

BP 5500 STANDARDS OF STUDENT CONDUCT

References:

Ed Code Section 66300, 66301, 76033;
Accreditation Standard II.A.7.b
Health and Safety Code Section 11362.79
34 C.F.R. Part 86, et seq.

The Chancellor 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 Chancellor for expulsion. The Board of Trustees 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 of Trustees on the expulsion shall be taken at a public meeting.

The procedures shall be made widely available to students through the college catalog(s) 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.

1. Causing, attempting to cause, implying, or threatening to cause, harm to another person whether or not the threat is ***in writing, by electronic means (including social media) or*** in person. ***Harm is*** defined as, but not limited to, physical harm, harm to profession (defamation) or psychological harm.

Threats of any kind directed at anyone on District property or one of its approved educational sites will not be tolerated. District Police shall be called by the receiver of the threat or anyone on behalf of the receiver.

2. Possessing, selling 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 by the Chancellor.
3. Possessing, using, selling, offering 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. It is also unlawful under federal law, to possess, use, sell, offer to sell, furnish, or be under the influence of, any controlled substance, including medical marijuana.
4. Committing or attempting to commit robbery, bribery, 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. Willfully or persistently smoking in any area where smoking has been prohibited by law or by policy or procedure of the District.
8. Committing sexual harassment as defined by law or by District policies and procedures.
9. Engaging in harassing or discriminatory behavior toward an individual or group based on ethnic group identification, national origin, religion, age, gender, gender identity, gender expression, race, color, ancestry, genetic information, sexual orientation, physical or mental disability, or any characteristic listed or defined in Section 11135 of the Government code or any characteristic that is contained in the prohibition of hate crimes set forth in subdivision (1) of section 422.6 of the Penal Code, or any other status protected by law.
10. Engaging in willful misconduct and/or negligent misconduct which results in injury or death to a student or to District personnel or

Commented [GT1]: Suggested by the NC Senate on 10/20/14

which results in cutting, defacing, or other injury to any real or personal property owned by the District or on campus.

11. Engaging in disruptive behavior, willful disobedience, habitual profanity or vulgarity, or the open and persistent defiance of the authority of, or persistent abuse of, District personnel.

12. Engaging in dishonesty

Forms of Dishonesty include, but are not limited to:

- a. Plagiarism, defined as presenting another person's language (spoken or written), ideas, artistic works or thoughts, as if they were one's own;
 - b. Cheating, defined as the use of information not authorized by the Instructor for the purpose of obtaining a grade. Examples include, but are not limited to, notes, recordings, internet resources and other students' work;
 - c. Furnishing false information to the District for purposes such as admission, enrollment, financial assistance, athletic eligibility, transfer, or alteration of official documents;
 - d. Forging, altering or misusing District or College documents, keys (including electronic key cards), or other identification instruments.
 - e. Attempting to bribe, threaten or extort a faculty member or other employee for a better grade;
 - f. Buying or selling authorization codes for course access.
13. Entering or using District facilities without authorization.
 14. Engaging in lewd, indecent or obscene conduct on District-owned or controlled property, or at District-sponsored or supervised functions.
 15. 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 college premises, or the violation of lawful District administrative procedures, or the substantial disruption of the orderly operation of the District.

16. Engaging in persistent, serious misconduct where other means of correction have failed to bring about proper conduct.
17. Preparing, giving, selling, transferring, distributing, or publishing, 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 without authorization.
18. Using, possessing, distributing or being under the influence of alcoholic beverages, controlled substance(s), or poison(s) classified as such by Schedule D, Section 4160 of the Business and Professions Code, while at any District location, any District off-site class, or during any District sponsored activity, trip or competition.
 - a. In accordance with Section 67385.7 of the Education Code and in an effort to encourage victims to report assaults, the following exception will be made: The victim of a sexual assault will not be disciplined for the use, possession, or being under the influence of alcoholic beverages or controlled substances at the time of the incident if the assault occurred on District property or during any of the aforementioned District activities.
19. Violating the District's Computer and Network Use Policy and Procedure No. 3720 in regard to their use of any, or all, of the District's Information Technology resources.
20. Using electronic recording or any other communications devices (such as MP3 players, cell phones, pagers, recording devices, etc.) in the classroom without the permission of the instructor.
21. Eating (except for food that may be necessary for a verifiable medical Condition) or drinking (except for water) in classrooms.
22. Gambling, of any type, on District property.
23. Bringing pets (with the exception of service animals) on District property.
24. Distributing printed materials without the prior approval of the Student Activities Office. Flyers or any other literature may not be placed on vehicles parked on District property.

25. Riding/using bicycles, motorcycles, or motorized vehicles (except for authorized police bicycles or motorized vehicles) outside of paved streets or thoroughfares normally used for vehicular traffic.
26. Riding/using any and all types of skates, skateboards, scooters, or other such conveyances is prohibited on District property, without prior approval.
27. Attending classrooms or laboratories (except for those individuals who are providing accommodations to students with disabilities) when not officially enrolled in the class or laboratories and without the approval of the faculty member.
28. Engaging in intimidating conduct or bullying against another person through words or actions, including direct physical contact; verbal assaults, such as teasing or name-calling; social isolation or manipulation; and cyberbullying.
29. Abuse of process, defined as the submission of malicious or frivolous complaints.
30. Violating any District Board Policy or Administrative Procedure not mentioned above.

Responsibility

- A. The Chancellor is responsible for establishing appropriate procedures for the administration of disciplinary actions. In this regard, please refer to Administrative Procedure 5520, which deal with matters of student discipline and student grievance.
- B. The Vice President of Student Services of each College will be responsible for the overall implementation of the procedures which are specifically related to all nonacademic, student related matters contained in Administrative Procedure 5520.
- C. The Vice President of Academic Affairs of each College will be responsible for the overall implementation of the procedures which are specifically related to class activities or academic matters contained in Administrative Procedure 5522.
- D. For matters involving the prohibition of discrimination and harassment, the concern should be referred to the District's Diversity, Equity and Compliance Office.

- E. The definitions of cheating and plagiarism and the penalties for violating standards of student conduct pertaining to cheating and plagiarism will be ***included*** ~~published~~ in all schedules of classes, the college catalog, the student handbook, and the faculty handbook, ***all of which are produced and posted to the college websites.*** Faculty members are encouraged to include the definitions and penalties in their course syllabi.

Date Adopted: May 15, 2007
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