level II Suspension – Temporary exclusion from all classes and all College privilege(s) for a specified period of time resulting from violation of College regulations. A student on Level II Suspension may not be present or participate in any way in College functions anywhere in the District. This includes evenings, weekends, holidays and all areas where College activities are offered on or off campus.

WORKING/SCHOOL DAY – Monday through Friday excluding school holidays.