

BP 5500 Standards of Student Conduct

Reference:

Education Code Section 66300, 66301, and 76120;

Title 5 of the California Code of Regulations §§ 51023.5 and 59300-59362;

ACCJC Accreditation Standards 2

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

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

The Board of Trustees shall consider any recommendation from the Superintendent/President for expulsion. The Board shall consider an expulsion recommendation in closed session unless the student requests that the matter be considered in a public meeting. Final action by the Board on the expulsion shall be taken at a public meeting. The procedures shall be made widely available to students through the College catalog and other means.

The following conduct shall constitute good cause for discipline including but not limited to the removal, suspension or expulsion of a student, except for conduct that constitutes sexual harassment under Title IX, which shall be addressed under BP 3433 – Prohibition of Sexual Harassment Under Title IX:

Off-Campus Conduct:

Students may be subject to disciplinary action for off-campus conduct that constitutes a serious or violent criminal offense if such conduct poses a substantial threat to the safety, well-being, or educational environment of the college community.

Examples of Prohibited Off-Campus Conduct:

Violent crimes, sexual assault, sexual exploitation or other serious offenses that may impact campus safety or the welfare of community members.

Due Process:

The District will follow due process for students facing disciplinary action as a result of off-campus conduct, as outlined in college administrative procedures, ensuring compliance with California Education Code and the Code of Regulations. This includes providing the student with notice, a fair hearing, and an opportunity to present evidence.

Campus-Related Conduct:

1. Causing, attempting to cause, or threatening to cause physical injury to another person.
2. Possession, sale or otherwise furnishing any firearm, knife, explosive or other dangerous object, including but not limited to any facsimile firearm, knife, or explosive, unless, in the case of possession of any object of this type, the student has obtained written permission to possess the item from a District employee, which is concurred in by the college President.
3. Unlawful possession, use, sale, offer to sell, or furnishing, or being under the influence of, any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the California Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind; or unlawful possession of, or offering, arranging or negotiating the sale of any drug paraphernalia, as defined in California Health and Safety Code Section 11014.5.
4. Committing or attempting to commit robbery or extortion.
5. Causing or attempting to cause damage to District property or to private property on campus.
6. Stealing or attempting to steal District property or private property on campus, or knowingly receiving stolen District property or private property on campus.
7. Willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of the College or the District.
8. Sexual assault or sexual exploitation regardless of the victim's

affiliation with the District.

9. Committing sexual harassment as defined by law or by District policies and procedures.
10. Engaging in harassing or discriminatory behavior based on disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other status protected by law.
11. Engaging in intimidation conduct or bullying against another student through words or actions, including direct physical contact; verbal assaults, such as teasing or name-calling; social isolation or manipulation; and cyberbullying, which is bullying conduct engaged in by electronic means.
12. Willful misconduct which results in injury or death to a student or to District personnel or which results in cutting, defacing, or other injury to any real or personal property owned by the District or on campus.
13. Disruptive behavior, willful disobedience, habitual profanity or vulgarity, or the open and persistent defiance of the authority of or persistent abuse of District personnel.
14. Cheating, plagiarism (including plagiarism in a student publication), or engaging in other academic dishonesty.
15. Dishonesty; forgery; alteration or misuse of District documents, records or identification; or knowingly furnishing false information to the District.
16. Unauthorized entry upon or use of District facilities.
17. Defeating any campus security measure, including tampering with locks, propping open locked doors or gates, or preventing a locked door or gate from securely closing.
18. Lewd, indecent or obscene conduct on District-owned or controlled property, or at District-sponsored or supervised functions.
19. Engaging in expression which is obscene, libelous, or slanderous; or which so incites students as to create a clear and present danger of the commission of unlawful acts on District premises, or the violation of lawful District administrative procedures, or the substantial disruption of the orderly operation of the District.

20. Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.
21. Unauthorized preparation, giving, selling, transfer, distribution, or publication, for any commercial purpose, of any contemporaneous recording of an academic presentation in a classroom or equivalent site of instruction, including but not limited to handwritten or typewritten class notes, except as permitted by any District policy or administrative procedure.
22. Violations of District regulations or procedures concerning the use of District technology resources, District regulations concerning student organizations, and/or the use of District facilities.
23. Failure to comply with directions of District officials acting in the performance of their duties, or failure to identify oneself for just cause when requested to do so by District officials acting in the performance of their duties.

See Administrative Procedures AP 5500