

# Santiago Canyon College Academic Senate

8045 East Chapman  
Orange, CA 92869

(714) 628-4831  
academic\_senate@sccollege.edu

## SENATORS

### **Business and Career Education**

Deeley, Steve 2020  
Salcido, Andrew 2021

### **Continuing Education (OEC)**

Oase, Daniel 2020  
Quimzon, Eden 2021

### **Counseling & Student Services**

Chaidez, Maria 2020  
Crabill, Phil 2020  
Graham, Song Le 2021

### **Humanities and Social Sciences**

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### **Library**

Sproat, Barbara 2020

### **Mathematics and Sciences**

Cummins, Shawn 2021  
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Johnson, Kim 2020  
Kramer, Jessica 2020  
Scott, Randy 2020

### **Adjunct**

Chavez, Ricardo 2020  
Dahl, Michael 2020

## EXECUTIVE BOARD MEMBERS

### **President**

DeCarbo, Michael 2020

### **Vice President**

Taylor, Michael 2020

### **Secretary/Treasurer**

Mettler, Mary 2020

### **Curriculum Chair**

Diaz, Darlene 2021

Agenda  
21 April 2020  
1:30 – 3:15 p.m.  
Academic Senate Zoom

## I Welcome

## II Public Comments (2 minute limit per person)

## III Approval of the Minutes

- A 3 March 2020
- B 17 March 2020
- C 30 March 2020

## IV AS Executive Board Reports (10 minutes)

## V ASG Report (5 minutes)

## VI Action Items (30 minutes)

### *First Reading*

#### A **Resolution S2020.02 – Adoption of the Emergency Schedule Course Descriptions**

#### B **Resolution S2020.03 - Direction to the Santiago Canyon College Curriculum and Instruction Council to Create a Temporary Blanket Distance Education Addendum**

## VII Discussion Items

- A *Student Conduct Posting* (5 minutes) President DeCarbo will request faculty to read BP 5500 and select the most salient points for discussion at the next meeting.
- B *Pass and No Pass Options* (20 minutes) Articulation Officer Aguilera will provide a summation of past discussions and present options to the faculty.
- C *Continuing Education Temporary Remote Instruction* (10 minutes) Professors Oase and Quimzon will discuss potential harms of how temporary remote instruction is being offered in Continuing Education.
- D *Signature Programs Process* (5 minutes) President DeCarbo will seek direction for action to be taken regarding Signature Programs process.

*Santiago Canyon College is an innovative learning community dedicated to intellectual and personal growth. Our purpose is to foster student success and to help students achieve these core outcomes: to learn, to act, to communicate, and to think critically. We are committed to maintaining standards of excellence and providing the following to our diverse community: courses, certificates, and degrees that are accessible, applicable, and engaging. (Approved 12/05/17)*

## **BP 2410 Board Policies and Administrative Regulations**

*Reference: Education Code Section 70902;*

*ACCJC Accreditation Standards IV.C.7, IV.D.4, I.B.7, and I.C.5 (formerly IV.B.1.b & e)*

The Board may adopt such policies as are authorized by law or determined by the Board to be necessary for the efficient operation of the District. Board policies are intended to be statements of intent by the Board on a specific issue within its subject matter jurisdiction.

The policies have been written to be consistent with provisions of law, but do not encompass all laws relating to District activities. All District employees are expected to know of and observe all provisions of law pertinent to their job responsibilities.

Policies of the Board may be adopted, revised, added to, or amended at any regular board meeting by a majority vote. Any adoption and/or approval of new Board policies or changes to existing Board policies must take place as part of a two meeting approval process. The first meeting will be considered the "**FIRST READING, INFORMATION ONLY**" of the policy or change to existing policy for the purpose of review, questions and answers, and other considerations of the recommendation. At the second meeting, it will be considered the "**SECOND READING, ACTION ITEM.**" The Board will consider the item for action, which may have been modified at either the first or second reading. If the modification at the second reading is major, as determined by the Board, such a reading will be termed a first reading and introduced at a subsequent Board meeting as a second reading. The Board shall regularly assess its policies for effectiveness in fulfilling the District's mission.

The RSCCD Board of Trustees believes that a major trustee role is to set policy for the District. In setting policy, the Board wants to create and work within a participatory environment with respect for students and all employee groups. For developing policies regarding the academic and professional matters numbered 1, 2, 3, 5, and 8, the Board will consult collegially with the faculty by relying primarily on the advice and judgment of the Academic Senate (per previous agreement with the Senate).\*

For developing policy regarding the other five academic and professional matters, the Board will consult with the faculty through the mutual agreement process previously agreed upon. At RSCCD, the mutual agreement process is the use of the shared governance structure consisting of councils, committees, and the District Council. Further, representatives of staff and student groups are encouraged to work within the established processes to address the issues of the District.

The Board of Trustees values consensus building; however, it realizes its legal responsibility to make final decisions regarding policy.

**\*For the following items the Board of Trustees will rely primarily upon the advice of the Academic Senate:**

- 1) *Curriculum, including establishing prerequisites and placing courses within disciplines;*
- 2) *Degree and certificate requirements;*
- 3) *Grading policies;*
- 5) *Standard or policies regarding student preparation and success;*
- 8) *Policies for faculty professional development activities;*

**For the following items, the Board of Trustees will come to mutual agreement with the Academic Senate:**

- 4) *Educational program development;*
- 6) *District and college governance structures, as related to faculty roles;*
- 7) *Faculty roles and involvement in accreditation processes, including self study and annual reports;*
- 9) *Processes for program review;*
- 10) *Processes for institutional planning and budget development.*

Administrative regulations are to be issued by the Chancellor as statements of method to be used in implementing Board Policy. Such administrative regulations shall be consistent with the intent of Board Policy. Administrative regulations may be revised as deemed necessary by the Chancellor. The Board reserves the right to direct revisions of the administrative regulations should they, in the Board's judgment, be inconsistent with the Board's own policies.

Copies of all board policies and administrative regulations shall be readily available to District employees through the District website.

*Revised and Retitled: June 15, 2015 (Previously BP9001 and BP9023)*

**SCC Academic Senate - DRAFT  
Emergency Meeting  
March 30, 2020, 1:30pm-3:00, Remote**

**Senators Present**

Shawn Cummins  
Steven Deeley  
Lisa Dela Cusack  
Michael Dahl  
Melissa Govea  
Scott Howell  
Kim Johnson  
Daniel Oase  
Andy Salcido  
Shereen Siddiqui  
Barbara Sproat  
Christine Umali Kopp  
Yanina Valdos

**Senate Executive Board Present**

President Michael DeCarbo  
Vice President Mike Taylor  
Secretary/Treasurer Mary Mettler  
CIC Chair Darlene Diaz

**Senators Absent**

Maria Chaidez  
Ricardo Chavez  
Phillip Crabill  
Veselka Danova  
Song Graham  
Jessica Kramer  
Ryan Murphy  
Eden Quimzon  
Randy Scott

**ASG Representative Absent**

Aidan Kato

**Guests**

Leonor Aguilera  
Ruth Babeshoff  
Denise Bailey  
Morrie Barembaum  
Lynette Beers  
Thurman Brown  
Zina Edwards  
Marilyn Flores  
Tiffany Gause  
Amanda Henry  
Karen Hersom  
Scott James  
Haydeh Kaveh  
Pavar Mahbod  
Danny Martino  
Janis Perry  
Narges Rabii  
Celia Rubalcaba  
Jorge Salcedo-Daniel  
Roy Shabazian  
Mark Smith  
Roberta Tragarz  
Binh Vu

I. Welcome

President DeCarbo welcomed participants to this meeting. He explained that this meeting was not previously scheduled, and is defined as “Emergency” since it occurs outside of the regular schedule.

II. Action Items

First Reading

**A. Resolution S2020.01 – Adoption of the 2020 Academic Senate Temporary Remote Instruction Effective Practices (Taylor/Mettler)**

Comments regarding the necessity of Resolution S2020.01 included:

- FARSCCD has been privy to the circulation of the TRI Effective Practices document that was developed at last senate meeting.
  - The MOU with the district regarding instruction during the COVID-19 crisis is separate from the Effective Practices document.
- Why do we need this resolution since all faculty should be using effective practices?
- It’s important to reassure students that we continuing to use our best practices.
- This document emerged in response to the State Chancellor’s first order regarding curriculum, the original conversation held by those gathered to prepare for TRI, the

**SCC Academic Senate - DRAFT  
Emergency Meeting  
March 30, 2020, 1:30pm-3:00, Remote**

subsequent conversation in senate regarding synchronous and asynchronous instruction, and then the discussion held at the next senate meeting regarding effective practices; it is just a part of an evolving conversation.

- This document comes from a place of affirmation.
- Can this be an effective practices document rather than a resolution?
- The Senate processes dictate that any action be made through resolution; if the body votes to suspend that rule and adopt the document without a resolution, that is possible
- What is the need to affirm what we already do?
- An affirmation is needed to uphold the core of the work we do and to provide reassurance during a time of doubt
- These are suggestions for faculty who may have never taught remotely online before.
- These need not be prescriptive.
- Working conditions need to be addressed with FARSCCD.
- What if this document is viewed outside of SCC?
- The State Chancellor's Office is providing flexibility with instruction during this COVID crisis.
- This resolution is too prescriptive.
- This resolution was not reassuring or comforting.

Comments regarding the resolution as written included:

- Any statement of "effective practices" should read "suggested effective practices".
- Synchronous office hours should be attempted.
  - Concerns regarding that this may be difficult during a pandemic.
  - Under TRI, instructors may not know the laws around regular and effective individual student contact, as well as ADA accessibility laws. Therefore, synchronous office hours should be offered.
  - Office hours are at the discretion of the instructor.
  - Students are diverse learners. Many of the students who registered for in person classes prefer to have real time feedback, and if possible in a visual interactive manner.
  - Timeliness of feedback is an effective practice.
- Faculty will be committed to respond to a student in a timely fashion whether it be synchronous or asynchronous.

**Move to table S2020.01 (Umali Kopp / Deeley). Vote to proceed via email.**

### III. Discussion Items

#### **A. Temporary Remote Instruction Scheduling for Summer Session and Fall 2020**

President DeCarbo facilitated a discussion as to how classes shall be offered should TRI extend into summer and/or fall 2020.

- It needs to be determined if courses that were originally intended to be offered in person should be offered as TRI or Distance Education.
- Vice President Flores noted that deans should be having conversations with their department chairs to discuss the possibility of TRI continuing into summer and fall.
- Summer and fall classes are posted in WebAdvisor.
  - Summer classes include 177 sections of which 87 (49%) are fully online, 18 (10%) are hybrid, and 72 (41%) are face-to-face.
- Should courses that are difficult to teach in the TRI format be offered?

**SCC Academic Senate - DRAFT  
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- Given that the course is scheduled for specific hours and students are enrolling knowing those hours, should courses be offered synchronously and/or asynchronously or just synchronously.
- Should DE addendums be added to courses that don't have them?
  - There is time to submit addendums to the Curriculum Committee.
- If classes remain online, then class size must be addressed.
  - Currently, instructors who have a large number of students in their classes are having to spend a great deal of time providing regular and effective contact with each of their students.
- Some departments are staffed heavily with adjuncts for the fall, so decisions about going online should be made as soon as possible.

**B. Temporary Suspension of Various Regulations Related to Grading Policies, Course Repetition and Term Expansions.**

Articulation Officer Leonor Aguilera discussed the State Chancellor's Executive Order 2020-02 to allow for temporary suspension of various grade-related regulations.

Discussion included:

- Faculty and students may have difficulty transitioning to classes during the COVID-19 pandemic.
- Title 5 rules regarding Pass/No Pass are suspended:
  - Students may choose this option beyond 30% of the semester.
  - If a student receives a No Pass for a spring class, it will not count toward the probation procedures.
  - If a class is a major requirement for transfer then it should not be taken for Pass/No Pass.
  - It has yet to be determined what the last date to apply for Pass/No Pass will be.
- If a student receives a D or an F in a course during this semester, the course can be repeated in the future beyond the third attempt.
- If a Community College would like to extend their spring term, it must be approved through the Chancellor's office.
  - Chancellor Martinez does not plan on requesting this action.
- Students may request an In Progress or Incomplete from their faculty instructor.
  - The instructor should determine any request for In Progress or Incomplete on a case-by-case basis.

IV. ASG Report – Postponed until next Senate meeting.

V. Approval of Minutes - Postponed until next Senate meeting.

VI. Public Comments - Postponed until next Senate meeting.

VII. AS Executive Board Reports - Postponed until next Senate meeting.

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### **Curriculum Chair**

Diaz, Darlene 2021

## Resolution S2020.02

### Adoption of the Emergency Schedule Course Descriptions

**Moved:** Professor Taylor

**Seconded:** Professor Mettler

Whereas, The pandemic COVID-19 has forced the Rancho Santiago Canyon College to transition courses traditionally offered face-to-face to a remote format that uses a variety of technologies;

Whereas, This transition has led to the formation of two new methods of delivery: specifically synchronous remote instruction and asynchronous remote instruction;

Whereas, This transition, while at first temporary, is expected to continue into the summer and perhaps the fall; and

Whereas, It is vital to allow students and faculty to know the expectations of future courses scheduled during this emergency and any future emergencies;

Resolved, That the Academic Senate of Santiago Canyon College adopt the *Emergency Schedule Course Descriptions*.

**Date Presented:** 21 April 2020

**Date Passed:**

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Emergency Schedule Course Descriptions  
Proposed 4/21/2020A

Face to Face (FTF) – Traditional classroom instruction held face-to-face during regularly scheduled times.

Online (O) – Distance education courses that use at least one or more technologies to deliver instruction to students who are separated from the instructor.

Hybrid (H) – A combination of both online and face-to-face instruction

Scheduled Remote Instruction (SRI) – Classroom instruction held face-to-face during regularly scheduled times that uses at least one or more technologies to deliver instruction that provides immediate communication.

Asynchronous Remote Instruction (ARI) – Classroom instruction that simulates a traditional face-to-face classroom that uses at least one or more technologies to deliver instruction that provides the student flexibility in accessing course content.

Combined Remote Instruction (CRI) - Classroom instruction that simulates a traditional face-to-face classroom that uses at least one or more technologies to deliver instruction that will provide some immediate communication and also provide the student flexibility in accessing course content; any and all face-to-face immediate instruction shall be during regularly scheduled times and this content shall be recorded and made available to all students.

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## Resolution S2020.03

### Direction to the Santiago Canyon College Curriculum and Instruction Council to Create a Temporary Blanket Distance Education Addendum

**Moved:** Professor Diaz

**Seconded:** Professor Mettler

Whereas, The pandemic COVID-19 has forced the Rancho Santiago Canyon College to transition courses traditionally offered face-to-face to a distance education remote format that uses a variety of technologies;

Whereas, The State Chancellor's Office has allowed "in the event of an emergency, a college may request approval for a temporary "Blanket Distance Education Addendum" from the State Chancellor's Office to satisfy the requirements included in Title 5, Section 55206. Such a request will be considered valid only for the designated time period and does not replace the standard local approval process."

Whereas, This transition, while at first temporary, is expected to continue into the summer and perhaps the fall; and

Whereas, It is vital to allow students and faculty to know the expectations of future courses scheduled during this emergency and any future emergencies;

Resolved, That the Academic Senate of Santiago Canyon College directs the Santiago Canyon College Curriculum and Instructional Council to create a Temporary Blanket Distance Education Addendum to be deployed whenever a state of emergency is declared.

**Date Presented: 21 April 2020**

**Date Passed:**

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**Rancho Santiago Community College District**  
**BOARD POLICY**  
Chapter 5  
Student Services

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**BP 5500 Standards of Student Conduct**

**References:**

Education Codes 66300 and 66301;  
ACCJC Accreditation Standards I.C.8 and 10 (formerly II.A.7.b)

Guidelines for Student Conduct are set forth in the California Education Code, California Administrative Code, Title V, policies of the Board of Trustees (including BP/AR 3430 Prohibition of Harassment), and all civil and criminal codes. Students enrolling in district educational programs assume an obligation to obey state law and district rules and regulations governing the conduct of students.

Students who enroll in those instructional programs in which the college has affiliations with various outside associations must comply with the college's policies and procedures and also with the outside associations' policies and procedures. This includes but is not limited to students enrolled in the programs of Cosmetology, Fire Academies, Criminal Justice Academies and Nursing.

**I. GUIDELINES FOR STUDENT CONDUCT**

The following represent violations for disciplinary action, up to but not limited to expulsion, that may be taken:

- A. Dishonesty, cheating, plagiarism, lying, or knowingly furnishing false information to the district or a college official performing their duties.
- B. Forgery, alteration, or misuse of district documents, records, or identification.
- C. Willful misconduct that results in damage to any real or personal property owned by the district or district employees (damage includes, but not limited to vandalism, such as cutting, defacing, breaking, etc.).
- D. Obstruction or disruption of pedestrian or vehicular traffic or of teaching, research, administration, or of other district activities on or off District premises. This includes obstruction or disruption of administration, disciplinary procedures or authorized college activities.
- E. Assault, battery, or any threat of force or violence upon a student, college personnel, or campus visitor; willful misconduct which results in injury or death to a student, college personnel, or campus visitor. This includes fighting on district property or at a district sponsored event, on or off district premises.

F. Detention of any person on district-owned or controlled property or at district-sponsored or supervised functions or other conduct which threatens or endangers the health or safety of another.

G. Theft of any property of the district which includes property of a member of the district community or a campus visitor.

H. Unauthorized entry into or unauthorized use of district property, supplies, equipment, and/or facilities.

I. Misrepresentation of oneself or of an organization to be an agent of the district.

J. Sexual assault or physical abuse, including rape, forced sodomy, forced oral copulation, rape by a foreign object, sexual battery, or threat or assault, or any conduct that threatens the health and safety of the alleged victim, which includes students, college personnel, or campus visitors.

K. Use, possession, distribution, or being under the influence of alcoholic beverage on district property or at any district sponsored event.

L. Use, possession, distribution, or being under the influence of narcotics, other hallucinogenic drugs or substances, or any poison classified as such by Schedule "D" in Section 4160 of the Business and Professions Code on District property or at any District-sponsored event except as expressly permitted by law.

M. Engaging in expression which is libelous, slanderous, obscene (according to current legal standards) or which incites students so as to create a clear and present danger of commission of unlawful acts on district premises, or violation of district regulations, or the substantial disruption of the orderly operation of the college.

N. Possession or use while on the district premises, or a district-sponsored function, of any firearm, knife, explosive, or other dangerous object, including but not limited to any facsimile firearm, knife or explosive. Exceptions include those participating in a criminal justice educational program who are authorized such possession or those who are enrolled in a course which authorizes such possession.

O. Unauthorized preparation, giving, selling, transfer, distribution, or publication, for any commercial purpose, of any contemporaneous recording of an academic presentation in a classroom or equivalent site of instruction, including but not limited to handwritten or typewritten class notes, except as permitted by any district policy or administrative regulation.

P. Engaging in harassing or discriminatory behavior based on disability, gender, gender identity, gender expression, nationality, race, or ethnicity, religion, age, sexual orientation or any other status protected by law.

Q. Continuous disruptive behavior or willful disobedience, harassment, habitual profanity or vulgarity, open and persistent abuse of college personnel, or open and persistent defiance of the authority of college personnel.

R. Willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of the Board of Trustees;

S. Violation of the Computer Usage Policy is applicable to students using computer classrooms, computer labs, the wireless network or other locations on and off district property. A violation is considered any of the following:

(a) Accessing with or without permission, or causing to be accessed without authorization, altering, damaging, deleting, hacking, destroying, or otherwise using any data, computer, computer system, computer software and programs, or computer network belonging to or used by the college or any member of the District.

(b) Accessing with or without permission, taking, copying, or making use of any data from a computer, computer system, or computer network, or taking or copying any supporting documentation, whether existing or residing internal or external to a computer, computer system, or computer network belonging to or used by the college or District.

(c) Using or causing to be used, computer services without permission.

(d) Disrupting or causing the disruption of computer services or denying or causing the denial of computer services to an authorized user of a computer, computer system, or computer network belonging to or used by the college or District.

(e) Introducing any computer contaminant or virus into any computer, computer system, or computer network belonging to the college or District.

(f) Sending any message using any computer system or network without authorization or sending any message in the name of another person or entity.

(g) Using any account or password without authorization.

(h) Allowing or causing an account number or password to be used by any other person without authorization.

(i) Accessing or causing to be accessed, downloading or causing to be downloaded, pornographic or obscene materials except when accessing such material which is part of the instructional process or assignment for a class in which the student is currently enrolled.

(j) Use of systems or networks for personal commercial purposes.

(k) "Cyberstalking", which is to be understood as any use of the college or district computer system, computer network, or computer programs to stalk another person via excessive messages or inquiries, inappropriate or threatening messages, racially motivated communications, photos or other means of communication.

T. Any act constituting good cause for suspension or expulsion, or violation of district policies or campus regulations.

## II. DISCIPLINARY ACTIONS FOR STUDENTS

Student conduct must conform to the standards established by the Board of Trustees. Violations are subject to the following types of disciplinary actions. (These disciplinary actions are listed in degree of severity, but not necessarily in sequential order. Disciplinary actions may be imposed singly or in combination.)

A. WARNING - Verbal notice to the student that continuation or repetition of specific conduct may be cause for other disciplinary action.

B. REPRIMAND - Written reprimand for violation of district rules, with copy to the student and to the student disciplinary file. A reprimand admonishes the offender to avoid any future infractions of district rules.

C. PROBATION - Probation is a disciplinary action which allows the offender to return to the district with the understanding of expected appropriate future behavior. Probation may include exclusion of the individual(s) from extra-curricular district activities that would be set forth in the written notice of probation. The probation would be for a specified period of time and appropriate notice will be sent to any advisor(s) of student organizations(s) involved. Any further violations of the Standards of Student Conduct during this probationary period will result in further, more serious disciplinary action against the offender.

D. RESTITUTION - Reimbursement by the offender(s) for damage(s) or for the misappropriation of district property may take the form of appropriate community service to repair or otherwise compensate for damage(s) or loss(es).

E. REMOVAL - An instructor or department administrator may remove a student from his or her class or departmental service for up to two days, and shall report all such action to the academic dean of the appropriate division and to the administrative designee responsible for student discipline.

The administrative designee responsible for student discipline may suspend privileges from that class, campus service, office, department, or the entire campus based upon the violation, for up to ten days.

During the period of the removal, the student shall not be returned to a class from which he or she was removed without the concurrence of the instructor and administrative designee responsible for student discipline; nor shall the student be returned to the service, department, office from which they were removed, or the campus, without concurrence of appropriate administrator.

If the student is a minor, the college president, or designee shall ask the parent or guardian to attend a conference regarding the removal as soon as possible, and if the parent so requests, the Dean of Student Affairs or designee at Santa Ana College or the Vice President of Student Services or designee at Santiago Canyon College shall attend (depending on the college).

F. SUSPENSION - The Board of Trustees, the chancellor or the chancellor's designee may suspend a student for good cause, as defined in Section I, A-V herein, for any of the following periods:

- (a) From one or more classes for less than the remainder of the school term.
- (b) From one or more classes for the remainder of the school term.
- (c) From all classes and activities of the college for up to two (2) academic years.

During the period of the suspension, the student is prohibited from being enrolled in or physically present on any campus of the district for the period of the suspension. The chancellor or designee may impose a lesser disciplinary sanction than suspension, including, but not limited to warning, reprimand, probation, restitution or ineligibility to participate in co-curricular activities or any combination of the listed options.

G. EXPULSION - Expulsion may be for good cause (refer to Section I, A-V), when other means of correction fail to bring about proper conduct, or when the presence of the student causes a continuing danger to the physical safety of the student or others.

### **III. DUE PROCESS**

No student shall be suspended for more than ten days or expelled unless the conduct for which the student is being disciplined is related to college activity or attendance, and the student is afforded the right of due process.

The chancellor or designee shall, prior to the suspension or expulsion of any student, notify the appropriate law enforcement authorities of the county or city in which the college is situated of any acts of the student which may be in violation of Section 245 of the Penal Code. Violations of any law, ordinance, regulation, or rule regulating, or pertaining to, the parking of vehicles shall not be cause for suspension or expulsion. However, repeatedly ignoring or consistent violations of parking rules, regulations, laws or ordinances may result in vehicles being towed or loss of parking privileges.

During the due process investigation period and hearing, the designated investigating administrator may allow, disallow and/or select individuals who will be included in the process. For actions regarding minor students, parental notification and/or involvement is required.

#### **A. Suspension**

Any suspension of more than ten days must be accompanied by a due process hearing as outlined in Section IV of this policy.

Whenever a minor student is suspended from a college of the District, the parent or guardian shall be notified in writing by the chancellor, or a designee.

#### **B. Expulsion**

Only the Board of Trustees may expel a student. Expulsion shall be accompanied by a due process hearing as outlined in Section IV of this policy.

#### **IV. DUE PROCESS HEARING**

1. A student who is being considered for suspension or expulsion shall be afforded a due process hearing before a Disciplinary Hearing Board designated by the chancellor or the chancellor's designee. The chancellor or designee shall provide that a reasonable opportunity for a hearing is afforded the student within ten days.

2. The Disciplinary Hearing Board shall be composed of the following individuals appointed by the chancellor or designee:

- 1 RSCCD Student
- 1 Administrator
- 1 Faculty Member
- 1 Classified Staff

3. The student shall be notified in writing at least two school days before the hearing of the following:

- (a) The time, date, and place set for the hearing;
- (b) The charges to be brought;
- (c) Documentary evidence that will be introduced at the hearing;
- (d) The right of the student to appear in person and present his or her position;
- (e) The right to cross-examine the district's witnesses if the witness(es) elect(s) to be present;
- (f) The right to present evidence or witness(es) on own behalf.
- (g) In cases of alleged sexual assault, technical rules of evidence shall not apply; no past sexual history may be introduced as part of the testimony, except that the past sexual history of the alleged victim shall be permitted if offered as evidence of the character or trait of character of the victim for the purposes described in California Evidence Code 1103.

4. The hearing board shall hear evidence and witnesses presented by the district and by the student. In the event the student for whom the hearing is held, or other key parties, is not present at the hearing, the Hearing Board will proceed without the individual(s). The Hearing Board shall render its recommendation to the College President on the evidence presented within two school days of the close of the hearing. The College President will review the recommendation within three days and render a decision to the Vice President of Student Services. The Vice President of Student Services or their designee will notify the student by certified mail of the outcome. If the recommendation is for suspension or expulsion, the student will be notified in writing of their right to appeal the decision to the Board of Trustees.

Any request by the student to appeal the decision to the Board of Trustees must be made within forty-eight hours of receipt of the letter sent by the aforementioned administrator outlining the hearing board's decision. If the decision supports a recommendation for expulsion, the suspension will continue until the Board of Trustees can hear the appeal.

If the recommendation opposes suspension or expulsion, the recommendation shall be final, and, the chancellor or designee shall reinstate the student immediately to their status prior to the hearings.

The Board shall, unless a request has been made by the student for an open session, hold closed sessions under the following conditions:

- (a) If the Board is considering the suspension or expulsion of the student.
- (b) If a public hearing upon such question would lead to the giving of information concerning the student which would be in violation of Section 76243 of the Education Code.

5. Before calling such closed session, the chancellor or designee shall, in writing, by registered or certified mail, if the student is a minor notify the parent or guardian, or the student, if the student is an adult, of the intent of the Board to call and hold such closed session. Unless the student, or the student's parents (if the student is a minor) within forty-eight hours after receipt of such written notice, request in writing that the hearing be held in open session, the appeal shall be conducted in closed session. If such written request is served upon the clerk or secretary of the Board, the meeting shall be public except that any discussion at such meeting that might be in conflict with the right to privacy of any other student shall be in closed session. Whether the matter is considered at a closed session or open meeting, final action of the Board shall be taken at a public meeting and the result of such action shall be a public record of the district.

6. The appeal before the Board of Trustees shall be a review of the evidence presented to the Hearing Board, and an opportunity for both sides to present oral argument. No new evidence or witnesses will be heard unless the Board of Trustees so requests.

7. The decision of the Board of Trustees shall be final. Students expelled or suspended for more than one academic year from attendance at colleges or programs of the district shall be entitled to make an annual appeal to the Board of Trustees of the expulsion or suspension by written request directed to the Secretary of the Board that the matter be placed on the agenda of the Board of Trustees. Such appeals shall be conducted as provided in this policy.

Additional copies of the following Rancho Santiago Community College District student policies are available in the RSCCD catalog and the offices of Student Services at both Santa Ana College and Santiago Canyon College:

- Student Code of Conduct
- Sexual Harassment Policy/Complaint Procedures
- Academic Honesty Policy
- Grievance Procedures for Students

**Revised: July 21, 2014 (Previously BP5201)**  
**Revised: November 18, 2019**