

7.70 Student Disciplinary Sanctions

(Replaces 7.71 Student Disciplinary Action and 7.72 Suspension and Expulsion of Students)

1. The rights and responsibilities of students are not fundamentally different from those of other members of the community. District officials administer the academic community under statutory authority in accordance with the directions of the Board. Discipline is administered outside of civil authority or concurrent with civil authority in matters which affect the academic community.
2. Students charged with misconduct may be subject to the following sanctions:
 - a. Warning: An oral statement to the student that he/she is violating the Student Code of Conduct; that continuation or repetition of the conduct may be cause for further disciplinary action. This action may be taken by any faculty or staff or by the Disciplinary Officer when the case is referred to him/her.
 - b. Reprimand: A written notice by the Disciplinary Officer of violation of the Student Code of Conduct. A reprimand may include the possibility of more severe disciplinary sanctions in the event of future infractions of the Student Code of Conduct.
 - c. Disciplinary Probation: Formal written notice by the Disciplinary Officer of violation of the Student Code of Conduct which includes exclusion from participation in specified activities or locations for a period not to exceed one (1) calendar year. Further violation of the Student Code of Conduct will result in more severe sanctions.
 - d. Restitution: Formal action by the Disciplinary Officer to require the reimbursement for damage to or misappropriation of property. This may take the form of appropriate service or other compensation.
 - e. Removal from classes/facility: Exclusion of a student by an instructor or an administrator from a class and/or facility for the day of the offense and/or the next class meeting or day. An instructor removing a student from class shall make written report or meet with the College Disciplinary Officer to discuss the cause for the removal. After-the-fact review by the President/designee shall occur if the student alleges in writing that an instructor or administrator has abused his/her administrative discretion.

Any College instructor, for good cause, may remove a student from the classroom for the day of the incident and the next regular class meeting.

- Before ordering the removal of any student from class, the instructor shall first give or make reasonable efforts to give the student an oral or written notice of the reasons for the proposed removal.
 - Immediately following the removal from class, the instructor shall document the removal and notify the Division Dean and/or Disciplinary Officer of the action.
 - If the student is a minor, the parents or legal guardian shall, within 48 hours, be notified in writing by the Disciplinary Officer.
- f. Suspension: Action by the President to exclude the student from all Colleges and District/College programs and activities for a definite period of time. This action shall be posted on the student's electronic record, but shall not be reflected on the academic transcript.

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This does not prohibit, where an interim suspension is required in order to protect lives or property and to insure the maintenance of order, an interim suspension pending a hearing, provided that a reasonable opportunity for a hearing be afforded a suspended person within ten (10) instructional days.

Suspension for more than ten days may have impact on a student's financial aid eligibility or financial aid award.

- g. Expulsion: Action by the Board of Trustees to terminate student status in the District indefinitely. The Board may expel a student for good cause when other means of correction fail to bring about proper conduct or when the presence of the student causes a continuing danger to the physical safety of the students or others.

Final action by the Board shall be taken by the Board of Trustees at a public meeting. Action to expel a student will be posted on the academic transcript.

7.71 Student Disciplinary Action

~~1. Decisions regarding the following types of disciplinary action are the responsibility of the Vice President, Student Services. The effective date of the disciplinary action shall be determined by the Vice President in consideration of the nature of the violation. If the student elects to appeal the decision, s/he must so notify the Vice President prior to the effective date of the disciplinary action. If an appeal is filed by the student, the disciplinary action will not be implemented until the appeal procedures described in Rules and Regulations, Section 7.73 have been completed.~~

- ~~a. WARNING—A faculty or staff member may give notice to a student that continuation or repetition of specified conduct may be cause for further disciplinary action.~~
- ~~b. TEMPORARY EXCLUSION—A faculty or staff member may remove a student who is in violation of the guidelines for student conduct for the duration of the class period or activity during which the violation took place and, if deemed necessary, for the day following. The faculty or staff member shall immediately report such removal to the College President or designee for appropriate action.~~
- ~~c. CENSURE—The Vice President, Student Services may verbally reprimand a student or may place on record a written statement which details how a student's conduct violates a District or College regulation. The student receiving such a verbal or written statement shall be notified that such continued conduct or further violation of District/College rules may result in further disciplinary action.~~
- ~~d. CANCELLATION OF REGISTRATION—The Vice President, Student Services may cancel a student's registration in the event of falsification of educational and/or financial records and related documents or for failure to meet financial obligations to the District.~~

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~~e. DISCIPLINARY PROBATION—The Vice President, Student Services or designee may place a student on disciplinary probation for a period not to exceed one semester. Repetition of the same action or other violations of District/College rules and regulations during the probationary period may be cause for suspension or expulsion. Disciplinary probation may include one or both of the following:~~

~~i. Removal from any or all College organizations or offices; or~~

~~ii. Denial of privileges of participating in any or all College or student sponsored activities.~~

~~f. RESTITUTION—The Vice President, Student Services may require a student to reimburse the District for damage to or misappropriation of property. Restitution may take the form of appropriate service to repair or otherwise compensate for damages.~~

~~2. Disciplinary action shall not of itself jeopardize a student's grades nor will the record of such action be maintained in the student's academic files.~~

~~3. A student subject to disciplinary action has a right to appeal the decision in accordance with Rules and Regulations, Section 7.73.~~

7.72 Suspension and Expulsion of Students

~~1. Suspension is the termination of student status for a definite period of time. A suspended student may not be present on campus and is denied College privileges including class attendance and all other student or College-granted privileges.~~

~~a. Summary suspension is limited to that period of time necessary to insure that the College is protected from the immediate possibility of violence, disorder, or threat to the safety of persons or property. Summary suspension is not necessarily considered a disciplinary action against the student.~~

~~b. Disciplinary suspension is a temporary termination of student status and includes exclusion from classes, privileges, or activities for a specified period of time as stipulated in the written notice of suspension.~~

~~2. The College President or designee may suspend a student, as deemed appropriate, for any of the following time periods:~~

~~a. From one or more classes for a period of up to ten days.~~

~~b. From one or more classes for the remainder of the semester or session.~~

~~e. From all classes and activities of the College for one or more semesters or sessions.~~

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3. In cases involving disciplinary suspension:

- a. ~~The student shall be informed of the nature of the violations and/or actions which constitute the basis for suspension.~~
- b. ~~The student shall have the opportunity to examine any materials upon which the charges are based.~~
- c. ~~The student shall be allowed to present evidence refuting the charges to the College President or designee.~~
- d. ~~A letter explaining the terms and conditions of the suspension shall be sent to the student's address of record. The student's professors/instructors and counselor shall be informed, in writing, of the suspension.~~

4. ~~At the end of the period of suspension, the student must meet with the Vice President, Student Services before returning to classes.~~

5. ~~A student under suspension at any District College may not enroll in any other District College during the period of suspension.~~

6. ~~The College President shall report all suspensions of students to the Chancellor Superintendent.~~

7. ~~If the suspended student is a minor, the parent or guardian shall be notified in writing by the College President or designee.~~

8. ~~Expulsion of a student is the indefinite termination of student status and all attending rights and privileges. Expulsion of a student is accomplished by action of the Board on recommendation of the College President and the Chancellor Superintendent. An expelled student shall not be allowed to register in any subsequent semester without the approval of the College President.~~

a. ~~The College President shall forward to the Chancellor Superintendent a letter of recommendation for expulsion which includes a brief statement of charges and a confidential statement of background and evidence relating to the charge(s).~~

b. ~~The Chancellor Superintendent shall review the recommendation for expulsion with the Office of County Counsel.~~

c. ~~The Chancellor Superintendent, as Secretary for the Board, shall forward a letter to the student by certified mail advising him/her of the charges and of the intention of the Board to hold a closed session to consider his/her expulsion. Unless the student requests a public hearing in writing at least 48 hours prior to the scheduled hearing, the hearing shall be conducted in a closed session.~~

d. ~~The student is entitled to be present during presentation of the case and may be accompanied by a representative. If the student chooses to be represented by an attorney, s/he must so notify the Chancellor Superintendent no later than five working days prior~~

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~~to the hearing. The student has the right to examine any materials upon which charges against him/her are based and shall be given the opportunity to present his/her evidence refuting the charges to the Board. The student or his/her representative may cross-examine any witness. The District bears the burden of proof.~~

- ~~e. The report of final action taken by the Board in public session shall be made a part of the public record and forwarded to the student. Other documents and materials shall be regarded as confidential and will be made public only if the student requests a public hearing.~~

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