



Policy

5500 Standards of Student Conduct

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 shall consider any recommendation from the Chancellor 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.

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.

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- 2 8. Committing sexual harassment as defined by law or by District policies and procedures.
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- 4 9. Engaging in harassing or discriminatory behavior based on disability, gender, gender identity,
- 5 gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other
- 6 status protected by law.
- 7
- 8 10. Engaging in intimidating conduct or bullying against another student through words or
- 9 actions, including direct physical contact; verbal assaults, such as teasing or name-calling;
- 10 social isolation or manipulation; and cyberbullying.
- 11
- 12 11. Willful misconduct which results in injury or death to a student or to college personnel or
- 13 which results in cutting, defacing, or other injury to any real or personal property owned by
- 14 the District or on campus.
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- 16 12. Disruptive behavior, willful disobedience, habitual profanity or vulgarity, or the open and
- 17 persistent defiance of the authority of, or persistent abuse of, college personnel.
- 18
- 19 13. Cheating, plagiarism (including plagiarism in a student publication), or engaging in other
- 20 academic dishonesty.
- 21
- 22 14. Dishonesty, forgery, alteration or misuse of college documents, records or identification; or
- 23 knowingly furnishing false information to the District.
- 24
- 25 15. Unauthorized entry upon or use of college facilities.
- 26
- 27 16. Lewd, indecent or obscene conduct on District-owned or controlled property or at District-
- 28 sponsored or supervised functions.
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- 30 17. Engaging in expression which is obscene; libelous, or slanderous; or which so incites students
- 31 as to create a clear and present danger of the commission of unlawful acts on college
- 32 premises, or the violation of lawful District administrative procedures, or the substantial
- 33 disruption of the orderly operation of the District.
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- 35 18. Persistent, serious misconduct where other means of correction have failed to bring about
- 36 proper conduct.
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- 38 19. Unauthorized preparation, giving, selling, transfer, distribution, or publication, for any
- 39 commercial purpose, of any contemporaneous recording of an academic presentation in a
- 40 classroom or equivalent site of instruction, including but not limited to handwritten or
- 41 typewritten class notes, except as permitted by any District policy or administrative
- 42 procedure.
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44 **References:**

45 Education Code Sections [66300](#) and [66301](#); [ACCJC Accreditation Standards I.C.8 and 10](#) (formerly

46 II.A.7.b)

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48 **Adopted:** June 28, 2004

49 **Revision Adopted:** April 8, 2009; March 11, 2015

Administrative Procedure

5500 Standards of Student Conduct

The purpose of these administrative procedures is to provide a prompt and equitable means to address violations of the Standards of Conduct in a manner consistent with requirements of due process of law. Nothing in these procedures is intended to infringe upon the rights of students to engage in the lawful exercise of free expression as protected by the state and federal constitutions and by the provisions of state and federal law.

Article I: Definitions

A. Accused Student:

Any student accused of violating the Standards of Conduct.

B. Administrator:

A management employee of the District having significant responsibilities for formulating District policies or administering District programs.

C. Chief Student Services Officer:

The Vice President of Student Learning or designee of Columbia College and the Vice President of Student Services or designee of Modesto Junior College.

D. College:

Columbia College, Modesto Junior College, and their respective programs.

E. College Premises:

All land, building, facilities, and other property in the possession of or owned, used or controlled by the District (including adjacent streets and sidewalks). Includes online or virtual classrooms or services.

F. Complainant:

Any person who submits a charge alleging that a student violated the Standards of Conduct. When a student believes that s/he has been a victim of another student's misconduct, the student who believes s/he has been a victim will have the same rights under this Standards of Conduct as are provided to the Complainant, even if another member of the College community submitted the charge itself.

G. Day:

A day during which the District administrative offices are open for business.

1 H. Disciplinary Action:
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3 Sanctions imposed by appropriate College personnel.
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5 I. District:
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7 The Yosemite Community College District.
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9 J. Guests:
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11 Any non-member of the College community utilizing College facilities or designated
12 public space.
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14 K. Instructor:
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16 Any academic employee of the District in whose class a student subject to discipline is
17 enrolled, or counselor, librarian, or nurse who is providing or has provided services to
18 the student, or other academic employee who has responsibility for the student's
19 educational program.
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21 L. Member of the College community:
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23 Any person who is a student, staff or faculty member, administrator or any other person
24 employed by the College or District. A person's status in a particular situation shall be
25 determined by Student Conduct Officer.
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27 M. Policy:
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29 Written regulations of the College as found in, but not limited to, the Standards of
30 Conduct, student handbooks, computer use policy, the College web page, and College
31 catalogs.
32

33 N. President
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35 The President or designee of Columbia College and the President or designee of
36 Modesto Junior College.
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38 O. Student:
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40 Any person who has applied for admission or is currently enrolled at a College or in any
41 program offered by the District including, but not necessarily limited to:
42 a. Full-time/Part-time/Non-credit/Auditing/Community Education
43 b. Students on leave (medical or suspensions)
44 c. Pre-freshmen visiting for special programs
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46 P. Student Conduct Hearing Panel:
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1 A panel authorized by the President to determine whether a student has violated the
2 Standards of Conduct and to recommend sanctions that may be imposed when a rules
3 violation has been committed.
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5 Q. Student Conduct Officer:

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7 The official at a College who is responsible for reviewing and processing student conduct
8 matters.
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10 Article II: Standards of Conduct Authority

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12 A. The Chief Student Services Officer shall determine the composition of each Student Conduct
13 Hearing Panel authorized to hear each matter, as outlined in Article IV.C – Student Conduct
14 Hearings.
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16 B. The Student Conduct Officer shall develop processes for the administration of the student
17 conduct system and procedural rules for Student Conduct Hearings that are consistent with
18 provisions of the Standards of Conduct Policy and Procedure.
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20 C. Decisions made by the Student Conduct Officer or a Student Conduct Hearing Panel shall be
21 final, pending the normal appeal process.
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23 Article III: Proscribed Conduct

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25 A. Jurisdiction of the Yosemite Community College District Standards of Conduct. The Yosemite
26 Community College District Standards of Conduct shall apply to conduct that occurs on
27 College premises, at College or District sponsored activities, and to off-campus conduct that
28 adversely affects the College community, or the pursuit of its objectives. Each student shall
29 be responsible for his/her conduct from the time of application for admission through the
30 final semester of attendance, even though conduct may occur before classes begin or after
31 classes end, as well as during the academic year and during periods between terms of actual
32 enrollment (and even if their conduct is not discovered until after the student is no longer
33 enrolled). The Standards of Conduct shall apply to a student's conduct even if the student
34 withdraws from school while a disciplinary matter is pending. Students are required to
35 engage in responsible social conduct that reflects credit upon the College community and to
36 model good citizenship in any community.
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38 B. Standards of Conduct. Any student found to have committed or to have attempted to
39 commit the following misconduct is subject to the disciplinary sanctions outlined in Article IV:
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41 1. Causing, attempting to cause, or threatening to cause physical injury to another
42 person.
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44 2. Possession, sale or otherwise furnishing any firearm, knife, explosive or other
45 dangerous object, including but not limited to any facsimile firearm, knife, or
46 explosive, unless, in the case of possession of any object of this type, the student
47 has obtained written permission to possess the item from a District employee,
48 which is concurred in by the college president.
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- 1 3. Unlawful possession, use, sale, offer to sell, or furnishing, or being under the
2 influence of, any controlled substance listed in Chapter 2 (commencing with Section
3 [11053](#)) of Division 10 of the California Health and Safety Code, an alcoholic
4 beverage, or an intoxicant of any kind; or unlawful possession of, or offering,
5 arranging or negotiating the sale of any drug paraphernalia, as defined in California
6 Health and Safety Code Section [11014.5](#).
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- 8 4. Committing or attempting to commit robbery or extortion.
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- 10 5. Causing or attempting to cause damage to District property or to private property
11 on campus.
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- 13 6. Stealing or attempting to steal District property or private property on campus, or
14 knowingly receiving stolen District property or private property on campus.
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- 16 7. Willful or persistent smoking in any area where smoking has been prohibited by law
17 or by regulation of the college or the District.
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- 19 8. Committing sexual harassment as defined by law or by District policies and
20 procedures.
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- 22 9. Engaging in harassing or discriminatory behavior based on disability, gender, gender
23 identity, gender expression, nationality, race or ethnicity, religion, sexual
24 orientation, or any other status protected by law.
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- 26 10. Engaging in intimidating conduct or bullying against another student through words
27 or actions, including direct physical contact; verbal assaults, such as teasing or
28 name-calling; social isolation or manipulation; and cyberbullying.
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- 30 11. Willful misconduct which results in injury or death to a student or to college
31 personnel or which results in cutting, defacing, or other injury to any real or
32 personal property owned by the District or on campus.
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- 34 12. Disruptive behavior, willful disobedience, habitual profanity or vulgarity, or the
35 open and persistent defiance of the authority of, or persistent abuse of, college
36 personnel.
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- 38 13. Cheating, plagiarism (including plagiarism in a student publication), or engaging in
39 other academic dishonesty.
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- 41 14. Dishonesty, forgery, alteration or misuse of college documents, records or
42 identification; or knowingly furnishing false information to the District.
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- 44 15. Unauthorized entry upon or use of college facilities.

16. Lewd, indecent or obscene conduct on District-owned or controlled property or at District-sponsored or supervised functions.
17. 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.
18. Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.
19. 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.

C. Violation of Law and College Discipline

1. College disciplinary proceedings may be instituted against a student charged with conduct that potentially violates both the criminal law and the Standards of Conduct (that is, if both possible violations result from the same factual situation) without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution. Proceedings under the Standards of Conduct may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus at the discretion of the President or designee. Determinations made or sanctions imposed under this Standards of Conduct shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of the Standards of Conduct were dismissed, reduced, or resolved in favor of or against the criminal law defendant.
2. When a student is charged by federal, state, or local authorities with a violation of law, the College will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also being processed under the Standards of Conduct, the College may advise off-campus authorities of the existence of the Standards of Conduct and of how such matters are typically handled within the College community. The College will attempt to cooperate with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators (provided that the conditions do not conflict with campus rules or sanctions). Individual students and other members of the College community, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

Article IV: Student Conduct Procedures

A. Charges

1. Charges against a student for violations of the Standards of Conduct may be directed to the Student Conduct Officer or appropriate administrator. Any charge should be submitted as soon as possible after the event takes place, preferably within the same semester.
2. A written record of the charges and final outcome shall be forwarded to the Student Conduct Officer for centralized record keeping.
3. The Student Conduct Officer or appropriate administrator may conduct an investigation to determine if the charges have merit and provide the student with the opportunity to respond. If possible, the charges will be disposed of administratively by mutual consent of the parties involved on a basis acceptable to the Student Conduct Officer or appropriate administrator. Such disposition shall be final and there shall be no subsequent proceedings. Where the decision of the Student Conduct Officer is to impose Short-Term Suspension or some lesser disciplinary action, the decision of the Student Conduct Officer shall be final.
4. If the charges are not admitted or cannot be disposed of by mutual consent, at the discretion of the Student Conduct Officer, a Student Conduct Hearing may be held. If the student admits to violating institutional rules, but sanctions are not agreed to, subsequent process, including a hearing if necessary, shall be limited to determining the appropriate sanction(s).

B. Sanctions

1. The following sanctions may be imposed upon any student found to have violated the Standards of Conduct:
 - a. Reprimand – A verbal or written warning to cease and desist from conduct that has been determined to violate the Standards of Conduct. A record of the fact that a reprimand has been given may be retained as part of the student’s discipline record for the period of one year. The reprimand is considered in the event of future violations during the period of retention. It is the student’s responsibility to request that the record be removed upon expiration of the period of retention.
 - b. Removal of Student From Class or Facility – For good cause, an Instructor may order a student removed from class and an Administrator may order a student removed from a facility. The student shall not be allowed to return to class or the facility without concurrence of the Instructor or Administrator.
 1. Removal from class – Removal shall be for a maximum period of two class sessions, which shall be the day of the removal and the next regular class meeting.
 2. Removal from facility – Removal shall be for a maximum period of two days, which shall be the day of the removal and the next day.

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c. Discretionary Sanctions - Work assignments, essays, service to the College, or other related discretionary assignments which may include:

1. Loss of Privileges – Denial of specified privileges for a designated period of time.
2. Restitution - Compensation for loss, damage, or injury. This may take the form of appropriate service or monetary or material replacement.

d. Disciplinary Probation – A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes:

1. Conditions imposed that must be met within the designated timeframe and
2. The probability of more severe disciplinary sanctions if the student is found to violate any institutional regulation(s) during the probationary period.

e. Suspension – Involuntary removal of a student, for good cause, from one or more classes or from the College by action of the Student Conduct Officer or Student Conduct Hearing Panel for a specified period of time, after which the student is eligible to return. Conditions for readmission may be specified. A student placed on suspension from all classes and activities of a College may not enter College premises nor be enrolled in any College or program in the District for the period of suspension and is subject to arrest if found to be on the premises. ([Penal Code §626.2](#))

1. Short-Term Suspension: Removal from one or more classes for a period of up to 10 consecutive days.
2. Long-Term Suspension:
 - a. Removal from one or more classes for the remainder of the academic term;
 - b. Removal from one or more classes for one or more academic terms; or
 - c. Removal from all classes and activities of the College for one or more academic terms.

1 f. Expulsion – Permanent separation of the student from the District.

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- 3 1. A student may be expelled for good cause where other means of
- 4 correction have failed to bring about proper conduct or when the
- 5 presence of the student causes a continuing danger to the physical
- 6 safety of students or others.
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- 8 2. Disciplinary action of expulsion may only be recommended by a Student
- 9 Conduct Hearing Panel or the Chief Student Services Officer.
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- 11 3. The recommendation to expel a student shall be made to the College
- 12 President.
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- 14 4. Only the Board of Trustees may expel a student.
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16 2. More than one of the sanctions listed above may be imposed for any single violation.

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18 3. Other than College expulsion, disciplinary sanctions shall not be made part of the

19 student’s permanent academic record, but shall become part of the student’s

20 disciplinary record. Cases involving the imposition of sanctions other than College

21 Long-Term Suspension or College expulsion shall be expunged from the student’s

22 confidential record five (5) years after final disposition of the case.

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24 C. Student Conduct Hearings

25 1. Composition and Training of the Student Conduct Hearing Panel.

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28 a. The Student Conduct Hearing Panel shall be composed of one administrator or

29 manager, and one faculty member, and one classified staff member. The President

30 of the Academic Senate and the President of the Classified School Employees

31 Association, by the final, official meeting of the academic year, shall establish a list

32 of three (3) persons who will serve on Student Conduct Hearing Panels for the

33 upcoming year. These members shall serve a term of one (1) calendar year, or

34 until their successors are appointed. Vacancies caused by resignation, death or

35 prolonged illness shall be filled immediately in consultation with the appropriate

36 governing body. Members may serve for more than one (1) year.

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38 b. The Chief Student Services Officer will select one person from the list and appoint

39 an administrator or manager to serve on each hearing panel. The administrator or

40 manager shall serve as the chairperson of the hearing. No person who has any

41 direct involvement in the matter to be decided, who is a necessary witness, or who

42 could not otherwise act in a neutral manner shall serve on the hearing panel for

43 that particular matter. At the discretion of the Chief Student Services Officer, the

1 structure of an individual hearing panel may be modified if all available panel
2 members have a direct involvement in the matter to be decided.

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4 c. Members of the Student Conduct Hearing Panel shall be trained annually by the
5 Student Conduct Officer on a variety of issues associated with the responsibilities
6 including: the requirements of Board Policy and Procedures in the area of student
7 conduct; effective hearing protocols; roles and responsibilities of the Student
8 Conduct Hearing Panel members and the chairperson; and other issues bearing
9 upon the integrity and effectiveness of hearings.

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11 2. The Accused Student shall be notified by student e-mail or by personal service of the
12 date, time and location of the Student Conduct Hearing. The student shall have at least
13 five (5) days' notice.

14
15 3. Student Conduct Hearings shall be conducted by a Student Conduct Hearing Panel
16 according to the following guidelines except as provided by Article IV(C)(7) below:

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18 a. Prior to the Student Conduct Hearing, the Hearing Panel members shall be
19 provided with the charges against the Accused Student and any related
20 information.

21
22 b. Student Conduct Hearings normally shall be closed and confidential unless the
23 Accused Student requests that it be open to the public. Any such request must be
24 made no less than five days prior to the date of the hearing.

25
26 c. The Complainant, Accused Student and their respective advisors, if any, shall be
27 allowed to attend the entire portion of the Student Conduct Hearing at which
28 information is received (excluding deliberations). Admission of any other person to
29 the Student Conduct Hearing shall be at the discretion of the chairperson.

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31 d. In Student Conduct Hearings involving more than one Accused Student, the
32 Student Conduct Officer, at his or her discretion, may permit the hearings
33 concerning each student to be conducted either separately or jointly.

34
35 e. The Complainant and the Accused Student shall have the right to be assisted by an
36 advisor they choose, at their own expense. The advisor must be a member of the
37 College community and may not be an attorney unless, in the judgment of the
38 hearing panel, complex legal issues are involved. If the student wishes to be
39 represented by an attorney, a request must be presented not less than five days
40 prior to the date of the hearing. If the student is permitted to be represented by
41 an attorney, the College representative may request legal assistance. The hearing
42 panel may also request legal assistance. Any legal advisor provided to the panel
43 may sit with it in an advisory capacity to provide legal counsel but shall not be a

1 member of the panel nor vote with it. The Complainant or the Accused Student is
2 responsible for presenting his or her own information, and therefore, advisors are
3 not permitted to speak or to participate directly in any Student Conduct Hearing.
4 A student should select as an advisor a person whose schedule allows attendance
5 at the scheduled date and time for the hearing because delays will not normally be
6 allowed due to the scheduling conflicts of an advisor.
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8 f. The Complainant, the Accused Student and the Student Conduct Hearing Panel
9 may arrange for witnesses to present pertinent information at the Student Conduct
10 Hearing. The College will try to arrange the attendance of possible witnesses who
11 are members of the College community, if reasonably possible, and who are
12 identified by the Complainant or Accused Student at least two days prior to the
13 hearing. Witnesses will provide information to and answer questions from the
14 Student Conduct Hearing Panel. All testimony shall be taken under oath. The
15 hearing panel chair or court reporter shall administer the oath. Written statements
16 of witnesses under penalty of perjury shall not be used unless the witness is
17 unavailable to testify. Witnesses shall not be present at the Student Conduct
18 Hearing when not testifying. No witness who refuses to be recorded may be
19 permitted to give testimony.
20

21 g. Questions may be suggested by the Accused Student or Complainant to be
22 answered by each other or by witnesses. These questions will be forwarded to the
23 Student Conduct Hearing Panel with such questions directed to the chairperson,
24 who will ask the questions. This method is used to preserve the educational tone
25 of the hearing and to avoid creation of an adversarial environment. Questions of
26 whether potential information will be received shall be resolved at the discretion of
27 the chairperson.
28

29 h. Pertinent records, exhibits, and written statements (including Student Impact
30 Statements) may be accepted as information for consideration by a Student
31 Conduct Hearing Panel at the discretion of the chairperson.
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33 i. All procedural questions are subject to the final decision of the chairperson.
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35 j. After the portion of the Student Conduct Hearing concludes in which all pertinent
36 information has been received, the Student Conduct Hearing Panel shall determine
37 by consensus whether the Accused Student has violated each section of the
38 Standards of Conduct which the student is charged with violating.
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40 k. The Student Conduct Hearing Panel's determination shall be made on the basis of
41 whether it is more likely than not that the Accused Student violated the Standards
42 of Conduct.
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1 I. Formal rules of process, procedure, or technical rules of evidence, such as are
2 applied in criminal or civil court, are not used in Student Conduct proceedings.

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4 4. There shall be a single verbatim recording, of all Student Conduct Hearings before a
5 Student Conduct Hearing Panel, except deliberations shall not be recorded. The record
6 shall be the property of the College. The student may receive a copy of the recording
7 upon request.

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9 5. If an Accused Student, with notice, does not appear for the Student Conduct Hearing,
10 the information in support of the charges shall be presented and considered even if the
11 Accused Student is not present.

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13 6. The Student Conduct Hearing Panel may accommodate concerns for the personal
14 safety, well-being, or fears of confrontation of the Complainant, Accused Student, or
15 other witness during the hearing by providing separate facilities, by using a visual
16 screen, or by permitting participation by telephone, video conferencing, written
17 statement, or other means, where and as determined in the sole judgment of Student
18 Conduct Officer to be appropriate.

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20 7. Within fifteen (15) days following the close of the Student Conduct Hearing, the
21 chairperson shall submit a written decision to the Student Conduct Officer. The
22 decision shall include specific factual findings regarding the charges, conclusion as to
23 the standards of student conduct that were violated, and specific disciplinary action to
24 be imposed, if any. Failure of the chairperson to submit the written decision within
25 fifteen (15) days shall not invalidate the decision.

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27 D. Immediate Interim Suspension – In certain circumstances, the Student Conduct Officer or
28 designee may impose a College suspension prior to the hearing before a Student Conduct
29 Hearing Panel. Violation of the interim suspension conditions shall be grounds for
30 expulsion.

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32 1. Immediate Interim suspension may be imposed only:

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34 a. To ensure the safety and well-being of members of the College community or
35 preservation of College property;

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37 b. To ensure the student's own physical or emotional safety and well-being; or

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39 c. If the student poses an ongoing threat or disruption of, or interference with, the
40 normal operations of the College.

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2. During the immediate interim suspension, a student shall be denied access to the College premises or all other College activities or privileges for which the student might otherwise be eligible, as the Student Conduct Officer may determine to be appropriate. Violation of the immediate interim suspension shall be grounds for expulsion.
3. The interim suspension does not replace the regular process, which shall proceed on the normal schedule, up to and through a Student Conduct Hearing, if required.

E. Notification

1. E-Mail – Whenever these procedures call for or permit notice or other communication to be delivered, such communication may be made by Student Email Account, which shall be deemed sufficient compliance with the provision and the communication shall be presumed to have been received. A student’s failure or refusal to open the communication shall not cause service to be defective. Notice shall be considered received three (3) days after it was sent.
2. If an Accused Student is a minor his or her parent/guardian shall be included in the notification to be called to a Student Conduct proceeding when the disciplinary action includes removal from class or facility or more progressive discipline.
3. Except in the case of Immediate Interim Suspension as provided in Article IV(D), before implementing disciplinary action of Long-Term Suspension or Expulsion, the Accused Student shall be provided with a written notice of the conduct warranting the disciplinary action by Student Email or personal service, which shall include:
 - a. The section(s) of the Standards of Conduct the student is charged with violating.
 - b. A brief statement of the facts supporting the charges.
 - c. The nature of the imposed disciplinary action.
 - d. The right of the student to appeal the decision (except where the decision of the Chief Student Services Officer and President is final (i.e. appeals)).
4. The written notice of Long-Term Suspension or Expulsion shall be provided to the Accused Student within thirty (30) days of the date in which the conduct occurred or the date on which a College official learned of the conduct. In the case of continuous, repeated or on-going conduct, the notice shall be provided within thirty (30) days of the date of the most recent occurrence.
5. The College President or designee shall report all Long-Term Suspensions and expulsions of students to the Chancellor.

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6. In cases of assault, upon the Long-Term Suspension or expulsion of any student, the Chancellor, President or designee shall notify the appropriate law enforcement authorities of any acts of the student which may be in violation of the Penal Code.

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G. Appeals

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1. An imposed sanction of Long-Term Suspension or expulsion may be appealed by the Accused Student(s) within five (5) days of the decision. Such appeals shall be in writing and shall be delivered to the Chief Student Services Officer.
 2. Failure to appeal within the specified time limits constitutes waiver of the right to further appeal.
 3. Except as required to explain the basis of new information, an appeal shall be limited to a review of the verbatim record of the Student Conduct Hearing and supporting documents for one or more of the following purposes:
 - i. To determine whether the Student Conduct Hearing was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures giving the complaining party a reasonable opportunity to prepare and to present information that the Standards of Conduct was violated, and giving the Accused Student a reasonable opportunity to prepare and to present a response to those allegations. Deviations from designated procedures will not be a basis for sustaining an appeal unless significant prejudice results.
 - ii. To determine whether the decision reached regarding the Accused Student was based on substantial information, that is, whether there were facts in the case that, if believed by the initial hearing officer or hearing panel, were sufficient to establish that a violation of the Standards of Conduct occurred.
 - iii. To determine whether the sanction(s) imposed were appropriate for the violation of the Standards of Conduct which the student was found to have committed.
 - iv. To consider new information, sufficient to alter a decision, or other relevant facts not brought out in the original hearing, because such information or facts were not known to the person appealing at the time of the original Student Conduct Hearing.
 4. The Chief Student Services Officer may accept, modify or reject the findings, conclusions and recommendations of the Student Conduct Officer or Hearing Panel. If the Chief Student Services Officer modifies or rejects the decision, s/he shall prepare a new

1 written decision which contains specific factual findings and conclusions. The decision
2 of the Chief Student Services Officer shall be final.

- 3
4 5. When recommendations to expel a student are made to the President, s/he shall render
5 a decision to accept, modify or reject the findings, conclusions and recommendations of
6 the Student Conduct Hearing Panel or Chief Student Services Officer. If the President
7 modifies or rejects the decision upon review of the Hearing recording and appeals
8 record, if any, s/he shall prepare a new written decision, which contains specific factual
9 findings and conclusions. The decision of the President shall be final.

10
11 H. Consideration of Expulsion by the Board of Trustees

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13 1. The College President shall submit a written recommendation of expulsion of a student
14 through the Chancellor to the Board of Trustees.
- 15
16 2. The Board of Trustees shall consider the recommendation for expulsion at the next
17 regularly scheduled meeting of the Board following the meeting at which the
18 recommendation was received.
- 19
20 3. The Board shall hold closed sessions when it considers disciplinary action regarding
21 expulsion of a student. The Board shall notify the Accused Student, by registered or
22 certified mail or by personal service of the intent of the Board to call a closed session to
23 consider expulsion. The notification shall specify the date, time and place of the
24 meeting at which the Board will consider disciplinary action and shall be provided at
25 least 48 hours prior to the meeting.
- 26
27 4. Final action of the Board must be taken in open session. The student shall not be
28 identified by name or other designation that would disclose the identity of the student.
- 29
30 5. The Board may accept, modify or reject the recommendations of the College President.
31 If the Board modifies or rejects the decision, the Board shall review the Hearing
32 recording and record of the appeal, if any, and shall prepare a new written decision
33 which contains specific factual findings and conclusions. The decision of the Board shall
34 be final.
- 35
36 6. The Accused Student shall be notified in writing of the Board's final decision.

37
38 Article V: INTERPRETATION AND REVISION

- 39
40 A. Any question of interpretation or application of the Standards of Conduct shall be referred
41 to the Student Conduct Officer or his or her designee for final determination.
- 42
43 B. The Standards of Conduct shall be reviewed every 3 years under the direction of the
44 Student Conduct Officer.

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References:

Education Code Sections [66300](#) and [66301](#); [ACCJC Accreditation Standards I.C.8 and 10](#) (formerly II.A.7.b)

Procedure Last Revised: ~~January 14, 2009~~; March 11, 2015