



Student Rights and Responsibilities Handbook 2026-27



SIERRA COLLEGE

Student's Rights and Responsibilities Handbook

This guide is designed to assist students, faculty, and staff of Sierra College in understanding the District's expectations of student behavior and conduct. Please see the Board of Trustees' [website](#) for a complete list of Board Policies and Administrative Procedures.

Sierra College Mission Statement

The mission of Sierra College is to ensure that all our students have access to an equitable, high-quality education where they are welcomed, supported, and empowered to achieve their goals.



Dear Student,

Welcome to Sierra College; we are glad you are here. We are committed to providing you with an inclusive and safe learning environment where you can actively engage in your education and ultimately achieve your goals. This handbook outlines your rights and responsibilities as a student and includes some helpful resources. We encourage you to become familiar with the information provided as you embark on your academic journey with us.

William H. Duncan IV, Sierra College Superintendent/President

STUDENT RIGHTS AND RESPONSIBILITIES HANDBOOK

Table of Contents

<i>I.</i>	<i>Compliance Officer Contacts</i>	<i>4</i>
<i>II.</i>	<i>Student Rights and Grievances</i>	<i>5</i>
	<i>a. Grievance Form</i>	<i>10</i>
<i>III.</i>	<i>Grade Changes</i>	<i>12</i>
<i>IV.</i>	<i>Responding to Harassment Based on Sex Under Title IX</i>	<i>14</i>
<i>V.</i>	<i>Standards of Student Conduct</i>	<i>31</i>
<i>VI.</i>	<i>Honesty in Academic Work</i>	<i>34</i>
<i>VII.</i>	<i>Hazing</i>	<i>36</i>
<i>VIII.</i>	<i>Student Discipline and Due Process</i>	<i>38</i>
	<i>a. Disciplinary Appeal Form</i>	<i>42</i>
	<i>b. Sanctions</i>	<i>43</i>
	<i>c. Student Conduct Map</i>	<i>44</i>
	<i>d. Overview of Process</i>	<i>45</i>

Compliance Officer Contacts

The following is a list of designated administrators who serve as Compliance Officers for certain types of complaints, grievances, or disciplinary matters.

District Conduct Officer: Laura McNaughton

Title: Dean of Student Life

Location: L-101

Contact: conductofficer@sierracollege.edu

Description: If you are involved in the conduct process (see AP 5520 Student Discipline Procedures and Due Process) or have questions about the conduct process.

Student Grievance Officer: Juan Miguel Blanco

Title: Campus Life Coordinator

Location: Campus Life

Contact: grievance@sierracollege.edu

Description: If you have a grievance (See AP 5530 Students' Rights & Grievances) or have questions about the grievance process.

Title IX and Equal Employment Opportunity: Latoya Jackson

Title: Title IX Coordinator

Location: U-12A

Contact: eeot9@sierracollege.edu

Description: Sierra College is an equal employment opportunity employer committed to nondiscrimination and the achievement of diversity and equity among its faculty, staff, and students. People with inquiries about the application of Title IX, Senate Bill 493, and/or EEO may contact the Director of Diversity, EEO and Title IX (Title IX Coordinator)

Student Rights & Grievances

Students are encouraged to pursue their academic studies and become involved in other District-sponsored activities that promote their intellectual growth and personal development, free of unfair and improper actions on the part of any member of the academic community. If, at any time, a student feels that they have been subject to an unjust action or decision, redress may be sought as prescribed in Administrative Procedure 5530 Students' Rights & Grievances. The purpose of this procedure is to provide a prompt and equitable means of resolving student grievances at the lowest level.

Grievance

A claim by any student who reasonably believes a District decision or action has adversely affected their status, rights, or privileges as a student. A Grievance includes but is not limited to claims regarding the exercise of rights of free expression protected by state and federal constitutions and Education Code Section 76120.

A Grievance is not:

- Student disciplinary actions, which are covered under separate board policies and administrative procedures.
- Police citations (i.e., "tickets"); complaints about citations must be directed to the County Courthouse in the same way as any traffic violation.

District Grievance Officer

The District Grievance Officer or a designated representative of the Superintendent/President.

Informal Grievance Process

Each student who has a Grievance shall make a reasonable effort to resolve the matter on an informal basis prior to requesting a Grievance hearing and shall attempt to solve the problem with the person with whom the student has the Grievance, that person's immediate supervisor, or the local District administration.

The Superintendent/President

shall appoint an employee who shall assist students in seeking resolution by informal means. This person shall be called the Grievance Officer. The Grievance Officer and the student may also seek the assistance of the Associated Student Organization in attempting to resolve a Grievance informally.

Informal meetings and discussion between people directly involved in a Grievance are essential at the outset of a dispute and should be encouraged at all stages. An equitable solution should be sought before people directly involved in the case have stated official or public positions that might

tend to polarize the dispute and render a solution more difficult. At no time shall any of the persons directly or indirectly involved in the case use the fact of such informal discussion, the fact that a Grievance has been filed, or the character of the informal discussion for the purpose of strengthening the case for or against persons directly involved in the dispute or for any purpose other than the settlement of the Grievance.

Any student who believes they have a Grievance shall file a Statement of Grievance with the Grievance Officer within 60 instructional days of the incident on which the Grievance is based, or 60 instructional days after the student learns of the basis for the Grievance, whichever is later. The Statement of Grievance must be filed whether or not the student has already initiated efforts at informal resolution if the student wishes the Grievance to become official. Within two days following receipt of the Statement of Grievance Form, the Grievance Officer shall advise the student of their rights and responsibilities under these procedures, and assist the student, if necessary, in the final preparation of the Statement of Grievance form.

The Statement of Grievance form is below or can be completed online and is located [here](#).

If at the end of 10 instructional days following the student's first meeting with the Grievance Officer, there is no informal resolution of the complaint which is satisfactory to the student, the student shall have the right to request a Grievance hearing.

Request for a Grievance hearing (Formal Process)

Any request for a Grievance hearing shall be filed on a Request for a Grievance Hearing form within five (5) instructional days after filing the Statement of Grievance as described above.

Request for a Grievance Hearing form can be filled out online and is located [here](#).

Within 10 instructional days following receipt of the request for Grievance hearing, the Grievance Officer shall appoint a Grievance Hearing Committee, and the Grievance Hearing Committee shall meet in private and without the Parties present to select a chair and to determine on the basis of the Statement of Grievance whether it presents sufficient grounds for a hearing.

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

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

If the Grievance does not meet each of the requirements, the Grievance Hearing Committee chair shall notify the student in writing of the rejection of the Request for a Grievance Hearing, together with the specific reasons for the rejection and the procedures for appeal. This notice will be provided within 2 instructional days of the date the Grievance Hearing Committee makes its decision.

If the Request for Grievance Hearing satisfies each of the requirements, the Grievance Officer shall schedule a Grievance hearing. The hearing will begin within 10 instructional days following the decision to grant a Grievance Hearing. All Parties to the Grievance shall be given not less than 2 instructional days' notice of the date, time, and place of the hearing.

Grievance Hearings Committee Membership

The Grievance Officer shall at the beginning of each semester or summer session, establish a standing panel of 9 members of the college community, including 3 students, 3 faculty members and 3 classified staff, from which one or more Grievance Hearing Committees may be appointed. The panel will be established with the advice and assistance of the Associated Students Organization the Academic Senate, and Classified Senate who shall each submit the names to the District Grievance Officer for inclusion on the panel. A Grievance Hearing Committee shall be constituted in accordance with the following:

- It shall include 1 student, 1 faculty member, and 1 Classified Staff selected from the panel described above.
- No person shall serve as a member of a Grievance Hearing Committee if that person has been personally involved in any matter giving rise to the Grievance, has made any statement on the matters at issue, or could otherwise not act in a neutral manner. Any Party to the Grievance may challenge any member of the hearing committee prior to the beginning of the hearing by addressing a challenge to the Grievance Officer who shall determine whether cause for disqualification has been shown. If the District Grievance Officer feels that sufficient ground for removal of a member of the committee has been presented, the Grievance Officer shall remove the challenged member or members and substitute a member or members from the panel described above. This determination is subject to appeal as defined below.
- The Grievance Officer shall sit with the Grievance Hearing Committee but shall not serve as a member nor vote. The Grievance Officer shall coordinate all scheduling of hearings, shall serve to assist all Parties and the Hearing Committee to facilitate a full, fair, and efficient resolution of the Grievance, and shall avoid an adversary role.

Hearing Procedure

- The decision of the Grievance Hearing Committee chair shall be final on all matters relating to the conduct of the hearing unless there is a vote of a majority of the other members of the panel to the contrary.
- The Grievance Officer will provide members of the Grievance Hearing Committee with a copy of the Grievance and any written response provided by the Respondent before the hearing begins.

- Each Party to the Grievance may call witnesses and introduce oral and written testimony relevant to the issues of the matter.
- Formal rules of evidence shall not apply. Any relevant evidence shall be admitted.
- Unless the Grievance Hearing Committee determines to proceed otherwise, each Party to the Grievance shall be permitted to make an opening statement. Thereafter, the Grievant or Grievant shall make the first presentation, followed by the Respondent or Respondents. The Grievant may present rebuttal evidence after the Respondent(s)'s evidence. The burden shall be on the Grievant or Grievant to prove by substantial evidence that the facts alleged are true and that a Grievance has been established as specified above.
- If a Party wishes to be represented by an attorney, a request must be presented not less than two (2) instructional days prior to the date of the hearing. If one Party is permitted to be represented by an attorney, any other Party shall have the right to be represented by an attorney. The hearing committee may also request legal assistance through the Grievance Officer. Any legal advisor provided to the hearing committee may sit with it in an advisory capacity to provide legal counsel but shall not be a member of the panel nor vote with it.
- Hearings shall be closed and confidential unless all Parties request that they be open to the public. Any such request must be made no less than 3 instructional days prior to the date of the hearing.
- In a closed hearing, witnesses shall not be present at the hearing when not testifying, unless all Parties and the committee agree to the contrary.
- The Grievance Officer will record the hearing by tape recording or stenographic recording, and this will be the only recording made. No witness who refuses to be recorded may be permitted to give testimony. In the event the recording is by tape recording, the Grievance Hearing Committee Chair shall, at the beginning of the hearing, ask each person present to identify themselves by name, and thereafter shall ask witnesses to identify themselves by name. The tape recording shall remain in the custody of the District, either at the college or the District office, for two years, unless released to a professional transcribing service. Any Party may request a copy of the tape recording.
- All witnesses must testify under oath; the Grievance Hearing Committee Chair will administer the oath. The Grievance Hearing Committee will only admit written statements from witnesses under penalty of perjury if the witness is unavailable to testify. A witness who refuses to be tape-recorded shall be considered to be unavailable.
- Within 3 instructional days following the close of the hearing, the Grievance Hearing Committee shall prepare and send to the Superintendent/President a written decision.
- The decision shall include specific factual findings regarding the Grievance and shall include specific conclusions regarding whether the hearing established a Grievance as defined above. The decision shall also include a specific recommendation regarding the relief for the Grievant, if any. The Grievance Hearing Committee will base its decision only on the record of the hearing, and not on matter outside of that record. The record consists of the original Grievance, any written response, and the oral and written evidence produced at the hearing.

Appeal

Any appeal relating of a Grievance Hearing Committee decision that the Statement of Grievance does not present a Grievance as defined in these procedures shall be made in writing to the Superintendent/President within 3 instructional days of that decision. The Superintendent/President shall review the Statement of Grievance and Request for Grievance Hearing in accordance with the requirements for a Grievance provided in these procedures but shall not consider any other matters. The Superintendent/President decision whether or not to grant a Grievance hearing shall be final and not subject to further appeal.

Superintendent/President Decision

Within 3 instructional days following receipt of the Grievance Hearing Committee's decision and recommendation(s), the Superintendent/President shall send to all Parties their written decision, together with the Hearing Committee's decision and recommendations. The Superintendent/President may accept or reject the findings, decisions, and recommendations of the Hearing Committee. The factual findings of the Hearing Committee shall be accorded great weight; and if the Superintendent/President does not accept the decision or a finding or recommendation of the Hearing Committee, the Superintendent/President shall review the record of the hearing and shall prepare a new written decision which contains specific factual findings and conclusions. The decision of the Superintendent/President shall be final.

Time Limits

Any times specified in these procedures may be shortened or lengthened if there is mutual concurrence by all Parties.

Reference Administrative Procedure 5530



Grievance Form

District Grievance Officer (916) 660-7380

grievance@sierracollege.edu

This form is to file an official grievance. To start this process, all necessary steps within the designated timeframes to resolve my complaint through the informal grievance process must be completed. Refer to the Student Rights and Responsibilities Handbook for more information.

Student Information:

Name: _____
Last First MI

Student ID #: _____

Grievance Information:

Complete all the following information:

Date the issue occurred

What specific rule, regulation, law, or student right do you believe has been violated?

Provide the names, dates, and other important details to support the issue listed above. Attach additional pages as needed.

Desired remedy/resolution

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

Informal Grievance Process:

Was an informal meeting held with the college representative against whom this complaint is being filed?

☐☐

Yes

No

Date meeting held:

Was an informal meeting held with the supervisor of the college representative against whom the complaint is being filed?

☐☐

Yes

No

Date meeting held:

Was an informal meeting held with the next-level administrator?

☐☐

Yes

No

Date meeting held:

Formal Grievance Process:

Check One: ☐ Waive attorney at hearing

☐ Choose to bring attorney

Attorney Name

Address

Phone Number

Student Signature:

I believe I have pursued all necessary steps within the designated timeframes to resolve my complaint through the informal grievance process. I consider the issue of sufficient concern to file a written grievance with College officials.

Student Signature

Date

Grievance Form 06/11/2026

Grade Changes

Changing Grades

- The instructor of the course shall determine the grade to be awarded to each student.
- The determination of the student's grade by the instructor is final in the absence of mistakes, fraud, bad faith, or incompetence. "Mistake" may include, but is not limited to, errors made by an instructor in calculating a student's grade, and clerical errors. "Fraud" may include, but is not limited to, inaccurate recording or change of a grade by any person who gains access to grade records without authorization.
- The removal or change of an incorrect grade from a student's record shall only be done pursuant to Education Code 76232 or by an alternative method that ensures that each student shall be afforded an objective and reasonable review of the requested grade change.
- Provisions shall be made to allow another faculty member to substitute for the instructor if the student has filed a discrimination complaint, if the instructor is not available or where the District determines that it is possible that there may have been gross misconduct by the original instructor. Students who are requesting a grade change due to alleged harassment or discrimination shall refer to AP 3435 Discrimination and Harassment Complaints and Investigations. In the case of fraud, bad faith, or incompetence, the final determination concerning removal or change of grade will be made by the Dean of Student Services or designee.
- In all cases, the instructor who first awarded the grade will be given written notice of the change.

Students wishing to challenge an evaluative grade received in a course (A, B, C, D, F, P, and NP) must submit a change of grade request within one year after completing the course for which the grade change is being requested. After this period, if there are extenuating circumstances—verified cases of accidents, illnesses, or other circumstances beyond the control of the student—a change of grade request may be submitted to the Academic Standards Committee; however, the period for a request may not exceed three years after the completion of the course.

Change of Grade from Evaluative Symbol to Evaluative Symbol:

Procedures – Within One Year

- A student seeking a change of grade shall file a Grade Change Petition with the Admissions & Records Office within one year after completing the course. Specific reasons for the request must be stated.
- The petition must be approved and signed by the appropriate instructor and dean. The instructor must cite a reason consistent with one of the conditions in Education Code Section 76224.
- The Admissions & Records Office will process approved grade change requests.

Procedures – After the First Year, But Within Three Years

- If there are extenuating circumstances, the Grade Change Petition may be submitted to the Admissions & Records Office up to but no later than three years after the completion of the course. In addition to procedures within one year listed above, the student must also attach to the petition sufficient documentation proving an accident, illness, or other circumstances beyond the control of the student that disallowed them from submitting the Grade Change Petition within one year of the course completion date.
- The Admissions & Records Office shall validate the required data and forward the petition to the Academic Standards Committee for consideration.

Change of Grade from Evaluative Symbol to Non-Evaluative Symbol:

In order to change an evaluative grade (A, B, C, D, F, P, NP) to a non-evaluative symbol (EW, MW, W, I, IP), an extenuating circumstance must be verified in writing. Extenuating circumstances are verified cases of accidents, illnesses, or other circumstances beyond the control of the student. A request for a change of grade to a non-evaluative symbol may not exceed three years after the completion of the course.

Procedures – Within Three Years

- A student seeking a change from a grade to a non-evaluative symbol shall file an appropriate petition with the Admissions & Records Office indicating the specific change requested.
- The petition must be supported and signed by the appropriate instructor.
- The student must attach sufficient documentation proving an accident, illness, or extenuating circumstances beyond the control of the student.
- The Admissions & Records Office shall validate the required data and confirm the satisfaction of the conditions specified by California Code of Regulations, Title 5 Sections 55025.
- The petition will be forwarded to the Academic Standards Committee for consideration.

Security of Grade Records

- The District shall implement security measures for student records that ensure no person may obtain access to student grade records without proper authorization. These measures shall be installed as part of any computerized grade data storage system.
- The measures implemented by the District shall include, but not necessarily be limited to, password protection for all student grade databases, locking mechanisms for computer stations from which student grade databases can be viewed, and strict limits on the number of persons who are authorized to change student grades.
- The Dean of Student Services or designee shall designate people authorized to change grades. No more than five District employees may be authorized to change student grades. Only regular full-time employees of the District may be authorized to change grades. Student workers shall not have access to grade records, and student workers may not change grades at any time.

- Any person who discovers that grades have been changed by someone other than the person authorized to do so shall notify the Dean of Student Services or designee immediately. The Dean of Student Services, or designee shall immediately take steps to lock the grade storage system entirely while an investigation is conducted.
- If any student's grade record is found to have been changed without proper authorization, the District will notify 1) the student; 2) the instructor who originally awarded the grade; 3) any educational institution to which the student has transferred; 4) the accreditation agency; and 5) appropriate local law enforcement authorities.
- Whenever a grade is changed for any reason, corrected transcripts will be sent to any educational institution to which a student has transferred.
- Any student or employee who is found to have gained access to grade recording systems without proper authorization, or who is found to have changed any grade without proper authority to do so, shall be subject to discipline in accordance with District policies and procedures.
- Any person who is found to have gained access to grade recording systems without proper authorization, or who is found to have changed any grade without proper authority to do so, shall be reported to the appropriate law enforcement agency having jurisdiction over the college where the incident occurred.

Reference Administrative Procedure 4231

Responding to Harassment Based on Sex under Title IX

Introduction

The District encourages members of the District community to report sexual harassment. This procedure only applies to conduct defined as sexual harassment under Title IX and applicable federal regulations that meet Title IX jurisdictional requirements. The District will respond to sexual harassment and sexual misconduct that falls outside that definition and outside the jurisdiction of the Title IX federal regulations using California law and applicable District policies and procedures. In implementing these procedures discussed below, the District will also provide supportive measures, training, and resources in compliance with California law, unless they are preempted by the Title IX regulations.

Title IX Coordinator

Questions concerning Title IX may be referred to the District Title IX Coordinator, or designee, whose contact information is below.

The District's Title IX Coordinator is the Director of EEO, Diversity and Title IX and the Title IX Coordinator's contact information is:

5100 Sierra College Blvd., U Building

Rocklin, CA 95677

(916) 660-7006

The Title IX Coordinator, or designee, is required to respond to reports of sexual harassment or misconduct. The Title IX Coordinator, or designee, will handle information received with the utmost discretion and will share information with others on a need-to-know basis. For example, the Title IX Coordinator (or designee), may need to address public safety concerns on campus, comply with state and federal legal requirements, or share information to implement supportive measures.

A report of sexual harassment to the Title IX Coordinator does not necessarily lead to a full investigation, as discussed below. However, the Title IX Coordinator, or designee, will make an assessment to determine if there is a safety risk to the campus. If the Title IX Coordinator (or designee), finds there is a continued risk, the Title IX Coordinator, or designee, will file the formal complaint without the Complainant's consent or cooperation.

Title IX Harassment Complaints, Investigations, and Hearings

These Title IX sexual harassment procedures, and the related policy protect students, employees, applicants for employment, and applicants for admission.

The investigation and adjudication of alleged sexual harassment under this procedure is not an adversarial process between the Complainant, the Respondent, and the witnesses, but rather a process for the District to comply with its obligations under existing law. The Complainant does not have the burden to prove, nor does the Respondent have the burden to disprove, the underlying allegation or allegations of misconduct.

Jurisdictional Requirements – Application of Procedures

These procedures apply if the conduct meets the following three jurisdictional requirements:

- The conduct took place in the United States.
- The conduct took place in a District “education program or activity.” This includes locations, events, or circumstances over which the District exercised substantial control over both the Respondent and the context in which the harassment occurred, including on-campus and off-campus property and buildings the District, owns or controls or student organizations officially recognized by the District.
- The conduct meets the definition of Title IX “sexual harassment.”

Definitions

Advisor: Throughout the grievance process, both the Complainant and Respondent have a right to an Advisor of their choice. If a Party does not have an Advisor at the time of the hearing, the District must provide the Party with an Advisor of the District’s choice, free of charge. The District

may establish restrictions regarding the extent to which the Advisor may participate in the proceedings as long as the restrictions apply equally to both Parties.

Parties have the right to consult with an attorney, at their own expense, at any stage of the Complaint process if they wish to do so. An attorney may serve as an advisor.

Complainant: A Complainant is an individual who alleges they are the victim of conduct that could constitute sexual harassment.

Consent: Consent means affirmative, conscious, and voluntary agreement to engage in sexual activity. Both Parties must give affirmative consent to sexual activity. It is the responsibility of each person involved in sexual activity to ensure that they have the affirmative consent of the other or others to engage in the sexual activity. Lack of protest, lack of resistance, or silence does not indicate consent. Affirmative consent must be ongoing throughout a sexual activity, and one can revoke their consent at any time. The existence of a dating relationship between the people involved, or the fact of past sexual relations between them, is not an indicator of consent.

The Respondent's belief that the Complainant consented will not provide a valid defense unless the belief was actual and reasonable, based on the facts and circumstances the Respondent knew, or reasonably should have known, at the time of the incident. A Respondent's belief is not a valid defense where:

- The Respondent's belief arose from the Respondent's own intoxication, or recklessness.
- The Respondent did not take reasonable steps to ascertain whether the Complainant affirmatively consented; or
- The Respondent knew or a reasonable person should have known that the Complainant was unable to consent because the Complainant was incapacitated, in that the Complainant was:
 - Asleep, or unconscious.
 - unable to understand the fact, nature, or extent of the sexual activity due to the influence of drugs, alcohol, or medication; or
 - unable to communicate due to mental or physical condition.

Decision-Maker: The person or group of people who will oversee the live hearing and make a determination of responsibility. The Decision-Maker cannot be the Title IX Coordinator or the investigator.

Formal Complaint: A written complaint signed by the Complainant, Title IX Coordinator, or designee alleging sexual harassment and requesting an investigation. If the Title IX Coordinator (or designee) signs the formal complaint, they will not become a Party to the complaint.

Parties: As used in this procedure, this means the Complainant and Respondent.

Respondent: A Respondent is an individual reported to be the perpetrator of conduct that could constitute sexual harassment.

Sexual Harassment under Title IX: Conduct that satisfies one or more of the following:

- A District employee conditions the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct (*quid pro quo* harassment).
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity.
- Sexual assault, including the following:
 - **Sex Offenses.** Any sexual act directed against another person without the consent of the victim, including instances where the victim is incapable of giving consent.
 - **Rape** (except Statutory Rape). The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their temporary or permanent mental or physical incapacity. There is carnal knowledge if there is the slightest penetration of the genital or anal opening of the body of another person.
 - **Sexual Assault with an Object.** To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity. An "object" or "instrument" is anything the offender uses other than the offender's genitalia, e.g., a finger, bottle, handgun, stick, etc.
 - **Fondling.** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
 - **Sex Offenses, Non-Forcible Unlawful, Non-Forcible Sexual Intercourse.**
 - **Incest.** Non-Forcible sexual intercourse between people who are related to each other within the degrees wherein marriage is prohibited by law.
 - **Statutory Rape.** Non-Forcible sexual intercourse with a person who is under the statutory age of consent. There is no force or coercion used in Statutory Rape; the act is not an attack.
 - **Dating violence.** Violence against a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of a relationship will be determined based on consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the people involved in the relationship.
 - **Domestic Violence.** Violence committed:
 - By a current or former spouse or intimate partner of the victim.
 - By a person with whom the victim shares a child in common.
 - By a person who is cohabiting with, or has cohabitated with, the victim as a spouse or intimate partner.
 - By a person similarly situated to a spouse of the victim under the domestic or family violence laws of California; or

- By any other person against an adult or youth victim protected from that person's acts under the domestic or family violence laws of California.
- **Stalking.** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress.

Reporting Options

Any individual may report sexual harassment to the District's Title IX Coordinator, or designee.

The District strongly encourages prompt reporting of sexual harassment. Prompt reporting allows for the collection and preservation of evidence, including physical evidence, digital media, and witness statements. A delay may limit the District's ability to effectively investigate and respond.

Because individuals may be deterred from reporting incidents of sexual harassment if alcohol, drugs, or other violations of District campus rules were involved, the District will inform individuals that the primary concern is for student and employee safety, and that use of alcohol or drugs never makes a Complainant at fault for sexual harassment. An individual who participates as Complainant or witness in an investigation of sexual assault, domestic violence, dating violence, or stalking will not be subject to disciplinary sanctions for a violation of the District's student conduct policy at or near the time of the incident, unless the District determines that the violation was egregious, including, but not limited to, an action that places the health or safety of any other person at risk or involves plagiarism, cheating, or academic dishonesty.

Individuals have the opportunity to decide whether they want to pursue a formal Title IX complaint. Reporting sexual harassment to the Title IX Coordinator, or designee, does not automatically initiate an investigation under these procedures. A report allows the District to provide a wide variety of support and resources to impacted individuals and to prevent the recurrence of the conduct. A Complainant, the Title IX Coordinator, or designee filing a formal complaint, will initiate an investigation.

If there are parallel criminal and Title IX investigations, the District will cooperate with the external law enforcement agency and will coordinate to ensure that the Title IX process does not hinder legal process or proceedings.

The District will document reports of sexual harassment in compliance with the Clery Act, a federal law requiring data collection of crime within the campus geography. Under the Clery Act, the District does not document personal information; the District reports the type of conduct, and the time, date, and location. (Also see BP/AP 3540 Sexual and Other Assaults on Campus.)

District Employees and Officials with Authority

District Officials with Authority are not confidential resources and are required to report allegations of sexual harassment to the Title IX Coordinator (or designee) promptly. All other employees are encouraged to report allegations to the Title IX Coordinator, or designee, but are not required to do so.

The District has designated the following employees as Officials with Authority:

Individuals identified as supervisors under California's Fair Employee and Housing Act and individuals identified under Education Code Section 66281.8.

Officials with Authority are required to report all relevant information they know about sexual harassment including the name of the Respondent, the Complainant, any other witnesses, and the date, time, and location of the alleged incident.

Intake and Processing of Report

Receipt of Report

After receiving a report of sexual harassment, the Title IX Coordinator (or designee) will contact the Complainant and reporting party to explain rights under this policy and procedure and invite the Complainant to an in-person meeting. The Title IX Coordinator (or designee) will discuss supportive measures with the Parties.

Timeframe for Reporting

To promote timely and effective review, the District strongly encourages individuals to report sexual harassment as soon possible because a delay in reporting may affect the ability to collect relevant evidence and may affect remedies the District can offer.

Supportive Measures

Supportive measures are non-disciplinary, non-punitive individualized services offered free of charge to the Complainant or the Respondent regardless of whether a formal complaint has been filed. The District will provide the Complainant and Respondent with written notice of options for available assistance in, and how to request available supportive measures. The District will provide such measures to Complainant and Respondent as appropriate and as reasonably available to restore or preserve equal access to the District's education program or activities. These measures are designed to protect the safety of all Parties, protect the District's educational environment, or deter sexual harassment. The District will provide supportive measures on a confidential basis, to the extent possible, and will not disclose that the District is providing supportive measures except to those with a need to know to enable the District to provide the service. Supportive measures may include changes to academic, living, transportation, and working situation or protective measures such as counseling, extensions of deadlines, other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the Parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

When requested by a Complainant or otherwise determined to be appropriate, the District shall issue a no-contact directive prohibiting the Respondent from contacting the Complainant during the pendency of the investigation. The District shall not issue a mutual no-contact directive automatically but instead shall consider the specific circumstances of each report of sexual harassment to determine whether a mutual no-contact directive is necessary or justifiable to protect

a Party's safety or well-being, or to respond to interference with an investigation. If the District issues any no-contact directive, the District shall provide the Parties with an explanation of the terms of the directive, including the circumstances, if any, under which violation could be subject to disciplinary action. If the District issues a mutual no-contact directive, the District shall also provide the Parties with a written justification for the directive.

Sexual Assault and Domestic Violence Counselor

For further information about services provided by sexual assault and domestic violence counselors on campus, see AP3540 Sexual and Other Assaults on Campus and in Campus Programs.

Removal of Respondent Pending Final Determination Upon receiving a report regarding sexual harassment, the Title IX Coordinator (or designee) will make an immediate assessment concerning the health and safety of the Complainant and campus community as a whole. The District has the right to order emergency removal of a Respondent, or if the Respondent is an employee, place the employee on administrative leave.

Emergency Removal

The District may remove a non-employee Respondent from the District's education program or activity on an emergency basis after it conducts an individualized safety and risk analysis and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal.

The District may not use emergency removal to address a Respondent's threat of obstructing the sexual harassment investigation or destroying relevant evidence. Emergency removal is only available to address health or safety risks against individuals arising out of sexual harassment allegations, not to address other forms of misconduct that a Respondent might commit pending the processing of a complaint.

The District's Chief of Community Safety and Student Conduct Officer(s), or designee, will conduct the individualized safety and risk analysis.

If the Chief of Community Safety and Student Conduct Officer(s) determine emergency removal is appropriate, they or a designee will provide the person the Districts removing from campus on an emergency basis with a notice and opportunity to attend a meeting and challenge the basis of their removal. The Chief of Community Safety and Student Conduct Officer(s), or designee, will determine whether the emergency removal from campus order is warranted after considering information provided by the Respondent challenging the emergency removal.

Administrative Leave

The District may place a non-student employee Respondent on administrative leave during the pendency of a grievance process described in the formal complaint process below. The District will follow any relevant policies, procedures, collective bargaining agreements, or state law in placing an employee on administrative leave.

Formal Complaint Grievance Process

Notice to Parties

Upon receipt of a formal complaint, the Title IX Coordinator, or designee, will provide the following notice in writing, to the Parties:

- Notice of the District's Title IX grievance process.
- Notice of the allegations of alleged sexual harassment with sufficient details known at the time and with sufficient time to prepare a response before any initial interview.
- Statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
- Notice that the Parties may have an Advisor of their choice, who may be, but is not required to be, an attorney.
- Notice that the Parties may inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the District does not intend to rely in reaching a determination regarding responsibility, and inculpatory or exculpatory evidence whether obtained from a Party or other source;
- Inform the Parties of any provision in the District's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process; and
- For student Parties, notice regarding appropriate counseling resources the District has developed and maintains.

If, in the course of an investigation, the District decides to investigate allegations about the Complainant or Respondent that are not included in the notice provided above, the Title IX Coordinator, or designee, will provide notice in writing of the additional allegations to the Parties.

Dismissal of Formal Complaint

The District must investigate the allegations in a formal complaint. However, the District must dismiss the formal complaint and will not process the complaint under these procedures if any of the following three circumstances exist:

- If the conduct alleged in the formal complaint would not constitute Title IX sexual harassment as defined in this procedure.
- If the conduct alleged did not occur in the District's education program or activity.
- If the conduct alleged did not occur against a person in the United States.

The District has discretion to dismiss a formal complaint or any allegation under the following circumstances:

- If at any time during the investigation or hearing: a Complainant notifies the Title IX Coordinator, or designee, in writing that the Complainant would like to withdraw the formal complaint or any allegations.
- If the Respondent is no longer enrolled or employed by the District; or
- If there are specific circumstances that prevent the District from gathering sufficient evidence to reach a determination regarding responsibility as to the formal complaint or allegations.

If the District dismissed the formal complaint or any allegations, the Title IX Coordinator (or designee) shall simultaneously provide the Parties with written notice of the dismissal and reason. The District will also notify the Parties of their right to appeal.

The District may commence proceedings under other policies and procedures after dismissing a formal complaint.

Consolidation of Formal Complaints

The District, but is not required to, consolidate formal complaints as to allegations of sexual harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one Party against the other Party, where the allegations of sexual harassment arise out of the same facts or circumstances.

Equitable Treatment of the Parties

The District's determination of responsibility is a neutral, fact-finding process. The District will treat Complainants and Respondents equitably. The procedures will apply equally to both Parties. The District will not discipline a Respondent unless it determines the Respondent was responsible for sexual harassment at the conclusion of the grievance process.

Statement of Presumption of Non-Responsibility

The investigation is a neutral, fact-finding process. The District presumes all reports are in good faith. Further, the District presumes the Respondent is not responsible for the alleged conduct. The District makes its determination regarding responsibility at the conclusion of the grievance process.

Bias or Conflict of Interest

The District's Title IX Coordinator, investigator, Decision-Maker, or any person designated by the District to facilitate an informal resolution process, will not have potential actual bias or conflict of interest in the investigatory, hearing, sanctioning, or appeal process or bias for or against Complainants or Respondents generally. Actual bias is an articulated prejudice in favor of or against one Party or position; it is not a generalized concern about the personal or professional backgrounds, positions, beliefs, or interests of the Decision-Maker in the process. The District will ensure that the Title IX Coordinator, investigator, Decision-Maker, and facilitator receive training on:

- The definition of sexual harassment in this procedure.
- The scope of the District's education program or activity.
- How to conduct an investigation.
- The grievance process includes conducting hearings, appeals, and informal resolution processes; and
- How to serve impartially, including avoiding: prejudgment of the facts at issue; conflicts of interest; and bias.

Timeline for Completion

The District will undertake its grievance process promptly and as swiftly as possible. The District will complete the investigation and its determination regarding responsibility or the informal resolution process within 195 calendar days.

When appropriate, the Title IX Coordinator, or designee, may determine that good cause exists to extend the 195-calendar day period to conduct a fair and complete investigation, to accommodate an investigation by law enforcement, to accommodate the unavailability of witnesses or delays by the Parties, to account for District breaks or vacations, or due to the complexity of the investigation. The District will provide notice of this extension to the Complainant and Respondent in writing and include the reason for the delay and anticipated timing of completion.

A Party may request an extension from the Title IX Coordinator (or designee) in writing by explaining the reason for the delay and the length of the continuance requested. The Title IX Coordinator (or designee) will notify the Parties and document the grant or denial of a request for extension or delay as part of the case recordkeeping. The District shall grant the student Party's reasonable request for an extension of a deadline related to a Complaint during periods of examinations or school closures.

Role of Advisor

The role of the Advisor is to provide support and assistance in understanding and navigating the investigation process.

The Advisor may not testify in or obstruct an interview or disrupt the process. The Title IX Coordinator, or designee, has the right to determine what constitutes appropriate behavior of an Advisor and take reasonable steps to ensure compliance with this procedure.

A Party does not have a right to self-representation at the hearing; an Advisor must conduct any cross-examination. The District must provide an Advisor of its choice, free of charge, to any Party without an Advisor in order to conduct cross-examination. If an Advisor fails to appear at the hearing, the District will provide an Advisor to appear on behalf of the non-appearing Advisor. To limit the number of individuals with confidential information about the issues, each Party may identify one Advisor.

Confidentiality Agreements

To protect the privacy of those involved, the Parties and Advisors are required to sign a confidentiality agreement prior to attending an interview or otherwise participating in the District's grievance process. The confidentiality agreement restricts dissemination of any of the evidence subject to inspection and review or use of this evidence for any purpose unrelated to the Title IX grievance process. The confidentiality agreement will not restrict the ability of either Party to discuss the allegations under investigation.

Use of Privileged Information

The District's formal complaint procedure does not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege (e.g., attorney-client privilege, doctor-patient privilege, spousal privilege, etc.), unless the person holding the privilege provides voluntary, written consent to waive the privilege.

Student Complainant Requests for Confidentiality

If a student Complainant requests confidentiality when reporting sexual harassment, which could preclude a meaningful investigation or potential discipline of the Respondent, if found responsible, or that no investigation or disciplinary action be pursued to address alleged sexual harassment, the District shall take the request seriously, while at the same time considering its responsibility to provide a safe and nondiscriminatory environment for all students, including for the Complainant. The District shall normally grant the request when possible. In determining whether to disclose a Complainant's identity or proceed to an investigation over the objection of the Complainant, the District may consider whether any of the following apply:

- There are multiple or prior reports of sexual misconduct against the Respondent.
- The Respondent reportedly used a weapon, physical restraints, or engaged in battery.
- The Respondent is a faculty or staff member with oversight of students.
- There is a power imbalance between the Complainant and Respondent.
- The Complainant believes that the Complainant will be less safe if the Complainant's name is disclosed or an investigation is conducted; and
- The District is able to conduct a thorough investigation and obtain relevant evidence in the absence of the Complainant's cooperation.

If the District determines that it can honor the student- Complainant's request for confidentiality, it shall still take reasonable steps to respond to the Complaint, consistent with the request, to limit the effects of the alleged sexual harassment and prevent its recurrence without initiating an investigation or revealing the identity of the Complainant. The District shall also take immediate steps to provide for the safety of the Complainant while keeping the Complainant's identity confidential as appropriate. The District shall notify the Complainant that the request for confidentiality will limit the steps the District will take to respond to the report of sexual harassment.

If the District determines that it must disclose the student- Complainant's identity to the Respondent or proceed with a Formal Complaint, it should inform the Complainant prior to making this disclosure or initiating the investigation. The District shall also take immediate steps to provide for the safety of the Complainant where appropriate. In the event the Complainant requests that the District inform the Respondent that the Complainant asked the District not to investigate or seek discipline, the District shall honor this request.

Investigations

The Title IX Coordinator, or designee, is responsible for overseeing investigations to ensure timely resolution and compliance with Title IX and this procedure.

Both Parties have the right to have an Advisor present at every meeting described in this section.

Trained Investigators

The District will investigate Title IX formal complaints fairly and objectively. Individuals serving as investigators under this procedure will have adequate training on what constitutes sexual harassment how the District's grievance procedures operate, and trauma-informed investigation techniques. The District will also ensure that investigators receive training on issues of relevance to creating an investigative report that fairly summarizes relevant evidence and complies with this procedure.

Burden of Gathering Evidence

The District, not the Parties, has the responsibility to gather information and interview witnesses.

As part of the District's burden of gathering evidence, the District's investigator will create an investigative report that fairly summarizes relevant evidence, whether it is inculpatory or exculpatory. The investigator shall not make findings or determinations of law or facts.

Student Complainants should be aware that any evidence available but not disclosed during the investigation might not be considered at a subsequent hearing if a hearing is required under this procedure.

Evidence of Past Sexual History

An investigator or Decision-Maker shall not consider the past sexual history of the Complainant except in the limited circumstances described below:

- The investigator or Decision-Maker shall not consider the Complainant's prior sexual history unless such questions or evidence is offered to prove that someone other than the Respondent committed the alleged conduct; or
- The investigator or Decision-Maker shall not consider the Complainant's prior sexual behavior unless the questions or evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

- Where the investigator or Decision-Maker allows consideration of questions or evidence about a dating relationship or prior or subsequent consensual sexual relations between the Complainant and the Respondent pursuant to this circumstance, the mere fact that the Complainant and Respondent engaged in other consensual sexual relations with one another is never sufficient, by itself, to establish that the conduct in question was consensual.

Before allowing the consideration of any evidence proffered pursuant to this section, the investigator or Decision-Maker shall provide a written explanation to the Parties as to why consideration of the evidence is consistent with this procedure.

Notice of Investigative Interview

The District will provide written notice of the date, time, location, participants, and purpose of all investigative interviews to a Party whose participation is invited or expected, with sufficient time for the Party to prepare to participate.

Evidence Review

Both Parties have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the District does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence obtained from a Party or other source.

Prior to the investigator preparing an investigative report, the District will make available to each Party and the Party's Advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The Parties will have at least ten (10) days to submit a written response. The investigator must consider this written response prior to completing the investigative report.

Investigative Report

The results of the investigation into a formal complaint will be set forth in a written report that will include at least all of the following information:

- A description of the circumstances giving rise to the formal complaint.
- A description of the procedural steps taken during the investigation, including all individuals contacted and interviewed.
- A summary of the testimony of each witness the investigator interviewed.
- An analysis of relevant evidence collected during the investigation, including a list of relevant documents.
- A table of contents if the report exceeds ten pages; and
- Any other information deemed appropriate by the District.

The investigator will not make a determination regarding responsibility.

The investigator may redact information not directly related to the allegations or privileged information. However, the investigator will keep a log of information they do not produce to the

Parties. The investigator will provide this log only with the Title IX Coordinator, or designee. The Title IX Coordinator (or designee) will not disclose the log to the Parties but will maintain the log in the Title IX Coordinator's file, in the event it later becomes relevant.

At least ten (10) days prior to a hearing, the District will send the investigative report to each Party and their Advisors, if any, in an electronic format or a hard copy, for review and written response. The Parties will have at least ten (10) days to submit a written response.

Hearing

After completing an investigation and prior to completing a determination regarding responsibility, the District will hold a live hearing to provide the Complainant and Respondent with an opportunity to respond to the evidence gathered before a Decision-Maker. Neither Party may choose to waive the right to a live hearing, but the Parties can choose whether to participate in the hearing or answer some or all cross-examination questions.

Notice

If the District proceeds to a hearing, the District will provide all Parties with written notice of the date, time, location, participants, and purpose of the hearing with sufficient time for the Party to prepare to participate.

Hearing Format

The District may provide a live hearing with all Parties physically present in the same geographic location or, at the District's discretion if either Party or a witness requests, the District may provide any or all Parties, witnesses, and other participants the ability to appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other in real time.

The District will make the information reviewed during the Evidence Review available at the hearing for reference and consultation. The District will not restrict the ability of either Party to discuss the allegations under investigation or to gather and present relevant evidence.

The District will create an audio or audiovisual recording, or transcript of any live hearing and make it available to the Parties for inspection and review.

The Decision-Maker shall provide an explanation of the meaning of the preponderance of the standard evidence and affirm that it shall apply to adjudications under this procedure. The preponderance of the evidence standard is met if the District determines that it is more likely than not that the alleged misconduct occurred, based on the facts available at the time of the decision.

Decision-Maker(s)

The Decision-Maker(s) will be free from conflict of interest or bias, including bias for or against Complainants or Respondents. In cases where the Complainant or Respondent objects to the Decision-Maker based on a conflict of interest, the Complainant or Respondent may request the Title IX Coordinator (or designee) select a different Decision-Maker. The Complainant or

Respondent must make this request to the Title IX Coordinator (or designee) in writing at least five (5) business days prior to the hearing.

The Decision-Maker(s) may ask the Parties and the witnesses questions during the hearing. The Decision-Maker(s) must objectively evaluate all relevant evidence, both inculpatory and exculpatory, and independently reach a determination regarding responsibility without giving deference to the investigative report. The Decision-Maker(s) must receive training on issues of relevance, how to apply the rape-shield protections for Complainants, and any technology to be used at the hearing.

Presenting Witnesses

The District will provide the Complainant and Respondent an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. Witnesses, like Parties, are not required to participate in the live hearing process.

Only relevant evidence will be admissible during the hearing. Relevant evidence means evidence, including evidence relevant to the credibility of a Party or witness, having any tendency in reason to prove or disprove any disputed fact material to the allegations under investigation.

Generally, the Parties may not introduce evidence, including witness testimony, at the hearing that the Party did not identify during the investigation and that was available at the time of the investigation. However, the Decision-Maker has discretion to accept for good cause, or exclude, such new evidence offered at the hearing.

Cross-Examination

The District shall permit each Party's Advisor to ask the other Party and any witness relevant questions including questions challenging credibility. The Party's Advisor must conduct cross-examination directly, orally, and in real time. A Party may never personally conduct cross-examination. The other Party shall have an opportunity to object to a question posed. The District may limit such objections to written form, and neither the Decision-Maker nor the District are obligated to respond, other than to include any objection in the record. The Decision-Maker shall have the authority and obligation to discard or rephrase any question that the Decision-Maker deems to be irrelevant. In making these determinations, the Decision-Maker is not bound by, but may take guidance from, the formal rules of evidence.

Before a Complainant, Respondent, or witness answers a question, the Decision-Maker(s) must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. The Decision-Maker(s) need not provide a lengthy or complicated explanation in support of a relevance determination. If a Party or witness disagrees with a relevance determination, that individual has the choice of either (1) abiding by the Decision-Maker's determination and answering the question or (2) refusing to answer the question.

If a Party or witness does not submit to cross-examination at the live hearing, the Decision-Maker may admit any statement of that Party or witness in reaching a determination regarding

responsibility. The Decision-Maker will give the statements whatever weight the Decision-Maker determines appropriate, bearing in mind that the statements have not been tested by cross-examination. In doing so, the Decision-Maker should consider, and if possible, determine, whether the witness or Party made the statement and what the statement proves.

The Decision-Maker cannot draw an inference about the determination of responsibility based solely on a Party's or witness's absence from the live hearing or refusal to submit to cross-examination or to answer any question(s).

The Decision-Maker may also ask any Party or witness questions. If a Party or witness refuses to respond to a Decision-Maker's questions, the Decision-Maker is not precluded from relying on that Party or witness' statements.

Determinations of Responsibility

When the Decision-Maker(s) makes a determination of responsibility or non-responsibility, the Decision-Maker(s) will issue a written determination regarding responsibility, no later than twenty (20) business days after the date that the hearing ends.

When making a determination regarding responsibility, a Decision-Maker will objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence. A Decision-Maker may not make credibility determinations based on an individual's status as a Complainant, Respondent, or witness. In evaluating the evidence, the Decision-Maker(s) will use the preponderance of the evidence standard. Thus, after considering all the evidence it has gathered, the District will decide whether it is more likely than not that sexual harassment occurred.

The written determination will include:

- Identification of the allegations potentially constituting Title IX sexual harassment as defined in these procedures;
- A description of the procedural steps taken from the receipt of the formal complaint through determination, including who conducted the investigation and gave notifications to the Parties. The determination will also state when, where, and the date the investigator interviewed the Parties and witnesses, conducted site visits, and the methods used to gather other evidence. The procedural section should also discuss the dates and how the Parties were provided the opportunity to review and inspect evidence and the date of any hearings held and who attended the hearing;
- Findings of fact supporting determination. In making these findings, the Decision-Maker(s) will focus on analyzing the findings of fact that support the determination of responsibility or non-responsibility;
- Conclusions regarding the application of the District's code of conduct to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility;

- A statement of, and rationale for, any disciplinary sanctions the District imposes on the Respondent;
- A statement of whether the District will provide the Complainant with remedies designed to restore or preserve equal access to the District's education program or activity;
- The District need not disclose to the Respondent remedies that do not affect them as part of the written determination. The District can inform the Respondent that it will provide remedies for the Complainant. However, the District will inform the Complainant of the sanctions against the Respondent;
- The District's procedures and permissible basis for the Complainant and Respondent to appeal.

The District will provide the written determination to the Parties simultaneously. The determination regarding responsibility becomes final either on the date that the District provides the Parties with the written determination of the result of the appeal, if the Parties file an appeal, or if the Parties do not file an appeal, the date on which an appeal would no longer be timely.

Disciplinary Sanctions and Remedies

The District must have completed the grievance procedures (investigation, hearing, and any appeal, if applicable) before imposing disciplinary sanctions or any other actions that are not supportive measures against a Respondent. If the Decision-Maker(s) determine(s) the Respondent was responsible for conduct that constitutes sexual harassment, the District will take disciplinary action against the Respondent and any other remedial action it determines to be appropriate. The action will be prompt, effective, and commensurate with the severity of the offense.

Remedies for the Complainant might include, but are not limited to:

- Providing an escort to ensure that the Complainant can move safely between classes and activities;
- Ensuring that the Complainant and Respondent do not attend the same classes or work in the same work area;
- Providing counseling services or a referral to counseling services;
- Providing medical services or a referral to medical services;
- Providing academic support services, such as tutoring;
- Arranging for a Complainant, if a student, to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the Complainant's academic record; and
- Reviewing any disciplinary actions taken against the Complainant to see if there is a causal connection between the harassment and the misconduct that may have resulted in the Complainant's discipline.

Possible disciplinary sanctions for student Respondents include written or verbal reprimand, required training or counseling, non-academic probation, suspension, and expulsion. Possible

disciplinary sanctions for employee Respondents include written or verbal reprimand, required training or counseling, reduction in pay, demotion, suspension, or discharge.

Appeal of Dismissal of a Formal Complaint or of the Determination of Responsibility

A Complainant or Respondent may appeal the District's determination regarding responsibility or the dismissal of a formal complaint or any allegations. A Complainant or Respondent must submit a written appeal within five (5) business days from the date of the notice of determination regarding responsibility or from the date of the District's notice of dismissal of a formal complaint or any allegations.

Grounds for Appeal

The Vice President of Instruction will serve as the Decision-Maker on Appeal. In filing an appeal of the District's determination regarding responsibility or the District's dismissal of a formal complaint, the Party must state the grounds for appeal and a statement of facts supporting those grounds. The grounds for appeal are as follows:

- Procedural irregularity affected the outcome;
- New evidence was not reasonably available at the time the District's determination regarding responsibility or dismissal was made, and this new evidence could affect the outcome; or
- The District's Title IX Coordinator, investigator, or Decision-Maker had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome.

Appeal Procedure

If the Complainant or Respondent submits an appeal to the District, the District will:

- Notify the other Party in writing within five (5) business days of receiving a Party's appeal;
- Allow the non-appealing Parties at least ten (10) days from the date of receipt of the appeal to submit a written statement in support of, or challenging, the outcome;

The Decision-Maker on appeal will issue a written decision on whether to grant or deny the appeal, and the rationale for the decision, within forty-five (45) business days after the Decision-Maker on appeal receives a response to the appeal or the last day to provide a response. The District will provide the written decision simultaneously to both Parties.

The Decision-Maker on appeal may extend or otherwise modify the deadlines provided above. Either Party may seek an extension by submitting a written request to the Decision-Maker on appeal explaining the need for the extension and the proposed length of the extension. The Decision-Maker will respond to the request within 48 hours in writing and will inform the Parties simultaneously whether the extension is granted.

Informal Resolution

If the District determines that a formal complaint is appropriate for informal resolution, it may provide the Parties with the opportunity to participate in an informal resolution process, including mediation, at any time prior to reaching a determination regarding responsibility.

The District will provide the Complainant and Respondent written disclosure of the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the Parties from resuming a formal complaint arising from the same allegations, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

The District must obtain the Parties' voluntary, written consent to the informal resolution process. If the Parties reach an agreement, the District does not have to complete a full investigation and adjudication of a report of sexual harassment. At any time prior to agreeing to a resolution, any Party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint.

The informal resolution process is not available to resolve allegations that an employee sexually harassed a student or any allegations of sexual assault.

Retaliation Prohibited

The District prohibits any intimidation, threats, coercion, or discrimination against any individual who made a report or complaint of sexual harassment, testified, assisted, or participated or refused to participate in any manner in a Title IX investigation, proceeding, or hearing. Individuals who experience retaliation may file a complaint using the formal complaint process described above.

Dissemination of Policy and Procedures

The District will provide its policy and procedures related to Title IX on its website and in each handbook or catalog provided to applicants for admission and employment, students, employees, and all unions or professional organizations holding collective bargaining with the District. The District will also provide its policy and procedures related to Title IX to all volunteers who will regularly interact with students and each individual or entity under contract with the District perform any service involving regular interaction with students.

When hired, employees are required to sign acknowledging that they have received the policy and procedures. The District will place the signed acknowledgment of receipt in each employee's personnel file.

Training

The District will provide a comprehensive, trauma-informed training program to Title IX Coordinators, investigators, Decision-Makers, and any individual who facilitates an informal resolution process, on the definition of sexual harassment, the scope of the District's education program or activities, best practices for assessment of a sexual harassment complaint, how to

conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including avoiding prejudgment of the facts at issue, conflicts of interest, bias, and implicit bias and racial inequities, both broadly and in school disciplinary processes. Any materials used to train the District's Title IX Coordinator, investigators, Decision-Makers, and any person who facilitates an informal resolution process, will not rely on sex stereotypes, and must promote impartial investigations and adjudications of formal complaints of sexual harassment. Materials for this training must include statistics on the prevalence of sexual harassment and sexual violence in the educational setting, and the differing rates at which students experience sexual harassment and sexual assault in the educational setting based on their race, sexual orientation, disability, gender, and gender identity.

The District shall ensure that residential life student and nonstudent staff, or their equivalent, annually receive training on how to handle, in a trauma-informed manner, reports made to them of sexual harassment and situations in which they are aware of sexual harassment in student residential facilities.

The District will provide Officials with Authority with training regarding their obligation to report sexual harassment and instruction on how to report sexual harassment to the Title IX Coordinator.

File Retention

The District will retain on file for a period of at least seven (7) years after closing the case copies of:

- The original report or complaint;
- Any actions taken in response to the complaint, including supportive measures;
- The investigative report including all evidence gathered and any responses from the Parties;
- The District's determination regarding responsibility;
- Audio or audiovisual recording or transcript from a hearing;
- Records of any disciplinary sanctions imposed on the Respondent;
- Records of any remedies provided to the Complainant;
- Any appeal and the result;
- Any informal resolution and the result; and
- All materials used to train Title IX Coordinators, investigators, Decision-Makers, and any person who facilitates an informal resolution process. The District will make these training materials publicly available on its website.

The District will make these documents available to the U.S. Department of Education Office for Civil Rights upon request.

Complaint Reporting

The Superintendent/President shall provide the Board of Trustees, upon request, a report of complaints filed pursuant to this procedure. This report may disaggregate the complaints by

complaint type (Student Complainant and Student Respondent, Student Complainant and Employee Respondent, Employee Complainant and Student Respondent, Employee Respondent and Employee Respondent, etc.). This report may also disaggregate the complaints by the Complainant's race, age, gender, religion, or any other characteristic identified by the Board.

Reference Administrative Procedure 3434

Standards of Student Conduct

The Superintendent/President shall establish procedures for the imposition of discipline on students in accordance with the requirements for due process of the federal and state law and regulations.

The procedures shall clearly define the conduct that is subject to discipline, and shall identify potential disciplinary actions, including but not limited to the removal, suspension or expulsion of a student.

The Board of Trustees shall consider any recommendation from the Superintendent/President for expulsion. The Board shall consider an expulsion recommendation in closed session unless the student requests that the matter be considered in a public meeting. Final action by the Board on the expulsion shall be taken at a public meeting.

The procedures shall be made widely available to students through the college catalog and other means.

The following conduct shall constitute good cause for discipline, including but not limited to the removal, suspension or expulsion of a student except for conduct that constitutes sexual harassment under Title IX, which shall be addressed under Board Policy 3433 Prohibition of Sexual Harassment Under Title IX, Administrative Procedure 3433 Prohibition of Sexual Harassment under Title IX, and Administrative Procedure 3434 Responding to Sexual Harassment under Title IX.

1. Academic Misconduct, Fraud and Misrepresentation. Acts of dishonesty, including but not limited to the following:
 - a. Cheating, plagiarism (including plagiarism in a student publication), or engaging in other academic dishonesty.
 - b. Dishonesty, forgery, alteration or misuse of college documents, records, or identification, or knowingly furnishing false information to the District.
 - c. Unauthorized preparation, giving, selling, transfer, distribution, or publication, for any commercial purpose, of any contemporaneous recording of an academic presentation in a classroom or equivalent site of instruction, including but not limited to class notes, except as permitted by any District policy or administrative procedure.
2. Disruptive Behavior. The physical or verbal disruption of instructional or student services activities, administrative procedures, public service functions, authorized curricular or co-curricular activities or prevention of authorized guests from carrying out the purpose for which they are on District Property or attending District sponsored or supervised functions, or through electronic means, including but not limited to the following:
 - a. Disruptive behavior, willful disobedience, habitual profanity or vulgarity, or the open and persistent defiance of the authority of, or persistent abuse of, District personnel.

- b. Lewd, indecent, or obscene conduct.
 - c. Engaging in expression which is obscene, libelous or slanderous, or which so incites students as to create a clear and present danger of the commission of unlawful acts on District premises, or the violation of lawful District administrative procedures, or the substantial disruption of the orderly operation of the District.
 - d. Willful misconduct which results in injury or death to a student or to District personnel or which results in cutting, defacing, or other injury to any real or personal property owned by the District or on District premises.
- 3. Unauthorized Recording. Any unauthorized use of electronic or other devices to make an audio or video record of any person while on District premises without their prior knowledge, or without their effective consent when such a recording is likely to cause injury or distress. This includes, but is not limited to, surreptitiously taking pictures of another person in a gym, locker room, or restroom.
- 4. Assault/Battery. Causing, attempting to cause, or threatening to cause physical injury to another person.
- 5. Intimidation/Bullying. Engaging in intimidating conduct or bullying against another student through words or actions, including direct physical contact; verbal assaults, such as teasing or name-calling; coercion; social isolation or manipulation; and/or cyberbullying.
- 6. Discrimination/Harassment. Engaging in harassing or discriminatory behavior based on ethnic group identification, national origin, immigration status, religion, age, sex, gender identity and expression, race (including natural hair and hairstyles associated with race), color, medical condition, ancestry, sexual orientation, marital status, military or veteran status, genetic information, physical or mental disability, pregnancy, parenting after pregnancy, or because they are perceived to have one or more of the foregoing characteristics, or any other status protected by law (Board Policies 3410 and 3430).
- 7. Sexual Harassment. Committing acts considered sexual harassment as defined by law or by District policies and procedures.
- 8. Sexual Assault. Sexual assault or sexual exploitation regardless of the victim's affiliation with the District.
- 9. Robbery/Extortion. Committing or attempting to commit robbery or extortion.
- 10. Theft. Stealing or attempting to steal District property or private property on District premises or knowingly receiving stolen District property or private property on District premises.
- 11. Unauthorized Entry/Use of Facilities. Unauthorized entry into, or use of, District facilities.
- 12. Destruction of Property. Causing or attempting to cause damage to District property or private property on District premises.
- 13. Unauthorized Use, Theft or Other Abuse of Computer Facilities and Resources. This includes, but is not limited to:
 - a. Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
 - b. Unauthorized transfer of a file.

- c. Use of another individual's identification and/or password.
 - d. Use of computing facilities and resources to interfere with the work of another student, faculty member, or District official.
 - e. Use of computing facilities and resources to send obscene or abusive messages.
 - f. Use of computing facilities and resources to interfere with normal operation of the District computing system.
 - g. Any violation of the District computer use policy (Administrative Procedure 3720).
14. Weapons. Possession, sale or otherwise furnishing any firearm, knife, explosive or other dangerous object, including but not limited to any facsimile firearm, knife or explosive, unless, in the case of possession of any object of this type, the student has obtained written permissions to possess the item from a District employee, which is concurred by the Superintendent/President.
 15. Alcohol and Drugs. Unlawful possession, use, sale, offer to sell, or furnishing, or being under the influence of, any controlled substance listed in Chapter 2 (commencing Section 11053) of Division 10 of the California Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind; or unlawful possession of, or offering, arranging or negotiating the sale of any drug paraphernalia, as defined in California Health and Safety Code Section 11014.5, on District Property or District-sponsored activities such as field trips, athletic events, study abroad programs, conferences, and workshops.
 16. Smoking. Willful or persistent smoking in any area where smoking has been prohibited by law or District regulation.
 17. Gambling. Gambling on District property.
 18. Violation of District Policies and Procedures. Failure to comply with program specific policies, procedures, and standards and District Board Policies and Administrative Procedures.
 19. Failure to Comply. Failure to comply with directions of District officials, faculty, staff, or Community Safety officers who are acting in performance of their duties and/or failure to identify oneself when requested to do so.
 20. Continued Misconduct. Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.
 21. Violation of Law. Violation of any statute, regulation, or ordinance or law punishable by incarceration or a fine, other than a vehicular parking violation. Whether a student has committed such a violation shall be determined solely by the District for purposes of any student disciplinary action. Any District disciplinary action is separate and distinct from any other governmental action. The decision of any non-District person or entity, including, but not limited to, a jury, as to whether the violation occurred is not binding on the student disciplinary action, although it may be considered in the student disciplinary action.
 22. Abuse of the Student Conduct System. Abuse of the student conduct system, including but not limited to:
 - a. Failure to obey the notice from the Conduct Officer, designee, or Student Conduct Committee to appear for a meeting or hearing as part of the student conduct process.
 - b. Falsification, distortion, or misrepresentation of information to the Student

- Conduct Officer or designee, or before a Student Conduct Committee.
- c. Disruption or interference with the orderly conduct of a Student Conduct Committee proceeding.
 - d. Attempting to discourage an individual's participation in, or use of, the student conduct process.
 - e. Attempting to influence the impartiality of a member of a Student Conduct Committee prior to, and/or during the course of, the Student Conduct Committee proceeding.
 - f. Harassment (verbal or physical) and/or intimidation of a member of a Student Conduct Committee prior to, during, and/or after a student conduct code proceeding.
 - g. Failure to comply with the sanction(s) imposed under the Student Conduct Code.
 - h. Influencing or attempting to influence another person to commit an abuse of the student conduct code/process.
23. Hazing or attempted hazing of a former, current, or prospective student of the District.

Reference Board Policy 5500

Honesty in Academic Work

Academic honesty and integrity are essential to success in college. Sierra College expects that students, as well as faculty, will observe the principles of ethical conduct in their treatment of fellow members of the academic community and in their accomplishment of academic work. Students are responsible for familiarizing themselves with these principles as they pertain to each course in which they enroll. When completing assignments, students should be careful to follow the principles of ethical conduct. Students who are uncertain about the ethics involved in particular courses or assignments should make it a point to talk with instructors. Proven misconduct or violation of these principles will be disciplined as set forth in this policy.

I. The following guidelines define and explain academic dishonesty:

A. It is academically dishonest to represent as your own work, work that was borrowed, purchased, written, or obtained in any other manner from another student or any other sources.

B. All work accomplished to meet course requirements must be the student's own original work in oral and written examinations, class projects, lab data, oral presentations, visual media, online work, and other assignments.

C. Group projects must represent the original work of the group; each instructor is free to establish the guidelines for collaborative assignments.

D. Plagiarism is to knowingly present borrowed wording, ideas, opinions, visual media (photos, videos, etc.) or data as if it were one's own original creation.

II. Following are examples of cheating:

A. Any type of assistance, oral, visual or written, given by one student to another during a project or examination without the approval of the instructor.

B. Fabricating information or sources.

C. Using forbidden notes or other sources of information on examinations.

D. Altering a grade or interfering with the grading procedures in any course.

E. Allowing someone other than the enrolled student to pose as the enrolled student.

F. Forging attendance documents or other records.

G. Stealing copyrighted computer software.

H. Submitting purchased, commercially prepared papers.

I. Use of any electronic device (calculator, tape recorder, or computer) during an examination unless permitted by the instructor.

J. Presenting as one's own work that was borrowed, purchased, written or obtained in any other manner from another student or any other sources.

K. Knowingly present borrowed wording, ideas, opinions, visual media (photos, videos, etc.) or data as if it were one's own original creation.

III. If an instructor believes a student may have engaged in behavior that is dishonest, the instructor shall first discuss the behavior and the importance of academic honesty with the student(s) to determine if there indeed was academic dishonesty and whether further action is needed. After this conversation, the instructor may choose any one or more of the following steps:

A. Reassign the research paper, project, exam, or assignment for reevaluation including the possibility of a lower grade on that assignment as a consequence for the dishonesty.

B. Designate a failing grade or a zero for the assignment, project, exam, or paper.

C. Refer the student or students to the Conduct Officer for the consideration of additional and more severe consequences, including the possibility of suspension or expulsion from the College. (See Sierra College Board Policy 5500). Before referring a student to the Conduct Officer, faculty should talk to their Area Educational Administrator (AEA).

See Board Policies 4220, 5500, and 5515 and Administrative Procedure 5520

Reference Administrative Procedure & Board Policy 5515

Hazing

The District is committed to providing an academic environment free of hazing. This procedure defines hazing and sets forth a procedure for the reporting, investigation, and resolution of complaints of hazing. This procedure protects current, former, or prospective students.

Definitions

Hazing – Any intentional, knowing, or reckless act committed by a person against another person regardless of the willingness of such other person to participate, in connection with initiation, affiliation, or continued membership in a student organization, that creates a risk of or causes physical or psychological injury beyond the reasonable risks of normal participation in the District organization.

Hazing may include, but is not limited to whipping, beating, striking, electronic shocking; sleep deprivation, exposure to extreme elements, or excessive physical exertion; forced consumption of alcohol, drugs, or other harmful substances; coerced sexual acts; activities that induce fear of bodily harm or violate local, state, tribal, or federal laws.

Student organization – An organization at the District which two or more of the members are students enrolled at the District regardless of whether the organization is established or recognized by the District. A student organization may include a student club, society, association, athletic team, club sports team, fraternity, sorority, band, or student government.

Prohibited Conduct

The District prohibits students, student organizations, and employees from engaging in, encouraging, or facilitating hazing. The District strictly prohibits retaliation against individuals who report hazing.

Reporting Hazing

Individuals may report hazing using the following methods:

Immediate Danger: Call 911 or Community Safety at (916) 660-7120.

Anonymous Reports: Individuals may report hazing anonymously by contacting Community Safety at (916) 660-7120 or communitysafety@sierracollege.edu.

Confidential Reports: Individuals may also report hazing via a confidential reporting method in which the reporter provides their identity by visiting the *Report It* page on the District website.

The District will investigate reports of hazing promptly and with confidentiality protected to the extent permitted by law.

Investigation and Disciplinary Process

The Department of Community Safety and/or Human Resources will investigate reports on

hazing.

Violation of the District's prohibition on hazing will result in appropriate disciplinary action up to and including termination of employment or expulsion. Student organizations recognized by the District that permit hazing may face suspension, revocation of recognition, or other disciplinary actions.

Disciplinary action may include referral for criminal prosecution.

Annual Reporting and Transparency

The District shall collect and report statistics on hazing incidents in its annual security reports. (See AP 3515 Reporting of Crimes.)

The District shall publish an annual Campus Hazing Transparency Report on its website. The Campus Hazing Transparency Report will summarize hazing incidents and identify the student organization found responsible for hazing. The District will update this report at least twice per year and maintain the Campus Hazing Transparency Report for five years.

Prevention and Education

The District will provide a comprehensive prevention and outreach program addressing hazing for students and employees. The comprehensive prevention program shall include components on identifying hazing, hazing prevention, and bystander intervention strategies. The District's outreach program shall inform students of the District's policy on the prohibition of hazing and include a process for contacting and informing the student body, athletic programs, and affiliated student organizations about the District's prohibition on hazing.

The District requires all students involved in student organizations, clubs, or athletic teams to complete hazing prevention training annually. Additionally, all employees who advise or oversee student groups must also complete hazing prevention training.

Reference Administrative Procedure 3436

Office of Student Conduct

Mission Statement

The Office of Student Conduct is dedicated to maintaining a safe and respectful college environment by holding students accountable for their actions while fostering education, reflection, and support. Through a balanced and restorative approach, we encourage students to take ownership of their actions and become active and productive members of the college community.

Vision

Our goal is to help students reflect on their decisions, learn from their experiences, and develop the skills to make responsible choices moving forward. We expect students to engage in this process with honesty, responsibility, and a willingness to learn. As part of a larger support system, the Office of Student Conduct works closely with other departments to connect students to resources that promote their well-being, academic success, and personal development.

Notifications

Students should expect that all official College notifications (including communications concerning Student Conduct) shall be given by email to their Sierra College Student e-mail address. Students are therefore expected to check their Sierra College e-mail address regularly and shall use e-mail as the primary form of communication with the Office of Student Conduct. Students who forget or otherwise fail to check or read their e-mail are not excused from their obligations and responsibilities imposed upon them by the Standards of Student Conduct.

Conduct Authority

The authority for Student Conduct is vested in the Vice President of Student Services who delegates this authority to the Office of Student Conduct. If any Standards of Student Conduct (BP 5500) have been violated, students could go through the Conduct Process.

The Vice President of Student Services has delegated the following responsibilities to the Office of Student Conduct:

- a) Interpret the Standards of Student Conduct (BP 5500), other College policies, and related procedures, in light of College precedent, best practices, and legal developments.
- b) Train members of the Student Conduct Committees.
- c) Appoint and train Conduct Officers.
- d) Train advisors
- e) Maintain Student conduct records and correspondence.
- f) Investigate complaints and other reports of misconduct (using the “preponderance of the evidence” standard) and take appropriate action pursuant to, and in accordance

with, this Standards of Student Conduct & Student Discipline Procedures & Due Process (AP 5520).

- g) Assign cases for adjudication to a Conduct Officer or a Student Conduct Committee.
- h) Determine whether the office of Admissions & Records shall withhold the degree and/or transcript of a graduating senior while a conduct case remains pending.
- i) Provide reasonable and appropriate interim measures such as No Contact letters, temporary housing relocation, or interim suspension as outlined in AP 5520 Student Discipline Procedures and Due Process.
- j) Advise the chair of the Student Conduct Committee about procedural matters.
- k) Meet as needed (no less than every three years) with members of the Office of Student Conduct to recommend changes to the Student Conduct process. Changes to this document shall be approved by the Senates.

Conduct Officers

The Office of Student Conduct shall appoint staff members and administrators to serve as Conduct Officers, who shall receive appropriate training prior to the commencement of their service. Through an educational and restorative approach all Conduct Officers:

1. Maintain Student conduct records and correspondence.
2. Investigate complaints (using the “preponderance of the evidence” standard) and initiate charges on behalf of the Office of Student Conduct if appropriate.
3. Adjudicate alleged violations in a Conduct Conference and recommend appropriate sanctions.

Responding to an Incident Report

The Office of Student Conduct can pursue a violation of the Standard of Student Conduct (BP 5500) through a variety of reporting forms. The Office of Student Conduct can receive a report from Community Safety, an email to the conductofficer@sierracollege.edu email or an incident report from a student, staff or faculty member. These reports can be found at the Sierra College [Report it Page](#). Once a report is received, the Office of Student Conduct reviews the case, does a thorough investigation in partnership with other offices on campus including Community Safety, Title IX, etc., and assigns a process.

Where an immediate suspension is required in order to protect lives or property and to ensure the maintenance of order, the Office of Student Conduct may impose interim suspension pending a hearing, provided that a reasonable opportunity be afforded to the suspended student for a hearing within ten days of the imposition of the suspension.

1) The Office of Student Conduct reviews the case, investigates and/or assigns the case to a conduct officer.

- Initial Review: The Office of Student Conduct reviews the incident report for completeness and clarity. Then, it determines the nature and severity of the incident.

- Investigation: The Office of Student Conduct collaborates with other offices to gather facts. This may include interviewing parties involved, witnesses, and reviewing relevant documents or evidence.
- Assignment of Process: Based on the findings, The Office of Student Conduct assigns the case to the appropriate process (e.g., informal resolution, formal investigation, or disciplinary procedures).

2) In cases not requiring a hearing:

- Conduct Officer:
 - The Conduct Officer assigned by the Office of Student Conduct has authority and discretion, after consideration of available evidence including the student's statement, to impose discipline short of suspension which does not require any due process hearing.
 - Educational & Restorative sanction examples include warnings, behavior agreements, written apologies, informal agreements, anger management counseling, directives to stay away from other students, faculty, or staff.
- Instructor:
 - An instructor may remove a student from class for the day of the removal and the next class meeting (no matter the length or type of class) for any good cause.
 - The instructor shall immediately report the removal to the Area Educational Administrator. The student shall meet with the Area Educational Administrator before returning to class. (See AP 5520 Student Discipline Procedures and Due Process, for more details)

3) In cases requiring a hearing/Student Conduct Committee:

- Pre-Committee Preparation:
 - Documents provided to the student:
 - Written notice of the conduct warranting the hearing.
 - Specific standards of student conduct violated.
 - Brief statement of facts supporting accusation.
 - AP 5520 Student Discipline Procedures and Due Process
 - Nature of the sanction being considered
 - The Notice shall state that the Student Conduct Committee may also consider the students' previous disciplinary and academic record. The Notice shall give the student an opportunity to refuse or waive the due process hearing. If the student does so, the proposed discipline shall be immediately imposed. Unless the student waives or refuses a due process hearing, the student shall be promptly notified of the date, time and place of the hearing once that has been determined. The student will be allowed to continue with scheduled classes and activities through the due process procedures unless the Conduct Officer separately determines that the student's presence is a threat to the health, safety, or well-being of other members of the campus community.
 - The Office of Student Conduct must share the accusation, any written

responses from the student, copy of all the written evidence the Conduct Officer intends to present at the hearing, and recommended sanctions with both the student and the Student Conduct Committee before the hearing.

Hearing Steps

- Official Recording: The hearing will be recorded by the District, and this will be the only official record. Witnesses must agree to be recorded to testify. Recordings are kept for one year, and students can request copies.
 - The chair will convene the meeting and provide time limits for each participant.
 - District Conduct Officer will provide the charges and evidence based on a preponderance of evidence regarding the incident.
 - Advisor: student may bring an advisor to the committee meeting
 - Advisor may counsel the student responding to questions related to the incident.
 - The advisor shall not participate in any way during the hearing.
 - District Conduct Officer & Student are given an opportunity to respond to the first statements.
 - Chair closes the meeting to deliberate.
- Conduct Committee Deliberations
 - The committee has the following options in deciding the matter: uphold the discipline recommended by the conduct officer, revoke the recommendation, issue a lesser sanction, or impose a more severe discipline. In appropriate cases, the committee may also recommend that the Superintendent/President seek expulsion.
 - Any decision shall be by a majority vote of the voting members.
 - Once a decision is reached, the Chair will prepare a written statement of the decision, which shall be circulated and approved by the members who voted for that outcome. Upon approval, the Chair shall supply the written decision to the Conduct Officer.
 - The Office of Student Conduct will inform the students of the decision in a timely manner.
 - All correspondence will be via the students' Sierra College email.
 - Appeal: The student shall then have the right to appeal the decision to the Superintendent/President.
 - The student must submit the completed appeal form to the Office of Student Conduct no later than three instructional (3) days after their receipt of the discipline decision.
 - Failure to submit a timely appeal form will be presumed to be the student's acceptance of the disciplinary action and waiver of the right to appeal. The appeal shall not be a denovo hearing.
 - The Superintendent/President's decision shall be based upon the record of evidence and argument at the Committee hearing, although the Superintendent/President may at their discretion consult with the Committee or its members. The Superintendent/President shall render their decision on the

appeal as soon as reasonably practicable, which in most cases shall occur within three instructional (3) days of their receipt of the appeal.

- The decision of the Superintendent/President shall be final.

Student Conduct Committee Membership

- The Student Conduct Committee for disciplinary action shall be composed of four members: an administrator who shall serve as chair and non-voting member, a faculty member, a classified professional, and a student.
- The Chair shall maintain good order, recognize who is to speak, move the process along, and control the meeting. The Chair may also excuse any participant (including the advisor) who disrupts the proceedings or otherwise fails to abide by college policy.
- The Superintendent/President, the president of the Academic Senate, the president of the Classified Senate, and the president of the Associated Students organization shall each, at the beginning of the academic year, establish a list of at least two eligible persons who may serve on the Student Conduct Committee.
- No administrator, faculty member, classified professional, or student who has any personal involvement in the matter to be decided, who is a necessary witness, or who could not otherwise act in a neutral manner shall serve on a student conduct committee.

Student Conduct Committee Responsibilities

- The Student Conduct Committee will hear cases assigned to it by the Office of Student Conduct.
- All members shall complete a training program assigned by the Office of Student Conduct prior to being on a committee.
- The Student Conduct Committee shall follow the process set forth AP 5520 Student Discipline Procedures and Due Process and shall accept, change, or decline the sanctions the Office of Student Conduct recommended for the student who is determined to have violated the Standards of Student Conduct (BP 5500).
- The Student Conduct Committee will not include a student appointee in hearings where educational records of another student, as defined by FERPA, will be disclosed, absent the written consent of the student whose records are involved.



5100 Sierra College Blvd., Rockville, CA 95577
(916) 660-7000
www.sierracollege.edu

Disciplinary Appeal Form

Office of Student Conduct

Conductofficer@sierracollege.edu

Sierra College Disciplinary Procedures allow students to appeal disciplinary actions that result in **suspension or expulsion** by completing, signing, and submitting this appeal form. If you do **not** wish to appeal the disciplinary action, you may disregard this notice.

Completed appeals are submitted by the Office of Student Conduct to the President's Office for review.

To initiate an appeal, you must complete this form in its entirety and return it to the Office of Student Conduct **within three (3) days** of being served the Final Outcome Letter. Failure to submit the form within this timeframe, or failure to complete the form fully, will constitute a waiver of your right to appeal regarding the disciplinary action.

If you have any questions about this form or your right to appeal, contact the Office Student Conduct at conductofficer@sierracollege.edu or 916-660-7412.

See AP 5520: Student Discipline Procedures and Due Process for more information about the appeal process.

STUDENT INFORMATION

Name: _____ Student ID: _____

Address: _____

Telephone: _____

Sierra College email address: _____

I, _____ (please print) hereby request an appeal of the Notice of Discipline dated _____. I received the Notice of Discipline on _____.

Cause for appeal: _____
(attach any additional documents for review to this form).

Student Signature

Date

6/23/2026

Sanctions

A sanction is a penalty or corrective measure imposed to enforce rules, regulations, or laws. Sanctions are used to hold individuals accountable for their behavior, promote adherence to institutional policies, and encourage personal growth and reflection. Sanctions can be administrative and educational.

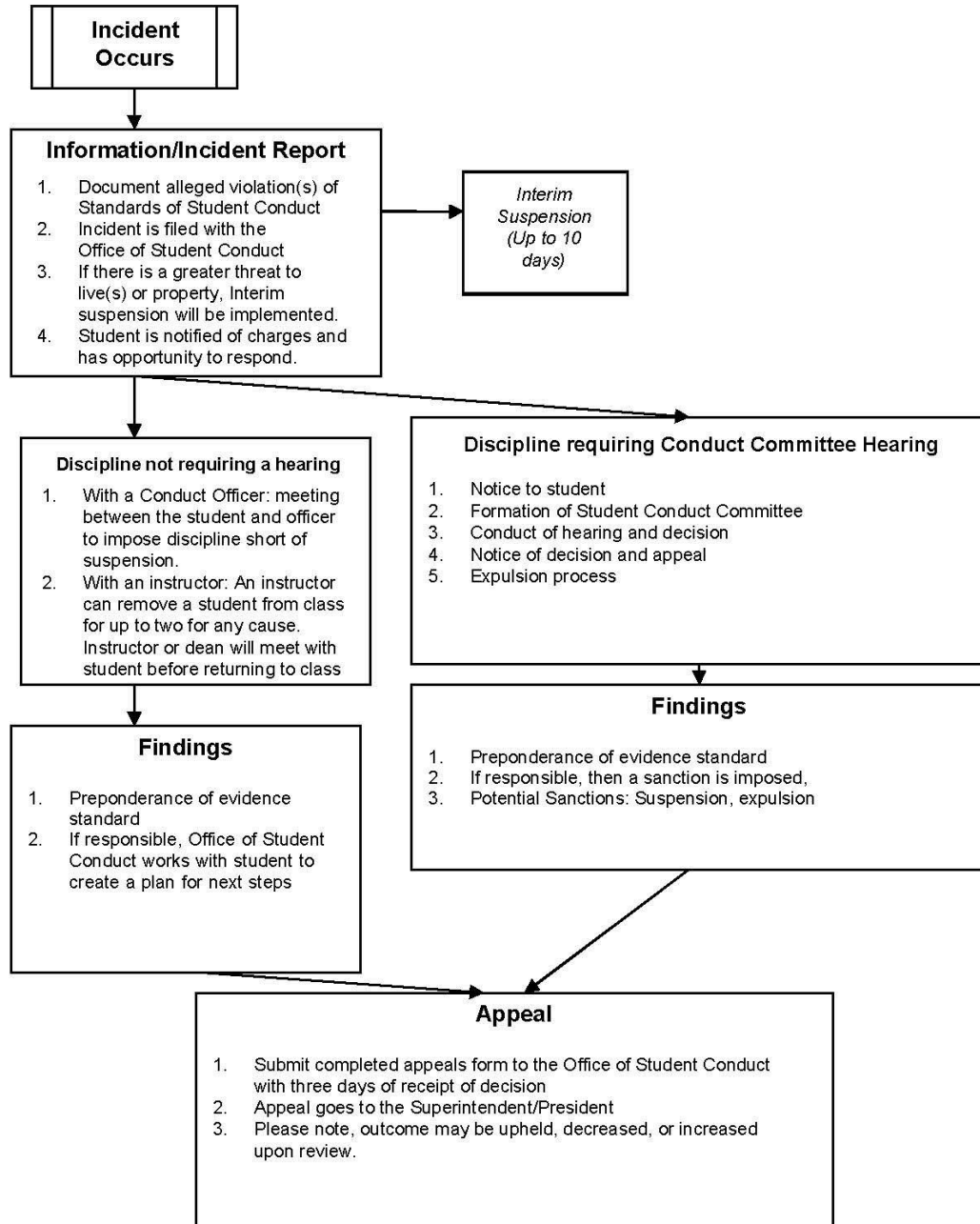
Administrative Sanctions

- **Definition:** These are consequences imposed by the institution to address violations and ensure compliance with policies.
- **Examples:**
 - **Warning:** Serves as a notice to the student regarding their violation of the standards of student conduct.
 - **Censure:** A formal written statement regarding their violation
 - **Probation:** A period during which the student must adhere to specific behavioral expectations.
 - **Suspension:** Temporary removal from the institution for a specified time.
 - **Expulsion:** Permanent removal from the institution.
 - **Restitution:** Compensation for damages or losses incurred due to the student's actions.

Educational Sanctions

- **Definition:** These aims to promote learning and personal growth, helping students understand the impact of their behavior.
- **Examples:**
 - **Workshops or Training:** Participation in sessions focused on topics like conflict resolution, ethics, or substance abuse.
 - **Community Service:** Engaging in service projects that benefit the community, reinforcing positive behavior.
 - **Reflection Papers:** Writing assignments that encourage students to reflect on their actions and the consequences.

Office of Student Conduct:
Overview of the Student Conduct
Process





ROCKLIN. GRASS VALLEY. TRUCKEE. ONLINE. sierracollege.edu