

## Administrative Procedure 5500 Standards of Student Conduct

- I. Standards of Conduct.** Students are responsible for complying with all laws and college regulations and for maintaining appropriate course requirements as established by the instructors.

A. Disciplinary action may be imposed on a student for violation of college rules and regulations, the *California Education Code*, *California Penal Code*, and the *California Administrative Code*. Student misconduct may result in disciplinary action by the college and prosecution by civil authorities. Student misconduct may also result in disciplinary action that is applicable to other college campuses and central administrative offices at the Peralta Community College District. The college may require restitution as part of the discipline to ensure the return of items or compensation for any loss to the college or District. Misconduct that may result in disciplinary action includes, but is not limited to, the following violations:

- i. Violation of District policies or regulations including parking and traffic regulations (subject to Education Code Section 76036), policies regulating student organizations, and time, place and manner regulations in regard to public expression.
- ii. Willful misconduct which results in injury or death of any person on college-owned or -controlled property, or college-sponsored or supervised functions; or causing, attempting to cause, or threatening to cause physical injury to another person.
- iii. Conduct which results in cutting, defacing, damaging, or other injury to any real, digital or personal property owned by the college or to private property on campus.
- iv. Stealing or attempting to steal college property or private property on campus; or knowingly receiving stolen college property or private property on campus.
- v. Sexual assault or sexual exploitation regardless of the victim's affiliation with the District. Conduct that constitutes sexual harassment under Title IX is addressed under AP 3433 Prohibition of Sexual Harassment under Title IX and AP 3434 Responding to Harassment Based on Sex under Title IX – these procedures must be used.
- vi. Unauthorized entry to or use of college facilities.
- vii. Committing or attempting to commit robbery or extortion.
- viii. Dishonesty such as cheating, plagiarism, forgery, alteration or misuse of college documents, records, or identification documents, or furnishing false information to the college.
- ix. The use, sale, or possession on campus of, or presence on campus under the influence of, any controlled substance, or any poison classified as such by Schedule D in Section 4160 of the Business and Professions Code or any controlled substance listed in California Health and Safety Code Section 11053 *et seq.*, 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.
- x. 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 an authorized college employee.
- xi. Willful or persistent smoking and/or vaping in any area where such activity has been prohibited by law or by regulation of the governing board.
- xii. Lewd, indecent, or obscene conduct or expression on college-owned or -controlled property, or at college sponsored or supervised functions; or engaging in libelous or slanderous expression; or expression or conduct which so incites students as to create a clear and present danger of the commission of unlawful acts on college premises, or substantial disruption of the orderly operation of the college.

- xiii. Disruptive or insulting behavior, willful disobedience, habitual profanity or vulgarity; or the open and persistent defiance of the authority, refusal to comply with directions of, or persistent abuse of, college employees in the performance of their duty on or near the school premises or public sidewalks adjacent to school premises.
  - xiv. Obstruction or disruption of teaching, research, administrative procedures or other college activities.
  - xv. Committing sexual harassment as defined by law or by college policies and procedures; or engaging in harassing or discriminatory behavior based on race, sex, religion, age, national origin, disability, or any other status protected by law.
  - xvi. Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.
- B. In accordance with Education Code Section 76234, the results of any disciplinary action or appeal in connection with any alleged sexual assault, physical abuse or threat of the same shall be made available within 3 school days of the results, to the alleged victim, who shall keep such information confidential.

**II. Students facing disciplinary action are subject to any of the following actions:**

- A. Written or verbal reprimand. An admonition to the student to cease and desist from conduct determined to violate the Code of Student Conduct. Written reprimands may become part of a student's permanent record at the college. A record of the fact that a verbal reprimand has been given may become part of a student's record at the college for a period of up to one year.
- B. Probation. A period of time specified for observing and evaluating a student's conduct, with or without special conditions. Probation will be imposed for a specific period of time; the student is considered removed from probation when the period expires. Violation of any conditions during the period of probation may be cause for further disciplinary action.
- C. Loss of Privileges and Exclusion from Activities. Exclusion from participation in designated privileges and extracurricular activities for a specified period of time. Violation of any conditions or Code of Student Conduct during the period of sanction may be cause for further disciplinary action.
- D. Educational Sanction. Work, research projects, counseling, or community service projects may be assigned. Violation of any requirements of assignment or Code of Student Conduct during the period of sanction may be cause for further disciplinary action.
- E. Treatment Requirement. Require enrollment in anger management, drug and alcohol rehabilitation treatment. Such requirement must receive prior approval from the Vice President of Student Services (or designee).
- F. Group Sanction. Sanctions for the misconduct of groups or organizations may include temporary or permanent revocation or denial of group registration as well as other appropriate sanctions.
- G. Removal from Class. Exclusion of the student by an instructor for the day of the removal and the next class meeting. The instructor must immediately report the removal to the Vice President of Student Services (or designee).
- H. Exclusion from Areas of the College. Exclusion of a student from specified areas of the campus. Violation of the conditions of exclusion or Code of Student Conduct during the period of exclusion may be cause for further disciplinary action.
- I. Withdrawal of Consent to Remain on Campus. Withdrawal of consent by the Chief Administrative

Officer or designee for any person to remain on campus in accordance with Penal Code Section 626.6 where the Chief administrative officer or designee has reasonable cause to believe that such person has willfully disrupted the orderly operation of the campus. Any person for whom consent to remain on campus has been withdrawn who knowingly reenters the campus during the period in which consent has been withdrawn, except to come for a meeting or hearing, is subject to arrest.

- J. Short-term Suspension. Exclusion of the student by the President (or designee) for good cause from one or more classes for a period of up to ten consecutive days of instruction.
- K. Long-term Suspension. Exclusion of the student by the President (or designee) for good cause from one or more classes for the remainder of the school term or school year, or from all classes and activities of the college and District for one or more terms.
- L. Expulsion. Exclusion of the student by the Board of Trustees from attending all colleges in the District.

**III. The process for student discipline is outlined in AP 5520**

- IV. Time Limits.** Any times specified in these procedures may be shortened or lengthened if there is mutual concurrence by all parties.

**References:**

Education Code Sections 66017, 66300, 66301, 72122, and 76030, et seq. Penal Code Section 626.4

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