



# Pacific Oaks College and Children's School

POLICY MANUAL

VOLUME VII

## **Student Life Policies**

**Final**

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**Student Life Policies**

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## Volume VII Student Life Policies

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### 7.0 Introduction

Volume VII contains current information regarding Pacific Oaks College student policies and regulations, student rights and responsibilities, student due process, and other student life information. It supersedes all previous student related policies and procedures published in prior student handbooks or publications. Academic policies appear in Volume VI of the Policy Manual. Policies pertaining to all members of the Pacific Oaks community, including students, appear in Volume II of the Policy Manual.

Pacific Oaks has made this edition of Volume VII of the Policy Manual as comprehensive as possible; however, it is not possible to foresee every situation that may occur. Accordingly, Pacific Oaks reserves the right in its sole judgment to improve, modify, revise, supplement, rescind, suspend, terminate, or make any changes of any kind to its student life policies whenever it is deemed necessary or desirable. Moreover, circumstances not specifically addressed in any of the volumes of the Policy Manual will be handled on a case by case basis, in accordance with established practice. Any questions regarding the information contained in this Volume VII of the Policy Manual shall be referred to an appropriate senior administrative officer.

### 7.1 General Student Policies

The policies in this section identify many, but not all, of the important policies and regulations that apply specifically to students. Students are to be reminded that as members of the Pacific Oaks community, they are expected to adhere to all published rules, regulations, and policies, including those set forth in the Catalog and Volumes II (Community Policies), VI (Academic Policies), and VII (Student Life Policies) of the Pacific Oaks Policy Manual. Students also are obligated to adhere to the laws of the city, county, state, and nation. Failure to comply with Pacific Oaks policies and regulations may subject a student to disciplinary action as defined in the Student Standards of Conduct in Section 7.2 below.

#### ***7.1.1 Disorderly, Violent, Intimidating, or Dangerous Behavior to Self or Others***

Students are not to engage in behavior that threatens, harms, or causes to place in harm themselves or other persons, or to exhibit behavior that is illegal, destructive, lewd, indecent, obscene, or disorderly. The types of conduct that this policy is designed to cover include, but are not limited to, the following examples:

1. Intentionally inflicting bodily harm upon any person; taking any action for the purpose of inflicting physical harm upon any person; taking reckless action that results in physical harm to any person; taking any action that creates a substantial risk of physical harm to any person;

or threatening by any means of transmission the use of force to physically harm or injure any person.

2. Disrupting the peace, impeding classes, and/or endangering the safety, health or life of any person on campus through actions or words.
3. Obstructing fire escape routes such as hallways or stairwells.
4. Committing acts of an indecent or lewd nature.
5. Climbing or scaling the exterior of any Pacific Oaks building.
6. Production of sound through amplification or other means (including voices) that unreasonably disturbs or disrupts the peace of others.

Student who violate this policy are subject to appropriate discipline as outlined in Section 7.2.

### **7.1.2 Disrespect/Non-compliance with Pacific Oaks' Officials Policy**

Failure to comply with the reasonable requests of Pacific Oaks staff, administrators, or faculty members acting in performance of their duties is prohibited. Moreover, disciplinary sanctions may be applied in situations where students disrespect Pacific Oaks' staff, administrators or faculty members. Examples of such disrespect can include but are not limited to, the following:

1. Abusive or obscene language towards Pacific Oaks officials acting in performance of their duties.
2. Obscene gestures towards Pacific Oaks officials acting in performance of their duties.
3. Providing fraudulent or false information Pacific Oaks officials acting in performance of their duties.
4. Intentionally and significantly interfering with teaching.
5. Hindering the investigation of an incident.

See Section 7.2 for information regarding student discipline.

### **7.1.3 False Information Policy**

Students are not to intentionally provide false information in any form to Pacific Oaks' officials. Students are not to knowingly misuse, misrepresent, or falsify any Pacific Oaks record, I.D. card, form, computer resource, or procedure. Students who assist others in providing false information as described in this expectation will be considered in violation and subject to appropriate discipline as outlined in Section 7.2. Students are not to take any action (verbal, written, or behavior), based on known incorrect data, with the direct intent to deceive or defraud Pacific Oaks.

### **7.1.4 False Report of an Emergency**

The intentional false reporting of a bomb, fire, attack or other emergency by a student on any Pacific Oaks-owned or -controlled property is strictly prohibited. Students who violate this policy are subject to appropriate discipline as outlined in Section 7.2.

### **7.1.5 Guests Policy**

Students and student organizations are responsible for the conduct of their guests and all guests are subject to the rules of Pacific Oaks. Pacific Oaks students and organizations assume the responsibility for all guests in all situations, whether on Pacific Oaks property or off-property at an officially sanctioned Pacific Oaks event.

### **7.1.6 Hazing Policy**

Hazing, whether by an individual, group, or organization, is prohibited by state law and Pacific Oaks policy. In 2007 the State of California enacted legislation that permits persons accused of hazing to be charged with a felony, punishable with up to one year in prison, \$5,000 in fines, and liability for injury to any persons harmed. Liability for hazing also extends to student organizations, even those who did not directly participate in the hazing acts.

Penal Code section 245.6(b) defines hazing as:

"[A]ny method of initiation or pre-initiation into a student organization or student body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury to any former, current, or prospective student of any...educational institution in this state."

Such activities may include but, are not limited to the following: use of alcohol, paddling in any form, creation of excessive fatigue, physical or psychological shocks, the wearing of apparel which is conspicuous and not normally in good taste, engaging in morally degrading or humiliating games and activities, or any other activities not consistent with the policies of Pacific Oaks.

Disciplinary action at Pacific Oaks, as outlined in Section 7.2 of the volume, is considered independent from other court proceedings and may be instituted against a student also charged in civil or criminal courts based on the same facts that constitute the alleged violation this policy.

### **7.1.7 Parental Notification Policy**

As required by the Family Educational Rights and Privacy Act (FERPA) of 1974, Pacific Oaks cannot disclose a student's education records without the written consent of a student or without proof that the student is the tax dependent of the parent (see Volume II, Subsection 2.1.8). However, Pacific Oaks will disclose information to parents, without written consent from the students, when notification is determined to be necessary to protect the health or safety of the student or others. This notification may occur due to a medical emergency, an incident of imminent danger, or another situation in which Pacific Oaks deems such action necessary.

Additionally, Pacific Oaks has the discretion to disclose, to any parent or legal guardian of a minor student, information about a violation of any federal, state or local law, or any rule or policy of the institution governing the use or possession of alcohol or a controlled substance, if the institution has determined that the student has committed a disciplinary violation with respect to such use or possession.

### **7.1.8 Personal Belongings Policy**

Pacific Oaks does not assume responsibility for the personal belongings of students. Property stolen from any Pacific Oaks location shall be reported to Facilities Management.

### **7.1.9 Student Dress Policy**

Students are expected to dress appropriately. Extreme modes of dress which interfere with health or academic work are not in keeping with the standards expected of Pacific Oaks students and will subject a student to possible disciplinary action as outlined in Section 7.2 of this volume.

### **7.1.10 Student Identification Card Policy**

New campus based students should have their photos taken for a Pacific Oaks Student Identification Card as soon as they register, pay their fees, and have received an enrollment receipt (via mail or email). The student shall carry the card at all times while on campus once issued. On-line and Distance Learning students should contact the Registrar's Office for additional information on how to obtain a Student Identification Card.

For students attending classes at Pacific Oaks Pasadena location, photos are taken in the Registrar's Office during normal business hours. Students must bring a copy of their current enrollment receipt and another form of photo identification (driver's license, passport, etc.). The Pacific Oaks Student Identification Card is required for most Pacific Oaks' services and can be used in subsequent semesters when properly validated. Unauthorized use, forgery, or alteration of a Pacific Oaks' Student Identification Card is strictly prohibited and subject to appropriate disciplinary action as outlined in Section 7.2 below.

The cost for ID cards is included in college fees. There is a replacement fee for lost or stolen cards.

### **7.1.11 Student Misappropriation/Misrepresentation Policy**

Students may not represent themselves as having the authority to enter into contracts or agreements that affect Pacific Oaks in any way. Only officers of Pacific Oaks, or their specific designees, are empowered to sign contracts that bind Pacific Oaks. Students are not to take any action (verbal, written, or behavior), based on known incorrect data, with direct intent to be hurtful or harmful to Pacific Oaks. Students violating this policy will be subject to appropriate discipline and, if applicable, criminal prosecution.

### **7.1.12 Student Rights and Responsibilities**

As members of the Pacific Oaks' community, students have rights and responsibilities which help create an atmosphere of concern and caring; one conducive to the teaching/learning process.

#### **7.1.12.1 Student Rights**

Student rights include the following:

1. Freedom from threats;

2. Freedom from acts of violence;
3. Freedom from unfair or obscene treatment from others;
4. Freedom from interference from others in an unreasonable and unauthorized manner while in class, activities, and public events;
5. Freedom from theft and willful destruction of personal property;
6. Right to study and learn in an atmosphere of academic freedom;
7. Right to fundamental fairness in College disciplinary action;
8. Right to be governed by justifiable academic regulations;
9. Right to be informed of the regulations for academic and social conduct, and graduation requirements of the College; and
10. Right to petition for redress of grievances, academic and non-academic.

#### **7.1.12.2 Student Responsibilities**

Each student is responsible for the following:

1. Read the Catalog and Schedule of Classes. The Catalog and Schedule are found on the Pacific Oaks website: [www.pacificoaks.edu](http://www.pacificoaks.edu). They contain all of the information needed to facilitate smooth planning. Questions are encouraged.
2. Submit official transcripts to the Admissions Office when transfer coursework has been completed, whether courses are for completion of entry requirements or additional transfer credit.
3. Register for classes in keeping with registration deadlines.
4. Complete drops, adds, and changes of class by the published deadlines (see the Pacific Oaks Add/Drop Policy in Volume VI, Subsection 6.3.2).
5. Make an appointment with an assigned advisor to register for classes or make schedule changes. Students unsure about who advises them should contact their academic department. When approved, students will be allowed to register and change classes over the Internet.
6. Apply for aid and finalize number of units for the semester.
7. Pay tuition and fees in full or develop a payment plan on or before the first day of the term. Students who have made no financial arrangements will be asked to withdraw from class(es).
8. Meet all payment deadlines in a timely manner. If they are not met, in addition to being asked to withdraw from current class(es), students will be unable to obtain transcripts, diplomas or certificates, and will be denied future payment plans. Students may incur legal fees and substantial finance charges.
9. Follow up on understandings and agreements with the student services offices and faculty.
10. Adhere to standards of confidentiality regarding information shared by classmates and instructors during class discussions (see paragraph 7.2.1.1(18) for Pacific Oaks policy regarding confidentiality).

11. Students who believe they have followed directions, have met deadlines, and who still have a problem with one or more student services offices or instructors, should contact the CARE Director who will provide guidance about the appropriate system for redress of a particular complaint.
12. Keep copies of all transactions, records, and receipts. These copies will verify transactions in the event a document has been misplaced or if there is a disagreement.
13. Submit change of name, address, or phone number to the Registrar's Office in writing. Name changes require supporting documents (court order, driver's license, or other form of positive identification). Name changes apply to permanent student files (but not their contents) and computer records; mentions of a student's previous name as it appears throughout narrative evaluations, which are part of the official transcript record, are not changed. When approved, students may change their addresses, phone numbers and email addresses over the Internet.
14. It is the student's responsibility to check office hours before driving to Pacific Oaks. It is recommended that students call offices or faculty before driving to the campus.
15. Park in designated areas only. Please refer to Volume II, Subsection 2.1.12 for additional information.
16. All Pacific Oaks College students are asked to be willing to engage actively in thinking, discussion, and change as we all learn about the nature, dynamics and impact of bias and oppression, and the ways in which theories, practices and institutions are oppressive. It is important that we all be willing to risk growing and changing together, rather than clinging to old theories and practices simply because they are familiar and comfortable.
17. Pacific Oaks College's anti-bias commitment applies to all areas of discrimination, including those based on race, ethnicity, class, sexual orientation, gender, age, and disability. Respect is expected to be shown toward persons in all categories, both generally and as individuals. It is each student's responsibility to approach interactions and diversity openly, and to act from one's centered, adult compassionate self.
18. In order to ensure that students' administrative records are correct, students must file timely changes of admissions status, program, advisor, campus, etc. with the appropriate offices as directed under these policies.
19. Respect the rights and property of others;
20. Be fully acquainted and comply with the published rules and regulations of Pacific Oaks, including but not limited to those set forth in the Catalog and in Volumes II, VI, and VII of the Pacific Oaks College and Children's School Policy Manual;
21. Comply with all local, state, and federal laws;
22. Adhere to the academic requirements determined by individual instructors.

### **7.1.13 Student Theft Policy**

Should any student be involved in, charged with, or convicted of theft, Pacific Oaks reserves the right to make a determination in each case as to the academic status of the student (see Student Discipline Policy in Section 7.2 below). In a given situation involving theft, Pacific Oaks may

find itself obligated to notify the appropriate authorities. Disciplinary action at Pacific Oaks, as outlined in Section 7.2 of the volume, is considered independent from other court proceedings and may be instituted against a student also charged in civil or criminal courts based on the same facts that constitute the alleged violation this policy.

Students shall call the CARE office to report a theft. Pacific Oaks does not reimburse for property stolen on any of its properties.

#### **7.1.14 Unauthorized Entry or Use Policy**

Unauthorized entry into or use of Pacific Oaks property, including but not limited to the following is prohibited:

1. Unauthorized entry into any building, structure, facility, room or container (file cabinet, desk drawer, etc.) on the premises of Pacific Oaks-owned or -controlled property.
2. Unauthorized use of property belonging to Pacific Oaks, its community members, guests or vendors. This includes the misuse or unauthorized use of Pacific Oaks telephones, computer services, electronic communications or facilities.
3. Unauthorized use of keys, access codes, and/or swipe cards for access to Pacific Oaks' buildings or rooms.

Students violating this policy will be subject to appropriate discipline and, if applicable, criminal prosecution. Please also refer to the Access to Campus Buildings/Unauthorized Entry Policy in Volume II, paragraph 2.3.3.1.

#### **7.1.15 Vandalism Policy**

Unauthorized destruction of Pacific Oaks' property or the property of others on- or off-campus is prohibited and subject to disciplinary action and, if applicable, criminal prosecution.

### **7.2 Student Standards of Conduct and Disciplinary Policies**

#### **7.2.1 Student Standards of Conduct**

Admission to Pacific Oaks carries with it the presumption that students will conduct themselves in a manner compatible with Pacific Oaks' function as an educational institution. Behavior that is disruptive and/or interferes with the educational process is disrespectful of the rights of others and is not acceptable.

Academic integrity is a cornerstone of student conduct. It is fundamental that students contribute to the ideal of academic integrity and accept individual responsibility for their work. Academic honesty consists of truthful representations in all academic contexts. Academic dishonesty (*e.g.*, cheating, forgery, plagiarism, fabrication, facilitating academic dishonesty) depreciates the learning experience. Please refer to the Pacific Oaks Academic Honesty Policy in Volume VI, Subsection 6.2.2 for additional information regarding academic integrity.

Classes at Pacific Oaks are interactive, drawing on the rich experiences of faculty and students alike. Often in the course of the discussions, information of a personal or potentially damaging nature is shared. It is the expectation of the College that such information will remain

confidential, allowing all to share freely without fear of disclosure outside the classroom. Breaches of confidentiality damage the building of community and trust and are not acceptable.

Pacific Oaks' anti-bias commitment applies to all areas of discrimination, including those based on race, ethnicity, class, sexual orientation, gender, age, disability, and religious affiliation. Each student is responsible for approaching interactions and diversity openly, and for acting from their centered, adult, compassionate self. Disrespect shown towards persons in all categories, both generally and as individuals, is not acceptable.

Violation of standards of behavior, academic integrity, confidentiality, and discrimination are deemed to be a serious breach of conduct and students doing so will face the possibility of disciplinary action, up to and including dismissal from Pacific Oaks.

### **7.2.1.1 Unacceptable Behavior**

Unacceptable behaviors include, but are not limited to the following:

1. Any violation of Pacific Oaks Policy as outlined in the Catalog or in Volumes II, VI, or VII of the Pacific Oaks College and Children's School Policy Manual.
2. Unlawful Possession, Use, Sale, or Distribution of Drugs (see Volume II, Subsection 2.2.1).
3. Consuming Alcohol on Pacific Oaks property other than at Institutionally Sanctioned Events (see Volume II, Subsection 2.2.1). In accordance with California law, only individuals who are 21 years or older are allowed to consume, possess, or transport alcohol. Moreover, individuals are forbidden to sell, purchase, or serve alcoholic beverages to persons younger than 21.
4. Being under the Influence of Non-prescription Drugs or Alcohol (see Volume II, Subsection 2.2.1).
5. Inappropriate Sexual Conduct (see Volume II, Subsection 2.1.5: Discrimination and Harassment Policy and 2.3.3: Sexual Assault Policy).
6. Exhibiting Behavior which is Disruptive including, but not limited to, Harassing or Discriminatory Conduct (see Volume II, Subsection 2.1.5: Discrimination and Harassment Policy).
7. Non-Compliance with the Reasonable Requests of Pacific Oaks Representatives who are acting in performance of their duties (see Subsection 7.1.2).
8. Furnishing False Information: Honesty requires making an accurate presentation of facts free of known errors or omissions, including a complete gathering of information. See Subsection 7.1.3.
9. Unauthorized Use, Forgery, or Alteration of Pacific Oaks' Documents, Name, Logo, or Seal (see Volume II, Subsection 2.1.19).
10. Destruction of Pacific Oaks or Individual Property (see Subsection 7.1.14).
11. Unauthorized Possession or Use of Pacific Oaks or Individual Property (see Subsection 7.1.13).

12. Unauthorized Use of Pacific Oaks Keys, Access Codes, or Scan Cards (see Volume II, paragraph 2.3.3.1).
13. Possession of Firearms, Fireworks, Explosives, or Weapons on Pacific Oaks' Premises (see Volume II, Subsection 2.3.4).
14. Misuse of Pacific Oaks Communication Systems: Behavior that Disrupts or Causes Disruption of Computer Services, including but not limited to, damaging, altering, or destroying data, records, computer systems, software, programs, or networks. Student behavior that is not in compliance with the institutional Computer Systems Use Policy, Computer Software License Policy, Millennium Copyright, and Website Conduct Approval Policy will be considered to be in breach of the Code. (See Volume II, Section 2.4).
15. Theft of Pacific Oaks or Individual Property (see Subsection 7.1.13).
16. Unauthorized Animals on Institutional Premises (see Volume II, Subsection 2.1.13).
17. Disorderly, Lewd, or Indecent Conduct (see Subsection 7.1.1).
18. Divulging Confidential Information: Students who work or volunteer in Pacific Oaks' administrative offices and have access to confidential information are prohibited from divulging such information under FERPA (see Volume II, Subsection 2.1.8).
19. Unauthorized Use, Forgery, or Alteration of Student Identification Cards (see Subsection 7.1.10).
20. Violation of Federal, State or Local Law.
21. Abuse of the Student Conduct System, including violating the terms of any disciplinary sanction imposed in accordance with this Code.
22. Inappropriate Off-Campus Conduct.
23. Disrespect for Privacy: Students may not give directory information or photos of other students to anyone outside the Pacific Oaks Community (see Volume II, Subsection 2.1.8).
24. Inappropriate Conduct of Guests (see Subsection 7.1.5).
25. Failure to Comply with Additional Pacific Oaks Policies.
26. Committing acts of Academic Dishonesty (See Volume VI, Subsection 6.2.2).

### **7.2.1.2 Student Misconduct and Disciplinary System**

The Vice President for Enrollment and Student Services is responsible for implementing the Student Misconduct and Disciplinary system at Pacific Oaks, which is non-academic in nature. Academic related misconduct and discipline is addressed and adjudicated in accordance with the Pacific Oaks Academic Honesty Policy as set forth in Volume VI of the Policy Manual. In cases when students' misconduct is inextricably mixed with academic issues, the process outlined in the Code will be followed. This does not preclude academic sanctions separate from this process. (This is especially applicable when a student violates professional conduct codes of the Marriage and Family Therapy and the Teacher Education Departments.)

### **7.2.1.3 Student Disciplinary Records**

The Vice President for Enrollment and Student Services will maintain student disciplinary records. These records shall include copies of complaint reports, hearing records, and any sanctions issued. If the student is found to be guilty of a charge, the records will be kept in accordance with the Records Retention Policy outlined in Volume II, Subsection 2.1.16.

### **7.2.1.4 Complaints**

Any member of the Pacific Oaks community may file a written complaint for misconduct against any student or student organization with the Vice President for Enrollment and Student Services.

### **7.2.1.5 Due Process**

The Vice President for Enrollment and Student Services shall review the complaint to determine within three Pacific Oaks business days whether or not there is sufficient evidence to charge a student with a violation of the Student Conduct Code. If there is sufficient evidence, the Vice President for Enrollment will meet with and inform the student of the charge, who initiated the charge, and the procedures to be followed. If the student admits culpability, the Vice President for Enrollment and Student Services will take action, which can range from reprimand to suspension or dismissal from Pacific Oaks (see Sanctions below). Students who admit culpability do not have a right to an appeal. If the accused does not admit culpability, the case is referred to an ad hoc committee. One exempt administrator, one faculty member, and the Vice President for Enrollment and Student Services (Chair) will populate the committee. The student shall choose the first member of the committee while the Vice President for Enrollment and Student Services will appoint the second member. The faculty member chosen must teach in an academic program different from the student's program. In the event that the Vice President for Enrollment and Student Services has a conflict of interest given the facts of the case, the President shall designate a replacement for the Vice President for Enrollment and Student Services to serve as Chair.

Within seven Pacific Oaks business days of being appointed, the committee will set a hearing date at which both the accused and the accuser must be present.

1. The student will receive advance notice of date, time, and place of an initial hearing in a manner appropriate as decided by the Vice President for Enrollment and Student Services.
2. The student will receive a statement of the alleged Student Conduct Code violations.
3. The student will be informed of the rights afforded the student including:
  - a. Adequate time to prepare for the hearing;
  - b. The opportunity to testify and present supporting information;
  - c. Reasonable access to the evidence supporting the charge prior to the hearing;
  - d. Witnesses who have pertinent information in regard to the alleged incident of misconduct may be called by the student;
  - e. The opportunity to question witnesses; and

- f. All matters upon which the decision may be based must be introduced into evidence at the hearing.
4. A sanction will be levied if it is determined that the student committed the violation, otherwise the complaint will be dismissed and all relevant documents destroyed.
5. The committee reserves the right to employ additional mediation and other resources as deemed necessary.

#### **7.2.1.6 Committee Hearing Procedures**

1. The committee and the student have the right to request witnesses whom they believe have pertinent information in regard to the alleged incident of misconduct.
2. The student may request the presence of a person, who will support the student while the student is bearing witness, but may not speak or participate directly in the hearing. The support person must be a member of the campus community (student, faculty member, academic advisor, etc.) who has been approved by the Chair.
3. Hearings will be private except for the presence of the student and the support person if the student so chooses.
4. The student may challenge a member of the hearing panel for personal bias. The Vice President for Enrollment and Student Services will determine whether or not there is basis for the challenge, and if basis is found the member will be disqualified. If a personal bias or conflict of interest charge is made against the Vice President for Enrollment and Student Services, the committee will determine whether or not there is a basis for the challenge and, if basis is found, the President shall designate a replacement for the Vice President for Enrollment and Student Services to serve as Chair.
5. The committee will exert control over the hearing to avoid needless consumption of time. A person disrupting the hearing may be removed at the discretion of the committee.
6. Witnesses, including the complainant and student, shall be asked to affirm that their testimony is truthful.
7. The burden of proof is on the accuser, who must establish the responsibility of the student in the alleged incident of misconduct by a preponderance of the evidence.
8. Formal rules of evidence and discovery, as in criminal or civil judicial proceedings, shall not be applicable in disciplinary hearings under this Code.
9. Written statements shall not be accepted unless signed and witnessed by the committee chair.
10. Everyone involved in the hearing must maintain confidentiality.
11. The decision of the committee must include a summary of the testimony, findings of fact, decision, and sanctions and shall be sufficiently detailed to permit an appeal. If all participants agree, a tape recording may be used as an alternate to a summary of testimony.
12. If the accused is found not culpable, the case is closed. If the accused is found culpable based upon a preponderance of the evidence, the committee will impose sanction.

### **7.2.1.7 Appeal Procedures**

1. The student may file an appeal of the decision of the committee based on the following:
  - a. Lack of due process;
  - b. New relevant evidence which becomes available after the time of the hearing; or
  - c. The decision is not supported by substantial evidence.
2. The student may appeal the sanction imposed by the committee to the Chief Academic Officer.
3. Any appeal must be in writing and filed with the Chief Academic Officer within 10 Pacific Oaks Business days after the written notification of the decision/sanction of the committee has been mailed. Failure to appeal within this time period will render the decision/sanction final. The appeal must include the reason(s) the student feels the decision/sanction is unjust.
4. In the case of an appeal based on the decision of the committee (#1 above), the Chief Academic Officer will review the hearing documents and speak to members of the hearing panel, the student, or the complainant and may reverse the decision if the Chief Academic Officer finds any of the above to be true.
5. In the case of an appeal of the sanction imposed by the committee (#2 above), the Chief Academic Officer may change the disciplinary sanction if the sanction is determined to be grossly disproportionate to the offense.
6. The Chief Academic Officer's decision is final in all appeals.

### **7.2.1.8 Possible Sanctions**

Possible sanctions are herein listed, but not limited to the following:

1. Disciplinary Warning. The student is given verbal or written warning that future misconduct may result in more severe disciplinary action.
2. Reprimand. The student is given a written censure for failure to meet Pacific Oaks' standards of behavior. A copy is kept in student's disciplinary file.
3. Non-paid work for Pacific Oaks may be assigned to a student for a violation of the Code.
4. Community Service/Education Project may be assigned.
5. Restitution. The student is required to make payment to Pacific Oaks or other persons for damages incurred as a result of a violation of this Code.
6. Ineligibility for Graduation and Commencement Exercises. A student who is eligible for graduation will be prohibited from graduating until the case has been decided and sanctions completed. Implementation of this sanction requires review and approval by the Chief Academic Officer.
7. Suspension from Pacific Oaks is defined as separation of the student from Pacific Oaks for a specified period of time. Implementation of this sanction requires review and approval by the Chief Academic Officer.

8. Dismissal from Pacific Oaks. Permanent separation of the student from Pacific Oaks barring the student from the premises. Notification will appear on the student's official transcript. Implementation of this sanction requires review and approval by the Chief Academic Officer.
9. Other Sanctions commiserate with the facts of the case.

#### **7.2.1.9 Exceptional Procedures**

The Vice President for Enrollment and Student Services or a designee may suspend a student for an interim period pending disciplinary proceedings, behavioral, and/or medical evaluation; such interim suspension becomes immediately effective without prior notice whenever there is evidence that the continued presence of the student on Pacific Oaks campus poses a substantial threat to the student, to others, or to the stability and continuance of normal Pacific Oaks functions.

### **7.3 Student Clubs and Organizations Policies**

#### **7.3.1 Student Government Association**

See Volume I, Subsection 1.7.3.

#### **7.3.2 Student Clubs/Organizations Recognition Policy**

Pacific Oaks College encourages students to formulate and participate in student organizations that reflect similar areas of interest. Pacific Oaks believes that student organizations make a positive contribution to the college and to students who choose to participate in these organizations.

Pacific Oaks College has delegated the responsibility of recognizing and overseeing the management of recognized student organizations to the Director of the Center for Student Achievement, Resources and Enrichment (CARE) under the guidance of the Vice President for Enrollment Management and Student Services.

Recognition of a student organization creates an official relationship with the College; therefore, recognized organizations must comply with all Pacific Oaks rules and regulations. Recognition does not imply that Pacific Oaks agrees with the organizational philosophy or goals or, supports or assumes responsibility for activities and the actions of the organization. Pacific Oaks College does not condone discrimination, illegal, or dangerous activities. Pacific Oaks reserve the right to decline a request to form an organization.

1. Recognition may be applied for by filing an application with the CARE Office on or before September 15 of each academic year to be effective until the following September 15;
2. The club or organization shall ensure that the information submitted (see paragraph 7.3.2.1 for specific information) is complete, accurate, and current;
3. Each club or organization must submit a current copy of its constitution or charter and bylaws or rules of order with its application for recognition. These documents must define the form and function of the organization, criteria for membership and its goals and principles. Any changes to these documents must be submitted to the CARE Office;

4. The College recognizes a student club or organization when its application is found in compliance with this policy and the required application is complete and on file in the CARE Office.

### **7.3.2.1 Recognition and Registration Procedures**

In order for a student group to become a recognized Pacific Oaks organization, the College must approve it. A group of 8 or more currently enrolled students may request to form a registered student organization by following the steps indicated below:

1. Complete the Petition for Recognition Form from the CARE Office.
2. Each club or organization's constitution shall clearly state in the Recognition Form the purpose of the student club or organization, which must be consistent and compatible with the mission and traditions of Pacific Oaks.
3. The mission, purpose, and goals of the student club or organization must contribute to the overall educational mission of Pacific Oaks College as demonstrated through the activities, events, and meetings sponsored by the club or organization.
4. Student clubs or organizations are prohibited from discriminating on the basis of race, color, religion, gender, age, sexual orientation, physical impairment, national, or ethnic origins.
5. The student club or organization must agree to all institutional policies and procedures concerning the club or organization's activities and conduct both on and off campus.
6. The student club or organization must agree to exercise freedom of expression in a peaceful, non-disruptive manner, and with appropriate consideration and respect for differing points of view.
7. Identify in the Recognition Form a Pacific Oaks faculty or staff advisor to work with the organization (see paragraph 7.3.2.4 below for additional information regarding advisors).
8. Develop a Constitution and By-Laws (resources are provided in the Resources packet available in the CARE Office).
9. Identify one group member to serve as the primary contact with the CARE Director. This individual is responsible for submitting all required documents to the CARE Director for review.
10. The student club or organization, when involved in issues that may be controversial or provocative, will seek the advice and counsel of knowledgeable members of the faculty, staff, and administration, including, but not limited to its faculty or staff advisor, the Director of CARE and the Vice President for Enrollment and Student Services.
11. Because recognition of a student club or organization in no way implies that the institution necessarily endorses position or points of view espoused privately or publicly by members of the organization, the student club or organization shall represent itself in ways that make this point clear.
12. A statement that sets forth the club or organization's affiliation, if any, with off-campus and national organizations must be included in the organization's constitution.

NOTE: Departmental clubs and organizations (those formed by faculty or staff members in order to provide co-support to a department with no student leadership) do not constitute a student organization. Clubs and organizations of this nature do not need to follow these procedures and should contact the head of their department to determine applicable policies and procedures. Such clubs and organizations should keep the CARE office abreast of events so that the CARE team can support them by informing students of scheduled activities.

The CARE Director will notify the executive head of the organization, in writing, of the College's decision regarding the request for recognition.

### **7.3.2.2 Privileges Associated with Recognition**

Student groups who are recognized by Pacific Oaks College are entitled to the following privileges:

1. Use of campus facilities for meetings and events according to established policies;
2. Consultation of faculty or staff advisors;
3. Assistance and advisement from the CARE Office;
4. Dissemination of literature flyers, posters, banners, or club/organizational print materials on any campus;
5. Eligibility to receive funding;
6. Use of the College's name in its title or publications so long as the policies and procedures outlined in the College Name, Seal, or Logo Policy (see Volume II, Subsection 2.1.19) are strictly adhered to;
7. Sponsor or promote activities at the College; and
8. Be listed in Pacific Oaks publications.

#### ***7.3.2.2.1 Requirement for Continued Recognition***

Recognized student organizations must notify the CARE director of their intent to maintain active status at the beginning of each year. The head of the Executive Board of the organization must submit an "*Active Status Intent*" form with the Advisors signature to the CARE Director no later than the third week of the first semester of the year.

Any Student Organization that is inactive for two major consecutive semesters will be deemed inactive at the end of the year. In such cases, the organization will need to reapply for new student organization status via the registering a new student organization procedures as outlined in paragraph 7.3.2.1 above.

### **7.3.2.3 Officers**

1. All organizations are required to have three (3) officers.
2. Officers must be full-time matriculated students in good academic standing.

3. Officers must be enrolled in Pacific Oaks College's at the time of their election and remain in good academic standing throughout the tenure of their office. The CARE Office monitors the academic standing of officers.

#### **7.3.2.4 Advisors**

Recognized student organizations at Pacific Oaks College are required to have an advisor who is a Pacific Oak's core faculty member, or permanent full time staff personnel. Student teaching assistants may not serve as organizational advisors. Advisors are an important asset to student organizations and can assist the group in obtaining its goal by providing support and leadership. Advisors are required to maintain close communication with the CARE Director. All events and activities must receive Advisors approval; however, final approval must be obtained from the CARE Director.

It is important that the organization select an advisor who shares the interest of the group. It is also very important for the organization to identify the advisor's role. Please keep the following in mind when choosing an advisor.

##### **Advisors Responsibilities:**

An effective advisor should:

1. Be knowledgeable of the College's rules and regulations;
2. Have a strong interest in the philosophy and goals of the group;
3. Arbitrate conflicts within the student organization and/or the Pacific Oaks' community;
4. Assist the organization in defining and obtaining their goals;
5. Attend scheduled meetings and events sponsored by the organization;
6. Serve as a mentor to the executive board;
7. Review all official correspondence prior to dissemination
8. Veto a decision that is in violation of the organizations objective, bylaws or Pacific Oak's policies and procedures;
9. Cancel activities which have been inadequately planned;
10. Work closely with the CARE Director

##### **Advisors should not:**

1. Serve as an officer or participate in the voting process;
2. Interfere with the group dynamics unless requested to do so by group members;
3. Make decisions for the organization.

#### **7.3.2.5 Financial Assistance**

Funding may be available to cover the cost of general program operation. Each organization must designate one officer who is authorized to make budgetary request on behalf of the organization. This individual will also be responsible for adhering to all Business Office policies

regarding funding. Financial request should be submitted to the CARE Director in a timely manner. It is important that the officer in charge of finance work closely with the Advisor in following the guidelines outlined by the Business Office.

#### **7.3.2.6 Activities**

1. Student clubs and organizations and their members and officers must abide by Pacific Oaks' policies as stated in Volumes II and VII of the Policy Manual, and other rules, regulations, and operating procedures, including these Recognition Standards. Violations may result in revocation of recognition by Pacific Oaks.
2. No organization may engage in acts which recklessly or intentionally endanger any person's mental or physical health, involve the forced consumption of alcoholic beverages or drugs, intentionally subject a student to degradation or humiliation, or cause its members to participate in any action or situation that reasonably can be expected to have such a result.
3. All organizational activities must be consistent with the organization's constitution or charter and bylaws or rules of order.

Those who are interested in developing a new club/organization, please see the CARE Office for more information.

### **7.4 Student Grievance Policy**

The primary objectives of this Student Grievance Policy are to ensure that students have the opportunity to present grievances to Pacific Oaks regarding a certain action or inaction by a member of the Pacific Oaks community and that Pacific Oaks has a consistent way of resolving those grievances in a fair and just manner.

An action or decision is grievable only if it involves a misapplication or misinterpretation of Pacific Oaks policy, regulation, or rule, or a violation of state or federal law. Grievances may not be used to challenge policies or procedures of general applicability.

In addition, this procedure may not be used to grieve:

1. Claims based on purchases or contracts;
2. Claims against a Pacific Oaks' employee on matters that are unrelated to the employee's job or role at Pacific Oaks;
3. Student disciplinary decisions, since there is a separate procedure for them (see Volume VII, Section 7.2); or
4. Formal complaints of harassment or discrimination, since there is a separate procedure for them (see Volume II, Subsection 2.1.5); or
5. Where another Pacific Oaks policy and procedure could have been used for the matter being grieved (e.g. academic evaluation, academic honesty, and FERPA grievances).

Upon request from any student, the Center for Student Achievement, Resources and Enrichment (CARE) Office will provide guidance about the appropriate system for redress of a particular complaint.

The procedures set forth below may be used by grievants who are enrolled as Pacific Oaks students, or who are participating in a Pacific Oaks-sponsored educational event, at the time of the incident being grieved. The person filing the grievance must be the alleged victim of unfair treatment; a grievance cannot be filed on behalf of another person. The existence of this procedure does not bar grievants from also filing claims in other forums to the extent permitted by state or federal law.

The formal resolution process described below must be initiated within 60 Pacific Oaks business days of the decision, action, or events giving rise to the grievance. This time limit may be extended by the Vice President for Enrollment and Student Services if the grievant makes the request for extension within the 60-day period, for good cause shown (e.g., an active effort at informal resolution at the departmental level).

#### **7.4.1 Informal Resolution**

Prior to invoking the formal resolution procedures described below, the student should discuss the grievance with the person alleged to have caused the grievance. This is not required in cases where the grievant believes that efforts at informal resolution may result in retaliation or other unfair treatment. The discussion shall be held as soon as the student first becomes aware of the act or condition that is the basis of the grievance. Additionally or in the alternative, the student may wish to present the grievance in writing to the person alleged to have caused the grievance. In either case, the person alleged to have caused the grievance must respond to the student promptly, either orally or in writing.

#### **7.4.2 Formal Resolution**

##### **Step One:**

If informal resolution is not successful, the student may file a grievance by sending a request for hearing along with the following information to the Vice President for Enrollment and Student Services.

The grievance must:

1. Be in writing;
2. State how the decision or action is unfair and harmful to the grievant and list the Pacific Oaks policies or state or federal laws that have been violated, if known;
3. Name the respondent parties (the person(s) against whom the grievance is filed);
4. State how the respondents are responsible for the action or decision;
5. State the requested remedy; and
6. State whether the grievant will bring a support person to the hearing.

If it is clear on the face of the written grievance that the grievance has not been filed within the time limit, or pertains to a matter not grievable under this procedure, or is from a person without grievance rights under this grievance, Vice President for Enrollment and Student Services shall so indicate in a letter to the grievant and the grievance shall be dismissed. If the grievance is not dismissed, the Vice President for Enrollment and Student Services shall appoint a hearing

committee of three persons to hear the grievance and shall provide them with a copy of these procedures and the written request for hearing. Committee members shall include at least one member who is not part of the same office or immediate academic unit as the respondent(s) and one member who is not part of the same office or immediate academic unit as the grievant.

If the respondent is the Vice President for Enrollment and Student Services, the grievance process shall be administered by the Chief Academic Officer or designee.

Committee members shall have no personal interest in the outcome of the proceeding, and shall not have any personal involvement in earlier stages of the matter.

### **Step Two:**

The committee shall meet, elect a chair, and send the grievant's hearing request to the respondent(s), all within ten Pacific Oaks business days of being appointed. The chair shall offer the respondent(s) an opportunity to provide a written response to the allegations within ten Pacific Oaks business days to the chair. The chair may also instruct the parties that they have ten Pacific Oaks business days to provide each other and the committee with (i) copies of any exhibits they wish to introduce as evidence, and (ii) a list of witnesses that each party will call. The chair may extend the deadlines for submitting a response and for exchanging proposed exhibits upon a showing of good cause.

### **Step Three:**

The chair shall notify the parties of the hearing date, time, and place at least ten Pacific Oaks business days in advance of the hearing. (The committee may schedule additional days for hearing, if needed, after the hearing is underway, so long as all parties receive reasonable advance notice of the additional dates.) The response to the grievance must be distributed to the committee and all parties at least ten Pacific Oaks business days prior to the hearing.

1. The committee, the grievant, and the respondent have the right to request witnesses whom they believe have pertinent information in regard to the complaint.
2. The grievant and the respondent may request the presence of a person who will support them during the hearing but may not speak or participate directly in the hearing. The support person must be a member of the campus community who has been approved by the chair.
3. Hearings will be private except for the presence of the committee, the grievant, the respondent, their support persons, and witnesses. If all persons are agreed, the hearing may be taped.
4. Prospective witnesses will be excluded from the disciplinary hearing except during the time of their testimony.
5. The grievant and respondent may challenge a member of the committee for personal bias. The chair will determine whether or not there is basis for the challenge and, if basis is found, the member will be disqualified. If a personal bias charge is made against the chair, the committee will determine whether or not there is a basis for the challenge and, if basis is found, the chair will be disqualified and another member of the panel will chair the committee.
6. The committee will exert control over the hearing to avoid needless consumption of time. A person disrupting the hearing may be removed at the discretion of the committee.

7. Witnesses, including the grievant and the respondent, shall be asked to affirm that their testimony is truthful.
8. The burden is on the grievant to establish by a preponderance of the evidence that the grievant has experienced an injury that would entitle the grievant to relief and that such injury is remediable.
9. Formal rules of evidence and discovery, as in criminal or civil judicial proceedings, shall not be applicable in disciplinary hearings under this Policy.
10. Written statements shall not be accepted unless signed and witnessed by the Vice President for Enrollment and Student Services or a designee.
11. Committee members, witnesses, parties, and all other persons involved in the grievance proceeding must maintain strict confidentiality regarding the proceeding. State and federal laws govern the privacy rights of students and employees.
12. At the conclusion of this step of the procedure, the parties and witnesses shall be excused.

#### **Step Four:**

The committee shall deliberate and reach a decision on the grievance in closed session. Deliberations are not tape recorded or transcribed. The decision must be based solely on material presented in the grievance. The committee should be careful not to substitute its judgment for that of the respondent(s). Rather, the committee should decide if the decision being grieved was the result of a misapplication or misinterpretation of Pacific Oaks policies, regulations, or rules or a violation of state or federal law.

The decision of the committee must include a summary of the testimony, findings of fact, the committee's decision, and shall be sufficiently detailed to permit review as provided in this Policy.

The report and official record shall be delivered to the Vice President for Enrollment and Student Services, with copies of the report to be sent to the parties, within sixty calendar days after the hearing. A dissenting panel member may file a minority report at the same time.

#### **Step Five:**

The Vice President for Enrollment and Student Services shall issue a written decision within twenty Pacific Oaks business days of receipt of the committee's report and official record. The decision may either adopt the committee report in whole, modify it in part, or reject the report and reach different findings or conclusions for reasons expressly stated. The Vice President for Enrollment and Student Services may also remand the matter if clarification of the committee's report is necessary or additional proceedings to clarify the record or cure procedural error are required. This decision shall be sent to the parties (certified mail return receipt, or personal delivery with a signed and dated receipt, to the grievant) and may be shared with the panel members.

### **7.4.3 Ex-Parte Contacts**

Once a hearing (formal resolution) has been requested, there should be no ex parte communication between parties and committee members concerning the merits of the case. An ex parte contact or communication is one sided; it occurs when one person shares information

with a panel member without including all other parties. To prevent this from occurring, all communications that (a) occur outside the hearing, and (b) are between one or more parties and one or more committee members, shall be in written form and distributed simultaneously to all parties and committee members. Discussion of the merits of the case or presentation of evidence outside the hearing should be avoided. The rule against ex parte contacts also applies to communication with the final decision-maker and everyone who is responsible for deciding appeals.

#### **7.4.4 Appeal Procedures**

Within ten Pacific Oaks business days of receipt of the Vice President for Enrollment and Student Services' decision, a grievant who is not satisfied with the response of the administrator after the initial review may appeal by submitting the written grievance, together with the Vice President for Enrollment's written decision, to the Chief Academic Officer. The appeal of the Vice President for Enrollment and Student Services' decision must be based on one of the following:

1. Lack of due process;
2. New relevant evidence which becomes available after the time of the hearing; or
3. The decision is not supported by substantial evidence.

The Chief Academic Officer' action need not involve a de novo factual investigation unless new, relevant evidence has become available since the committee hearing. The Chief Academic Officer may, but is not required to, direct that further facts be gathered or that additional remedial action be taken. Within 15 calendar days of receipt of the request for review, the Chief Academic Officer shall submit the decision in writing to the student and to the person alleged to have caused the grievance. The written disposition shall include the reasons for the decision, and it shall direct a remedy for the aggrieved student if any. The Chief Academic Officer' decision is final.