BP 5529  Student Conduct

5529.1 Introduction
The California Education Code (section 66300) requires every community college governing board to adopt specific rules governing student behavior along with applicable penalties for violation of such rules.

Students enrolling at College of the Canyons assume an obligation to abide by all College regulations.

For the purposes of this policy, student is defined as an individual who:

1. has submitted an application to the College and has engaged in the admissions process;

2. is enrolled in, or registered in an academic program of the College, including classes for credit, noncredit classes, fee based training classes, and programs including but not limited to the Employee Training Institute, Community Education, and free workshops where teaching and/or training occurs, and/or;

3. has completed the immediately preceding term and is eligible for re-enrollment, including the recess periods between academic terms.

5529.2 Grounds for Disciplinary Action
A student may be disciplined for one or more of the following causes, which must be College/District related and which may occur either on any District site or elsewhere off-site during a College-sponsored activity or event. In cases involving alleged rape, sexual assault, domestic violence, dating violence or stalking, in which both the alleged complainant and the accused are both students, as defined below, of the College, jurisdiction extends to matters which may occur either on or off campus, and not necessarily in conjunction with a College-sponsored activity or event.

This list is not intended to be exhaustive, but is an example of good and sufficient causes for disciplinary action.

A. Any theft, conversion, or damage or destruction, including cutting, defacing, vandalizing, or marking with graffiti. of and/or to any property, real or personal, belonging to the College, a member of the College staff, a student, or a campus visitor, or knowingly receiving stolen College or District property or private property on campus .

B. Forgery, alteration or misuse of College documents, keys, records, or identification, or knowingly furnishing false information to the College or one of its officials, or any fraud activity including reversing credit card charges to avoid paying fees, or failure to make good on returned checks cashed by the College .

C. Cheating, plagiarism, fabrication, and other forms of academic dishonesty, and/or facilitating academic dishonesty, including; having other students or non-students take courses, tests, placement exams, or write papers; access to, or use of electronic devices, during exams; opening internet browsers while taking closed book, closed note proctored exams.

D. Violation of classroom rules including: the use of cell phones, pagers, other unauthorized devices, attendance and punctuality standards, decorum standards, safety standards, and other standards found in the course syllabus.
E. Physical or verbal abuse, including rape, sexual assault, sexual harassment, stalking, domestic violence, dating violence or any threat of force or violence including physical altercation, flaming, bashing, bullying, sharking or any abusive, threatening, coercive, or hostile behavior, including online interaction, directed toward any member of the College, or members of his or her family, or a campus visitor, or any harassing or discriminatory behavior based on race, sex, sexual orientation, religion, age, national origin, disability, or any other status protected by law.

   a. For the purposes of this policy Sexual Assault may occur in the absence of affirmative consent.

   b. “Affirmative Consent” means affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.

F. Willful or blatant misuse of any student contact information obtained from another student either directly, or as part of a course assignment or study group, including sending harassing, stalking or threatening type correspondence or photos either through email, texting or social media, or making harassing, stalking or threatening type phone calls to another student.

G. Willful or blatant misuse of email or engaging in other inappropriate forms of communication with College faculty or staff, including communication by written notes, phone, voicemail, or any form of electronic communication.

H. Manufacture, use, possession, distribution, sale, offer to sell, furnishing, arranging or negotiating the sale of any drug or drug paraphernalia, or being under the influence of alcohol, narcotics, or other dangerous drugs, or the abuse of any lawfully prescribed medication which causes the student to be so impaired as to be a danger to oneself or others, or to be disruptive to the educational or administrative process, on campus, or off campus at any College-sponsored event, including day and night while the student is under the supervision of the College and its personnel, even when formal activities of the event (athletic event, conference, field trip, etc.) have ended.

I. Unauthorized entry into, unauthorized use of, possession of, or misuse of, College or District property, facilities, supplies or equipment, or vehicles, or unauthorized occupancy of any buildings or other facilities owned, rented, leased, or otherwise under the control of the College or District.

J. Disorderly, lewd, indecent, obscene or offensive conduct or language on District-owned or controlled property or at College-sponsored or supervised functions, or engaging in expression which is libelous or slanderous, or which so incites students as to create a clear and present danger of the commission of unlawful acts on College or District premises, or the violation of lawful College or District regulations, or the substantial disruption of the orderly operation of the College or District.

K. Possession, use, or sale of any weapons including firearms, knives, explosives, dangerous chemicals, or other potentially harmful implements, substances, or objects, which could be classified as a weapon, or any imitation or replica weapons,
which may cause alarm to the College community while on the College campuses or at a College or District-sponsored function without prior authorization of the CEO or designee.

L. Failure to identify oneself to or failure to comply with directions of College officials acting in performance of their duties including, but not limited to, the provisions of the Penal Code Sections 626.6 and 626.8

M. Obstruction or disruption, on or off campus, of the College’s education process, administrative process, or other College function, or the open and persistent defiance of authority. This includes all extracurricular activities including, but not limited to, internships, service-learning activities, athletic events, conference travel, and field trips during all hours the student is under supervision of the College and its personnel.

N. Violation of any order of the College President, notice of which has been given prior to such violation and which order is not inconsistent with any of the other provisions of this policy. This notice may be given by publication in the College newspaper, website, social network, or by posting on an official bulletin board designated for this purpose.

O. Soliciting or assisting another to undertake any act, which would subject a student to expulsion, suspension, probation, or other discipline pursuant to this policy.

P. Abusive behavior directed toward, or hazing of, a member of the College community, or any act, which injures, degrades, disgraces or tends to injure, degrade, or disgrace any fellow student or member of the campus community.

Q. Any other cause not listed above which is identified as good cause by Education Code Sections 76032 and 76033.

R. Abuse of computing facilities or computer time, including but not limited to unauthorized entry into a file to use, read, or change the contents or any other purpose; unauthorized transfer of a file; unauthorized use of another individual’s identification or password; use of computing facilities to interfere with the work of another student, faculty member, or College official; and/or use of computing facilities to interfere with a College computing system. For specifics, refer to the College of the Canyons Acceptable Use Agreement.

S. Committing any act or engaging in any behavior that threatens or endangers the health or safety of another individual on campus or at any college sponsored activity or event.

T. Willful misconduct that results in injury or death to a student or to College or District personnel or a campus visitor.

U. Unauthorized preparation, selling, giving, 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, or any materials that are the intellectual property of a faculty member, except as permitted by any district policy or administrative procedure;

V. Gambling on College or District property.

W. Willful or persistent smoking of tobacco products, or the use of an electronic
cigarette, hookah pen or pipe, or similar device used to ingest flavored serums, with or without nicotine and which dispense vapors, in any area where smoking or use of vapor emitting electronic cigarettes, pens, pipes or similar devices has been prohibited by law or by regulation of the College or District.

X. Failure to follow and comply with established guidelines and regulations of off-site entities while participating in college-sponsored, off-campus activities including, but not limited to, conferences, retreats, field trips, excursions, internships, externships, service-learning or volunteer placements, and athletic events.

Y. Violation of College or District policies or of campus regulations including those concerning chartering and registration of student organizations, use of College or District facilities, or the time, place and manner of public expression.

AA. Any attempt to misuse a campus parking permit issued by the College or District including selling a College-issued student parking permit to another student, giving an expired student parking permit to another student, allowing a current or expired student parking permit to be borrowed by another student, making use of any stolen College-issued parking permit, creating or making any form of falsified or fake student or faculty/staff parking permit with the intent for use on a District campus.

BB. Violations of California Vehicle Code or local traffic violations, which cause a threat to persons or property, or the orderly operation of the College by virtue of the nature or frequency of the violations.

CC. Failure to pay, in a timely manner, parking citations written by the College’s Campus Safety Officers for parking violations, which occur on the College’s campuses.

DD. False accusations or malicious charges against another student or member of the campus community.

EE. Violation of federal, state, or local statute or ordinance, or District policy, rule, or regulation while on College property and during all hours, off campus, while the student is under the supervision of the College and its personnel.

FF. Attempting to perform any actions that are cause for disciplinary action identified above.

Approved 01/25/16