

BP 5520 Student Discipline Policy

Reference:

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

The Superintendent/President shall establish procedures for the imposition of discipline on students in accordance with the requirements for due process of the federal and state law regulations. The administrative procedure shall identify potential disciplinary actions, including but not limited to the removal, suspension or expulsion of a student based on clearly defined conduct violations (BP 5500, AP 5500).

The administrative procedure will be used in a fair and equitable manner and will not infringe in any way on the rights of students to engage in free expression as protected by the state and federal constitutions and by the Education Code Section 76120.

The Superintendent/President, Vice President of Student Services, or other staff members designated by the Superintendent/President can withdraw consent for any person to remain on campus in accordance with California Penal Code Section 626.4 where the Superintendent/President, Vice President of Student Services, or other staff members designated by the Superintendent/President has reasonable cause to believe that such person has willfully disrupted the orderly operation of the campus.

The Superintendent/President, Vice President of Student Services, or other staff members designated by the Superintendent/President will provide the student with written notice of the conduct warranting discipline. The written notice will include the following:

1. The specific section of the Standards of Student Conduct that the student is accused of violating.
2. A short statement of the facts supporting the accusation.
3. The right of the student to meet with the Superintendent/President, Vice President of Student Services, or other staff members designated by the Superintendent/President or designee to discuss the accusation, or to respond in writing.
4. The nature of the discipline that is being considered.

This policy affords student the right to request a formal hearing. The

Superintendent/President, the president of the Academic Senate, and the AS president shall each, at the beginning of the academic year, establish a list of at least five persons who will serve on student disciplinary hearing panels.

The Superintendent/President may accept, modify or reject the findings, decisions and recommendations of the hearing panel. The decision of the Superintendent/President shall be final. The Superintendent/President's decision shall be forwarded to the Board of Trustees. The Board of Trustees shall consider any recommendation from the Superintendent/President for expulsion at the next regularly scheduled meeting of the Board after receipt of the recommended decision.

Any person as to 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 (Penal Code Section 626.4).

See Administrative Procedures 5520