



## 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.

- 1 8. Committing sexual harassment as defined by law or by District policies and procedures.
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- 3 9. Engaging in harassing or discriminatory behavior based on disability, gender, gender identity,
- 4 gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other status
- 5 protected by law.
- 6
- 7 10. Engaging in intimidating conduct or bullying against another student through words or actions,
- 8 including direct physical contact; verbal assaults, such as teasing or name-calling; social isolation
- 9 or manipulation; and cyberbullying.
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- 11 11. Willful misconduct which results in injury or death to a student or to college personnel or which
- 12 results in cutting, defacing, or other injury to any real or personal property owned by the District
- 13 or on campus.
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- 15 12. Disruptive behavior, willful disobedience, habitual profanity or vulgarity, or the open and
- 16 persistent defiance of the authority of, or persistent abuse of, college personnel.
- 17
- 18 13. Cheating, plagiarism (including plagiarism in a student publication), or engaging in other
- 19 academic dishonesty.
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- 21 14. Dishonesty, forgery, alteration or misuse of college documents, records or identification; or
- 22 knowingly furnishing false information to the District.
- 23
- 24 15. Unauthorized entry upon or use of college facilities.
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- 26 16. Lewd, indecent or obscene conduct on District-owned or controlled property or at District-
- 27 sponsored or supervised functions.
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- 29 17. Engaging in expression which is obscene; libelous, or slanderous; or which so incites students
- 30 as to create a clear and present danger of the commission of unlawful acts on college premises,
- 31 or the violation of lawful District administrative procedures, or the substantial disruption of the
- 32 orderly operation of the District.
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- 34 18. Persistent, serious misconduct where other means of correction have failed to bring about
- 35 proper conduct.
- 36
- 37 19. Unauthorized preparation, giving, selling, transfer, distribution, or publication, for any
- 38 commercial purpose, of any contemporaneous recording of an academic presentation in a
- 39 classroom or equivalent site of instruction, including but not limited to handwritten or
- 40 typewritten class notes, except as permitted by any District policy or administrative procedure.
- 41
- 42 20. Sexual assault, defined as actual or attempted sexual contact with another person without that
- 43 person's consent, regardless of the victim's affiliation with the community college.
- 44
- 45 21. Sexual exploitation, defined as a person taking sexual advantage of another person for the
- 46 benefit of anyone other than that person without that person's consent, regardless of the
- 47 victim's affiliation with the community college.
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1 Except in response to conduct specified in subdivisions 20 and 21, no student shall be removed,  
2 suspended, or expelled unless the conduct for which the student is disciplined is related to college activity  
3 or college attendance.  
4

5 **References:**

6 Education Code Sections [66300](#), [66301](#), [76033](#) and [76034](#); [ACCJC Accreditation Standards I.C.8 and 10](#)  
7 (formerly II.A.7.b)  
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9 **Adopted:** June 28, 2004

10 **Revision Adopted:** ~~April 8, 2009~~, ~~March 11, 2015~~, August 26, 2016

11 **Last Reviewed:** August 26, 2016  
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**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. Responding Party:

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 Services or designee of Modesto Junior College and Columbia 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. Reporting Party:

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.  
8

9 J. Guests:  
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11 Any non-member of the College community utilizing College facilities or designated public  
12 space.  
13

14 K. Instructor:  
15

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 the  
18 student, or other academic employee who has responsibility for the student's educational  
19 program.  
20

21 L. Member of the College community:  
22

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.  
26

27 M. Policy:  
28

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  
34

35 The President or designee of Columbia College and the President or designee of Modesto  
36 Junior College.  
37

38 O. Student:  
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40 Any person who has been accepted for admission or is currently enrolled at a College or  
41 in any 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

45 P. Student Conduct Officer:  
46

47 The official at a College who is responsible for reviewing and processing student conduct  
48 matters.  
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1 Article II: Standards of Conduct Authority  
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- 3 A. The Student Conduct Officer shall develop processes for the administration of the student  
4 conduct system and procedural rules for Student Conduct Hearings that are consistent with  
5 provisions of the Standards of Conduct Policy and Procedure.  
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7 B. Decisions made by the Student Conduct Officer shall be final, pending the normal appeal  
8 process.  
9

10 Article III: Proscribed Conduct  
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- 12 A. Jurisdiction of the Yosemite Community College District Standards of Conduct. The Yosemite  
13 Community College District Standards of Conduct shall apply to conduct that occurs on College  
14 premises, at College or District sponsored activities, and to off-campus conduct that adversely  
15 affects the College community, or the pursuit of its objectives. Each student shall be  
16 responsible for his/her conduct from the time of application for admission through the final  
17 semester of attendance, even though conduct may occur before classes begin or after classes  
18 end, as well as during the academic year and during periods between terms of actual  
19 enrollment (and even if their conduct is not discovered until after the student is no longer  
20 enrolled). The Standards of Conduct shall apply to a student's conduct even if the student  
21 withdraws from school while a disciplinary matter is pending. Students are required to engage  
22 in responsible social conduct that reflects credit upon the College community and to model  
23 good citizenship in any community.  
24  
25 B. Standards of Conduct. Any student found to have committed or to have attempted to commit  
26 the following misconduct is subject to the disciplinary sanctions outlined in Article IV:  
27  
28 1. Causing, attempting to cause, or threatening to cause physical injury to another  
29 person.  
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31 2. Possession, sale or otherwise furnishing any firearm, knife, explosive or other  
32 dangerous object, including but not limited to any facsimile firearm, knife, or  
33 explosive, unless, in the case of possession of any object of this type, the student has  
34 obtained written permission to possess the item from a District employee, which is  
35 concurred in by the college president.  
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37 3. Unlawful possession, use, sale, offer to sell, or furnishing, or being under the influence  
38 of, any controlled substance listed in Chapter 2 (commencing with Section [11053](#)) of  
39 Division 10 of the California Health and Safety Code, an alcoholic beverage, or an  
40 intoxicant of any kind; or unlawful possession of, or offering, arranging or negotiating  
41 the sale of any drug paraphernalia, as defined in California Health and Safety Code  
42 Section [11014.5](#).  
43  
44 4. Committing or attempting to commit robbery or extortion.  
45  
46 5. Causing or attempting to cause damage to District property or to private property on  
47 campus.  
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- 1 6. Stealing or attempting to steal District property or private property on campus, or  
2 knowingly receiving stolen District property or private property on campus.
- 3
- 4 7. Willful or persistent smoking in any area where smoking has been prohibited by law  
5 or by regulation of the college or the District.
- 6
- 7 8. Committing sexual harassment as defined by law or by District policies and  
8 procedures.
- 9
- 10 9. Engaging in harassing or discriminatory behavior based on disability, gender, gender  
11 identity, gender expression, nationality, race or ethnicity, religion, sexual orientation,  
12 or any other status protected by law.
- 13
- 14 10. Engaging in intimidating conduct or bullying against another student through words  
15 or actions, including direct physical contact; verbal assaults, such as teasing or name-  
16 calling; social isolation or manipulation; and cyberbullying.
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- 18 11. Willful misconduct which results in injury or death to a student or to college personnel  
19 or which results in cutting, defacing, or other injury to any real or personal property  
20 owned by the District or on campus.
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- 22 12. Disruptive behavior, willful disobedience, habitual profanity or vulgarity, or the open  
23 and persistent defiance of the authority of, or persistent abuse of, college personnel.
- 24
- 25 13. Cheating, plagiarism (including plagiarism in a student publication), or engaging in  
26 other academic dishonesty.
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- 28 14. Dishonesty, forgery, alteration or misuse of college documents, records or  
29 identification; or knowingly furnishing false information to the District.
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- 31 15. Unauthorized entry upon or use of college facilities.
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- 33 16. Lewd, indecent or obscene conduct on District-owned or controlled property or at  
34 District-sponsored or supervised functions.
- 35
- 36 17. Engaging in expression which is obscene; libelous, or slanderous; or which so incites  
37 students as to create a clear and present danger of the commission of unlawful acts  
38 on college premises, or the violation of lawful District administrative procedures, or  
39 the substantial disruption of the orderly operation of the District.
- 40
- 41 18. Persistent, serious misconduct where other means of correction have failed to bring  
42 about proper conduct.
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1 19. Unauthorized preparation, giving, selling, transfer, distribution, or publication, for  
2 any commercial purpose, of any contemporaneous recording of an academic  
3 presentation in a classroom or equivalent site of instruction, including but not limited  
4 to handwritten or typewritten class notes, except as permitted by any District policy  
5 or administrative procedure.

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7 20. Sexual assault, defined as actual or attempted sexual contact with another person  
8 without that person's consent, regardless of the victim's affiliation with the  
9 community college.

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11 21. Sexual exploitation, defined as a person taking sexual advantage of another person  
12 for the benefit of anyone other than that person without that person's consent,  
13 regardless of the victim's affiliation with the community college.

14  
15 Except in response to conduct specified in subdivisions 20 and 21, no student shall be removed,  
16 suspended, or expelled unless the conduct for which the student is disciplined is related to college activity  
17 or college attendance.

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19 C. Violation of Law and College Discipline

20  
21 1. College disciplinary proceedings may be instituted against a student charged with conduct  
22 that potentially violates both the criminal law and the Standards of Conduct (that is, if  
23 both possible violations result from the same factual situation) without regard to the  
24 pendency of civil or criminal litigation in court or criminal arrest and prosecution.  
25 Proceedings under the Standards of Conduct may be carried out prior to, simultaneously  
26 with, or following civil or criminal proceedings off campus at the discretion of the  
27 President or designee. Determinations made or sanctions imposed under this Standards  
28 of Conduct shall not be subject to change because criminal charges arising out of the same  
29 facts giving rise to violation of the Standards of Conduct were dismissed, reduced, or  
30 resolved in favor of or against the criminal law defendant.

31  
32 2. When a student is charged by federal, state, or local authorities with a violation of law,  
33 the College will not request or agree to special consideration for that individual because  
34 of his or her status as a student. If the alleged offense is also being processed under the  
35 Standards of Conduct, the College may advise off-campus authorities of the existence of  
36 the Standards of Conduct and of how such matters are typically handled within the  
37 College community. The College will attempt to cooperate with law enforcement and  
38 other agencies in the enforcement of criminal law on campus and in the conditions  
39 imposed by criminal courts for the rehabilitation of student violators (provided that the  
40 conditions do not conflict with campus rules or sanctions). Individual students and other  
41 members of the College community, acting in their personal capacities, remain free to  
42 interact with governmental representatives as they deem appropriate.

43  
44 Article IV: Student Conduct Procedures

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46 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 of the area in which the standards of conduct were alleged to be violated. Any charge should be submitted as soon as possible after the event takes place, preferably within the same semester. The District Title IX Administrator, College Title IX Campus Coordinator or one of his/her Deputy Coordinators should be notified of any charges involving sex/gender harassment, discrimination, or sexual misconduct.
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 a written notice of the charge(s) and the opportunity to respond.
  - a. 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.
  - b. If the charges are not admitted or cannot be disposed of by mutual consent, at the discretion of the Student Conduct Officer or appropriate administrator, a Student Conduct Hearing may be held.
  - c. 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).
4. At the hearing, the findings of the investigation will be admitted, but are not binding on the decider(s) of fact. The investigator(s) will present the facts of the case and give evidence. The hearing will determine whether it is more likely than not that the responding party violated the policies forming the basis of the charge. The goal of the hearing is to provide an equitable resolution via an equitable process, respecting the civil and legal rights of all participants.

**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.

1 b. Removal of Student From Class – For good cause, an Instructor may order a student  
2 removed from class and an Administrator may order a student removed from a  
3 facility. The student shall not be allowed to return to class or the facility without  
4 concurrence of the Instructor or Administrator.

- 5  
6 1. Removal from class – Removal shall be for a maximum period of two class  
7 sessions, which shall be the day of the removal and the next regular class  
8 meeting.

9  
10 c. Discretionary Sanctions - Work assignments, essays, service to the College, or other  
11 related discretionary assignments which may include:

- 12  
13 1. Loss of Privileges – Denial of specified privileges for a designated period  
14 of time.  
15  
16 2. Restitution - Compensation for loss, damage, or injury. This may take the  
17 form of appropriate service or monetary or material replacement.

18  
19 d. Disciplinary Probation – A written reprimand for violation of specified regulations.  
20 Probation is for a designated period of time and includes:

- 21  
22 1. Conditions imposed that must be met within the designated timeframe  
23 and  
24  
25 2. The probability of more severe disciplinary sanctions if the student is  
26 found to violate any institutional regulation(s) during the probationary  
27 period.

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

- 36  
37 1. Short-Term Suspension: Removal from one or more classes for a period  
38 of up to 10 consecutive days.

39  
40 2. Long-Term Suspension:

- 41  
42 a. Removal from one or more classes for the remainder of the  
43 academic term;

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2 b. Removal from one or more classes for one or more academic  
3 terms; or

4  
5 c. Removal from all classes and activities of the College for one  
6 or more academic terms.

7  
8 f. Expulsion – Permanent separation of the student from the District.

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10 1. A student may be expelled for good cause where other means of  
11 correction have failed to bring about proper conduct or when the  
12 presence of the student causes a continuing danger to the physical safety  
13 of students or others.

14  
15 2. Disciplinary action of expulsion may only be recommended by Student  
16 Conduct Officer or the Chief Student Services Officer.

17  
18 3. The recommendation to expel a student shall be made to the College  
19 President.

20  
21 4. Only the Board of Trustees may expel a student.

22  
23 2. More than one of the sanctions listed above may be imposed for any single violation.

24  
25 3. Other than College expulsion, disciplinary sanctions shall not be made part of the  
26 student's permanent academic record, but shall become part of the student's  
27 disciplinary record. Cases involving the imposition of sanctions other than College Long-  
28 Term Suspension or College expulsion shall be expunged from the student's confidential  
29 record five (5) years after final disposition of the case.

30  
31 C. Student Conduct Hearings

32  
33 1. The Responding Party shall be notified by student e-mail of the date, time and location  
34 of the Student Conduct Hearing. The student shall have at least five (5) days' notice.

35  
36 2. Student Conduct Hearings shall be conducted by a Student Conduct Officer according to  
37 the following guidelines:

38  
39 a. Prior to the Student Conduct Hearing, the Student Conduct Officer, or designee, will  
40 investigate the charges. The Student Conduct Officer, or designee, will present the  
41 facts of the investigation at the student conduct hearing.

- 1 b.Student Conduct Hearings normally shall be closed and confidential unless the  
2 Accused Student requests that it be open to the public. Any such request must be  
3 made no less than five days prior to the date of the hearing.  
4
- 5 c. The Reporting Party, Responding Party and their respective advisors, if any, shall be  
6 allowed to attend the entire portion of the Student Conduct Hearing at which  
7 information is received (excluding deliberations). Admission of any other person to  
8 the Student Conduct Hearing shall be at the discretion of the Student Conduct  
9 Officer.  
10
- 11 d. In Student Conduct Hearings involving more than one Responding Party, the Student  
12 Conduct Officer, at his or her discretion, may permit the hearings concerning each  
13 student to be conducted either separately or jointly.  
14
- 15 e. The Reporting Party and the Responding Party shall have the right to be assisted by  
16 an advisor they choose, at their own expense. The advisor may be a friend, mentor,  
17 family member, attorney or any other supporter a party chooses to advise them who  
18 is both eligible and available. If the student wishes to be represented by an attorney,  
19 a request must be presented not less than five days prior to the date of the hearing.  
20 If the student is permitted to be represented by an attorney, the college  
21 representative may request legal assistance. If the student wishes to be represented  
22 by an attorney, a request must be presented in writing not less than five days prior  
23 to the date of the hearing. If the student is permitted to be represented by an  
24 attorney, the College representative may request legal assistance. The Student  
25 Conduct Officer may also request legal assistance. Any legal advisor provided to the  
26 Student Conduct Officer may sit with it in an advisory capacity. The Reporting Party  
27 or the Responding Party is responsible for presenting his or her own information,  
28 and therefore, advisors are not permitted to speak or to participate directly in any  
29 Student Conduct Hearing. A student should select as an advisor a person whose  
30 schedule allows attendance at the scheduled date and time for the hearing because  
31 delays will not normally be allowed due to the scheduling conflicts of an advisor.  
32
- 33 f. Witnesses will provide information to and answer questions from the Student  
34 Conduct Officer, or designee. No witness who refuses to be recorded may be  
35 permitted to give testimony.  
36
- 37 g. Pertinent records, exhibits, and written statements (including Student Impact  
38 Statements) may be accepted as information for consideration by the Student  
39 Conduct Officer.  
40
- 41 h. After the portion of the Student Conduct Hearing concludes in which all pertinent  
42 information has been received, the Student Conduct Officer shall determine  
43 whether the Responding Party has violated each section of the Standards of Conduct  
44 which the student is charged with violating. The Student Conduct Officer's

1 determination shall be made on the basis of whether it is more likely than not that  
2 the Responding Party violated the Standards of Conduct.

3  
4 i. Formal rules of process, procedure, or technical rules of evidence, such as are  
5 applied in criminal or civil court, are not used in Student Conduct proceedings.

6  
7 3. There shall be a single verbatim recording, of all Student Conduct, except deliberations  
8 shall not be recorded. The record shall be the property of the College. The student may  
9 receive a copy of the recording upon request.

10  
11 4. If Responding Party, with notice, does not appear for the Student Conduct Hearing, the  
12 information in support of the charges shall be presented and considered even if the  
13 Responding Party is not present.

14  
15 5. Concerns may be accommodated for the personal safety, well-being, or fears of  
16 confrontation of the Reporting Party, Responding Party, or other witness during the  
17 hearing by providing separate facilities, by using a visual screen, or by permitting  
18 participation by telephone, video conferencing, written statement, or other means,  
19 where and as determined in the sole judgment of Student Conduct Officer to be  
20 appropriate.

21  
22 6. Within thirty (30) days following the close of the Student Conduct Hearing, the Student  
23 Conduct Officer shall submit a written decision. The decision shall include specific factual  
24 findings regarding the charges, conclusion as to the standards of student conduct that  
25 were violated, and specific disciplinary action to be imposed, if any. Failure of the  
26 Student Conduct Officer to submit the written decision within thirty (30) days shall not  
27 invalidate the decision.

28  
29 D. Immediate Interim Suspension – In certain circumstances, the Student Conduct Officer or  
30 designee may impose a College suspension prior to the hearing before a Student Conduct  
31 Hearing. Violation of the interim suspension conditions shall be grounds for further  
32 sanction(s).

33  
34 1. Immediate Interim suspension may be imposed only:

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

38  
39 b. To ensure the student's own physical or emotional safety and well-being; or

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

- 1                   2. During the immediate interim suspension, a student shall be denied access to the College  
2                   premises or all other College activities or privileges for which the student might  
3                   otherwise be eligible, as the Student Conduct Officer may determine to be appropriate.  
4                   Violation of the immediate interim suspension shall be grounds for further sanction(s).  
5
- 6                   3. The interim suspension does not replace the regular process, which shall proceed on the  
7                   normal schedule, up to and through a Student Conduct Hearing, if required.  
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9                   E. Notification

- 10                   1. E-Mail – Whenever these procedures call for or permit notice or other communication to  
11                   be delivered, such communication may be made by Student Email Account, which shall  
12                   be deemed sufficient compliance with the provision and the communication shall be  
13                   presumed to have been received. A student’s failure or refusal to open the  
14                   communication shall not cause service to be defective. Notice shall be considered  
15                   received three (3) days after it was sent.  
16
- 17                   2. If Responding Party is a minor his or her parent/guardian shall be included in the  
18                   notification to be called to a Student Conduct proceeding when the disciplinary action  
19                   includes removal from class or facility or more progressive discipline.  
20
- 21                   3. Except in the case of Immediate Interim Suspension as provided in Article IV(D), before  
22                   implementing disciplinary action of Long-Term Suspension or Expulsion, the Responding  
23                   Party shall be provided with a written notice of the conduct warranting the disciplinary  
24                   action by Student Email or personal service, which shall include:  
25                     
26                   a. The section(s) of the Standards of Conduct the student is charged with violating.  
27                     
28                   b. A brief statement of the facts supporting the charges.  
29                     
30                   c. The nature of the imposed disciplinary action.  
31                     
32                   d. The right of the student to appeal the decision (except where the decision of the  
33                   Chief Student Services Officer and President is final (i.e. appeals)).  
34
- 35                   4. The written notice of Long-Term Suspension or Expulsion shall be provided to the  
36                   Responding Party within thirty (30) days of the date in which the conduct occurred or the  
37                   date on which a College official learned of the conduct. In the case of continuous,  
38                   repeated or on-going conduct, the notice shall be provided within thirty (30) days of the  
39                   date of the most recent occurrence.  
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- 41                   5. The College President or designee shall report all Long-Term Suspensions and make  
42                   recommendation(s) of 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.

G. Appeals

- 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 or designee.
- 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 record of the Student Conduct Hearing and supporting documents for one or more of the following purposes:
  - i. A procedural error occurred that significantly impacted the outcome of the hearing (e.g. substantiated bias, material deviation from established procedures, etc.);
  - ii. To consider new evidence, unavailable during the original hearing or investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included;
  - 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.
- 4. The Chief Student Services Officer or designee may accept, modify or reject the findings, conclusions and recommendations of the Student Conduct Officer. If the Chief Student Services Officer or designee modifies or rejects the decision, s/he shall prepare a new written decision which contains specific factual findings and conclusions. The decision of the Chief Student Services Officer or designee shall be final.
- 5. When recommendations to expel a student are made to the President, s/he shall render a decision to accept, modify or reject the findings, conclusions and recommendations of the Student Conduct Officer or Chief Student Services Officer. If the President modifies or rejects the decision upon review of the Hearing record and appeals record, if any, s/he shall prepare a new written decision, which contains specific factual findings and conclusions. The decision of the President shall be final.

H. Consideration of Expulsion by the Board of Trustees

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2 1. The College President shall submit a written recommendation of expulsion of a student  
3 through the Chancellor to the Board of Trustees.  
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- 5 2. The Board of Trustees shall consider the recommendation for expulsion at the next  
6 regularly scheduled meeting of the Board following the meeting at which the  
7 recommendation was received.  
8
- 9 3. The Board shall hold closed sessions when it considers disciplinary action regarding  
10 expulsion of a student. The Board shall notify the Responding Party, by registered or  
11 certified mail or by personal service of the intent of the Board to call a closed session to  
12 consider expulsion. The notification shall specify the date, time and place of the meeting  
13 at which the Board will consider disciplinary action and shall be provided at least 48 hours  
14 prior to the meeting.  
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- 16 4. Final action of the Board must be taken in open session. The student shall not be  
17 identified by name or other designation that would disclose the identity of the student.  
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- 19 5. The Board may accept, modify or reject the recommendations of the College President.  
20 If the Board modifies or rejects the decision, the Board shall review the Hearing record  
21 and record of the appeal, if any, and shall prepare a new written decision which contains  
22 specific factual findings and conclusions. The decision of the Board shall be final.  
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- 24 6. The Responding Party shall be notified in writing of the Board's final decision.

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26 Article V: INTERPRETATION AND REVISION

- 27  
28 A. Any question of interpretation or application of the Standards of Conduct shall be referred  
29 to the Student Conduct Officer or his or her designee for final determination.  
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- 31 B. The Standards of Conduct shall be reviewed at least every 6 years under the direction of the  
32 Student Conduct Officer.  
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34 **References:**

35 Education Code Sections [66300](#), [66301](#), [76033](#) and [76034](#); [ACCJC Accreditation Standards I.C.8 and 10](#)  
36 (formerly II.A.7.b)

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38 **Procedure Last Revised:** January 14, 2009; March 11, 2015; August 26, 2016

39 **Last Reviewed:** August 26, 2016