

## Student Rights and Responsibilities

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## Discipline

In developing responsible student conduct, disciplinary proceedings play a role substantially secondary to example, counseling, guidance, and admonition. At the same time, educational institutions have a duty and the corollary disciplinary powers to protect their educational purpose through the setting of standards of scholarship and conduct for the students who attend them and through the regulation of the use of institutional facilities.

The following standards and procedures are intended to promote responsible student conduct and fair play:

### A. Standards of Conduct

Monterey Peninsula College considers the following principles essential to its educational mission and its community life:

1. Mutual respect between students and faculty.
2. Pursuit of studies with honesty and integrity.
3. Respect for rights of others.
4. Courteous treatment of everyone.
5. Respect for College and personal property.
6. Compliance with all rules and regulations.

Students shall be subject to College discipline for any of the following misconduct which occurs at any time on campus or at any off-campus facility or college approved or sponsored function:

1. Dishonesty, such as plagiarism, or knowingly furnishing false information to the College;
2. Violation of examination rules, e.g. communicating or transfer-ring information to another student, using any materials such as books, notes, etc. other than those expressly allowed for the exam, looking at another student's exam, etc.;
3. Forgery, alteration, or misuse of College documents, records, or identification;
4. Obstruction or disruption of teaching, research, administration, disciplinary procedures, or other College activities, including its public service functions, or of other authorized activities;
5. Physical or verbal abuse of any person or conduct which threatens or endangers the health or safety of any such person;
6. Theft of, or damage to, property of the College or of a member of the College community or campus visitor;
7. Unauthorized entry to or use of College facilities;
8. Violation of College policies or of campus regulations including those of

student organizations, use of College facilities, or the time, place, and manner of public expression;

9. Use, possession, or distribution of legally controlled drugs such as alcohol, narcotics, marijuana or cocaine, except as expressly permitted by law;
10. Use, possession, or sale of any firearm, knife, explosive, or other object that could be classified as a weapon (unless the student has specific authorization from a college official);
11. Failure to comply with directions of College officials acting in the performance of their duties;
12. Gambling on College property;
13. Hazing or any act that injures, degrades, or disgraces or tends to injure, degrade, or disgrace any fellow student or person;
14. Disorderly conduct or lewd, indecent, or obscene behavior;
15. Willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of the Governing Board.

#### **B. Investigation of Student Conduct**

1. Except under extreme circumstances, e.g. bomb threats or medical emergencies, the personal possessions of students will not be searched. The student will be present, if possible, during the search.
2. No form of harassment will be used by institutional representatives to coerce admissions of guilt or information about conduct of other suspected persons.

#### **C. Applicable Penalties**

In all situations a student shall be informed of the nature of the charges against him or her and be given a fair opportunity to refute them. Arbitrary actions shall not be taken by the College and a decision may be appealed. Disciplinary action that may be taken because of student misconduct includes a variety of sanctions.

Such sanctions are listed below in degree of severity, and may be applied according to the severity of the offense:

1. Admonition--An oral statement to the student offender that the student has violated college rules.
2. Warning--Notice to the student, orally or in writing, that continuation or repetition of the conduct found wrongful, within a period of time stated in the warning, may be cause for more severe disciplinary action.
3. Censure--Written reprimand for violation of a specified regulation including the possibility of more severe disciplinary action in the event of conviction for the violation of any college regulation within a period of time stated in the letter of reprimand.
4. Disciplinary Probation--Exclusion from participation in privileges or extra curricular activities as set forth in the notice of disciplinary probation for a specified period of time.
5. Restitution--Financial liability for damage to or misappropriation of property. Restitution may take the form of appropriate service to repair or otherwise compensate for damages.
6. Summary Suspension--Emergency exclusion from campus and/ or

classes for a period not to exceed 10 days. The Superintendent/President or designee may immediately suspend a student when the Superintendent/President or designee determines that such action is required in order to protect lives or property or to ensure the maintenance of order. The time of the suspension shall be limited to that period necessary for the purposes of the suspension and in any case, no more than ten days. The student may be summarily suspended without a conference or hearing, but oral or written notice to the student of the suspension and the reasons for the suspension must be provided to the student or the student's address as soon as possible. A conference shall be scheduled as soon as possible, but not later than 72 hours from the time of the suspension, to review the action with the student and to determine whether further sanctions are to be applied.

7. Suspension--Exclusion from classes and other privileges or activities as set forth in the notice of suspension for a definite period of time.
8. Expulsion--Termination of student status for an indefinite period. The conditions of readmission, if any is permitted, shall be stated in the order of expulsion.

#### **D. Administration of Discipline**

Procedural fairness shall be the basis for all disciplinary actions. Practices in disciplinary cases will vary in formality with the gravity of the offense and the sanctions which may be applied. There shall be no obligation for the College to replicate a formal court system, nor is there a need to provide for "adversary" proceedings. However, fairness requires that the student be informed of the nature of the charges against the student, that the student be given a fair opportunity to refute the charges, that the institution not be arbitrary in its actions, and that there be provision for appeal of a decision. With fairness as a basis for action, the responsibility for such action is the responsibility of the following individuals or groups:

1. The classroom instructor
  - a. May act when minor infractions disturb normal classroom procedure.
  - b. May suspend, for good cause (See V. A., Standards of Conduct.), any student from the instructor's class for the day of the suspension and the day following. The Vice President of Student Services shall be notified of such suspension, and the student shall be directed to report to the Vice President. The parents of a minor student shall also be notified of the suspension.
  - c. May drop students from class for failing to meet academic and attendance requirements.
2. The Campus Security Officer
  - a. Shall act directly on parking and traffic violations.
  - b. Shall act directly in matters of emergency and in harmony with local and state laws, but shall immediately notify the Vice President of Student Services of such action.
  - c. Shall refer matters of student misconduct to the Vice President of Student Services.
3. The Vice President of Student Services
  - a. Shall act directly in situations where a student has violated the local, state, or federal laws while on the College campus and shall consult with civil authorities where appropriate.
  - b. Shall review each case of misconduct with involved student and

determine appropriate remedies and/or sanctions.

c. Shall carry out the recommendations of the Superintendent/ President and Disciplinary Hearing Committee.

d. Shall inform students of institutional action and appropriate avenues of appeal.

#### 4. The Superintendent/President

a. Shall review and take action on all recommendations of the Disciplinary Hearing Committee.

b. Shall recommend Governing Board action in cases of suspension and expulsion and shall make arrangements for a student appeal of such decisions.

c. Shall act to summarily suspend any student in order to protect lives or property or to insure maintenance of order.

#### 5. The Governing Board

a. Shall take action on cases of suspension and expulsion and shall allow for an appeal of the decision.

b. Shall approve all rules and regulations where infractions of such could lead to suspension or expulsion.

While final action is pending a disciplinary hearing, a student shall have the right to be present on campus and attend classes.

### **E. Disciplinary Hearing Committee**

A student shall be granted, upon request, a hearing before a regularly constituted committee when the recommended sanction is suspension or expulsion. Prior to the request for a hearing, the student must meet with the Vice President of Student Services to discuss the case on an informal basis. For further information regarding the disciplinary hearing process, contact the office of the Vice President of Student Services.

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