

SBVC Academic Senate Education Policy and Procedures Subcommittee (EPPS)

3/26/2025 Meeting Minutes

Name	Present?	Name	Present?
Jessy Lemieux (chair)	X	Denise Knight	
Erica Begg	X	Kevin Lyons	X
Pedro Gonzalez		Joe Notarangelo	X
Celia Huston		Bethany Tasaka	X
Judy Joshua		Christian Sarfo-Poku	X
Brandi Bailes (CHC, guest)	X		

1. Links to PPAC materials and spreadsheet for feedback (for reference)
 - a. Link to 2/20/25 PPAC materials on District Website: <https://sbccd.edu/meetings-and-agendas/policies-procedures/2025/02-20/index.php>
 - b. Link to EPPS OneDrive Excel spreadsheet for recording feedback of EPPS Members and AS body: [EPPS AS PPAC Feedback Due 2025_04_17.xlsx](#)
 - c. Approval of Agenda
 - 1st: E. Begg
 - 2nd: K. Lyons

Unanimously approved

2. Consider revisions to EPPS Spring 2025 Timeline and Process (see **APPENDIX A**)
 - 1st: J. Notarangelo
 - 2nd: E. Begg

Unanimously approved

3. Consider previous feedback on APs/BPs and EPPS minutes provided to AS on 3/12/25.
 - a. Special Consideration
 - i. 2510 Participation In Local Decision-Making
 1. BoT 1st read with Nov. BoT changes on 12/13/24, AS requested pull from BoT to provide opportunity for feedback
 2. Revised BP Included in EPPS Report to AS and approved with amendments on 2/19/25
 - b. Level 1- Information Only
 - i. 2015 Student Trustees – EPPS advises AS president to refer to ASG and potentially support their position.
 - ii. 2340 Agendas – No feedback
 - c. Level 2- Minor Review
 - iii. 3430 Prohibition of Harassment – Many portions removed. Is the intention to duplicate these portions in another AP? Please provide clean copy of revision with clearer references to indicating language moved to other APs. Increased clarity needed.
 - iv. 3501 Campus Security and Access – No feedback

New feedback: Campus closed 10PM – 6AM. Change to 11PM-5AM. For theater, observatory, film festival etc.

- v. 3530 Weapons on Campus – Change “official law enforcement agency to “local” law enforcement agency”
- vi. 6610 Local, Minority, Women, and Veteran Owned Enterprise Program – AS asks why is this change happening? Is it in response to potential federal law changes?
- vii. 7240 Confidential Employees – No feedback
- d. Level 3- Extensive Review (1st Round)
 - viii. 5500 Standards of Student Conduct – Will this include a reference to the AI AP/BP currently being developed.
 - ix. 5075 Course Adds, Drops, and Withdrawals- AS is concerned about a lack of time limit for petition, “at any time”. Will “conditions that constitute “extenuating circumstances” be defined? Are all petitions automatically approved?
- e. Level 3- Extensive Review (2nd Round)
 - x. 4222 Remedial Coursework – No feedback
 - xi. 5130 Financial Aid – No feedback
 - xii. 5220 Shower Facilities for Homeless Students – No feedback

New feedback: Concerns that students must be enrolled, pay fees, and in good standing to use shower. How could this be enforced, who are we trying to restrict and why?

- xiii. 5510 Off-Campus Student Organizations – No feedback

New Feedback: Clarification on what AP is aimed at and what we are monitoring.

Approve new feedback

1st: B Tasaka

2nd: K. Lyons

Unanimously approved

- 4. Consider additional feedback from CHC regarding the following APs/ BPs. Produce a draft Academic Senate report to PPAC to be considered by Senate on 4/5/25 and/or 4/16/25 and presented at the 4/17/25 PPAC meeting.
 - a. 3430 Prohibition of Harassment – Cleaned up version provided by PPAC Chairs after request by SBVC and CHC and 2/20/25 PPAC meeting (see **APPENDIX B**)

New Feedback: How does new AP language introduced ensure consistency and enforcement of BP?

Why is the detail regarding the process of filing a complaint removed?

Deadlines to report (180 days) does not line up with the 2-year training schedule.

Business days or calendar days? What happens if report is late?

Is this consistent with the 2024 report: A Call to Action HOW POSTSECONDARY EDUCATION INSTITUTIONS CAN ADDRESS SEX DISCRIMINATION AND PROVIDE EDUCATIONAL JUSTICE ON CAMPUS THE CALIFORNIA ASSEMBLY COMMITTEE ON HIGHER EDUCATION, CHAIR MIKE FONG?https://ahed.assembly.ca.gov/system/files/2024-02/a-call-to-action-report-2024_0.pdf

- b. 5500 Standards of Student Conduct – Standards reorganized for greater clarity (see **APPENDIX C**)

Approve simplified language from Appendix C and incorporate into a revision of BP 5500 for submission to PPAC and also suggest consideration of even more concise language

1st: E. Begg

2nd: B. Tasaka

Unanimously approved

Adjourned 4:04PM

APPENDIX A

Education Policy and Procedures Subcommittee (EPPS) Spring 2025 Timeline and Process

<u>PPAC APs/BPs (3rd Thursdays)</u>	11/21/2024	12/12/2024 (occurred on 2nd Wed.)	2/20/2025	3/20/2025 (cancelled)	4/17/2025
<u>EPPS 1st read (4th Wednesdays)</u>	11/28/24 No Meeting- Fall Break	12/23/24 No Meeting- WBK	2/26/2025	3/26/2025	4/23/2025
<u>AS 1st Read (1st Wednesdays)</u>	12/4/2024	2/5/2025	3/5/2025	4/2/2025	4/30/2025 (5th Wed.)
<u>EPPS 2nd read (2nd Wed., if needed)</u>	12/12/24 No Meeting	2/12/25 (1st meeting Spring 2025)	3/12/2025 (cancelled)	4/9/2025	N/A
<u>AS 2nd Read (3rd Wednesdays)</u>	12/18/2024 No meeting - WBK (time for 2nd read requested)	2/19/2025	3/19/2025 (cancelled)	4/16/2025	5/7/2025 (1st Wed.)
<u>PPAC Feedback Due</u>	12/12/2024	2/20/2025	3/20/2025 (cancelled)	4/17/2025	5/15/2025 (2nd Wed.)

EPPS Process:

1. 3rd Thursday: EPPS chair attends PPAC meeting and new APs/BPs are brought forward.
2. 3rd Friday: EPPS chair distributes new APs/BPs to committee members in preparation for monthly EPPS
3. 4th Wednesday: EPPS meets, reviews APs and BPs, and formulates initial feedback and draft of AS report to PPAC. EPPS decides whether an additional meeting on the 2nd Wednesday of the following month will be
4. 4th Thursday: EPPS chair sends initial report to AS President for inclusion in AS agenda for 1st Wednesday.
4. 1st Wednesday: Senate performs 1st read of new APs and BPs in the first Senate meeting of the month and senators report to constituencies before the next Senate meeting.
5. 2nd Wednesday: EPPS meets if needed to finalize AS report to PPAC and EPPS chair submits the report to
6. 3rd Wednesday: Senate performs second read on APs/BPs and formally approves AS report to PPAC after any proposed and passed amendments and EPPS chair emails report to PPAC chairs.
7. 3rd Thursday: EPPS chair attends PPAC and answers any questions about AS PPAC report. New APs/BPs are introduced for the following monthly cycle.

PPAC Feedback Due	12/12/2024	2/20/2025	3/20/2025 (Meeting cancelled)	4/17/2025	5/15/2025 (2nd Wed.)
Level 1- Information Only	2110 Vacancies 2315 Closed Sessions 2325 Teleconferenced Meetings 2710 Conflict of Interest 2740 Board Education	None	2015 Student Trustees 2340 Agendas	2015 Student Trustees 2340 Agendas	TBA
Level 2- Minor Review	3100 Organizational Structure 3505 Emergency Response Procedures 3510 Workplace Violence 3720 Computer and Network Use 6320 Investments 6520 Security for District Property 6620 Naming of Buildings 6700 Civic Center & Other Facilities Use 7232 Classification Review 7600 District Police Bold items passed w/o AS 2nd read	3100 Organizational Structure 3505 Emergency Response Procedures 3510 Workplace Violence 3720 Computer and Network Use 6320 Investments 6520 Security for District Property 6620 Naming of Buildings 6700 Civic Center & Other Facilities Use 7340 Leaves 7346 Employees Called to Military Duty	3430 Prohibition of Harassment 3501 Campus Security and Access 3530 Weapons on Campus 6610 Local, Minority, Women, and Veteran Owned Enterprise Program 7240 Confidential Employees	3430 Prohibition of Harassment 3501 Campus Security and Access 3530 Weapons on Campus 6610 Local, Minority, Women, and Veteran Owned Enterprise Program 7240 Confidential Employees	TBA
Level 3- Extensive Review (1st Round)	4227 Repeatable Courses 5020 Nonresident Tuition 5070 Attendance Accounting 7150 Evaluation	4222 Remedial Courses 5130 Financial Aid 5220 Shower Facilities for Homeless Students 5510 Off-Campus Student Organizations	5500 Standards of Student Conduct 5075 Course Adds, Drops, and Withdrawals	5075 Course Adds, Drops, and Withdrawals 5500 Standards of Student Conduct	TBA
Level 3- Extensive Review (2nd Round)	3250 Institutional Planning 4010 Academic Calendar 4020 Program, Curriculum, and Course Development 4100 Graduation Requirements 4230 Grading and Academic Record Symbols 5012 International Students 5035 Withholding of Student Records 5055 Enrollment Priorities 5530 Student Rights and Grievances	4227 Repeatable Courses 5020 Nonresident Tuition 5070 Attendance Accounting 7150 Evaluation	4222 Remedial Courses 5130 Financial Aid 5220 Shower Facilities for Homeless Students 5510 Off-Campus Student Organizations	4222 Remedial Courses 5130 Financial Aid 5220 Shower Facilities for Homeless Students 5510 Off-Campus Student Organizations	TBA
Special Consideration	2510 Participation in Decision Making (from PPAC)	2510 Participation in Decision Making (from PPAC)	2510 Participation in Decision Making (AS Feedback)	2510 Participation in Decision Making (AS)	

BP 3430 Prohibition of Harassment



Non 10+1 ♦ CCLC | Legally Required ♦ Chapter Lead Torres ♦ Both BP & AP Exist

Reasons for Review

> FYI only

Level 2 Review Schedule

08/31/24 ♦ Estimated Receipt of Recommendation

09/19/24 ♦ PPAC Approves Review Level

09/20/24 ♦ Level 2 to Constituents and AS for Feedback

10/02/24 ♦ AS Reviews Level 2 for Feedback and Level 3 for Initial Input

10/17/24 ♦ PPAC Hears Feedback on Level 2 and AS Initial Input on Level 3

11/14/24 ♦ BOT 1st Read

12/13/24 ♦ BOT Final Approval

Begin Recommendation for BP 3430 Prohibition of Harassment

This policy prohibits District employees, students, and student organizations from engaging in unlawful discrimination and harassment including sexual misconduct. Allegations that an employee, student or student organization has violated the Discrimination and Harassment Policy will be resolved consistent with AP 3430: Prohibition of Harassment.

All forms of harassment are contrary to basic standards of conduct between individuals. State and federal law; and this policy prohibit harassment, and the District will not tolerate harassment. The District is committed to providing an academic and work environment that respects the dignity of individuals and groups. The District shall be free of unlawful discrimination and harassment, including that which is based on any of the following statuses: race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, pregnancy, gender, gender identity, gender expression, age, sexual orientation, military and veteran status, or because an individual is perceived to have one or more of the foregoing characteristics. Sexual violence (e.g.: non-consensual sexual intercourse and non-consensual sexual contact) and interpersonal/relationship violence are always violations of the sex and gender-based discrimination and harassment policies and stalking often can be as well.

The District seeks to foster an environment in which all employees, students, unpaid interns, and volunteers feel free to report incidents of harassment without fear of retaliation or reprisal. Therefore, the District also strictly prohibits retaliation against any individual for filing a complaint of discrimination or harassment or for participating in a related investigation. Such conduct is illegal and constitutes a violation of this policy. The District will investigate all allegations of retaliation swiftly and thoroughly. If the District determines that someone has retaliated, it will take all reasonable steps within its power to stop such conduct. Individuals who engage in retaliatory conduct are subject to disciplinary action, up to and including termination or expulsion.

The District recognizes that sex discrimination, including sexual harassment and violence, harms all students, undermines students' physical safety, impedes students' ability to learn, and can reinforce social inequality throughout a student's lifetime. The District has a responsibility to make reasonable efforts to respond effectively when sexual harassment is reported to, or observed by, District employees.

BP 3430 Prohibition of Harassment



Non 10+1 ♦ CCLC | Legally Required ♦ Chapter Lead Torres ♦ Both BP & AP Exist

Any individual who believes that they have been harassed, discriminated against, or retaliated against in violation of this policy may report such incidents by following the procedures described in AP 3435. The District requires supervisors to report all incidents of discrimination, harassment and retaliation that come to their attention.

This policy applies to all aspects of the academic environment, including but not limited to admission, classroom conditions, grades, academic standing, employment opportunities, scholarships, recommendations, disciplinary actions, and participation in any community college activity. In addition, this policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, disciplinary action, layoff, recall, transfer, leave of absence, training opportunities and compensation.

To this end the Chancellor or designee shall ensure that the institution undertakes education and training activities to counter harassment and to prevent, minimize, or eliminate any hostile environment that impairs access to equal education opportunity or impacts the terms and conditions of employment.

The Chancellor or designee shall establish procedures that define harassment on campus. The Chancellor or designee shall further establish procedures for employees, students, unpaid interns, volunteers, and other members of the campus community that provide for the investigation and resolution of complaints regarding harassment and discrimination, and procedures to resolve complaints of harassment and discrimination. State and federal law and this policy prohibit retaliatory acts by the District, its employees, students, and agents.

The District will publish and publicize this policy and related written procedures (including the procedure for making complaints) to administrators, faculty, staff, students, unpaid interns, and volunteers, particularly when they are new to the institution. The District will make this policy and related written procedures (including the procedure for making complaints) available in all administrative offices and will post them on the District's website.

Employees who violate the policy and procedures may be subject to disciplinary action up to and including termination. Students who violate this policy and related procedures may be subject to disciplinary measures up to and including expulsion. Unpaid interns who violate this policy and related procedures may be subject to disciplinary measure up to and including termination from the internship or other unpaid work experience program.

References:

Education Code Sections 212.5, 44100, 66252, 66281.5, and 66262.5;
Government Code Sections 12923, 12940 and 12950.1;
Civil Code Section 51.9;
Title 2 Sections 10500 et seq.;
Title VII of the Civil Rights Act of 1964, 42 U.S. Code Annotated Section 2000e;
Age Discrimination in Employment Act of 1967 (ADEA);
Americans with Disabilities Act of 1990 (ADA)

End Recommendation for BP 3430 Prohibition of Harassment

AP 3430 Prohibition of Harassment



Non 10+1 ♦ CCLC | Legally Required ♦ Chapter Lead Hannon ♦ Both BP & AP Exist

Reasons for Review

> Legal Update 44 Summer: This procedure was revised to update references to BP 3433 Prohibition of Sex Discrimination under Title IX, AP 3433 Prohibition of Sex Discrimination under Title IX, and AP 3434 Responding to Sex Discrimination under Title IX and clarify to whom the procedure applies.

Level 2 Review Schedule

08/31/24 ♦ Estimated Receipt of Recommendation

09/19/24 ♦ PPAC Approves Review Level

09/20/24 ♦ Level 2 to Constituents and AS for Feedback

10/02/24 ♦ AS Reviews Level 2 for Feedback and Level 3 for Initial Input

10/17/24 ♦ PPAC Hears Feedback on Level 2 and AS Initial Input on Level 3

11/14/24 ♦ BOT 1st Read

12/13/24 ♦ BOT Final Approval

Begin Recommendation for AP 3430 Prohibition of Harassment

~~Consensual Relationships~~

~~A “consensual relationship” is defined as one in which two individuals are involved by mutual consent in a romantic, physically intimate, and/or sexual relationship. This definition includes domestic partners and spouses.~~

~~Romantic or sexual relationships between supervisors and employees, or between administrators, faculty members, or staff members and students are discouraged. There is an inherent imbalance of power and potential for exploitation in such relationships. A conflict of interest may arise if the administrator, faculty member, or staff member must evaluate the student’s or employee’s work or make decisions affecting the employee or student. The relationship may create an appearance of impropriety and lead to charges of favoritism by other students or employees. A consensual sexual relationship may change, with the result that sexual conduct that was once welcome becomes unwelcome and harassing. In the event that such relationships do occur, the District has the authority to transfer any involved employee to eliminate or attenuate the supervisory authority of one over the other, or of a teacher over a student. Such action by the District is a proactive and preventive measure to avoid possible charges of harassment and does not constitute discipline against any affected employee.~~

End Recommendation for AP 3430 Prohibition of Harassment

CCLC Legal Update 44 Summer AP 3430 Prohibition of Harassment



3430 Prohibition of Harassment



Non 10+1 ♦ CCLC | Legally Required ♦ Chapter Lead Hannon ♦ Both BP & AP Exist

References:

Education Code Sections 212.5, 44100, 66281.5, and 66281.8;
 Government Code Sections 12940 and 12923;
 Civil Code Section 51.9;
 Title 2 Sections 10500 et seq.;
 Title 5 Sections 59320 et seq.;
 Title VII of the Civil Rights Act of 1964, 42 U.S. Code Annotated Section 2000e

NOTE: *This procedure is legally required.*

The District is committed to providing an academic and work environment free of unlawful harassment. This procedure defines harassment. AP 3435 Discrimination and Harassment Resolution Procedures sets forth a procedure for the investigation and resolution of complaints of harassment by or against any students, employees, unpaid interns, or volunteers within the District.

This procedure and the related policy protects students, employees, unpaid interns, and volunteers in connection with all the academic, educational, extracurricular, athletic, and other programs of the District, whether those programs take place in the District's facilities, a District bus, or at a class or training program sponsored by the District at another location.

For information on the District's Prohibition of Sex-Discrimination under Title IX, see BP 3433 Prohibition of Sex Discrimination under Title IX, AP 3433 Prohibition of Sex Discrimination under Title IX, and AP 3434 Responding to Sex Discrimination under Title IX. For other forms of harassment, Complainants should use this procedure.

Definitions

General Harassment: Harassment based on race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation of any person, military and veteran status, or the perception that a person has one or more of these characteristics is illegal and violates District policy. Harassment shall be found where a reasonable person with the same characteristics as the victim of the harassing conduct would be adversely affected to a degree that interferes with his/her/their ability to participate in or to realize the intended benefits of an institutional activity, employment, or resource.

Gender-based harassment does not necessarily involve conduct that is sexual. Any hostile or offensive conduct based on gender can constitute prohibited harassment if it meets the definition above. For example, repeated derisive comments about a person's competency to do the job, when based on that person's gender, could constitute gender-based harassment. Harassment comes in many forms, including but not limited to the following conduct that could, depending on the circumstances, meet the definition above, or could contribute to a set of circumstances that meets the definition:

Verbal: Inappropriate or offensive remarks, slurs, jokes, or innuendoes based on a person's race, gender, sexual orientation, or other protected status. This may include, but is not limited to, inappropriate comments regarding an individual's body, physical appearance, attire, sexual prowess, marital status or sexual orientation; unwelcome flirting or propositions; demands for sexual favors; verbal abuse, threats or intimidation; or sexist, patronizing or ridiculing statements that convey derogatory attitudes based on gender, race, nationality, sexual orientation or other protected status.

Physical: Inappropriate or offensive touching, assault, or physical interference with free movement. This may include, but is not limited to, kissing, patting, lingering or intimate touches, grabbing, pinching, leering, staring, unnecessarily brushing against, or blocking another person, whistling, or sexual gestures. It also includes any physical assault or intimidation directed at an individual due to that person's gender, race, national origin, sexual orientation, or other protected status. Physical sexual harassment includes acts of sexual violence, such as rape,

AP 3430 Prohibition of Harassment



Non 10+1 ♦ CCLC | Legally Required ♦ Chapter Lead Hannon ♦ Both BP & AP Exist

sexual assault, sexual battery, and sexual coercion. Sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol. An individual also may be unable to give consent due to an intellectual or other disability.

Visual or Written: The display or circulation of visual or written material that degrades an individual or group based on gender, race, nationality, sexual orientation, or other protected status. This may include, but is not limited to, posters, cartoons, drawings, graffiti, reading materials, computer graphics, or electronic media transmissions.

Environmental: A hostile academic or work environment may exist where it is permeated by sexual innuendo; insults or abusive comments directed at an individual or group based on gender, race, nationality, sexual orientation or other protected status; or gratuitous comments regarding gender, race, sexual orientation, or other protected status that are not relevant to the subject matter of the class or activities on the job. A hostile environment can arise from an unwarranted focus on sexual topics or sexually suggestive statements in the classroom or work environment. It can also be created by an unwarranted focus on, or stereotyping of, particular racial or ethnic groups, sexual orientations, genders or other protected statuses. An environment may also be hostile toward anyone who merely witnesses unlawful harassment in his/her/their immediate surroundings, although the conduct is directed at others. The determination of whether an environment is hostile is based on the totality of the circumstances, including such factors as the frequency of the conduct, the severity of the conduct, whether the conduct is humiliating or physically threatening, and whether the conduct unreasonably interferes with an individual's learning or work.

Sexual Harassment: In addition to the above, sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature made by someone from, or in, the work or educational setting when:

- submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status, progress, internship, or volunteer activity;
- submission to, or rejection of, the conduct by the individual is used as a basis of employment or academic decisions affecting the individual;
- the conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile or offensive work or educational environment (as more fully described below); or
- submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the community college.

This definition encompasses two kinds of sexual harassment:

"Quid pro quo" sexual harassment occurs when a person in a position of authority makes educational or employment benefits conditional upon an individual's willingness to engage in or tolerate unwanted sexual conduct.

"Hostile environment" sexual harassment occurs when unwelcome conduct based on a person's gender alters the conditions of an individual's learning or work environment, unreasonably interferes with an individual's academic or work performance, or creates an intimidating, hostile, or abusive learning or work environment. The victim must subjectively perceive the environment as hostile, and the harassment must be such that a reasonable person of the same gender would perceive the environment as hostile. A single or isolated incident of sexual harassment may be sufficient to create a hostile environment if it unreasonably interfered with the person's academic or work performance, or created an intimidating, hostile, or offensive learning or working environment.



3430 Prohibition of Harassment



Non 10+1 ♦ CCLC | Legally Required ♦ Chapter Lead Hannon ♦ Both BP & AP Exist

Sexually harassing conduct can occur between people of the same or different genders. The standard for determining whether conduct constitutes sexual harassment is whether a reasonable person of the same gender as the victim would perceive the conduct as harassment based on sex.

Consensual Relationships

Romantic or sexual relationships between supervisors and employees, or between administrators, faculty, or employees and students are discouraged. There is an inherent imbalance of power and potential for exploitation in such relationships. A conflict of interest may arise if the administrator, faculty, or employees must evaluate the student's or employee's work or make decisions affecting the employee or student. The relationship may create an appearance of impropriety and lead to charges of favoritism by other students or employees. A consensual sexual relationship may change, with the result that sexual conduct that was once welcome becomes unwelcome and harassing. In the event that such relationships do occur, the District has the authority to transfer any involved employee, to eliminate or attenuate the supervisory authority of one over the other, or of a teacher over a student. Such action by the District is a proactive and preventive measure to avoid possible charges of harassment and does not constitute discipline against any affected employee.

Ban on Certain Consensual Relationships with College Students

A consensual relationship that might be appropriate in other circumstances is prohibited when a District employee has responsibility for supervising, directing, overseeing, evaluating, advising, or influencing the employment or educational status of a student.

- Exception: There may be instances where a District employee is the only employee in the college that can provide a course or service to a person with whom they have a preexisting consensual relationship. Prior to supervising, directing, overseeing, evaluating, advising or influencing the employment or educational status of a student with whom they have a pre-existing consensual relationship, the District employee shall disclose this relationship to the appropriate College Vice President, or the appropriate Vice Chancellor (for employees that do not work at a college) and obtain their written approval. Additional controls, such as periodic review or providing additional oversight, shall be undertaken to prevent or detect problems.

NOTE: *The following language is legally advised.*

Academic Freedom

No provision of this Administrative Procedure shall be interpreted to prohibit conduct that is legitimately related to the course content, teaching methods, scholarship, or public commentary of an individual faculty member or the educational, political, artistic, or literary expression of students in classrooms and public forums. Freedom of speech and academic freedom are, however, not limitless and this procedure will not protect speech or expressive conduct that violates federal or California anti-discrimination laws.

Revised 7/02, 2/03, 2/05, 3/12, 4/14, 11/14, 4/15, 10/16, 3/19, 7/20, 4/22, 7/24

APPENDIX C

Current Areas Reorganized

Academic Integrity

- **Academic Misconduct** – All forms of academic misconduct including, but not limited to, cheating, fabrication, plagiarism, or facilitating academic dishonesty.
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Alcohol & Drugs

- **Alcohol** – Manufacture, distribution, dispensing, possession, use, consumption, or sale of alcohol that is unlawful or otherwise prohibited by, or not in compliance with, District policy, administrative procedures, or campus regulations.
 - **Drugs** – Unlawful or attempted manufacture, distribution, dispensing, possession, use, or sale of controlled substances, dangerous drugs, restricted dangerous drugs, or narcotics, as defined by state or federal statutes. Possession of medicinal marijuana on District premises is prohibited.
 - **Public Intoxication** – Public intoxication or being under the influence of alcoholic beverages, illegal narcotics, or any substance that causes impairment on District/College property or at any District/College function.
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Violence, Threats & Endangerment

- **Assault/Battery** – Assault, battery, or any threat of force or violence upon a Student or any Member of the District Community. This includes, but is not limited to:
 1. Inflicting bodily harm upon any Member of the District Community.
 2. Taking any action for the purpose of inflicting bodily harm upon any Member of the District Community.
 3. Taking any reckless, but not accidental, action from which bodily harm could result.
 4. Causing a Member of the District Community to believe that the offender may cause bodily harm to them or their family.
 5. Inflicting or attempting to inflict bodily harm on oneself.
- **Dating Violence** – Violence committed by a Member of the District Community who is, or has been, in a social relationship of a romantic or intimate nature with the victim.
- **Endangering the Welfare of Others** – Violation of any state or federal law relating to the placing at risk of physical or emotional harm of a Member of the District Community.
- **Infliction of Mental Harm** – Includes:
 1. Inflicting mental harm upon any Member of the District Community.
 2. Taking any reckless action that could cause mental harm.
 3. Causing a Member of the District Community to believe that harm may come to them.

4. Any act that purposefully demeans, degrades, or disgraces any person.
- **Serious Injury or Death** – Any intentional, unintentional, or reckless action resulting in serious injury or death to a Member of the District Community or their family.
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Harassment & Discrimination

- **Bias** – Behavior that constitutes an expression of hostility against a person or property due to race, religion, sexual orientation, ethnicity, national origin, gender, age, marital status, political affiliation, or disability.
 - **Bullying** – Aggressive and hostile acts intended to humiliate, mentally or physically injure or intimidate, and/or control another individual or group.
 - **Cyber Bullying** – Bullying an individual using any electronic form, including but not limited to, the Internet, interactive and digital technologies, or mobile phones.
 - **Discrimination** – Unlawful discrimination against a person on the basis of race, ethnicity, color, religion, national origin, sex, age, disability, military or veteran status, gender identification, gender expression, marital status, sexual orientation, or genetic information.
 - **Harassment/Bullying** – A specific act or series of acts, verbal or physical, including threats, intended to annoy, intimidate, pester, aggravate, irritate, dominate, ridicule, or cause fear.
 - **Hateful Behavior** – Hateful behavior aimed at a specific person or group.
 - **Hazing** – Participation in hazing or any method of initiation that causes physical injury, personal degradation, or disgrace, inflicting psychological or emotional harm.
 - **Sexual Harassment** – Unwelcome verbal, physical, or visual conduct of a sexual nature, including unwelcome advances, requests for favors, or creating an intimidating, hostile, or offensive environment.
 - **Sexual Misconduct** – Broad range of unwelcome behaviors, including sexual assault, harassment, gender-based discrimination, stalking, domestic violence, dating violence, intimidation, or retaliation.
 - **Sexual Stalking** – Stalking behavior that involves sexual interest or gender-based harassment.
 - **Stalking** – Repeated conduct directed at another person that causes them to fear for their safety.
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Disruptive Conduct

- **Disorderly or Lewd Conduct** – Engaging in disorderly, lewd, indecent, or obscene behavior.
 - **Disruption of Educational Process** – Interrupting or impeding instruction, labs, research, administration, disciplinary procedures, or District functions.
 - **Disruptive Behavior** – Disobedience, profanity, vulgarity, or defiance of authority that affects educational services.
 - **Disturbing the Peace** – Fighting, quarreling, unlawful assembly, or other disruptive actions.
 - **Unreasonable Demands** – Placing repeated, hostile, or unreasonable demands on District staff.
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Property Violations

- **Destruction of Property** – Damaging, destroying, defacing, or tampering with District or personal property.
 - **Library Materials** – Cutting, defacing, or theft of library or bookstore materials.
 - **Possession of Stolen Property** – Possessing District or personal property known to be stolen.
 - **Theft or Conversion of Property** – Stealing, misappropriating, or unlawfully possessing District or personal property.
 - **Trespass and Unauthorized Possession** – Unauthorized entry or possession of District services, grounds, or property.
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Dishonesty & Fraud

- **Dishonesty** – Fabricating information, providing false information, or reporting a false emergency.
 - **False Report of Emergency** – Knowingly causing or circulating a false report of a fire, crime, or catastrophe.
 - **Forgery** – Alteration or misuse of documents, records, or identification.
 - **Fraud** – Theft by deception, false representation, or obtaining property through fraudulent means.
 - **Gambling** – Unauthorized gambling on District property.
 - **Misrepresentation** – False statements or impersonating District representatives.
 - **Misuse of Identification** – Altering, transferring, or creating unauthorized identification.
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Failure to Comply

- **Failure to Appear** – Not appearing when directed by District officials.
 - **Failure to Comply or Identify** – Not identifying oneself or following instructions from District employees.
 - **Failure to Repay Debts or Return District Property** – Failing to pay debts or return borrowed property.
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Weapons & Safety Violations

- **Possession of Weapons** – Unauthorized possession or use of dangerous weapons.
 - **Violation of Health & Safety Regulations** – Violating health, safety, or related regulations.
 - **Violation of Law** – Breaking federal, state, or local laws on District property.
 - **Violation of Posted District Rules** – Violating rules posted on District property.
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Technology & Cyber Violations

- **Theft or Abuse of District's Computers or Electronic Resources** – Unauthorized access, tampering, or interference with District networks.

- **Violation of Published Computer/Network Usage Policy** – Unauthorized access, hacking, or introducing viruses into District systems.
 - **Unauthorized Use of Course or Copyrighted Materials** – Violating copyright laws, distributing course materials without permission.
 - **Unauthorized Use of Electronic Devices** – Using unauthorized electronic devices in restricted areas.
 - **Unauthorized Recording** – Recording individuals without their knowledge or consent.
 - **Cyberstalking** – Using technology to stalk, intimidate, or harass.
 - **Inappropriate Usage of Social Media** – Using social media to harass, intimidate, or interfere with the educational process.
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Other Misconduct

- **Smoking** – Smoking in prohibited areas.
- **Unauthorized Use of District Keys** – Unauthorized possession or duplication of keys.
- **Violation of Driving Regulations** – Driving unsafely or violating parking rules.

Issues with Current Areas

Redundant Entries (Can Be Merged or Simplified)

1. **Bullying vs. Harassment/Bullying vs. Cyber Bullying** – These could all be under **Harassment & Bullying** since the definitions largely overlap.
 2. **Disruptive Behavior vs. Disruption of Educational Process vs. Disturbing the Peace** – These all cover the same concept: **causing disruption**.
 3. **Failure to Appear vs. Failure to Comply or Identify** – Failing to comply with directives should cover appearing when required.
 4. **Forgery vs. Misuse of Identification vs. Fraud vs. Misrepresentation** – All forms of deception; could be consolidated under **Fraud & Misrepresentation**.
 5. **Possession of Stolen Property vs. Theft or Conversion of Property** – If it's stolen, it's already theft.
 6. **Unauthorized Use of Property or Services vs. Theft or Conversion of Property** – Unauthorized use is often a form of theft.
 7. **Hateful Behavior vs. Bias** – Bias-based incidents already cover hateful behavior.
 8. **Cyberstalking vs. Sexual Stalking vs. Stalking** – Just have one **Stalking** category that includes all variations.
 9. **Endangering the Welfare of Others vs. Infliction of Mental Harm** – These are vague and could be rolled into **Violence & Threats**.
 10. **Violation of Law vs. Violation of Posted District Rules** – If it's illegal, it's already a violation.
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Unnecessary or Overly Specific Entries

11. **Unreasonable Demands** – This is way too subjective. What defines "unreasonable"?
12. **Unauthorized Use of Course or Copyrighted Materials** – Copyright law already covers this.
13. **Unauthorized Use of District Keys** – Just put this under **Trespassing & Unauthorized Possession**.
14. **Unauthorized Recording** – Not always misconduct; many states allow recording in public.

15. **Smoking** – This belongs in general campus policy, not student conduct violations.
 16. **Violation of Driving Regulations** – Why is this in a student conduct code instead of parking enforcement?
 17. **Library Materials** – If it's theft or vandalism, it's already covered under **Destruction of Property or Theft**.
 18. **Inappropriate Usage of Social Media** – Already covered under **Harassment & Cyber Bullying**.
 19. **Public Intoxication** – If someone is causing a disturbance, **Disorderly Conduct** covers it.
 20. **Failure to Repay Debts or Return District Property** – Debt collection isn't a student conduct issue.
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Highly Redundant Tech Violations

22. **Theft or Abuse of District's Computers or Electronic Resources vs. Violation of Published Computer/Network Usage Policy** – Same issue, should be combined.
23. **Unauthorized Use of Electronic Devices** – Overly broad, covered under classroom policies.
24. **Unauthorized Recording** – Repetitive; covered under **Privacy Violations**.
25. **Cyberstalking** – Already covered under **Stalking & Harassment**.

Simplified Version

Academic Integrity

- **Academic Misconduct** – Any act of dishonesty, including but not limited to plagiarism, cheating, fabrication, or knowingly facilitating misconduct. This includes using AI to replace the learning process, violate academic expectations, or bypass learning objectives.
 - **Dishonesty & Fraud** – Falsifying information, forging documents, misrepresenting oneself, or engaging in deceptive practices, regardless of intent..
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Alcohol & Drug Violations

- **Alcohol Violations** – Possession, use, or distribution of alcohol in violation of District policy, regardless of age.
 - **Drug Violations** – Possession, use, or distribution of illegal or controlled substances, including misuse of prescription medication.
 - **Impairment-Related Conduct** – Being under the influence of any substance in a way that **causes harm, disruption, or places others at risk**, even if the substance itself is legal.
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Violence, Threats & Endangerment

- **Physical Assault & Battery** – Any form of physical harm, unwanted physical contact, or threat of force, regardless of whether an injury occurs.

- **Dating, Domestic & Intimate Partner Violence** – Any act of violence, coercion, or control in an intimate, dating, or domestic relationship.
 - **Endangering Others** – Any reckless, intentional, or negligent act that places another person at risk of physical, emotional, or psychological harm.
 - **Impact-Based Harm (Mental or Emotional)** – Behavior that causes another person substantial emotional distress, fear, or humiliation, even if the offender did not "intend" harm.
 - **Serious Injury or Death** – Any action, intentional or reckless, that results in serious injury or death.
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Harassment, Discrimination & Consent-Based Violations

- **Harassment & Bullying** – Unwanted conduct that creates a hostile, intimidating, or degrading environment, including digital harassment.
 - **Hate-Based Misconduct** – Acts of hostility, exclusion, or intimidation based on race, religion, ethnicity, gender, sexual orientation, disability, or any protected category.
 - **Sexual Misconduct** – Engaging in sexual conduct without clear, voluntary, and informed consent. Consent must be actively communicated; silence, inaction, past interactions, intoxication, coercion, or power imbalances do not imply consent.
 - **Persistent or Coercive Sexual Behavior** – Repeated sexual advances, invitations, or pressure after any sign of discomfort, hesitation, or non-engagement.
 - **Stalking (Including Digital & Sexual Stalking)** – Repeated, unwanted contact, monitoring, tracking, or surveillance that causes fear, distress, or intimidation, including persistent sexual attention or contact, even without explicit threats.
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Disruptive Conduct

- **Disorderly Conduct** – Any lewd, obscene, disruptive, or reckless behavior that **harms, humiliates, or disturbs others**, regardless of intent.
 - **Disrupting the Educational Process** – Interfering with teaching, learning, research, administrative functions, or campus activities.
 - **Noncompliance with Institutional Directives** – Refusing to follow reasonable instructions from District personnel in a way that disrupts operations, safety, or the learning environment.
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Property & Financial Violations

- **Theft & Possession of Stolen Property** – Taking, attempting to take, or knowingly possessing stolen property.
- **Destruction of Property** – Damaging, defacing, or tampering with District or personal property.
- **Trespassing & Unauthorized Access** – Unauthorized entry, use, or occupation of District buildings, facilities, or services.
- **Fraud & Financial Misconduct** – Deception involving District funds, financial aid, or unauthorized use of financial resources.

Weapons, Safety & Threats

- **Weapons Possession** – Unauthorized possession or use of firearms, explosives, or dangerous weapons.
 - **Health & Safety Violations** – Violating campus health, safety, or emergency regulations in a way that places others at risk.
 - **Threats & Intimidation** – Any conduct that instills fear, manipulation, or coercion, whether verbal, digital, or physical.
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Technology & Privacy Violations

- **Unauthorized Use of District Technology** – Hacking, unauthorized access, data theft, or disrupting District systems.
 - **Privacy & Recording Violations** –
 1. Recording someone without explicit consent in any situation where privacy is expected.
 2. Sharing personal, private, or intimate information about another person without permission, regardless of intent.
 3. Digital harassment, including impersonation, doxxing, or unauthorized social media exposure.
 - **Misuse of Electronic Devices** – Unauthorized use of electronic devices in restricted settings.
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Other Violations

- **Violation of District Policies & Regulations** – Any act violating posted District rules, policies, or procedures.
- **Unlawful Conduct** – Any violation of federal, state, or local laws while on District property or at District functions.