



**Kern Community College District
Board Policy
Chapter 5 - Student Services**

BP 5500 Standards of Student Conduct

Accreditation Related

Reference:

Education Code Sections 66300 and 66301
ACCJC Accreditation Standards I.C 8 and 10

The Chancellor or designee 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, supervision, or expulsion of a student.

The Board of Trustees 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, except for conduct that constitutes sexual harassment under Title IX, which shall be addressed under BP 3433 Prohibition of Sexual Harassment under Title IX:

1. Causing, attempting to cause, or threatening to cause physical injury or verbal abuse or threat of force or violence, to the person, property, or family of any member of the college community, whether on or off District property.
2. Possession, sale or otherwise furnishing any weapon, 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. Abuse of computer and technology resources (see BP 3725: Information and Communications Technology Accessibility and Acceptable Use).
7. Stealing or attempting to steal District property or private property on campus, or knowingly receiving stolen District property or private property on campus.
8. Willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of the college or the District.
9. Sexual assault or sexual exploitation regardless of the victim's affiliation with the District.
10. Committing sexual harassment as defined by law or by District policies and procedures.
11. 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.
12. 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.
13. Stalking, defined as a pattern of conduct by a student with the 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 person has demanded that the student cease the pattern of conduct. Violation of a restraining order shall constitute stalking under this policy.
14. 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.
15. Disruptive behavior, willful disobedience, habitual profanity or vulgarity, or the open and persistent defiance of the authority of or persistent abuse of college personnel or violating the rights of other students.
16. Cheating, plagiarism (including plagiarism in a student publication), or engaging in other academic dishonesty. (See AP 5500 Standards of Student Conduct for the definition of Cheating and Plagiarism).

17. Dishonesty, forgery, alteration or misuse of college documents, records or identification, or knowingly furnishing false information to the District.
18. Misrepresentation of oneself or of an organization to be an agent of the District.
19. Failure to identify oneself when on College property or at a College-sponsored or supervised event, upon the request of a College official acting in the performance of his/her duties.
20. Unauthorized entry upon or use of college or District facilities.
21. Breach of the peace, lewd, indecent, or obscene conduct on District-owned or controlled property or at District-sponsored or supervised functions.
22. 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 College or District.
23. 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.
24. 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.
25. Use of personal portable sound amplification equipment and other electronic devices (radios, cell telephones, pagers, and tape players, etc.) in a manner that disturbs the privacy of other individuals and/or the instructional program of the College.
26. Abuse of and/or tampering with the registration process.
27. Abuse of or disruption to the student conduct and/or complaint process, including but not limited to:
 - a) Failure to obey the summons of a College official or appropriate committee.
 - b) Falsification, distortion, or misrepresentation of information before a College official or appropriate committee.
 - c) Disruption or interference with the orderly conduct of an official College proceeding.
 - d) Attempting to influence the impartiality of a member of an official committee prior to and/or during the course of an official College proceeding.
 - e) Harassment and/or intimidation of any person involved in the conduct and/or complaint process, prior to, during and/or after the proceeding.
 - f) Failure to comply with the sanction(s) imposed under the Student Conduct Code.
 - g) Influencing or attempting to influence another person to commit an abuse of the conduct or complaint process system.
 - h) Repeated filing of frivolous and/or capricious complaints against College personnel.



**Kern Community College
District Administrative
Procedure Chapter 5 – Student
Services**

AP 5500 Standards of Student Conduct

References:

Education Code Sections 66300 and 66301;
ACCJC Accreditation Standards I.C.8 and 10 (formerly II.A.7.b)

Students who violate BP 5500 Student Code of Conduct are subject to the procedures outlined in AP 5520 - Student Discipline Procedures.

Students shall respect constituted authority. This shall include conformance to Federal and State laws, Board regulations, District and college regulations, and applicable provisions of civil law.

The District expects students to conduct themselves in a manner consistent with the educational purposes of the colleges. Student conduct should reflect consideration for the rights of others, and students are expected to cooperate with all members of the college communities.

College personnel are responsible for communicating appropriate student conduct and for reporting any violations thereof, and the College President or designee shall have the right to administer suitable and proper corrective measures for misconduct.

The Board of Trustees or the Chancellor, or designee, may suspend a student for good cause or when the presence of the student causes a continuing danger to the physical safety of the student or others. The Board of Trustees or the College President, or designee, may exclude from attendance in regular classes any student whose physical or mental disability is such as to cause his/her/their attendance to be inimical to the welfare of other students. As used in this section, good cause includes, but is not limited to the offenses outlined in BP 5500 that may result in the impositions of sanction(s).

Sanctions--In accordance with the provisions of Education Code Sections 76031 and 76037, the Board of Trustees provides the following sanctions for violations of the Student Code of Conduct. More than one (1) of the sanctions listed below may be imposed for any single violation:

1. **WARNING:** Verbal notification to the student by a faculty member or administrator that continuation of the conduct may be cause for further disciplinary action;

2. **CENSURE:** A written reprimand or warning to the student by a faculty member or administrator; written referral of the student to a college office or community agency for counseling or rehabilitative treatment;
PROBATION: Prohibition of the student from participating in College or District-sponsored events, functions, and activities for a minimum of one (1) semester or other stipulated requirements to conform to specified standards of conduct ;
3. **RESTITUTION:** Reimbursement to the college for repair or replacement of District property misused, misappropriated, or damaged by the student;
4. **Remediation Measures:** Corrective actions, risk assessments, trainings, or activities can be imposed to remedy offenses to ensure student is in proper conduct (for example, reflective papers, community service, workshop attendance).
5. **TEMPORARY REMOVAL:** A faculty member may remove a student from his/her/their class for the day of the removal and the next day of instruction or within one week of instruction, whichever is lesser. The faculty member shall immediately report the removal to the College President or designee for appropriate action. During the period of removal, a student shall not be returned to the class from which he/she/they was removed without the concurrence of the faculty member of the class. During the period of removal, a student shall not be returned to the class from which he/she was removed without the concurrence of the faculty member of the class.
6. **Short-term Suspension – Exclusion of the student by the College President or designee, for good cause from one or more classes for a period of up to ten consecutive days of instruction.**
7. **SUSPENSION:** Exclusion from any or all classes and activities of the College and from the use of any District facilities. The College President or designee may suspend a student for good cause as follows:
 - From one (1) or more classes for a period of up to ten (10) days of instruction.
 - From one (1) or more classes for the remainder of the academic term.
 - From all classes and activities of the College for one (1) or more terms.

In all cases of suspension, the student shall receive official notice from the College President or designee.

No student shall be suspended unless the conduct for which he/she/they is to be disciplined is related to College activity or campus attendance.

Suspensions of any student from the College shall be accompanied by a prompt hearing unless the charges have been administratively disposed by mutual consent, or the student sends a written notification to the College President or designee indicating that he/she/they does not want to proceed with the hearing. If an immediate temporary suspension is required to protect lives or property and/or to ensure the maintenance of order, a reasonable opportunity shall be afforded the suspended student for a hearing within ten (10) days of the suspension.

During the period of suspension, a student shall not be permitted to enroll in any college in the District.

The College President shall report all suspensions of students to the Chancellor of the District.

Whenever a minor is suspended from a College, the parent or guardian shall be notified by the College President or designee. The parent or guardian of the student shall be invited to a conference regarding the removal; and

8. EXPULSION: Termination of the student status by the Board of Trustees on the recommendation of the Chancellor.
 - . A student shall not be expelled unless the conduct for which he/she/they is to be disciplined is related to College activity or campus attendance.
 - a. Expulsion of any student from the District shall be accompanied by a prompt hearing.
 - b. If an immediate expulsion is required to protect lives or property and/or to ensure the maintenance of order, a reasonable opportunity shall be afforded the expelled person for a hearing within ten (10) days of the expulsion.
 - c. In cases of expulsion, the Chancellor or designee shall recommend action to the Board of Trustees after receiving the College President's recommendation and supporting documentation, including the hearing panel's recommendation and the hearing record.
 - d. After Board action, the Chancellor or designee shall notify the student by registered mail, return receipt requested. The expulsion may be for a specified or unspecified time and shall be from all Colleges, programs, and activities of the District.
 - e. In expulsion for an unspecified time, the student may, after a reasonable time, request the College President to remove the expulsion. If the College President approves the request, he/she/they shall make that recommendation to the Chancellor or designee who may recommend to the Board that the expulsion be removed. The Chancellor or designee shall notify the student of the Board's action.

The College President or designee shall report any violation of Penal Code Section 245 (assault with a deadly weapon) or Civil Code Section 52.1 and Penal Code Sections 422.6 through 422.95 (hate crime) to the appropriate law enforcement authorities. (Education Code Section 76035)

At a minimum, an instructor who determines that a student has cheated or plagiarized has the right to assign an "F" grade for the assignment or examination. However, each college may impose additional penalties as appropriate to their respective college discipline procedures.

Violation or violations of any law, ordinance, regulation, or rule regulating, or pertaining to, the parking of vehicles, shall not be cause for the suspension or expulsion of a student from a community college.

DEFINITIONS OF PLAGIARISM AND CHEATING

1) Definition of Plagiarism - Plagiarism is defined as the act of using the ideas or works as one's own without giving credit to the source, including artificially-generated content. Such an act is not plagiarism if it is ascertained that the ideas were arrived at through independent reasoning or logic or where the thought or idea is common knowledge.

Acknowledgment of an original author or source must be made through appropriate references, i.e., quotation marks, footnotes, or commentary. Examples of plagiarism include but are not limited to, the following: the submission of work, whether in part or in whole, completed by another; failure to give credit for ideas, statements, facts, or conclusions that rightfully belong to another; in written work, failure to use quotations marks when quoting directly from another, whether it be a paragraph, a sentence, or even a part thereof; close and lengthy paraphrasing of another's writing or programming. A student who is in doubt about the extent of acceptable paraphrasing should consult the instructor.

Students are cautioned that, in conducting their research, they should prepare their notes by (a) either quoting material exactly (using quotation marks) at the time they take notes from a source; or (b) departing completely from the language used in the source, putting the material into their own words. In this way, when the material is used in the paper or project, the student can avoid plagiarism resulting from the verbatim use of notes. Both quoted and paraphrased materials must be given proper citations.

2) Definition of Cheating - Cheating is defined as the act of obtaining, attempting to obtain, or aiding another to obtain academic credit for work by the use of any dishonest, deceptive, or fraudulent means. Examples of cheating during an examination include, but are not limited to, the following: copying, either in part or in whole, from another's test or examination; discussion of answers or ideas relating to the answers on an examination or test unless the such discussion is specifically authorized by the instructor; giving or receiving copies of an examination without the permission of the instructor; using or displaying notes, "cheat sheets," or other information or devices inappropriate to the prescribed test conditions, as when a test of competence includes a test of unassisted recall of information, skill, or procedure; allowing someone other than the officially enrolled student to represent the same. Also included is plagiarism as defined and altering or interfering with the grading procedures.

28. Violation of other applicable Federal, State, and local laws (e.g., hate crimes) and College rules and regulations.
29. Assisting another person, or soliciting another person, in any of the offences listed in BP 5500 Standards of Student Conduct.