

CHAPTER 7: Student Services
ADMINISTRATIVE PROCEDURE NO. 7.69.1 (AP 5500)

ADMINISTRATIVE PROCEDURE
San Mateo County Community College District

Subject: AP 7.69.1 Standards of Student Conduct, Prohibited Actions and Disciplinary Procedures
Adoption Date: 8/13; xx/xx
Policy Reference: Education Code Sections 66300 and 66301; Education Code Sections 66250 et seq., 66300, 66301 and 76030 et seq.; Government Code Sections 12926.1 and 12940 et seq.; ACCJC Accreditation Standards I.C.8 and 10

- ~~1. Detailed standards of conduct for students are contained in Board Policy 7.69.~~
- ~~2. Board Policy 7.69 includes information on the District's expectations concerning student academic honesty and the consequences for dishonesty.~~

The following actions are prohibited and may lead to appropriate disciplinary action:

1. Disruptive behavior, continued disruptive behavior, continued willful disobedience, habitual profanity or vulgarity, the open and persistent defiance of the authority of, or persistent abuse of, College/District personnel, or violating the rights of other students.
2. Assault, battery or any threat of force or violence to a student or District/College personnel on District/College premises or at any time or place while under the supervision of District/College personnel.
3. Causing, attempting to cause, or threatening to cause physical injury or threat of force or violence to the person, property or family of any member of the College community, whether on or off College/District premises as defined below, except in self-defense.
4. Aiding or abetting, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person.
5. Harassing, intimidating or threatening a student who is a witness in a school disciplinary proceeding, administrative proceeding or law enforcement investigation for the purpose of preventing the student from being a witness or retaliation for being a witness.
6. Causing or attempting to cause, threatening to cause or participating in an act of hate violence, as defined in Education Code Section 233(e).
7. 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.
8. Disorderly conduct or engaging in physical or verbal disruption of instructional or student services activities, administrative procedures, public service functions, or authorized curricular or co-curricular activities or prevention of authorized guests from carrying out the purpose for which they are on campus.
9. Terroristic threats against school officials, students or school property as defined in Education Code Section 48900.7(b).
10. Theft of, damage to, or threat of damage to property belonging to or located on College/District controlled property or facilities, or to the private property located on College/District premises.
11. Knowingly receiving stolen property belonging to the College District.
12. Participation in hazing.
13. Unauthorized entry into, or use of, or misuse of College/District owned or operated facilities.

AP 7.69.1 Student Disciplinary Sanctions (continued)

14. Forgery, alteration, or misuse of College/District documents, records, or identification.
15. Misrepresentation of oneself or of an organization as an agent of the College/District.
16. Dishonesty (such as cheating, plagiarism, or knowingly furnishing false information to the College and its officials).
17. Infringement or violation of copyright laws.
18. Disorderly conduct or lewd, indecent, or obscene conduct or expression including profanity or vulgarity; any expression which is obscene, libelous or slanderous according to current legal standards or which so incites students as to create a clear and present danger of the commission of unlawful acts, or the substantial disruption of the orderly operation of the Community College on any College/District-owned or controlled property or at any College/District-sponsored or supervised function.
19. Extortion or breach of the peace on College/District property or at any College/District-sponsored or supervised function.
20. Unlawful use, sale, possession, offer to sell, furnishing, or being under the influence of any controlled substance (listed in the California Health and Safety Code), alcohol, or an intoxicant of any kind, or a poison classified by laws defining controlled substances while on College/District property, or at College/District functions; or unlawful possession of, or offering, arranging or negotiating the sale of any drug paraphernalia.
21. Possession, sale, use, or otherwise furnishing of explosives, dangerous chemicals, deadly weapons or other dangerous objects on College/District property or at a College/District function without prior authorization of the Chancellor, College President, or authorized Designee. Possession of an imitation firearm, knife or explosive on College/District property with the intent to threaten, frighten or intimidate.
22. Smoking in any area where smoking has been prohibited by law or by regulation of the College/District. This includes e-cigarettes and other vapor products.
23. Failure to satisfy College/District financial obligations
24. Failure to comply with directions of College/District officials, faculty, staff, or campus security officers who are acting within the scope of their employment. Continued and willful disobedience or open and persistent defiance of the authority of College/District personnel providing such conduct as related to District/College activities or College attendance or on College/District property.
25. Failure to identify oneself when on College/District property or at a College/District-sponsored or supervised event, upon request of a College/District official acting in the performance of his/her duties.
26. Stalking, defined as a pattern of conduct by a student with intent to follow, alarm, or harass another person, and which causes that person to reasonably fear for his or her safety, and where the student has persisted in the pattern of conduct after the student has been told to cease the pattern of conduct. Violation of a restraining order shall constitute stalking under this policy.
27. Gambling: Betting, wagering or selling pools; playing card games for money; using District resources (telephones, computers, etc.) to facilitate gambling.
28. Committing sexual harassment as defined by law or by District policies and procedures.
29. Engaging in harassing or discriminatory behavior based on nationality, religion, age, gender, gender identity, gender expression, race or ethnicity, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, or on any basis prohibited by law.
30. Persistent, serious misconduct where other means of correction have failed to bring about proper conduct or where the presence of the student causes a continuing danger to the physical safety of students or others.
31. Violation of other applicable Federal, State and Municipal statutes and District and College rules and regulations in connection with attendance at programs or services offered by the College/District or while on College/District property or at College/District sponsored activities.

AP 7.69.1 Student Disciplinary Sanctions (continued)

32. Unauthorized computer usage, including: unauthorized entry into a file to use, read, or change the contents, or for any other purpose; unauthorized transfer of a file; unauthorized use of another individual's identification and password; use of computing facilities to interfere with the work of another student, faculty member, or District official; use of computing facilities to send obscene or abusive messages; use of computing facilities to interfere with the normal operations of District computing.

A. Actions: Students who engage in any of the above are subject to the procedures outlined in AP 7.69.2 and the sanctions included in 7.69.3.

B. Definitions: When used in this policy:

1. Student – any person taking or auditing classes at a College in the District or who has been admitted to any of the Colleges within the District.
2. District premises – any building or grounds owned, leased, operated, controlled or supervised by the District.
3. District or School Property – includes both personal and real property owned or controlled by the District.
4. District or College sponsored activity – any activity on or off the District or College premises that is directly initiated or supervised by the District or a District organization
5. Weapon – any object or substance designed or used to inflict a wound or cause injury
6. Reckless – conduct which one should reasonably be expected to know would create a substantial risk of harm to a person or property or which would otherwise be likely to result in interference with normal College/District sponsored activities
7. Will and Shall – are used in the imperative sense.

C. Disciplinary Action while criminal charges are pending: Students may be accountable both to law enforcement and to the District for acts that constitute violations of law and of this policy. Disciplinary action at the College/District will normally proceed during the pendency of criminal proceedings, and will not be subject to challenge on the ground that criminal charges involving the same incident have been dismissed or reduced.

D. No student shall be suspended from a College unless the conduct for which the student is disciplined is related to College/District activity or attendance. Any violation of law, ordinance, regulation or rule regulating or pertaining to, the parking of vehicles, shall not be cause for removal, suspension, or expulsion of a student.