



ACADEMIC SENATE

Regular Meeting – December 5, 2025

Time – 9:00AM - 11:00AM

Hyflex Meeting – Room CLC127 and Via Zoom in
accordance with AB2449: Information below
1 Barnard Drive, Oceanside, CA 92056

Join Zoom Meeting: <https://miracosta-edu.zoom.us/j/85429414044?jst=1>

Meeting ID: [854 2941 4044](https://miracosta-edu.zoom.us/j/85429414044?jst=1)

Find your local number: <https://miracosta-edu.zoom.us/j/85429414044?jst=1>

AGENDA

We respectfully acknowledge that MiraCosta is on the traditional territory of the Luiseño/Payómkawichum people. Today, this meeting place and surrounding areas are home to the six federally recognized bands of the La Jolla, Pala, Pauma, Pechanga, Rincon, Soboba Luiseño/Payómkawichum people and remain the shared space among Kumeyaay and Ipai peoples. In addition, we pay respect to elders, present and past: keepers of history, culture, wisdom, and knowledge.

- I. Call to Order
- II. Remote Member Attendance
Description: Academic Senate will consider remote participation of members under the provisions of AB2449, if any.
- III. Roll Call
- IV. Persons Wishing to Address the Senate
Members of the public shall have an opportunity to address the committee either before or during the committee's consideration of each item of business to be discussed at regular or special committee meetings, including closed session items.
- V. Changes to Agenda Order
- VI. Consent Calendar
 - A. Approve Minutes of the Regular Meeting of November 21, 2025
 - B. MiraCosta 2025-26 ASCCC Hayward Award nominees
Description: The award honors community college faculty who demonstrate outstanding commitment to student learning, leadership on campus, and service to the profession. After review and discussion, the Faculty Awards Committee recommends the following nominees: Claudia Flores and Shawntae Mitchum.
- VII. Action Item, Second Read
 - A. AP 4236 Advanced Placement Credit [9:30; 10 minutes]
Description: Small language adjustment to clarify that some credits may be transferred, rather than that they will be. Also clarified to suggest that students need to submit AP information to be considered.
 - B. BP 5500 Standards of Student Conduct [9:40; 5 minutes]
Description: No changes
 - C. AP 5500 Standards of Student Conduct [9:40; 1 minutes]
Description: Changes made to account for new state policies regarding the inclusion of hazing in this policy; references regarding Title IX added; some small changes made, especially in aligning language now used (unlawful rather than illegal)
 - D. AP 5520 Student Conduct Procedures [9:40; 1 minutes]
Description: Some changes to language (such as inimical to harmful) to align with

BP 2510: Collegial Governance and Participation in Local Decision Making

The board recognizes the Academic Senate as the body that represents the faculty (fulltime and associate) in collegial governance relating to academic and professional matters.

1. Curriculum
2. Degree and certificate requirements
3. Grading policies
4. Educational program development
5. Standards or policies for student prep. and success
6. Governance structures, as related to faculty roles
7. Accreditation processes, including self-study and annual reports
8. Faculty professional development policies
9. Processes for program review
10. Processes for institutional planning and budget dev.
- +1 Academic calendar • Prioritization of full-time faculty hiring • Program discontinuance procedures, in alignment with program review • Equivalency procedures • Policies and procedures protecting academic freedom • Recommendation on tenure and professional advancement

The Board or its designees will consult collegially with the Academic Senate on all of the listed academic and professional matters and will rely primarily on the advice and judgment of the Academic Senate.

other policies; references regarding Title IX added; further explanation of the role of advisors within student conduct procedures given; clarification of process about appeals

VIII. Action Item, First Read

- A. [Propose Changing Academic Senate Meeting](#) to Thursday 1-3pm - mitchell [9:45; 15 minutes]

Description: Changing the Academic Senate Meeting would establish Thursday afternoons as a time designated for 10+1 discussions and decisions. The Academic Senate would meet 1st and 3rd Thursdays, CPC would continue to meet 2nd and 4th Thursdays, and a 5th Thursday could be utilized for town-hall style discussions of salient 10+1 issues.

IX. Information

- A. Faculty Response to the Director of Employee Development & Training position [10:00; 15 minutes]

Description: Faculty ask the following be stated in the posting for the position: At MiraCosta College, the programs for employee development & training and the programs for faculty professional development are managed through separate processes. The Director of Employee Development and Training will not have responsibility for the vision, leadership, development, coordination, management, organization, documentation, reporting, or budgeting of the faculty Professional Development Program and its committee, the faculty FLEX program, faculty professional development activities, or the faculty C3 Teaching and Learning Center, which will remain the responsibilities of the Academic Senate and the faculty.

X. Discussion

- A. Faculty Leadership - ASCCC Plenary Reports, Plans for Spring Elections [10:15; 30 minute]

Description: Attendees of the ASCCC 2025 Fall Plenary will share highlights from notable sessions and resolutions and will engage senators in discussion about how our local senate can apply takeaways from the conference.

XI. Reports

- A. Academic Senate President – mitchell ([access report](#))
B. College Superintendent/President – Cooke ([access report](#))
C. Classified Senate – Streagle ([access report](#))
D. Associate Student Government – James ([access report](#))
E. Senator Reports – ([access report](#))

To submit a Senator Report, contact the Academic Senate Administrative Assistant and share your report in writing before the meeting.

XII. Adjournment

On September 13, 2022, California Governor Gavin Newsom signed California Assembly Bill 2449 (AB 2449) into law. This bill changes remote attendance rules under Ralph M. Brown Act's opening meeting laws. With an effective date of January 1, 2023, AB 2449 imposes four periods of differing rules on remote access to, and member attendance of, local agency public meetings under the Ralph M. Brown Act (Brown Act). Further, a state of emergency is no longer in effect and so governing bodies will now meet in person with the possibility of approved remote attendance. The public may observe the meeting remotely or in person and offer public comment. A link for remote viewing or calling in is noted on the agenda. Therefore, Academic Senate (AS) meetings will be held in person with a Zoom link available. If you wish to attend the meeting and you have another disability requiring special accommodation, please notify the Academic Senate Administrative Assistant at 760-795-6873. The California Relay Service (CRS) is available by dialing 711, or 800-855-7100 for English or 800-855-7200 for Spanish.

In compliance with Government Code section §54957.5, nonexempt writings that are distributed to a majority or all of the MiraCosta Community College

District Academic Senate in advance of their meetings may be viewed at the Office of the Academic Senate President, One Barnard Drive, Oceanside, California, or by clicking on the Academic Senate's website at <https://www.miracosta.edu/governance/academic-senate/index.html>. Such writings will also be available at the Senate meeting. In addition, if you would like a copy of any record related to an item on the agenda, please contact Arielle Locke, Administrative Assistant to the Academic Senate President, at 760.795.6873 or by email at alocke@miracosta.edu

Audio recordings of AS meetings may be available and requested for up to 30 days. Please contact the MiraCosta College AS President's Office 760-757-2121 x6213 or email Arielle Locke, Administrative Assistant to the Academic Senate at alocke@miracosta.edu.



UNOFFICIAL MINUTES

I. Call to Order

The meeting was called to order at 9:01am.

II. Remote Member Attendance

Description: *Academic Senate will consider remote participation of members under the provisions of AB2449, if any. Cotnoir and Arquero are approved to attend the meeting remotely by unanimous consent.*

Senators Cotnoir and Arquero were approved for remote attendance under the provisions of AB2449.

III. Roll Call

Present: curry mitchell (President), Jim Sullivan (President-Elect), Robin Allyn (Coordinating Officer), Alexis Tucker Sade, Julie Graboi, Afifa Zaman, Sean Davis, Leigh Cotnoir, Kristine Arquero, Jeff Murico

Absent: **Krista Warren, Brian Page**, Sunny Cooke (ex-officio)

Others: Daria Davis, Billy Gunn, Mary Gross, Rodrigo Gonzales, Ellie Keene, Christina Zafra Lopex, Olivia Elmer, Erica Duran, Michelle Farnam, Rick White, Julia Roth, Kristina Duarte, Shayla Turk.

Note: Senators Warren and Page missed roll call but attended at 9:04am and were present for the remainder of the meeting.

IV. Persons Wishing to Address the Senate

Members of the public shall have an opportunity to address the committee either before or during the committee's consideration of each item of business to be discussed at regular or special committee meetings, including closed session items.

Senator Tucker Sade acknowledged Thursday, November 20th, as National Transgender Day of Remembrance and encouraged everyone to recognize the ongoing challenges faced by the trans community. She highlighted the work of the Oceanside LGBTQ+ Resource Center and reflected on a message shared at their event the previous evening: that allies must show up in meaningful ways—beyond symbolic gestures like stickers—by engaging in conversations with family and friends and expressing gratitude for the trans community.

Coordinating Officer Allyn attended the recent Classified Senate meeting, and from Ingrid Phillips shared a Kwanzaa Fundraiser and Celebration for Umoja Students. Check out her Senator report for the flyer.

V. Changes to Agenda Order

ASP mitchell acknowledged a time certain presentation for 9:15am by Health Services. There were no objections to this agenda change.

VI. Consent Calendar

A. Approve Minutes of the Regular Meeting of November 7, 2025

B. Equivalency Application in Psychology

Senators approved items A and B unanimously and Equivalency Committee and Chair, Ashley Davis were given thanks for the continuous work on equivalency matters.

VII. Action Item, First Read

A. AP 4236 Advanced Placement Credit [9:30; 5 minutes]

Description: Small language adjustment to clarify that some credits may be transferred, rather than that they will be. Also clarified to suggest that students need to submit AP information to be considered.

During the first read of AP 4236, senators reviewed proposed language changes intended to clarify that AP credits *may* transfer rather than *will* transfer, and that students must submit official AP documentation to be considered for credit. Senator Page asked why the change was necessary, whether there had been issues with transferability, and if the revision would affect baccalaureate programs. VPI Pescarmona explained that problems have occurred—particularly with Calculus—when a student was granted local credit that did not transfer to a university. The goal is to ensure students meet with counselors first so faculty do not inadvertently jeopardize transfer eligibility. Senator Zaman pointed out that the AP could more explicitly distinguish whether the credit being awarded applied to local and/or transfer requirements and that there’s a distinction or limits to this. Specifically adding wording between the 3rd and 4th paragraphs could distinguish that AP credit may apply toward **local or transfer** requirements, but that final transfer applicability is determined by the receiving institution. Senator Arquero requested clarification on how equivalencies are determined. Pescarmona explained that discipline faculty determine course-to-course equivalency for AP, IB, and CLEP exams, but acknowledged that faculty may not always have the same insight into transfer implications as counseling faculty. She suggested it may be valuable for department chairs and counselors to collaborate more closely. Senators also referenced the catalog pages (36–40) outlining AP/IB/CLEP credit and noted recent additions—such as an AP credit section—that help students understand how their credits apply locally.

B. BP 5500 Standards of Student Conduct [9:35]

Description: No changes

No changes were proposed to the policy. However, senators discussed whether the policy should more explicitly protect faculty—particularly regarding the risks associated with being recorded in online environments. Several senators noted that the current language may not be inclusive enough given that approximately 50% of courses are now offered online, and suggested adding language that clearly covers online, in-person, study abroad, and other instructional modalities (Murico/Tucker-Sade). Davis noted that, upon reading the policy, the protections already appear to apply to online instruction and expressed concern about creating an expectation to digitize all materials.

C. AP 5500 Standards of Student Conduct [9:35; 5 minutes]

Description: Changes made to account for new state policies regarding the inclusion of hazing in this policy; references regarding Title IX added; some small changes made, especially in aligning language now used (unlawful rather than illegal)

Changes to the AP were presented to reflect new state requirements, including the addition of hazing as a prohibited behavior, updates related to Title IX, and several small language adjustments (e.g., using “unlawful” rather than “illegal”). Nick explained that the updates aim to make the student conduct policy clearer and more trauma-informed while ensuring compliance with state law. The revisions also clarify expectations for programs with external licensing or governing bodies, such as Nursing. **MSP (Warren/Graboi) Sullivan opposed** to extend time for discussion.

D. AP 5520 Student Conduct Procedures [9:40; 5 minutes]

Description: Some changes to language (such as inimical to harmful) to align with other policies; references regarding

Title IX added; further explanation of the role of advisors within student conduct procedures given; clarification of process about appeals

Item tabled until December 5th.

VIII. Information / Discussion

A. Update from CPC - Fallstrom [9:15; 15 minutes]

Description: Phase 3 timeline and changes (including proposed revision to the CHLD/CDEV designator), upcoming proposal to deactivate 296 courses, and an update on when course auditing will be active. Additionally, the timeline modifications for new curriculum based on technology implementation.

Fallstrom reported that the statewide Phase III curriculum templates, originally expected in December 2025, are now delayed until at least February 2026 due to significant statewide prerequisite issues that have pushed some courses into later phases. The January curriculum packet will be the final packet affecting the 2026–27 catalog, and substantial revisions to Child Development programs (CDEV to ECE) are forthcoming. Locally, the college is continuing its transition to the Kim platform and proposing the deactivation of underused 296 courses, which no longer align with financial aid and transfer requirements. Departments have requested more flexible course options, though these must still be taught at least once every two years. Curriculum timelines are being revised to align with CSU GE requirements, with program review and CPC deadlines now spaced between March and May. Auditing (BP/AP 4070) is anticipated to launch in Fall 2027. Department chairs expressed confusion about 296 courses and concerns about overlapping deadlines, and there was agreement on the need for a clear annual planning timeline to support proactive department operations.

B. Updates from Health Service - Osman

Description: For a \$22/ semester health fee that credit students have paid at the start of the semester and that non-credit students can request to be covered, students are entitled to an array of mental wellness, case management, and medical services. This presentation would cover the services offered.

Senator Osman wanted to share some insight on how many students are seen in any given academic year: providing an overview of Health Services, which are funded by a \$22-per-semester student health fee for credit students (with options for noncredit coverage). From April to April, the department handled over 7,000 medical and wellness appointments in addition to 3,707 mental health sessions. Mental health services are delivered by post-master's associates with 3,000 hours of supervised experience, all working under Osman's license. Students can access multilingual services, group therapy, workshops, and same-day virtual connections with mental health professionals. Osman emphasized correcting misconceptions—students cannot pay for additional sessions beyond the six allotted—and encouraged faculty to help students find counselors who are the right fit. Clarification was also provided on the Care Referral system: "Threatening Behavior" should only be used when immediate violence is present, and "Critical" denotes life-or-death urgency; general referrals are still addressed within 24 hours. Health Services currently operates with a team of 30 and maintains a strong equity-focused approach. An informative slide deck was provided and is attached.

C. Update from PDP on FLEX Offerings and Implementing Title 5 Changes - Roberts

Description: Reflection on Fall, Planning for Spring, and Preparation to Implement Title 5 Changes to FLEX Regs.

The Fall FLEX Kickoff was well received, underscoring the value of holistic professional development. Highlights included Osman's yoga session and strong attendance at the September 26th workshop series hosted by DEqCC and MOE, which drew approximately 100 participants across multiple modalities. The success of mid-semester Flex opportunities was noted, despite their absence from the newly approved Flex calendar. Looking ahead to Spring 2026, FLEX programming will center on

four themes—Accessibility, Alternative Grading and Assessment, AI, and Communities of Care—reflecting ongoing shifts in how faculty approach student learning and evaluation. Plans are underway for a “Celebration of Teaching” day during Flex Week, featuring in-person teaching demonstrations, sessions on metacognition, and an online engagement shell developed to help faculty experience their courses from a student perspective.

Discussion continued with reflections on MiraCosta’s trajectory since the introduction of Achieving the Dream (ATD) in Fall 2022. Faculty noted that while ATD initially offered a framework, its long-term direction became less clear by Year 2, and new Title 5 requirements arriving in Fall 2025 now mirror many ATD concepts—creating a sense of rapid, disjointed change.

Concerns were raised about the emerging Professional Learning (PL) structure, including a forthcoming Director position and a committee whose role and authority remain undefined. A faculty member expressed apprehension that this could erode long-standing professional autonomy and shift PD toward institutional control rather than individually driven learning, which is central to Title 5 and faculty identity. Sullivan stressed that ATD’s intention to align PD with institutional vision differs philosophically from California’s individualized PD model, and warned that without clear safeguards, faculty authority over their own professional learning could be gradually diminished. Several senators affirmed that PD must remain grounded in disciplinary expertise and faculty governance, not directed by administrative interpretation of “professionalism.” Members noted that similar patterns of authority expansion have occurred in physical learning spaces like the Teaching and Learning Center (C3).

Senators agreed on the need to update AP 7160 to align with the Chancellor’s Office memo and Title 5 compliance requirements by March 15. A proposed timeline includes sharing draft revisions with Academic Senate on February 20 and final approval by March 6, potentially requiring a special meeting of PDP or AS. Additional discussion is planned with administration—particularly regarding the new classified PL position—to clarify roles and protect faculty purview.

D. Faculty Leadership ASCCC Plenary Reports - mitchell and Sullivan [10:25; 25 minute]

Description: Attendees of the ASCCC 2025 Fall Plenary will share highlights from notable sessions and resolutions and will engage senators in discussion about how our local senate can apply takeaways from the conference.

This item was tabled until December 5th.

IX. Reports

Academic Senate President - *mitchell* proposed a meeting change for Academic Senate to meet Thursday’s 1:00pm to 3:00pm. Changing the Academic Senate Meeting would establish Thursday afternoons as a time designated for 10+1 discussions and decisions. The Academic Senate would meet 1st and 3rd Thursdays, CPC would continue to meet 2nd and 4th Thursdays, and a 5th Thursday could be utilized for town-hall style discussions of salient 10+1 issues. The disadvantages currently are that the change does conflict with department chair/deans meetings so the change would require a shift among various groups. The ask is for senators to see this as a first read item on the agenda for December 5th in preparation of Spring 2026 schedule assignments.

College Superintendent/President – *Cooke* provided an update to her report read by VP Pescarmona who shared the release of just a few faculty positions but not the whole list– noting that it was important to release some of the positions ahead of the holidays. No reports were provided by Classified Senate or Associated Student Government representatives.

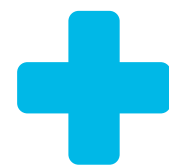
X. Adjournment

The meeting adjourned at 11:03am.



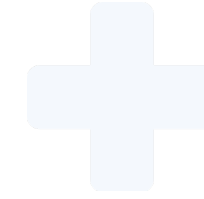
HEALTH SERVICES

MiraCosta College Student Health Services





Student Health Fee



\$22 fee per term (Fall, Spring, & Summer)

Students pay a required* health services fee per semester to be eligible to receive care.

No insurance is required to receive our services. Most services are no cost or low - cost.

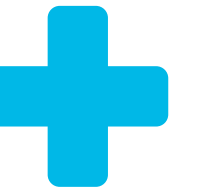
**some exemptions apply. See [Tuition & Fees webpage](#)*



Overview of Services



Medical Care



Mental Health
Counseling

Clinical Case
Management



In-person, virtual, and phone appointments available



Medical Care – Registered Nurses (RN)

Registered nurses available Monday - Friday

Available to support with general medical care

RN Services:

- First Aid
- Over - the - counter medication
- TB Skin Testing/Clearance
- Health education
- Physical examination
- Assess for specific lab testing
- Referrals
- And more!

Medical Care – Nurse Practitioner (NP)

Nurse practitioners available on specific days/times*

Available to explore specific health issues or medical complaint

NP Services:

- Medical/psychiatric exams
- Order and review lab work
- Order and refill medication**
- Program - related physical
- Health education
- Referrals
- And more!

*Health Services does not serve as a student's Primary Care Physician (PCP)

**case - by - case basis depending on medication

Mental Health Counseling

Free and confidential mental health counseling

Services available in-person, Zoom, or by phone

What's offered:

- Up to 6 sessions per semester per type
- Individual (6), relationship (6), and family counseling (6)
- One-time drop in session
- Sessions available in 5+ languages



**Mental Health Faculty
Coordinator
Dr. Ghada Osman, PhD, LMFT**

Counselor Spotlight: Daykia Knight

Kia has interest in supporting student athletes holistically and exploring how their athletic identity, academic pressures, and performance expectations all intersect and impact their well-being

Kia brings:

- understanding of racial, gendered, and intergenerational trauma
- honors the complexity of her client's lived experiences while helping them reclaim agency in their lives
- supporting emerging adults through transitions, grief, identity development, and self-exploration



**Mental Health Counselor
Daykia Knight
(she)**

Groups & Workshops

Free recurring groups & one - time workshops available during the semester

Check each semester on our website to see what is available

Groups: Nature Therapy, Students Supporting Student, Autism Space, Recovery Support, Queer Time (QT), Living with Loss, Black Student Support, Cultivating Well-Being

Workshops: Varies per semester

- Previous workshops: Reducing Study Stress, Time Management, Living with Loss & Coping with Grief

Clinical Case Management

Assessment, collaborative planning, resource coordination, and ongoing support

Connects students to services related to:

- Establishing medical care
- Medical insurance navigation
- Long-term mental health providers, psychiatry, Autism / ADHD testing, etc.
- Specialized services for disproportionately impacted student groups
- Support groups, treatment programs, etc.



**Clinical Case Manager
Michael Truong, LCSW**

Medi - Cal & CalFresh Assistance



CALFRESH & MEDI-CAL
RESOURCE OFFICE HOURS

MAKE AN APPOINTMENT
GET HELP WITH YOUR CALFRESH APPLICATION,
SAR-7, MEDI-CAL APPLICATION*, AND MORE



Every Tuesday
9am-12pm
1pm-4:30pm



**Every 2nd & 4th
Thursday**
10am-1pm





Every Tuesday
9am-12pm & 1pm-4:30pm



Every 2nd & 4th Thursday
10am-1pm

SERVICES PROVIDED:

- CalFresh application assistance
- Medi-Cal application assistance
- CalFresh renewals (SAR-7)
- CalFresh & Medi-Cal Case Escalation
- Referrals to TrueCare services

SERVICES PROVIDED:

- CalFresh application assistance ONLY
- CalFresh renewals (SAR-7)
- CalFresh Case Escalation

Scheduling an appointment is encouraged.
Drop-ins are welcome but will be served on a first come, first serve basis.



For more information, please visit: <http://miracosta.edu/calfresh>

How to Request an Appointment

- Walk - In
- Phone Call
- Email
- Inquiry on Website

Appointment Inquiries

Name

Student ID

Phone

Is it OK to call and leave a message regarding services?

☒ Yes ☐ No

Email

Is it OK to email regarding services? (Please note that email correspondence is not confidential)

☒ Yes ☐ No

What can we help you with?

☐ General Question

☐ TB Clearance

☐ Medical Appointment

☐ Mental Health Counseling Appointment

☐ Info on Groups and Workshops

Calling Health Services

Dedicated admin staff and nurses are available to take calls during all operating hours

Assist with scheduling, health and wellness questions, and resources



What to expect for your appointment

1. Check- in for your appointment at the front desk
2. Take a seat and fill out any forms while you wait
3. Your provider will come out to meet you in the lobby





Our Team

Admin, Medical , Mental Health, and Case Management



Names and bios are available on our website

Health Services Commitment to Equity

We work with students from a holistic perspective, taking into account mental, social, and systemic factors, rather than just the symptoms of disease or diagnosis.

We are mindful that our team reflects the diversity of the students we serve. We embrace the mission and vision of MiraCosta as a racially just and inclusive campus community.

Wellness Wave Wisdom Blog

Monthly educational articles are posted here by members of both our medical and mental health team

Articles are written on a wide range of topics

Topics include: health education, nutrition, resources, mental health, recovery, and more!

<http://wellnesswavewisdom.blogspot.com>



Wellness

Wave

Wisdom

wellnesswavewisdom.blogspot.com

Hours of Operation

	Mon	Tues	Wed	Thurs	Fri
Oceanside Campus 760.795.6675	<u>Fall/Spring</u> 8am-7pm <u>Summer/Breaks</u> 8am-4:30pm	<u>Fall/Spring</u> 8am-7pm <u>Summer/Breaks</u> 8am-4:30pm	<u>Fall/Spring</u> 8am-7pm <u>Summer/Breaks</u> 8am-4:30pm	<u>Fall/Spring</u> 8am-7pm <u>Summer/Breaks</u> 8am-4:30pm	<u>Fall/Spring</u> 8am-3pm <u>Summer/Breaks</u> 8am-3pm
San Elijo Campus 760.757.2121 Ext. 7747	<u>Fall/Spring/Summer</u> 9am-3pm <u>Breaks</u> CLOSED	<u>Fall/Spring/Summer</u> 9am-3pm <u>Breaks</u> CLOSED	<u>Fall/Spring/Summer</u> 9am-3pm <u>Breaks</u> CLOSED	<u>Fall/Spring/Summer</u> 9am-3pm <u>Breaks</u> CLOSED	<u>Fall/Spring/Summer</u> 9am-3pm <u>Breaks</u> CLOSED

Thank you!



www.miracosta.edu/healthservices



OCN: (760) 795 - 6675

SAN: (760) 757 - 2121 x7747



mccshs@miracosta.edu



OCN: Building 14, Room 14114 (1st floor)

SAN: Building 900, Room 917



MiraCosta College
Student Health Services



@MCCHealthServices

Any student who passes **and submits** a College Board Advanced Placement (AP) examination with a minimum score of three in a subject matter **may** be awarded credit in a general education area with a subject matter similar to that of the AP examination.

Course-to-course equivalency for AP examination is determined by the appropriate discipline faculty.

If the district does not offer a course similar in content to an AP examination, the district **may** award credit in the General Education area shown on the California Community College General Education AP List. If there is no General Education area that fits the AP Examination, the District may award elective credit.

A student's academic record will be annotated to reflect credit earned through an AP examination.

The district shall post its Advanced Placement Credit **information in the MiraCosta College catalog**.

The board of trustees and the campus community at MiraCosta College support a harmonious, safe, and productive learning environment. To promote such an environment, the board and the superintendent/president have established a set of standards for student conduct. This policy and the procedures associated with it clearly delineate and define student conduct standards and the resolution steps associated with student rights and responsibilities.

The superintendent/president shall establish procedures for student conduct and grievances in accordance with federal, state, and local due process requirements.

The student conduct and grievance procedures shall be available to students in the college catalog, the student planner, on the college website, and in the Office of Student Affairs.

Students are expected to conduct themselves in a manner consistent with the MiraCosta College Standards of Student Conduct, which is located in Administrative Procedure 5500: Standards of Student Conduct

For more information, see Administrative Procedures 5500:Standards of Student Conduct, 5520:Student Conduct Procedures, and Administrative Procedure 5530:Student Rights and Grievances.

MiraCosta College Standards of Student Conduct

As members of the MiraCosta College community, students have rights and responsibilities. If students are found responsible for engaging in any of the following behaviors, they may face the possibility of student conduct resolutions that include, but are not limited to a warning, educational resolution, student conduct **notice**, suspension, expulsion, or other applicable resolutions as described in Administrative Procedure 5520: Student Conduct Procedures. **Please note that conduct that constitutes sexual harassment under Title IX will 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 Harassment Based on Sex under Title IX. Students enrolled in programs governed by external licensure or accreditation may have additional standards of student conduct and student conduct procedures, as detailed in the program's student handbook or manual.**

- A. Causing, attempting to cause, or threatening to cause physical injury to another person, including any act that poses a threat to the safety or wellbeing of members of the college community, to district or private property within the college community, or poses a significant threat of disruption or interference with college operations.
- B. Possessing, selling, or otherwise furnishing any real or imitation firearm, knife (over 2.5 inches long per California Penal Code §626.10c), explosive, or other dangerous objects, unless the student has obtained written permission to possess the item on campus from the dean of student affairs or designee.
- C. Unlawfully possessing, using, selling, offering to sell, furnishing, or being under the influence of an alcoholic beverage. While the distribution or sale of alcohol is permitted at events sponsored by the MiraCosta College Foundation and off-campus events sanctioned by the college, students serving as representatives of the college at such events are prohibited from consuming alcoholic beverages.
- D. Unlawfully possessing, using, selling, offering to sell, furnishing, or being under the influence of any controlled substance listed in California Health and Safety Code §§11053 et seq., including marijuana; or unlawfully possessing, or offering, arranging, or negotiating the sale of any drug paraphernalia, as defined in California Health and Safety Code §11014.5. MiraCosta College does not permit students to use medically prescribed marijuana at any college site or at any college-sponsored activity.

Effective Date:	5/5/09, 1/24/12, 9/2/16, 1/23/20, 1/12/23
Reference Update:	11/14
References:	Education Code §§66300, 66301 ACCJC Accreditation Standards I.C.8 and 10
CCLC Update:	#26, 4/16
Steering:	AAC / Admin / AS

- E. Committing or attempting to commit burglary, robbery, or extortion.
- F. Stealing, or attempting to steal, district or private property on campus, or knowingly receiving stolen district or private property.
- G. Smoking or using any tobacco products in violation of Board Policy 3570: Tobacco-Smoke-Vapor-Free Campus, as described in Administrative Procedure 3570: Tobacco-Smoke-Vapor-Free Campus.
- H. Committing or attempting to commit sexual assault, sexual misconduct, or sexual exploitation, regardless of the impacted person's affiliation with the district.
- I. Engaging in or attempting to engage in sexual harassment as defined by law or by district policies and procedures.
- J. Engaging in harassing or discriminatory behavior based on any protected class, including, but not limited to age, ancestry, color, physical or mental disability, pregnancy, gender, gender identity, gender expression, nationality, marital status, medical condition, genetic information, national origin, parental status, military or veteran status, race or ethnicity, religion, sexual orientation, and any other status protected by law.
- K. Engaging in intimidating conduct or bullying against another student, community member, or district personnel through words or actions, in person, through a third party, or electronic communication, including direct physical contact; verbal assaults, such as teasing or name-calling; harassment; social isolation or manipulation; cyberstalking; and/or cyberbullying.
- L. Behaving in a manner that results in injury or death to a student or to college district personnel or community members.
- M. Not following the directive(s) of district personnel aimed at protecting life, health or safety, or the orderly operations of the college community.
- N. Cheating, plagiarizing, or engaging in other academic dishonesty as defined by Board Policy 5505: Academic Integrity and Administrative Procedure 5505: Academic Integrity - Appeal Process.

- O. Appropriating district resources for personal gain, committing forgery, tampering with college or student elections, altering or misusing district documents, records, or identification, or knowingly furnishing false information to the district.
- P. Entering, **attempting to enter**, or using district facilities or equipment without authorization.
- Q. Engaging in lewd, indecent, or obscene conduct or expression on district-owned or controlled property or at district-sponsored or supervised functions.
- R.** Engaging in expression that is obscene, libelous, slanderous, or that incites others, creating a clear and present danger of the commission of unlawful acts on college premises.
- R.S.** Engaging in behavior that has a disruptive impact on the college community, including, **but not limited to** the teaching, learning, administration, or other college activities, programs, or services.
- S.T.** Violating district or California Education Code regulations pertaining to student organizations, distribution of literature, and place and manner of public expression, as defined by Administrative Procedure 3900: Speech - Time, Place and Manner.
- T.U.** **Unlawfully** obtaining or altering college records, electronic information, or computer applications and committing any computer-related crimes, as defined in California Penal Code §502.
- U.V.** Preparing, giving, selling, transferring, distributing, or publishing any recording of an academic presentation in a classroom or equivalent site of instruction, including but not limited to handwritten or typewritten class notes without authorization, except as allowable by the course syllabus or district employee, or permitted by any district policy or administrative procedure.
- V.W.** Harassing, threatening, or intimidating any person who is involved in a school investigation or proceeding.
- W.X.** Persistent, serious misconduct where other means of correction have failed to bring about behavior that follows the MiraCosta College Standards of Student Conduct.
- X.Y.** **Hazing or attempted hazing of a former, current, or prospective student of the district, as defined in Administrative Procedure 3436: Hazing.**

As part of MiraCosta's culture of care, this procedure is designed to support student success. As a community college, all stakeholders, including students, have responsibilities to ensure a safe and productive learning environment. The purpose of this document is to outline the rights and responsibilities of our students, who are all members of the MiraCosta College community. **These student** conduct procedures provide a prompt and clear means to address alleged violations of the MiraCosta College standards of student conduct, which guarantees students the due process rights afforded by state and federal laws. **These procedures will be used in a consistent** manner and not for purposes of retaliation. It is not intended to serve as a substitute for criminal or civil proceedings that may be initiated by other agencies. Rather, this is an educational and developmental process that is designed to uphold students' rights and ensure safety throughout our community.

The superintendent/president has designated the dean of student affairs as the administrator responsible for student conduct procedures.

Please note that conduct that constitutes sexual harassment under Title IX will 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 Harassment Based on Sex under Title IX. Students enrolled in programs governed by external licensure or accreditation may have additional standards of student conduct and student conduct procedures, as detailed in the program's student handbook or manual.

DEFINITIONS

- A. District: The MiraCosta Community College District (commonly referred to as MiraCosta College).
- B. Student: Any person who has applied, is enrolled, or formerly enrolled, in any course(s) at any site, online, or in any program offered by the district, **including off campus.**
- C. Faculty member: Any academic employee of the district in whose class a student subject to conduct procedures is enrolled, or counselor who is providing or has provided services to the student, or other academic employee who has responsibility for the student's educational program.
- D. Days: Unless otherwise stated in this document, the term "days" refers to calendar days.

- E. Student conduct administrator: A designated district employee responsible for **conducting student conduct investigations, issuing interim measures,** administering student rights and responsibilities meetings to determine findings of responsibility, **issuing resolutions, conducting reinstatement meetings, and other duties outlined in these student conduct procedures.**
- F. Hearing administrator: A designated district employee responsible for administering appeal hearings who is impartial and does not have a **conflict of interest.**
- G. Student rights and responsibilities meeting: The due process meeting by which an allegation of a violation of the standards of student conduct is addressed by the student conduct administrator with the responding party.
- H. Appeal hearing: The meeting that addresses a responding party's request for appeal of a finding of responsibility and/or appeal of a resolution.
- I. Preponderance of the evidence: The standard by which a decision is made by the student conduct administrator or the hearing administrator. The standard is such that a reasonable person would find it more likely than not that a behavior occurred and that it violated one or more of the standards of student conduct.
- J. Advisor: A support person (**e.g. friend, family member, district employee, attorney, chaplain, therapist, conservator, etc.**) who may accompany the student during a student rights and responsibilities meeting or an appeal hearing. **The role of the advisor is to provide support to the student during the process. Advisors cannot speak on behalf of the student.**
- K. Witness: Any person with direct knowledge of the incident who may be invited to participate in the student conduct process.
- L. Reporting party: The person who reports behavior that may be in violation of the standards of student conduct. The reporting party may be different from the impacted party.
- M. Impacted party: A person who is commonly known as a victim or survivor of a reported behavior that is in violation of the standards of student conduct.
- N. Responding party: A student reported to be in possible violation of the standards of student conduct.
- O. Resolution: Serves as the outcome assigned to the responding party when a student is found responsible for a violation of the standards of student conduct.
- P. *In absentia*: When a student does not schedule or attend their student rights and responsibilities meeting or appeal hearing, the student conduct administrator or hearing administrator may make a determination in the absence of the responding party.
- Q. Expulsion hearing: The hearing held by the board of trustees to address a recommendation for expulsion.
- R. Behavioral Intervention Team: Designated employees of the district who work to assess, prevent, intervene, and respond to situations that may pose a threat to the campus community or require consultation with a multidisciplinary team.

STUDENT RIGHTS

Students have the right to report concerns about behavior and also have the right to be informed of any credible reports filed about them, and be provided an opportunity to respond to **any credible reports** in a timely manner. Recognizing that students often manage significant matters outside of their educational responsibilities, the district has outlined the following procedures to support a clear student conduct process. All students have the right to a student rights and responsibilities meeting. Students have a right to review Administrative Procedure 5520: Student Conduct Procedures and Administrative Procedure 5500: Standards of Student Conduct prior to the meeting. These documents are emailed to the responding party, or the responding party may also review them on the district website.

Students also have the right to bring an advisor with them to the student rights and responsibilities meeting, appeal hearing, and/or expulsion hearing. **A student has a right to select an advisor of their choice or to request the district provide an advisor to the student. An advisor, with written permission from the student, will receive updates along with the student during the student conduct process. The district provides training for advisors provided by the district and can train advisors selected by the student if requested. The training will include information on the district's student conduct procedures and may be provided in an online or in-person format.** If the student chooses to bring a lawyer to serve as their advisor, the student must inform the student conduct administrator no later than five (5) days prior to the meeting or hearing date, so that the district may make accommodations to have their own legal counsel attend the meeting as well. **The student conduct administrator reserves the right to remove an advisor if they become disruptive to the student conduct process.**

Students also have the right to request reasonable accommodations. This request should be made in writing to the assigned student conduct administrator in advance of the student rights and responsibilities meeting and/or appeal hearing. The student conduct administrator will review the request and consult with appropriate parties if needed to determine if and how the accommodation request can be fulfilled.

The Family Educational Rights and Privacy Act (FERPA) protects student privacy rights. Student privacy rights are maintained through the student conduct process. Allegations, findings of responsibility, and resolutions remain private to the extent required by law. A record of all cases will be held within the Office of Student Affairs.

To encourage reporting of incidents, students who **report concerns**, serve as witnesses, or seek medical aid may be afforded limited amnesty for minor alleged policy violations. If the student conduct administrator determines limited amnesty is applicable, the student will not be subject to the student conduct process but may be referred to educational meetings or resources for support.

STUDENT RESPONSIBILITIES

When a report about student behavior that may be in violation of the standards of

Student Conduct (Administrative Procedure 5500) is filed with the Office of Student Affairs, the matter is addressed in a student rights and responsibilities meeting. The purpose of the meeting is to address the concern, uphold the student's due process rights, determine if the behavior occurred, offer an educational and developmental dialogue to discuss the impact of the behavior, and determine next steps with identified resolutions as appropriate. Within an equity-minded and educational framework, the student conduct administrator is responsible for upholding the student conduct procedures. The dean of student affairs or a designee has the right to bring a case forward to the Behavioral Intervention Team for review and consultation.

All communication with students will be conducted utilizing the contact information located in the student's account. As a result, it is the student's responsibility to update their contact information in their student account, so that the Office of Student Affairs may reach them to schedule a meeting to discuss the alleged violation of the standards of student conduct. It is also the student's responsibility to check and respond to email and phone communications in a timely manner.

INTERIM MEASURES

Pending the outcome of a student rights and responsibilities meeting, interim measures may be administratively imposed. Student conduct administrators also retain the right to implement interim measures when a report of student behavior indicates that the student poses a threat of harm or is **harmful** to the welfare of others, or if it is necessary to ensure the orderly operations of the district. An interim measure may be put in place to ensure the safety of the campus community, provide time for further evidence to be gathered and reviewed, and/or offer support to the responding party. **The responding party** will receive verbal and/or written notice of the interim measure. Interim measures may include, but are not limited to, no contact orders, withdrawal of consent to remain on campus, restricted use of district property, class removal with academic accommodations, interim suspension, or more as deemed appropriate by the student conduct administrator.

To protect **members of the college community**, property, and/or to ensure the orderly operations of the district, the student may be suspended for an interim period of up to ten (10) days. In the event of an interim suspension, the student rights and responsibilities meeting will be held within ten (10) days of the notice of interim suspension (Education Code section 66017). Reasonable opportunities, such as academic accommodations, may be provided to the responding party during their interim suspension.

STUDENT RIGHTS AND RESPONSIBILITIES MEETING PROCEDURES

When a report about an alleged violation of the standards of student conduct is made to the Office of Student Affairs, the dean of student affairs or their designee will

contact the responding party in written form via email at the email address noted in their student account. This email will inform the responding party that a concern about their behavior has been reported, and they may be in violation of the standards of student conduct. This email will include the following: (i) a short statement of facts alleged in the report, (ii) the standard(s) of student conduct allegedly violated, (iii) the nature of the resolutions that are being considered, and (iv) information about student conduct procedures and how to schedule a student rights and responsibilities meeting.

Students must arrange their student rights and responsibilities meeting within ten (10) days of the issued notice. Arrangements to hold the student rights and responsibilities meeting outside of the ten (10) day period can be arranged but must be done so with the approval of the student conduct administrator within ten (10) days of when the meeting notice was issued to the responding party. If a responding party does not schedule a student rights and responsibilities meeting within ten (10) days of the issued notice, the student conduct administrator retains the right to review the allegation *in absentia*, make a determination of finding of responsibility, and issue appropriate resolution(s) without the student's participation.

At the scheduled student rights and responsibilities meeting, the responding party will meet with the student conduct administrator to review the details of the allegation. The responding party has the right to receive notice of the allegations, share their perspective, present evidence related to the event(s) in question, accept or not accept responsibility, share what they have learned, and have the right for an advisor to be present. Formal rules of evidence and court procedures do not apply. Relevant evidence, including hearsay, can be considered if it is the type of evidence that reasonable members of the college community would rely upon to make a decision.

Finding(s) of responsibility will be determined either at the student rights and responsibilities meeting, or at a later date to allow for more consideration, evidence, or witness statements to be shared and reviewed as appropriate at the determination of the student conduct administrator. A finding of responsibility is determined based on the standard of preponderance of the evidence (more likely than not that the behavior occurred and violated the standards of the student conduct). When a finding of responsibility is determined, this information will be shared with the responding party via an in-person meeting, or in writing via email or print form.

If there is a finding(s) of responsibility, the resolution(s) will be determined by the student conduct administrator. The student conduct administrator may consider the responding party's conduct history, the current violation, the impact of their behavior, and other relevant considerations when issuing a resolution.

RESOLUTIONS

When there is a finding of responsibility for a violation of a standard(s) of student conduct, one or more of the following resolutions may be implemented:

- Warning: A written warning is issued as a directive to discontinue the behavior in question and other violations of the standards of student conduct. Warnings may be issued to those found responsible for a first time, low-level violation with minimal impact. Following a warning, any other violations of the standards of student conduct will result in an additional resolution.
- Educational resolution: **The purpose of educational resolutions is to help students deepen their understanding of their behavior from a new perspective, learn about the impact of their behavior, identify their values and goals, and/or support their learning.** Educational resolutions may include reflection papers, research assignments, creation of art pieces, active participation at seminars, trainings, institutes, webinars, or any educational outcome that is deemed culturally relevant, equity-minded, proportionate, and relevant to the behavior and/or impact of the reported behavior. Educational resolutions should not be of cost to the responding party and should not conflict with attendance at class requirements.
- Restorative resolution: Restorative resolutions focus on addressing the impact of behavior and reintegrating the responding party into the community. A restorative resolution requires the full agreement and voluntary participation of the responding party and other parties involved in the case, including but not limited to reporting parties and impacted parties. Restorative resolutions are designed to assist the responding party with identifying the impact or harm that was caused by their behavior, and provide a means for the responding party to repair that harm or impact as an active member of the community. Restorative resolutions should be timely in response. A responding party has the right to request a restorative resolution for consideration, and a student conduct administrator retains the right to not issue a restorative resolution should they deem it inappropriate for the situation.
- No contact order: A no contact order is an administrative directive that may be implemented with or without a finding of responsibility for a violation of the standards of student conduct. The no contact order between two or more parties prevents any contact between the parties (physical or otherwise, including, but not limited to verbal, written, electronic, text message, email, and social media). Additionally, the parties may not request contact with the other through a third party. A violation of a no contact order will result in an additional violation of the standards of student conduct.
- Restricted access to district property: The student conduct administrator has the right to restrict, modify, or limit a responding party's access to district property, including specific locations and equipment.
- Withdrawal of consent to remain on campus: The student conduct administrator has the right to issue a withdrawal of consent of any person to be on campus, in accordance with California Penal Code Section 626.4, when there is reasonable cause to determine that the person has willfully disrupted the orderly operation of the district.

- Two-day removal: A faculty-initiated class removal that involves exclusion of the student from class by an instructor for the day of the exclusion and the next class meeting. If the exclusion is from an online class, then the instructor / faculty member may remove the student for a period of time that equates to two (2) class sessions. This decision cannot be appealed, and the instructor must report the removal to the Office of Student Affairs (Education Code section 76032).
- Hold on student account: A student conduct administrator may place a hold on a student's account when deemed appropriate. For example, a hold on a student account will be placed while a student is on an interim suspension, long-term suspension, has a withdrawal of consent to remain on campus, has been issued a recommendation for expulsion, or has been expelled from the district. This hold may be temporarily or permanently lifted when deemed appropriate by the respective student conduct administrator.
- Student **conduct notice (formally known as student conduct probation)**: When the behavior for a violation rises beyond a warning, or is repeated conduct, the student conduct administrator may place a student on **student conduct notice**. **Student conduct notice is intended to be educational in nature specific to MiraCosta College, and is different from academic notice**. During **Student conduct notice**, any other violation of the standards of student conduct may result in an additional resolution, including suspension or expulsion from the district.
- Long-term suspension: Following a finding of responsibility, a long-term suspension may be implemented. A long-term suspension is exclusion of the student from one or more classes by the student conduct administrator for good cause for the remainder of the school term, or for one or more terms.
 - If a student wishes to enroll after the completion of a long-term suspension, the student should contact the Office of Student Affairs to request a reinstatement meeting. During the reinstatement meeting, the student conduct administrator, or designee, will meet with the student to review the gravity of the offense, evidence of any subsequent offenses, the likelihood that the student would cause substantial disruption if they are reinstated, and any other relevant matters to make a decision about the student's request for reinstatement. The student conduct administrator may permit conditional reinstatement and specify the conditions under which reinstatement will be permitted (Education Code section 76030).
- Expulsion: An expulsion is permanent exclusion of the student from the district by the Board of Trustees (Education Code Section 76030). Following a finding of responsibility, an expulsion may be implemented for good cause 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. Expulsions are notated on student transcripts.

APPEAL PROCEDURES

Students have the right to appeal a student conduct administrator's decision when the decision includes a resolution that is a long-term suspension, withdrawal of consent to remain on campus, and/or a recommendation for expulsion. No other decisions or resolutions can be appealed.

Appeal Procedures: Long-Term Suspension and Withdrawal of Consent to Remain on Campus

The appeal procedures for a long-term suspension and withdrawal of consent to remain on campus follow the same procedure. The responding party may request an appeal of a long-term suspension and/or withdrawal of consent to remain on campus by **submitting an Appeal Request Form** within five (5) days of the issued finding(s) and resolution(s). The **submitted form must include the reason for the requested appeal. The dean of student affairs or their designee** will then present the request to a hearing administrator within five (5) days of receiving the written appeal request.

The hearing administrator will arrange for an appeal hearing to take place in a timely manner. **The Office of Student Affairs will provide the responding party with an outline of what to expect in the appeal hearing.** During the appeal hearing, the responding party and student conduct administrator will have an opportunity to meet with the hearing administrator in person **or online** to address the appeal request. If the responding party is not able to meet in person, accommodations can be made to hold the appeal hearing through electronic means, such as video conferencing. The hearing will be audio recorded.

The hearing administrator may review the initial report, the responding party's conduct history, the student conduct administrator's justification for the finding of responsibility and the applicable resolution, the student's transcript, any provided evidence, speak with the responding student, the student conduct administrator, and/or witnesses who have direct knowledge of the incident in question, and review any relevant documentation to determine if the appeal will be granted.

The hearing administrator will explain the rules of the hearing and has final say about what evidence may be submitted and which witnesses may be addressed. Formal rules of evidence and court procedures do not apply. All participating parties will need to agree to tell the truth, the whole truth, and nothing but the truth. The student conduct administrator and the responding party will each be permitted to make an opening statement, limited to five (5) minutes each. Thereafter, the student conduct administrator will be allowed time to address the facts of the case. The student then has the right to respond and address the allegations, and present evidence that supports their appeal. The hearing administrator may ask questions of the responding party and the student conduct administrator. If deemed necessary or appropriate, the hearing administrator may ask questions of the witness(es). The burden is on the student conduct administrator to prove by a preponderance of the

evidence that the facts alleged are true. The parties will be permitted to provide questions to the hearing administrator to consider and bring forward to the other parties involved, if deemed appropriate by the hearing administrator.

The hearing administrator will make a determination to either uphold, modify, or remove the long-term suspension and/or withdrawal of consent to remain on campus. The determination of the appeal will be communicated to the responding party within five (5) days of the appeal hearing.

If the student disagrees with the decision of the hearing administrator, a final appeal request may be made in writing to the vice president of student services or their designee **within (5) days of receiving the appeal hearing outcome**. The vice president of student services or designee may review the student's final written appeal statement, the student conduct administrator's hearing summary, the audio recording of the hearing appeal and/or more, if determined necessary by the vice president of student services or designee. The vice president of student services or designee will make a determination to either uphold, modify, or remove the long-term suspension and/or withdrawal of consent to remain on campus. The decision is final. The determination of the appeal will be communicated to the responding party within five (5) days of the final appeal review.

Appeal Procedures: Recommendation for Expulsion

If the student conduct administrator determines that a violation of the district's standards of student conduct warrants expulsion from the district, the student conduct administrator may make a recommendation for expulsion. The responding party may request an appeal of a recommendation for expulsion by **submitting an Appeal Request Form within five (5) days of the issued finding(s). The submitted form must include the reason for the requested appeal. The dean of student affairs or their designee** will then present the request to a hearing administrator within five (5) days of receiving the written appeal review request.

The hearing administrator will arrange for an appeal hearing to take place in a timely manner. **The Office of Student Affairs will provide the responding party with an outline of what to expect in the appeal hearing.** During the appeal hearing, the responding party and student conduct administrator will have an opportunity to meet with the hearing administrator in person **or online** to address the appeal request. If the responding party is not able to meet in person, accommodations can be made to hold the appeal hearing through electronic means, such as video conferencing. The hearing will be audio recorded.

The hearing administrator may review the initial report, the responding party's conduct history, the student conduct administrator's justification for the finding of responsibility and the applicable resolution, the student's transcript, any provided evidence, speak with the responding student, the student conduct administrator, and/or witnesses who have direct knowledge of the incident in question, and review any relevant documentation to determine if the appeal will be granted.

The hearing administrator will explain the rules of the hearing and has final say about what evidence may be submitted and which witnesses may be addressed. Formal rules of evidence and court procedures do not apply. All participating parties will need to agree to tell the truth, the whole truth, and nothing but the truth. The student conduct administrators and the responding party will have time to make an opening statement, limited to five (5) minutes each. Thereafter, the student conduct administrator will be allowed time to address the facts of the case. The responding party then has the right to respond and address the allegations, and present evidence that supports their appeal. The hearing administrator may ask questions of the responding party and the student conduct administrator. If deemed necessary or appropriate, the hearing administrator may ask questions of the witness(es). The burden is on the student conduct administrator to prove by a preponderance of the evidence that the facts alleged are true. The parties will be permitted to provide questions to the hearing administrator to consider and bring forward to the other parties involved, if deemed appropriate by the hearing administrator.

The hearing administrator will make a determination to either uphold, modify, or remove the recommendation for expulsion. The determination of the appeal will be communicated to the responding party within five (5) days of the appeal hearing.

If the hearing administrator upholds the recommendation for expulsion, the hearing administrator will issue a recommendation to the vice president of student services. If the vice president of student services supports the recommendation for expulsion, the recommendation will be forwarded to the board of trustees for an expulsion hearing.

The expulsion hearing will take place within thirty (30) days of the receipt of the recommendation. The board of trustees may hold the expulsion hearing during a regularly scheduled meeting or convene a special meeting. The student will be notified of the board of trustees expulsion hearing at least five (5) days prior to the board of trustees meeting at which the expulsion recommendation will be considered. The notification will include the date, time, and location of the board meeting.

The board of trustees expulsion hearing will be conducted in closed session unless the responding party, within forty-eight (48) hours after receipt of the notice of hearing, formally requests in writing to the superintendent/president that the hearing be conducted in open session. Even if a responding party has requested the board consider an expulsion recommendation in an open session, the board will hold any discussion that might be in conflict with the right of privacy of any other student, other than the responding party, in closed session (Education Code section 72122).

During the hearing, the president of the board of trustees or a designee will serve as the hearing administrator. The hearing administrator will explain the rules of the hearing and has final say about what evidence may be submitted and what witnesses may be addressed. Formal rules of evidence and court procedures do not

apply. All participating parties will need to agree to tell the truth, the whole truth, and nothing but the truth. The student conduct administrator and the responding party will have time to make an opening statement, limited to five (5) minutes each. Thereafter, the student conduct administrator will be allowed time to address the recommendation for expulsion. The student then has the right to respond and address the allegations, and present evidence that supports their appeal. The board may ask questions of the student and the student conduct administrator. If deemed necessary or appropriate, the board may ask questions of the witness(es). The parties will be permitted to provide questions to the hearing administrator to consider and bring forward to the other parties involved, if deemed appropriate by the hearing administrator.

After the hearing, the board of trustees will deliberate. The board may accept, modify, or reject the student conduct administrator's recommendation for expulsion. The board will take action in open session and the result of the action will be public record. The name of the student will not be released in public record unless required by law (Education Code section 72122).

The Office of Student Affairs will notify the responding party of the decision in writing within five (5) days of the hearing. If the student is expelled by the board of trustees, the student will be permanently excluded from enrolling at the district. The decision is final.

REFERENCES

Education Code Sections 66017, 66300, 66301, 72122, 76030-76037, 76234



ACADEMIC SENATE

Academic Year 2026-2027 Academic Senate Calendar

Academic Senate regular meetings are held the first and third Thursday of each month from 1:00pm to 3:00pm (unless otherwise noted below).

FALL 2026	SPRING 2027
<ul style="list-style-type: none">• August #*1. August 202. September 33. September 174. October 15. October 156. November 57. November 198. December 3 <p>*Academic Senate Retreat October 29 - 5th Thursday</p>	<ol style="list-style-type: none">1. February 42. February 183. March 44. March 185. April 156. May 67. May 20 <p>April 29 - 5th Thursday</p>