BP 5530 Disciplinary Action

5530.1 The following policies regulating student disciplinary actions are adopted for the purpose of providing a uniform method of disciplining students for misconduct, and assuring that all students are accorded fair and objective treatment. Every effort shall be made to make the student aware of these policies.

A. Types of disciplinary Action (Sanctions)

The following types of disciplinary action may be imposed, or imposed and suspended, by appropriate College authorities when a student is found in violation of College rules and regulations.

(1) Warning

Notice to the student that continuation or repetition of specified misconduct may be cause for other disciplinary action.

(2) Restitution

The student is required to make payment to the College, or to other persons, groups, or organizations for damages incurred as a result of a violation of this policy.

(3) Fine

A fine, as established in the associated Administrative Procedures 5530, payable to the College, for violations of this policy. Failure to pay the specific fine by the established date will result in a Hold on the student’s records and ability to register, in any district program, for future terms.

(4) Official Reprimand

A written reprimand is for violation of specified regulations or misconduct. It serves to place on record that a student’s conduct in a specific instance does not meet with the student’s expected performance at the College. A person receiving a reprimand is notified that continued conduct of the type described in the reprimand may result in additional action against the student. The student is further informed that records of reprimands are destroyed four years after the last entry has been made concerning disciplinary action against an individual student and that such records are not considered part of a student’s permanent record at the College.

(5) Disciplinary Probation

Disciplinary probation is a status imposed by the College for a specific length of time during which the student must conform to College standards of conduct. Conditions restricting privileges and/or eligibility may be imposed. For example, students may be removed from all College organization offices and denied the privilege of participating in all College and student-sponsored activities, including public performances. Other conditions, such as community service and academic workshops, may be imposed. The term of disciplinary probation shall be not less than one college month nor longer.
than four (4) college years. Repetition during the probationary period of conduct resulting in disciplinary probation may be cause for suspension or other, more stringent, disciplinary action.

(6) Removal by Instructor

An instructor may remove a student from his/her class, field trip, lab, or other educational program when the student has interfered with the instructional process. The duration will be for the day of the removal, at a minimum, and the next class meeting at the instructor’s discretion. The instructor shall immediately report the removal to the Office of Student Services for appropriate action.

(7) Disciplinary Suspension

Disciplinary suspension consists of the temporary removal of the student from enrollment in the College for both academic, noncredit, fee based training classes, and programs including but not limited to the Employee Training Institute, Community Education, free workshops, and extracurricular purposes. A student may be suspended from one or more classes for the remainder of the school term; or from all classes and activities of the College for one or more terms. A suspended student is not to occupy any portion of the campus and is denied all College privileges including class attendance and privileges noted under “Disciplinary Probation.” Removal of a student suspended from one or more courses may be notated on the student’s transcript as W for withdrawal.

(8) Expulsion

Expulsion consists of the permanent and unconditional removal of the student from the College and all its programs. Students may be expelled from the College only by action of the Board of Trustees upon recommendation of the CEO (Education Code 76030). Notation of the expulsion will be noted on the student’s official transcript for an indefinite period of time. **Appeal of this notation may be made to the CEO using the process established in Policy 5531.3(F) – Due Process.**

(9) Interim Suspension

Interim suspension consists of temporary removal of the student from the College for both academic and extra-curricular activities during the limited time necessary to complete an investigation and is not necessarily considered a disciplinary action.

Interim Suspension shall be:

(a) Imposed by the CEO of the College, or designee, pending a hearing, only when such action is deemed to be necessary for the immediate safety and welfare of the students and staff members or for the protection of the District property;
(b) Limited to only that period of time necessary to assure that the purpose of interim suspension is accomplished;
(c) For not more than a maximum of ten (10) College days.

Students suspended on an interim basis shall be given an opportunity for a hearing within ten (10) days.

The hearing will be held on the following issues: (a) the reliability of the information concerning the student’s conduct, (b) whether the conduct and surrounding circumstances reasonably indicate that the continued presence of the student on the campus poses a substantial threat to the student or to others, or to the stability and continuance of normal College functions. This hearing does not preclude the initiation of regular disciplinary action.

Approved 08/10/11