



Student Rights and Responsibilities

AP 5500, AP 5520, AP 5530

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 that end, the Student Rights and Responsibilities Handbook is an information resource for students, faculty, staff and administrators that outlines the individual rights of all students and the procedures followed when it is believed these rights may have been violated. This handbook also outlines students' responsibilities as a member of Cabrillo College community and the behavior expectations required of them to ensure the quality learning environment that Cabrillo upholds.

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I. 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 policies and regulations.

The College strictly prohibits discrimination or harassment of students based on a student's sex identity, 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 (BP3410). For complaints against College employees, students should be referred to Human Resources to file a complaint. 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 Office of the Dean of Student Services.

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 and mental 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 health care 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). If the student is a minor, the student's parent or guardian shall also be provided notice of the due process procedures. Written consent can be submitted to Admission & Records with a copy at the DNSS office.

The Family Educational Rights and Privacy Act (FERPA) of 1974 protects the privacy of a student's education records by placing limits on who may have access to the records, what information may be shared or disclosed, and how that information may be used.

Cabrillo College complies with FERPA and has strict policies and procedures in place governing student records. In general, the College does not access a student's records or disclose information to anyone (including a student's parents) *without the student's written consent*.

For more information on FERPA regulations please visit the federal website:

U.S. Department of Education FERPA website or <http://www.ed.gov/policy/gen/guid/fpco/ferpa/>

C. Request intervention/assistance to ensure a healthy, productive learning environment.

The Student Support Conference Team (SSCT) is a group of Cabrillo administrators, faculty and staff who provide guidance, assistance and follow-up to faculty and staff who report issues of concern, disruption, and/or safety. The mission of the SSCT is to promote early identification and early intervention that support student success and a safe and healthy learning and working environment for everyone at Cabrillo College. SSCT encourages students to seek assistance from the following support services and programs:

1. Instructor
2. Department Chair
3. Division Dean
4. Accessibility Support Center (ASC)
5. Student Health Services

6. Campus Sheriff
7. Academic & Mental Health Counselors
8. Dean of Student Services
9. The HUB
10. Learning Centers
11. Foster Youth Independence Program
12. ASCC Student Senate
13. Veterans Information Center

Students who are seeking assistance from any one of the services/programs mentioned above can find contact information by going to: <http://www.cabrillo.edu/> and selecting Directories A-Z at the top right corner of the Cabrillo homepage. Type the name of the Cabrillo faculty/staff member or the title of the program.

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 links:

<https://www.cabrillo.edu/services/sheriff/crime.html>

<https://www.cabrillo.edu/services/pro/factbook/>

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 attempting to obtain passing grades by fraudulent means, 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, which is typically covered in every class syllabus. 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 will 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.
 - d. Being referred to the Dean of Student Services for conduct.

- 2. Administrative consequences may include:
 - a. Being placed on disciplinary probation.
 - b. Completing a class on academic dishonesty.
 - c. Being suspended or expelled.

The Office of the Dean of Student Services maintains a record of students who have engaged in academic dishonesty. A copy of the Cabrillo College Student Rights and Responsibilities Handbook (AP5500) is available in the Student Affairs Office or online at <http://go.cabrillo.edu/studentrights>.

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, administration, and community members.
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.
 - e. Never plagiarizing the work of others.
 - f. Meeting with your instructor during office hours as needed to clarify course requirements and/or resolve any issues not resolved in class.
 - g. Seeking out assistance and help from academic support services such as tutoring, learning assistance, offered in The HUB when struggling with class requirements.
4. Respect for **ALL** program guidelines and requirements.
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 and safety. The College's policies and procedures are designed to preserve a healthy and safe learning environment for all students. 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 objective 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, ensure safety 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.
- Any extension to off campus criminal behavior.
- Any extension to off campus tortious behavior.
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, and off campus property under Cabrillo supervision.
2. Forgery, altercation, 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 College 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, sales 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 college 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. This includes statements that are swear words, expletives, curse, obscene, blasphemy, swearing, foul language, bad language, cursing; rude, indecent, offensive, distasteful, crude, suggestive, racy, profane, lewd, or pornographic.
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. This means an allegation that is completely false in that the events that were alleged did not occur; an allegation that describes events that did occur, but were perpetrated by an individual who is not accused, and in which the accused person is innocent. A malicious charge is one that is spiteful, malevolent, evil-intentioned, vindictive, vengeful, malign, mean, nasty, hurtful, mischievous, wounding, cruel, and unkind.
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, sales, 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. Willful or persistent smoking, including vaporizing and chewing tobacco is prohibited by law and by regulation of the college.
23. Bringing dogs or other animals to school. Exceptions are:
 - a. Service animals assisting people with disabilities (refer to AP3440).
Service Animals are dogs or miniature horses that have been individually trained to do work or perform tasks for the benefit of an individual with a disability. Other animals, whether wild or domestic, do not qualify as service animals. Dogs that are not trained to perform tasks that mitigate the effects of a disability, including dogs that are used purely for emotional support, are not service animals.
 - b. The District may make two inquiries to determine whether an animal qualifies as a service animal: 1) whether the animal is required because of a disability; and 2) what work or task the animal has been trained to perform.
 - c. The care and supervision of a service animal is the responsibility of the student.
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 Board Policy BP3410.)
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. Bullying, including online interaction, and affecting any member of the College community on or off campus.
28. Flaming (very intense or strongly felt), bashing, 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.
29. 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.
30. Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.
31. Behaviors that discriminate on the basis of race, color, national origin, religion, sex, sexual orientation, disability, or age in any policies, procedures, or practices. Violating the Non-Discrimination Policy. (Refer to Board Policy 3410.)
32. 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.

V. DISCIPLINARY PROCEDURES

A. Procedures for Handling Challenging Student Issues

When a student cheats, demonstrates concerning behavior or is disruptive to a class, lab, or other instructional/student support services setting or activity, the instructor or supervising College authority must complete a clear and detailed SSCT report to document the incident for information only or for follow-up purposes:

Complete one of the following report forms: go.cabrillo.edu/studentreports

- a. Disruptive Student Behavior Report (DSBR).
- b. Academic Dishonesty Report (ADR).
- c. Concern for Student Report (CSR).

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

- a. Conference with the student.
- b. Inform appropriate Division Dean.

The instructor or supervising College Authority has options to consider to hold the student accountable:

1. Removing the student from the class for one or two class sessions. In this case, the instructor must follow the reporting procedures as stated above.

If the student is a minor, as defined by current law (Education Code Section 76032);, 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 may 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.

During the period of removal, a student shall not return to the class from which he or she was removed without the concurrence of the instructor of the class. The student has the right to return to class after two (2) class meetings, pending further disciplinary action, if any. Nothing herein will prevent the college administrator from recommending further disciplinary procedures in accordance with these procedures based on the facts which led to the removal. The Dean of Student Services shall provide the student a written notification of the decision and the type of disciplinary action being imposed. A record of the disciplinary action will be entered in the student's discipline file and will be maintained in the Office of the Dean of Student Services. If the student is a minor, then written notification of the decision will also be forwarded to the parent or guardian on record.

2. Dropping the student from the class with these required steps:
 - 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 or the Dean of Student Services.
 - ii. also has the option to issue a grade.
- d. Complete the appropriate SSCT report.

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

B. Referrals to the Dean of Student Services AND the Process for Disciplinary Follow-up and Consequences

The college enacts a progressive disciplinary process in response to any disruptive behavior, depending on the severity. When a student is referred to the Dean of Student Services by any member of the staff, faculty, or administration for academic dishonesty or disruptive behavior reasons:

1. A report **MUST** be completed and submitted to the Dean of Student Services by the employee who wishes to report a student for follow-up.
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 appropriate, the student can be given a copy of the report.
3. The Student Support Conference Team (SSCT) reviews all reports to determine appropriate follow-up. Often disruptive behavior is referred to the Dean of Student Services for a conduct meeting.
4. The Dean of Student Services may, depending upon how serious the referral is, meet with the student and other involved staff members.
5. The Office of the Dean of Student Services notifies the student that a meeting has been scheduled. It is the student's responsibility to confirm the meeting. If a student ignores the meeting notification or "no shows" the Dean of Student Services has the ability to put a hold on a student's record impeding the student's ability to conduct any "enrollment transactions" with the college until they meet with the Dean of Student Services. The Dean also has the ability to make a decision based on the facts outlined in the report without the student's input.
6. As a result of a conduct meeting, The Dean of Student Services can levy the following disciplinary follow-up and consequences:

Referral to College Resource where the student benefits from a support service that promotes their success in and outside the classroom including the HUB, ASC, Student Health Services, Student Resource & Support Network (formerly Fast Track to Work), Student Employment, Veterans or Foster Youth Independence.

Issuing a Written Warning with a hold on the student’s record and the requirement of a completed homework assignment. This is a warning that further acts of disruptive behavior will result in additional disciplinary response.

Disciplinary Probation through the end of the academic year with a hold on the student’s record preventing the student from registering for classes and the requirement of a completed homework assignment.

Restitution (Education Code Section 76031) Restitution consists of the reimbursement for damages to or misappropriation of District property, the property of a member of the College community, or of a visitor on the campus. Reimbursement may take the form of appropriate personal services to repair, restore or otherwise compensate for the damage or injury done, and may be made a condition of continued attendance at the College. The Dean of Student Services or his/her designee shall inform the student in writing of the amount to be reimbursed to the college and the length of time provided for reimbursement. A copy of the restitution requirement will be placed in the student's discipline file maintained in the Office of the Dean of Student Services, and shall also be placed on the student's permanent record.

Withdrawal of Consent to Remain on Campus (Penal Code Section 626.4) The Sheriff’s Office-Cabrillo Division, working in conjunction with the Dean of Student Services may notify any person for whom there is a reasonable belief that the person has willfully disrupted the orderly operation of the campus that consent to remain on campus has been withdrawn. If the person is on campus at the time, he or she must promptly leave or be escorted off campus. This includes for threats of violence and other emergencies, especially when the safety of personnel or campus property is compromised, the Sheriff, under the direction of the Dean of Student Services will issue a “walk-off” notice (Penal Code 626) prohibiting a student from campus for up to a fourteen day period or until a disciplinary hearing is scheduled.

Immediate Suspension with a referral to the College Disciplinary Hearing Committee for long-term suspension from Cabrillo (up to 2 years). The student will have a hold placed on their student records and will not be able to enroll in classes for the duration of their suspension period.

Expulsion. The Dean of Student Services will prohibit the student from returning to campus and make a referral to the Board of Trustees to expel the student and not allow them to ever enroll in classes at Cabrillo indefinitely.

In addition to the Dean of Student Services, a student may be suspended by the President, 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 violations of the code of conduct or related to College attendance or College activity at any time or place (California Education Code Section 76033) based on the following:

- 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 on campus grounds.
- f. Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.
- g. Illness, contagious or otherwise, which creates a serious threat to the health of the student or other students and college personnel.

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 consequences.
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

1. As mentioned above, 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 with 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. The advocate is there only to support and talk with the student. The advocate does not contribute information or discuss the incident with members of the Hearing Committee. 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 Hearing Committee member who is proved to be biased in favor of or against the accused student may participate in the hearing. 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 (with support from an 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. This can include increasing the severity of the disciplinary consequences.
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 or designee 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 or designee.

The President/Superintendent or designee will respond to the student in writing within ten (10) school/working days. The Superintendent/President or designee 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 or designee's decision to the Governing Board within ten (10) school/working days of the date the student received the Superintendent/President's or designee'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. 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 (BP3410) are not dealt with under this grievance policy. Every effort should be made to refer such a complaint to the College's BP3410 District Officer, the Director of Human Resources. If a student files a grievance that alleges unlawful discrimination, including harassment, the College shall immediately refer the grievance to the Director of Human Resources (specified in AP3410 as the single District Officer whom reports to the State Chancellor's Office). 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 Director of Human Resources. If the determination of the discrimination/harassment claim is relevant to the other portions of the grievance, then the determination of the Director of Human Resources 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 Accessibility Support Center) 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 BP3410 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 Director of Human Resources pending the resolution of the discrimination harassment grievance pursuant to BP3410.

E. Informal 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 informal grievance dispute resolution procedure does not apply to complaints of discrimination and/or harassment under the College's Non-Discrimination and Sexual Harassment Policy (BP3410). If such a complaint is made to the Department 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 Department Chair or immediate supervisor of the person against whom the complaint is directed. The Department 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 informal 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 Informal 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 (BP3410). 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 or designee 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 or designee, 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 or designee.
 - d. The President or designee 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.

Campus SaVE Act

What is the “SaVE Act?”

- This means Sexual Violence Elimination (SaVE) and is about violence against women.
- It expands the 1992 sexual violence reporting and policy.
- It became law March 2013 and the Campus SaVE Act has four central components:
 1. Identify the institution’s Campus Security Authority personnel.
 2. Create a Campus Sexual Assault Victim Bill of Rights.
 3. Expand sexual crime reporting on campus.
 4. Ensure the college has standard operating procedures for handling incidents of sexual violence.

Jeanne Clery Act Colleges/Universities must comply with the following:

- Annual Security Report
- Statements of policy
- Campus crime statistics
- Campus Sexual Assault Victim Bill of Rights
- SaVE Act statistics
- Ongoing disclosures
- Emergency notifications
- Timely warnings
- Public crime Log

The U.S Department of Education enforces the Clery Act.

Campus Sexual Assault Victim Bill of Rights Victims of sexual assault will have the right to the following:

- Reasonable changes to the academic and living situations.
- Referrals to counseling, assistance in notifying law enforcement.
- Same opportunity as accused to have others present at disciplinary hearing.
- Unconditional notification of outcomes of hearing, sanctions and terms of sanctions in place.
- Opportunities and assistance to speak (or choose not to speak) to anyone regarding the outcome.
- Name and identifying information kept confidential (FERPA).

Campus SaVE: Violence Against Women Act (Sect. 304): Crime Statistics

- The SaVE Act adds the following offenses to the list of criminal offense for which statistics must be reported:
 - Domestic violence
 - Dating violence
 - Sexual assault
 - Stalking
- A student or employee who reports to an institution of higher education that she/he has been a victim of these crimes, whether it has occurred on or off-campus, shall be provided with a written explanation of his or her rights and options.

Who is a Campus Security Authority?

- The Sheriff Department
- The Vice President of Student Services
- The Dean of Student Services
- The Director of Human Resources located at the Human Resources Office
- Faculty or staff advisors to the ASCC (Associated Students of Cabrillo College) and authorized clubs
- Your Coaches and/or the Athletic Director

Definition of Important Terms to help you understand the following:

- Consent
- Sexual Assault
- Domestic Violence
- Dating Violence
- Stalking

What is “consent?”

- Consent is an act of reason and deliberation.
- A person who has sufficient mental capacity to make an intelligent decision demonstrates consent by performing an act recommended by another.
- Consent assumes that a person has the physical power to act and can reflect, and be unencumbered in exerting these powers.
- To be consensual, there must be ". . . positive cooperation" and "the person must act freely and voluntarily . . ." (See California Penal Code, 261.6 for complete definition).

Sexual Assault

- Sexual assault means conduct in violation of one or more of the following California penal code sections:
 - Section 261—rape
 - Section 261.5—statutory rape; 264.1—rape in concert
 - Section 285—incest
 - Section 286—sodomy
 - Subdivision c of section 288—lewd or lascivious acts upon a child 288a—oral copulation; 289—sexual penetration; or 647.6—child molestation.

Domestic Violence/Family Violence

- Domestic violence means abuse committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or is having or has had a dating or engagement relationship. For purposes of this subdivision, "cohabitant" means two unrelated adult persons living together for a substantial period of time, resulting in some permanency of relationship. Factors that may determine whether persons are cohabiting include, but are not limited to:
 1. Sexual relations between the parties while sharing the same living quarters.
 2. Sharing of income or expenses.

3. Joint use or ownership of property.
4. Whether the parties hold themselves out as husband and wife.
5. The continuity of the relationship, and the length of the relationship.
(For complete information see California Penal Code Section 13700)

Dating Violence

- Dating violence includes any abuse, mistreatment, or sexual contact without consent at any stage of a dating relationship.
- For resources and references please refer to the following:

[Title 4 Protective Orders and Family Violence Code](#)
[A Guide to Confidentiality and Reporting Laws in California](#)

Stalking

- Any person who willfully, maliciously, and repeatedly follows or harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, of his or her immediate family.
- The Elements of Stalking:
 - A person willfully, maliciously, and repeatedly followed or harassed another person.
 - That person following or harassing made a credible threat.
 - The person who made the threat did so with the specific intent to place the other person in reasonable fear for his or her safety or the safety of the immediate family of such person(s).
 - For more info see California Penal Code 646.9.

What happens when you report a crime to our Sheriff on campus?

- Campus Sheriff Department will write a report and inform the proper on-and off-campus authorities, including Human Resources especially in cases of sexual assault.
- The Sheriff Department will investigate this and they will cooperate with the District attorney, and other appropriate agencies.
- If you are a current student at Cabrillo College, the Sheriff Department will report it to the Dean of Student Services (DNSS). If another student is involved, the DNSS will follow appropriate disciplinary procedures; if it involves a staff member or faculty, Human Resources will handle the case.
- Dean of Student Services will need to meet with you and obtain your statement. DNSS will work with the Sheriff Department to investigate the reported crime.
- Dean of Student Services will provide you information about appropriate support services and resources, in partnership with Student Health Services.
- You will be highly encouraged to reach out to the College's Student Health Services professional staff.
- The Student Health Services staff will follow up and ask to meet with you.

Disciplinary procedures

- You have the right to know that your case will be handled appropriately. This means other off –and on-campus authorities may be involved.

- The District/college is required to ensure that disciplinary procedures for such cases must clearly state that the proceedings will:

“Be conducted by officials who receive **annual** training on the issues related to”:

- *The four types of cases:* domestic violence, dating violence, sexual assault, stalking.
- *How to conduct an investigation* “that protects the safety of victims and promotes accountability.”
- *How to conduct a hearing process* “that protects the safety of victims and promotes accountability.”

Prevention and Awareness

- As an institution of Higher Education, Cabrillo College must engage in “ongoing prevention and awareness campaigns for students and faculty” pertaining to:
 - Education programs to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking.
 - Provide resources and referrals to on and off-campus services.

How to Report to Authorities

- If you have experienced any of these crimes or have witnessed any of these crimes on campus, you may remain anonymous when reporting.
- Call 911 or call the Sheriff Department, Cabrillo College Division at (831) 212-8464, Dispatch at (831) 471-1121, Watsonville Campus Deputy at (831) 471-1151
- When asked for your name, if you want to remain anonymous, identify the call as a SaVE Act call.

Checklist for Prevention

- Do you know and trust the person before entering in a dating relationship?
- Are you extra cautious when meeting people on-line?
- When you go out, do you make a habit of telling your friends, parents or someone you trust where you are going, with whom and when you expect to be back?
- Do you know your limits and express them?
- Do you avoid drugs and alcohol?
- Do you know and understand the characteristics of a healthy relationship?
- Do you know where to go for on campus support and assistance?

NON-DISCRIMINATION AND SEXUAL HARASSMENT POLICY

BP3410

It is the policy of the Cabrillo Community College District to provide an environment free of unlawful discrimination or discriminatory harassment, including sexual harassment.

Discrimination or harassment on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, pregnancy or pregnancy disability, genetic information, marital status, sex, gender, gender identity, gender expression, age, or sexual orientation of any person, or because he or she is perceived to have one or more of the foregoing characteristics in the District's programs, activities and work environment are prohibited.

Retaliation against any individual who makes a complaint of discrimination or harassment or who participates in an investigation of discrimination or harassment is prohibited whether or not the allegations are eventually found to be true. If the District determines that retaliation has occurred, it will take all reasonable steps to stop such conduct.

Individuals who engage in discriminatory acts or harassment, or retaliatory conduct are subject to disciplinary action up to and including expulsion from the College or termination from employment.

The Superintendent/President shall establish procedures for students, employees, and other members of the campus community that provide notice of how to make complaints of unlawful discrimination or harassment, and for the investigation and resolution of such complaints. Such procedures shall include posting and dissemination of this policy to students and employees

To request more information about equal opportunity policies and the filing of grievance, contact the following:

Director of Human Resources: (831) 479-6234, Bldg 1550

Dean or Vice President of Student Services: (831) 477-3584, SAC East, Room 218

Accessibility Support Center, Section 504 Officer: (831) 479-6379, Room 1073

For more information, refer to AP3410

SMOKE-FREE ENVIRONMENT**BP 3570**

It is the policy of the Cabrillo College Governing Board to promote a safe and healthy campus environment by reducing the health risks associated with smoking.

To meet this obligation, Cabrillo College District has a smoke-free environment policy that covers all individuals on the Cabrillo College locations but not limited to students, faculty, staff and visitors. This policy applies to all College buildings, vehicles or facilities where College programs or services are provided.

For more information, refer to AP3570

DRUG FREE CAMPUS**BP 3550**

Cabrillo College shall maintain a campus free from the unlawful possession, use or distribution of illicit drugs and 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 or employee who violates this policy will be subject to disciplinary action (consistent with local, state or federal law), which may include referral to an appropriate rehabilitation program, suspension, demotion, expulsion or dismissal.

The Superintendent/President shall ensure that the District distributes annually to each student and employee the information required by the Drug-Free Schools and Communities Act Amendments of 1989 and complies with other requirements of the Act.

For more information, refer to AP3550



SERVICE ANIMAL REGISTRATION FORM

STUDENT

EMPLOYEE

VISITOR

Submit to ASC

Submit to Sheriff's Office

Submit to Sheriff's Office

Name _____ SSN/SID _____

Name of Animal _____ Breed: _____ Color: _____

Address: _____ City: _____ Zip Code: _____

Home Phone: _____ Cell/Contact Phone: _____

Veterinarian: _____ Phone/Fax: _____

Is verification of your disability on file with Accessibility Support Center 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: _____



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 Procedure 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

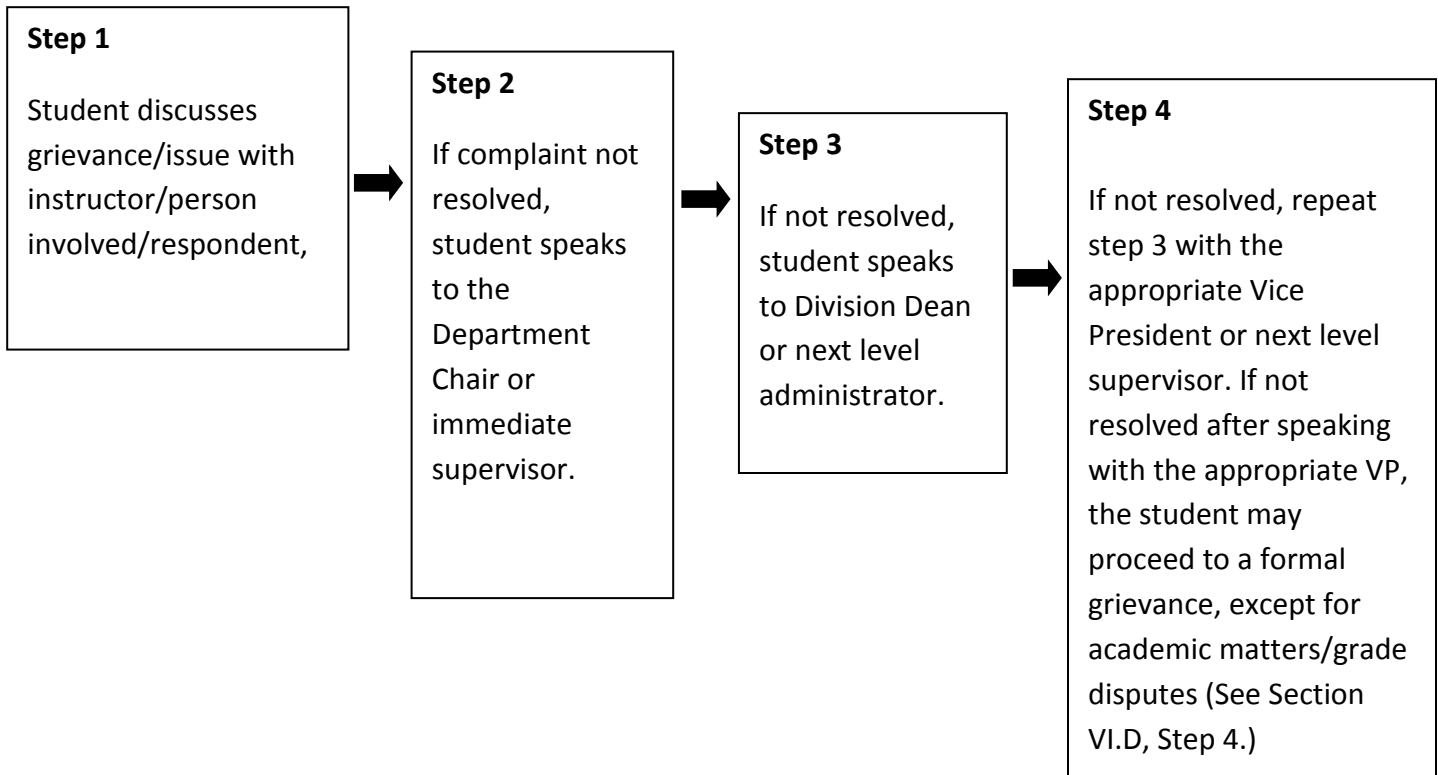
Date

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.

Informal Grievance Procedure



Formal Grievance Procedure

