: Education Code Sections 66017, 66300, 66301, 72122, 76030 et seq., 76220, 76233, and 76234, Penal Code Sections 626.2 and 626.4

The purpose of this procedure is to provide a prompt and equitable means to address violations of the Standards of Student Conduct, which guarantees to the student or students involved the due process rights guaranteed them by state and federal constitutional protections. This procedure will be used in a fair and equitable manner, and not for purposes of retaliation. It is not intended to substitute for criminal or civil proceedings that may be initiated by other agencies.

These Administrative Procedures are specifically not intended to infringe in any way on the rights of students to engage in free expression as protected by the state and federal constitutions, and by Education Code Section 76120, and will not be used to punish expression that is protected.

District The

Student Any person currently enrolled as a student at any college or in any program offered by the District.

Instructor Any academic employee of the District in whose class a student subject to discipline is enrolled, or counselor who is providing or has provided services to the student, or other academic employee who has responsibility for the student's educational program.

Short-term Suspension Exclusion of the student by the for good cause from one or more classes for a period of up to ten consecutive days of instruction.

Long-term Suspension Exclusion of the student by the for good cause from one or more classes for the remainder of the school term, or from all classes and activities of the college for one or more terms.

Expulsion Exclusion of the student by the Board of Trustees from all colleges in the District for one or more terms.

Removal from class Exclusion of the student by an instructor for the day of the removal and the next class meeting.

Written or verbal reprimand An admonition to the student to cease and desist from conduct dete

Withdrawal of Consent to Remain on Campus Withdrawal of consent by the for any person to remain on campus in accordance with California Penal Code Section 626.4 where the has reasonable cause to believe that such person has willfully disrupted the orderly operation of the campus.

Day Days during which the District is in session and regular classes are held, excluding Saturdays and Sundays.

Before any disciplinary action to suspend or expel is taken against a student, the following procedures will apply:

Notice The will provide the student with written notice of the conduct warranting the discipline. The written notice will include the following:

The specific section of the Standards of Student Conduct that the student is accused of violating.

A short statement of the facts supporting the accusation.

The right of the student to meet with the

discuss the accusation, or to respond in writing.

The

or designee to

Unless the hearing panel determines to proceed otherwise, the college representative and the student shall each be permitted to make an opening statement. Thereafter, the college representative shall make the first presentation, followed by the student. The college representative may present rebuttal evidence after the student completes his or her evidence. The burden shall be on the college representative to prove by the preponderance of the evidence that the facts alleged are true.

The student may represent himself/herself, and may also have the right to be represented by a person of his/her choice

not on matter outside of that record. The record consists of the original accusation, the written response, if any, of the student, and the oral and written evidence produced at the hearing.

C.

Long-term suspension Within following receipt of the hearing panel's recommended decision, the shall render a final written decision. The may accept, modify or reject the findings, decisions and recommendations of the hearing panel. If the modifies or rejects the hearing panel's decision, the shall review the record of the hearing, and shall prepare a new written decision which contains specific factual findings and conclusions. The decision of the shall be final.

Expulsion Within following receipt of the hearing panel's recommended decision, the shall render a written recommended decision to the Board of Trustees. The may accept, modify or reject the findings, decisions and recommendations of the hearing panel. If the modifies or rejects the hearing panel's decision, he or she shall review the record of the hearing, and shall prepare a new written decision which contains specific factual findings and conclusions. The decision shall be forwarded to the Board of Trustees.

D. Board of Trustees Decision

The Board of Trustees shall consider any recommendation from the for expulsion at the next regularly scheduled meeting of the Board after receipt of the recommended decision.

The Board shall co

In addition to disciplinary action in accordance with the procedures set forth above, academic sanctions may be imposed by an instructor in cases of academic dishonesty. Academic sanctions may include, but are not limited to, a written warning, a failing grade on a test, paper, or examination, or a lowered course grade.

Incidents of academic dishonesty and sanctions should be promptly reported in writing to the with a copy to the student. The will determine whether to initiate disciplinary action. (Ed. Code § 76037.)

Record of any disciplinary action taken by the District against a student shall be included in that

§ 76233.)

If the record concerns disciplinary action in connection with alleged sexual assault or physical abuse, or any conduct that threatens the health and safety of the alleged victim, the alleged victim of that sexual assault or physical abuse shall be informed within three (3) days of the result of any disciplinary action by the community college and the results of any appeal. The victim shall keep the results of that disciplinary action confidential. (Ed. Code § 76234.) (See also AP 3515-Reporting of Crimes, Section I. Reporting of a Crime, for permissible disclosure of disciplinary proceedings.)

See Board Policy 5500 and Administrative Procedure 5500

Approved by Superintendent/President: 2-25-14; Revised: 3-29-16