Glendale Community College District

5500

Administrative Regulation

Standards of Student Conduct, Procedural Guidelines and Disciplinary Action

The purpose of this procedure is to provide a prompt and equitable means to address alleged student violations of the Standards of Student Conduct, and provide the involved student or students their due process rights guaranteed by state and federal constitutional protections. This procedure is not intended to substitute for criminal or civil proceedings that may be initiated by other agencies.

A. Definitions

- 1. The term "GCC" is defined as Glendale Community College.
- 2. The term "student" is defined as all persons enrolled in GCC courses, both full-time and part-time, credit, non credit, and not for credit.
- 3. The term "GCC "employee" includes any person employed by GCC performing assigned administrative, professional, academic, or staff responsibilities.
- 4. The term "member of the campus community" includes any person who is a student or GCC employee.
- 5. The term "GCC premises" includes all land, buildings, facilities, and other property owned, used, or controlled by GCC.
- 6. The term "organization" is defined as any group of persons who have complied with the formal requirements for official recognition as a GCC club.
- 7. The term "Campus Judicial Board" is defined as the persons authorized by the Superintendent/President to determine whether or not a student has violated the Standards of Student Conduct and to recommend disciplinary sanctions.
- 8. The term "shall" is used in the imperative sense.
- 9. The term "may" is used in the permissive sense.
- 10. The term "Judicial Officer" is defined as a person designated by the GCC Superintendent/President to be responsible for the administration of an assigned area of the Standards of Student Conduct.

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- 11. The terms "policy" and "regulations" are defined as the rules of GCC as found in publications including, but not limited to, the college catalog, class schedule, student handbook, GCC Board Policy and Administrative Regulations.
- 12. The term "hazing" is defined as an act that endangers the mental or physical health or safety of a student, or that damages or disturbs public or private property for the purpose of initiation, admission into, affiliation with, or as a condition of membership in a group or organization.
- 13. The term "good cause" includes, but is not limited to, the offenses defined by Article 3, Section 76033 of the California Education Code.
- 14. The term "instructional day" is defined as a day during which the college is in session and regular daytime and/or evening classes are held.
- 15. The term "business day" is defined as a weekday, excluding federal, state, or local holidays, during which the college is open and conducts normal business operations.

B. Jurisdiction

GCC jurisdiction over student disciplinary matters shall be limited to conduct that occurs on GCC premises, or at officially sanctioned or sponsored GCC activities held at off-campus locations.

- 1. The Dean of Student Affairs or designee shall be the Judicial Officer responsible for administering the Standards of Student Conduct on the main campus, or for college-sponsored activities held at off-campus locations.
- 2. The Vice President, Instructional Services, or designee, shall be the Judicial Officer responsible for administering the Standards of Student Conduct involving academic dishonesty.
- 3. The Administrative Dean, Continuing and Community Education or designee shall be the Judicial Officer responsible for administering the Standards of Student Conduct at the Garfield Campus.

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4. The GCC employee designated as the site supervisor shall be the Judicial Officer responsible for administering the Standards of Student Conduct at off-campus sites or study abroad locations.

C. Prohibited Conduct

Any student found to have committed an act of misconduct including, but not limited to, the following behaviors is subject to disciplinary sanctions as outlined in Section D of these regulations.

- Disruption of the orderly operation of the college including, but not limited to the delivery of GCC instructional, administrative, or student services programs and functions; campus activities sponsored or sanctioned by GCC; other authorized non GCC activities when the act occurs on GCC premises.
- 2. Violation of published GCC rules, board policies, and administrative regulations.
- 3. Knowingly furnishing false information to any GCC employee or campus office for the purpose of completing GCC documents, applications, or forms processed by the college.
- 4. Forgery, alteration, or other unauthorized use of GCC documents, applications, records, identification, or forms processed by the college.
- 5. Unauthorized possession or duplication of keys to any GCC premises, entry into or use of any GCC premises, or use of GCC supplies and/or equipment.
- 6. Cheating, plagiarism, or other violations of GCC policies and administrative regulations governing academic honesty.
- 7. Violation of GCC board policies and regulations governing the use of computer, electronic, digital and communications technology.
- 8. Gaming, gambling, or participating in other activities for the purposes of wagering or betting funds.

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- 9. Soliciting or assisting another to perform any act that would violate the Standards of Student Conduct and subject a student to disciplinary sanctions.
- 10. Violation of judicial and statutory standards of obscenity; engaging in lewd or indecent behavior on campus or at a campus function.
- 11. Violation of federal, state, or local law on GCC premises, or at GCC sponsored or supervised activities.
- 12. Failure to comply with directions of GCC employees who are acting within the scope of their job responsibilities.
- 13. Use, possession, or distribution of narcotics, other legally controlled substances, or alcoholic beverages except as expressly permitted by law and GCC regulations.
- 14. Presence on campus or at a college-sponsored function while under the influence of narcotics, other legally controlled substances, or alcoholic beverages except as expressly permitted by law and GCC regulations.
- 15. Abusive behavior directed toward, or hazing of, a member of the campus community or a campus visitor.
- 16. Illegal or unauthorized possession or use of firearms, explosives, other weapons, or dangerous chemicals.
- 17. Sexual harassment of a member of the campus community or a campus Visitor including, but not limited to unwelcome sexual advances; requests for sexual favors; other verbal, nonverbal, or physical conduct of a sexual nature in violation of GCC board policies and administrative regulations on sexual harassment, and applicable State and Federal laws.
- 18. Verbal abuse, threats, intimidation, harassment, coercion or other conduct that threatens or endangers the health and safety of a member of the campus community or a college visitor.
- Assault, battery, or any other physically abusive behavior that threatens or endangers the health and safety of a member of the campus community or campus visitor.

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- 20. Theft or attempted theft of GCC property, or property of a member of the campus community or campus visitor.
- 21. Actual or attempted vandalism or destruction of GCC property, or property of a member of the campus community or campus visitor.
- 22. The use of any electronic listening or recording device in any classroom without the prior consent of the instructor, except as necessary to provide reasonable accommodations for students with disabilities.
- 23. Selling, preparing, or distributing recorded course material for any purpose unless authorized by the instructor in writing.

D. Disciplinary Sanctions

The following sanctions may be imposed upon any student found to have violated the Standards of Student Conduct:

- 1. Reprimand: Written notice to a student that he or she has violated the Standards of Student Conduct. The reprimand serves as documentation of a student's misconduct, and as a warning to the student that further violations may result in formal disciplinary sanctions.
- 2. Loss of Privileges: Exclusion from extracurricular activities, removal from campus organizations, or denial of specified privileges for a designated period of time. An organization may also lose campus privileges including, but not limited to, the forfeiture of official recognition by GCC.
- 3. Restitution: Compensation for loss, damage, or injury. Restitution may take the form of appropriate service, monetary reimbursement, or materials replacement.
- 4. Removal from Class: Dismissal of a student from class for disruptive. An instructor is authorized to remove a student from class for the day of the removal and the next class meeting. The instructor shall immediately report the removal to the Dean of Student Affairs.
- 5. Administrative Hold: A hold placed on a student's records by the Office of Admissions and Records to prevent the student from re-enrolling in GCC classes. This action shall be taken when a student has been suspended or permanently expelled from GCC. A hold may also be implemented after a

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student has failed to attend mandatory disciplinary conferences with the Judicial Officer, and shall be removed after the student has completed the required conference.

- 6. Suspension: Separation of a student from GCC for a specified period of, after which the student may be eligible for readmission to the college under specified conditions. There are two types of suspensions:
 - a. Summary Suspension: An interim suspension for good cause designed to prevent a student from endangering the health and safety of the campus community, destroying or damaging GCC premises or property, or disrupting or interfering with the orderly operation of the college. A summary suspension may be imposed pending a Campus Judicial Board hearing, for the purpose of investigation, or as a means of relieving the tension of the campus community or an individual class due to a serious infraction of the Standards of Student Conduct. A student who has been summarily suspended shall be denied access to an individual class or all GCC premises, and lose specified privileges for which he or may otherwise be eligible.
 - b. Disciplinary Suspension: A formal dismissal of a student for good cause. While under disciplinary suspension a student shall be denied access to an individual class or all GCC premises, and lose specified privileges for which he or she may otherwise be eligible.
- 7. Expulsion: A permanent dismissal or separation of a student from GCC for good cause when other means of correction fail to result in acceptable conduct, or when the presence of the student causes a continuing danger to the health and safety of the campus community.

E. Disciplinary Procedures

- 1. Complaints about alleged violations of the Standards of Student Conduct that may warrant formal disciplinary action shall be submitted to the appropriate Judicial Officer.
- 2. The Judicial Officer shall investigate student conduct complaints to determine if an accused student has violated the Standards of Student Conduct, and if so, what disciplinary sanction(s) may be appropriate.

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- 3. Summary Suspension Procedure
 - a. The Judicial Officer is authorized to impose summary suspensions as follows:
 - 1. From one or more classes for a period of up to ten (10) days of instruction.
 - 2. From all classes and activities of the college for a period of up to ten (10) days of instruction.
 - b. The Judicial Officer shall hold a disciplinary conference with the accused student within five (5) instructional days after imposing a summary suspension.
- 4. Disciplinary Suspension Procedure
 - a. The Judicial Officer is authorized to impose disciplinary suspensions as follows:
 - 1. From one or more classes for a period of up to ten (10) days instruction.
 - 2. From all classes and activities of the college for a period of up to ten (10) days of instruction.
 - 3. The Judicial Officer shall hold a disciplinary conference with the accused student prior to issuing an authorized disciplinary suspension.
 - b. In addition to the provisions of Section 4(a), the Judicial Officer responsible for administering the Standards of Student Conduct at a study abroad location is authorized to impose disciplinary suspensions as follows:
 - 1. From all classes and activities of the study abroad program location for the remainder of the school term.
 - a. The terms of this suspension shall include the requirement that the student immediately return home to the address listed on his/her student records at

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his/her expense. The contracted travel agent for the Study Abroad Program, or the designated site supervisor for the Baja Field Studies Program shall be responsible for coordinating the student's travel arrangements, and providing the student with appropriate assistance to ensure their timely return home.

- b. This suspension shall only be imposed in consultation with, and with the approval of the Vice President, Instructional Services, or designee.
- c. The Campus Judicial Board is authorized to recommend disciplinary suspensions to the Superintendent/President as follows:
 - 1. From one or more classes for the remainder of a school term.
 - 2. From all classes and activities of the college for one or more terms.
 - 3. The Campus Judicial Board shall hold an evidentiary hearing prior to issuing a recommendation for disciplinary suspension.

5. Expulsion Procedure

- a. The Campus Judicial Board is authorized to recommend a student's permanent expulsion from GCC to the Superintendent/President.
- b. The Campus Judicial Board shall hold an evidentiary hearing prior to issuing an expulsion recommendation.
- c. The Board of Trustees shall exercise final review and approval of all student expulsions.
- 6. Whenever a minor is suspended or expelled from the college, the Superintendent/President or Judicial Officer shall notify the student's parent or guardian in writing.

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F. Campus Judicial Board Hearing Procedure

- 1. The Judicial Officer shall initiate a disciplinary hearing by sending a written request to the chairperson of the Campus Judicial Board. Upon acceptance of the request, the chairperson shall convene a formal hearing to review a complaint against a student accused of violating the Standards of Student Conduct.
- 2. The Campus Judicial Board chairperson shall inform the accused student in writing of the formal complaint and the date, time and location of the mandatory disciplinary hearing. This notice shall include the specific sections(s) of the Standards of Student Conduct the student is accused of violating, a short statement of the facts supporting the accusation, the nature of the discipline that is being considered, and a copy of GCC Administrative Regulation 5500.
- 3. The Campus Judicial Board shall conduct the hearing no earlier than five (5) business days and not later than ten (10) business days after the accused student has been officially notified. Continuances or extensions to the maximum time limit for the scheduling of the hearing may be granted at the discretion of the Judicial Board chairperson in consultation with the Campus Judicial Board.
- 4. The Campus Judicial Board chairperson shall determine the membership of the Campus Judicial Board according to procedures as defined by GCC Administrative Regulation 5101. For student disciplinary hearings, the Campus Judicial Board shall be comprised of two students, two faculty members (one of whom shall serve as chairperson), two classified staff members, and one administrator.
- 5. Campus Judicial Board hearings shall be conducted according to the following guidelines:
 - a. Campus Judicial Board hearings shall be closed and confidential unless all parties and the Campus Judicial Board agree to a public hearing. In a closed hearing, witnesses shall be present in the room only when testifying, unless all parties and the Campus Judicial Board agree to the contrary.

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- b. If a hearing involves more than one accused student, the Campus Judicial Board chairperson, at his/her discretion, may permit separate hearings for each defendant.
- c. The Judicial Officer and the accused student shall have the right to be represented by counsel of their choice, at their own expense. The student shall notify the Campus Judicial Board Chairperson if they will be represented by legal counsel at least five (5) business days prior to the hearing.
- d. The Judicial Officer, the accused student, and/or their respective counsels shall have the right to directly participate in the hearing, to introduce evidence, to call and examine witnesses, and to confront and cross-examine witnesses. All witnesses are also subject to examination by the Campus Judicial Board.
- e. Pertinent records, exhibits and written statements may be accepted as evidence at the discretion of the Campus Judicial Board Chairperson. Formal rules of evidence shall not apply. Any relevant records, exhibits and written statements may be accepted Glendale Community College District as evidence at the discretion of the Campus Judicial Board Chairperson in consultation with the Campus Judicial Board.
- f. The Campus Judicial Board Chairperson in consultation with the Campus Judicial Board shall have the final decision on all procedural questions.
- g. The hearing shall be recorded by electronic means such as audio or video recordings, or court reporting service. Only recording devices furnished by the Campus Judicial Board shall be permitted into the hearing. Any witness who refuses to be recorded shall not be permitted to testify. The recording or transcript of the proceeding shall remain the property of GCC. The Campus Judicial Board Chairperson shall furnish a copy of the record to the accused student at his or her request.
- h. In consultation with the Campus Judicial Board, the student shall have the right to be served by a translator or qualified interpreter to ensure his/her full participation in the proceedings.

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- Campus Judicial Board members and GCC employees who
 participate in Campus Judicial Board hearings shall abide by all
 state and federal laws governing the privacy and confidentiality of
 student educational records.
- j. GCC shall assume the burden of proof by a preponderance of the evidence in all student disciplinary hearings.
- k. The Campus Judicial Board shall deliberate in closed session. These deliberations shall not be electronically recorded and the proceedings shall be confidential.
- I. After the conclusion of the formal hearing, the Campus Judicial Board shall, in closed session, determine by majority vote whether the accused student has violated the Standards of Student Conduct as charged. The Campus Judicial Board shall issue a written report of their findings, including any recommended disciplinary action, to the Superintendent/President for a final review and decision within ten (10) business days after the hearing.

G. Appeal Procedures

- 1. Judicial Officer Rulings
 - a. An accused student may appeal any disciplinary findings and sanctions imposed by the Judicial Officer as part of a formal disciplinary conference.
 - b. The student shall submit a written appeal to the Superintendent/President within five (5) business days after the formal disciplinary conference.
 - c. These sanctions are limited to those authorized by Administrative Regulation 5500, Section B that do not require a formal hearing by the Campus Judicial Board.
 - d. The Superintendent/President shall review the formal complaint, the specific charges of misconduct, written statements, incident reports, and other documentary evidence.

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- e. Upon review of the appeal, the Superintendent/President may reduce, but not increase, the sanctions imposed by his/her designee.
- f. The Superintendent/President's decision shall be final and binding.
- 2. Campus Judicial Board Rulings
 - a. An accused student may appeal any disciplinary findings or sanctions imposed by the Campus Judicial Board to the Superintendent/President. The student shall file a written notice of the appeal with the Superintendent/President within five (5) business days after being officially notified of the Campus Judicial Board's ruling.
 - b. Except as required to explain the basis of new evidence, an appeal shall be limited to a review of the verbatim record of the initial hearing and supporting documents for one or more of the following purposes:
 - 1. To determine whether the original hearing was conducted fairly in light of the charges and evidence presented, and in conformity with established procedures, giving the accused student a reasonable opportunity to prepare and present a rebuttal of those allegations.
 - 2. To determine whether the Campus Judicial Board decision was based on substantial evidence, that is, whether the facts in the case were sufficient to establish that a violation of the Standards of Student Conduct occurred.
 - 3. To determine whether the sanctions imposed were appropriate for the violation of the Standards of Student Conduct that the student was found to have committed.
 - c. After receiving the report of findings and recommended disciplinary action from the Campus Judicial Board and a written appeal, if any, from the accused student, the Superintendent/President may, at his/her discretion, take the following actions:

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- 1. Accept the Campus Judicial Board findings and implement the recommended disciplinary action.
- 2. Accept the Campus Judicial Board findings and implement lesser disciplinary sanctions than those that were recommended.
- 3. Reject the Campus Judicial Board findings and the recommended disciplinary action.
- Remand the case back to the Campus Judicial Board for reopening of the hearing to allow for reconsideration of theoriginal findings or sanctions.
- d. If the Superintendent/President accepts a Campus Judicial Board to expel a student from the college, the case shall automatically be referred to the Board of Trustees for review and a final, binding decision.
 - 1. The student may file a written appeal of the expulsion to the Board of Trustees. The written appeal shall be submitted to Superintendent/President within ten (10) business days from the date of the written notice of the Superintendent/President's ruling.
 - 2. The expulsion recommendation shall be presented as an agenda item for the next regularly scheduled meeting of the Board of Trustees.
 - 3. Except as required to explain the basis of new evidence, the review by the Board of Trustees shall be limited to an examination of the supporting documents and verbatim record of the initial hearing. However, the Board may accept written arguments from the accused student and the Superintendent/President's designee.
 - 4. The Board of Trustees may hold a closed session to review the expulsion recommendation, and hear oral arguments from the Judicial Officer, the accused student, and/or their respective counsels.

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Reference:

• California Education Code, Sections 66017, 66300, 76030 – 76037, 78907

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