

Student Services

BP 5500 STANDARDS OF STUDENT CONDUCT

References:

Education Code Sections 66300 and 66301;
Accreditation Standard II.A.7.b

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.

- Causing, attempting to cause, or threatening to cause physical injury to another person.
- 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.
- 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.

- Committing or attempting to commit robbery or extortion.
- Causing or attempting to cause damage to District property or to private property on campus.
- Stealing or attempting to steal District property or private property on campus, or knowingly receiving stolen District property or private property on campus.
- Willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of the college or the District.
- Committing sexual harassment as defined by law or by District policies and procedures.
- Engaging in harassing or discriminatory behavior based on disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other status protected by law.
- Engaging in intimidating conduct or bullying against another student through words or actions, including direct physical contact; verbal assaults, such as teasing or name-calling; social isolation or manipulation; and cyberbullying.
- Willful misconduct which results in injury or death to a student or to college personnel or which results in cutting, defacing, or other injury to any real or personal property owned by the District or on campus.
- Disruptive behavior, willful disobedience, habitual profanity or vulgarity, or the open and persistent defiance of the authority of, or persistent abuse of, college personnel.
- Cheating, plagiarism (including plagiarism in a student publication), or engaging in other academic dishonesty.
- Dishonesty, forgery, alteration or misuse of college documents, records or identification; or knowingly furnishing false information to the District.
- Unauthorized entry upon or use of college facilities.
- Lewd, indecent, or obscene conduct on District-owned or controlled property or at District-sponsored or supervised functions.
- 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.
- Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.
- 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.

The Chabot-Las Positas Community College District encourages all students to pursue academic studies and other college-sponsored activities. In pursuit of these goals, the student should be free of unfair or improper action from any member of the academic community. The District accords every student the right of protection. Students, however, are responsible for complying with college and District regulations and for meeting the appropriate college requirements. The Colleges have an obligation to maintain conditions under which the work of the colleges can go forward freely, in

accordance with the highest standards of quality, institutional integrity and freedom of expression. In joining the academic community, the student enjoys the right of freedom to learn and shares responsibility in exercising that freedom. A student is expected to conduct himself or herself in accordance with standards of the college.

When a student is charged with misconduct such charge shall be processed in accordance with the District policy and procedure in order to protect the student's rights and the college's interest. Disciplinary action may be imposed on a student for violation of law, District and college policy and regulations, the Education Code and the Administrative Code. Provisions related to disciplinary action shall be published and available to students, faculty and management staff. Student conduct may result in disciplinary action by the college and/or criminal prosecution. It is the policy of the District not to impose student discipline for acts occurring away from the college and not connected with college activities, unless the student's conduct affects the functions of the college.

A. Expulsion, Suspension and Probation of Students

A college student may be expelled, suspended, placed on probation or given a lesser sanction for good cause and in accordance with procedures consistent with due process. Good cause includes, but is not limited to, one or more of the following behaviors which must be related to college activity or attendance:

1. Cheating or plagiarism in connection with a college academic program.
2. Forgery, alteration or misuse of college documents, records, or identification or knowingly furnishing false information to a college representative in connection with the performance of official duties.
3. Misrepresentation of oneself or of an organization as an agent of the college/ District.
4. Obstruction or disruption, on or off campus property, of the college educational process, administrative process, or other college or District function or operation.
5. Physical abuse on or off college property of the person or property of any member of the college community or of members of his/her family or the threat of such physical abuse.
6. Theft of, or non-accidental damage to, college property, or property in the possession of, or owned by, a member of the college community.
7. Unauthorized entry into, unauthorized use of, or misuse of college property.

8. On college property, the sale or knowing possession of dangerous drugs, restricted dangerous drugs, alcoholic beverages or narcotics as those terms are used in California statutes except when lawfully prescribed or permitted.
9. Knowing possession or use of explosives, dangerous chemicals or deadly weapons on college property or at a college function.
10. Engaging in lewd, indecent, or obscene behavior on college property or at a college function.
11. Abusive behavior directed toward, or hazing of, a member of the college community.
12. Violation of any order of the District Chancellor, College President or designee or notice of which had been given prior to such violation and during the academic term in which the violation occurs. This includes notice by publication in the college newspaper, or by posting on an official bulletin board designated for this purpose, and which order is not inconsistent with any of the other provisions of this section.
13. Soliciting or assisting another to do any act which would subject a student to expulsion, suspension, probation, or other sanction pursuant to this article.
14. Harassment, including sexual harassment, in violation of state or federal law.
15. Discrimination based on race, color, religion, gender, national origin, ancestry, age, marital status, disability, sexual orientation, and/or Vietnam era or special disabled veteran status.
16. Commission of a computer-related crime.
17. Use of any electronic listening or recording device in any classroom without the prior consent of the instructor, except as necessary to provide reasonable auxiliary aids and academic accommodations to students with disabilities.
18. Persistent misconduct where other means of correction have failed to bring about proper conduct.
19. Violation of college/District parking and traffic regulations.
20. Formation of/or membership in secret organizations.

21. Violation of the District/college policy related to time, place and manner of expression.

22. Obstruction or disruption of administrations disciplinary procedures, or other college activities, including its community service activity.

23. Obstruction or disruption of teaching. Interference with the course of instruction to the detriment of other students, including but not limited to entering the classroom after the class has started and disrupting the lecture or class activities including verbal outbursts that disrupt the instructor's lesson. Failure to comply with the instruction or directives of the course instructor.

24. Disruption of classes or other academic activities in an attempt to stifle academic freedom of speech.

25. Obtaining a copy of an examination or assignment prior to its approved release by the instructor. Selling or distributing course lecture notes, handouts, examinations or other information provided by an instructor, or using them for any commercial purpose without the express permission of the instructor.

26. Unauthorized entry to or use of college facilities, including the possession or duplication of keys to any College/District premises, or unauthorized use of public address systems.

27. Unauthorized entry into a file, to use, read, or change the contents or for any other purpose. Unauthorized use of another individual's identification and password. Unauthorized use of phone or electronic devices such as radios, etc. Use of computing facilities to interfere with the work of another student, faculty member or college official. Use of computing facilities to send obscene or abusive messages. Use of computing facilities to interfere with normal operation of the college computing systems. Unauthorized use of the internet. Use of laser pointers anywhere on the college grounds that would cause a disruption of instruction or services, or create a hazard to any individual.

28. Failure to present registration / identification card when requested to do so by College Official or other authorized persons.

29. Failure to comply with directions of College Officials acting in the performance of their duties.

For purposes of this policy, the following definitions apply:

1. Member of the District/college community is defined as the Board of Trustees of the Chabot-Las Positas Community College District, academic, non-academic and administrative personnel and students of the District, and other persons while such other persons are on college property or at a college function.

2. Cheating is defined as fraud, deceit, or dishonesty in an academic assignment or using or attempting to use materials, or assisting others in using materials which are prohibited or inappropriate in the context of the academic assignment in question, such as:

- copying or attempting to copy from others during an examination or on an assignment;
- communicating test information with another person during an examination;
- preprogramming a calculator or computer to contain answers or other unauthorized information for exams;
- using unauthorized materials, prepared answers, written notes, or concealed information during an examination; and
- allowing others to do an assignment or portion of an assignment, including the use of a commercial term paper service.

3. Plagiarism includes the deliberate misrepresentation of someone else's works and ideas, as one's own, as well as paraphrasing without footnoting the source.

4. District/college property includes real or personal property in the possession of, or under the control of the Board of Trustees of the Chabot- Las Positas District and all District facilities whether operated by the District or by a District auxiliary organization.

5. Deadly weapons includes any instrument or weapon of the kind commonly known as a blackjack, sling shot, billyclub, sandclub, sandbag, metal knuckles, any dirk, dagger, switchblade knife, pistol, revolver, or any other firearm, any knife having a blade longer than five inches, any razor with an unguarded blade, and any metal pipe or bar used or intended to be used as a club.

6. Behavior means conduct and expression.

7. Hazing means any method of initiation into a student organization or any pastime or amusement engaged in with regard to such an organization which causes, or is likely to cause, bodily danger, or physical or emotional harm, to any member of the college community; but the term hazing does not include customary athletic events or other similar contests or competitions.

B. The President of the college, or the Vice President of Student Services, or the official designee, may impose the following sanctions of students who violate the District/college rules and regulations.

1. Probation: verbal or written warning.

2. Temporary Exclusion: removal for the duration of the class period or of the activity.

3. Suspension: exclusion from all District classes, facilities, privileges and activities for a specified period of time as set forth in the notice of suspension.

4. Expulsion: a recommendation by the President and District Chancellor to the Board of Trustees to terminate a student's status, including exclusion from all District classes, facilities, and functions.

C. Student disciplinary action may be imposed by:

1. The Board of Trustees who alone may expel.

2. The President, the Vice President of Student Services or the official designee may immediately impose an interim suspension in all cases in which there is reasonable cause to believe that such an immediate suspension is required in order to protect lives or property.

A student placed on interim suspension shall be given prompt notice of charges and the opportunity for a hearing within the ten (10) days of the imposition of interim suspension. During the period of interim suspension, the student shall not, without prior written permission of the Vice President of Student Services or designee, enter the college campus other than to attend the hearing.

Violation of any condition of the interim suspension shall be grounds for expulsion.

3. An administrator may temporarily exclude the student from college sponsored or supervised activity for the duration of the activity.

4. An instructor may temporarily exclude the student from class for the remainder of the class period.

Date Adopted: June 17, 2014

(This policy replaces CLPCCD Policy 5512)