Sierra College
BOARD POLICY

BP 5500

Standards of Student Conduct

Date Adopted: 7/19/1985
Date Revised: 6/13/2017
Date Reviewed: 6/13/2017

References: Education Code Section 66300, 66301, 76033; ACCJC Accreditation Standard I.C.8 and 10

By enrolling in Sierra College, a student agrees to be a responsible member of the District community; obey the law; comply with the published rules and regulations of the District; respect the rights, privileges and property of the other members of the District community; and not interfere with legitimate District affairs.

Each student is responsible to adhere to the policies and procedures of Sierra College, as well as all federal, state, and local laws. All rules and regulations applying to conduct also apply to student employees, whether all or a portion of the salary is paid by the District.

The District 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 and regulations.

The procedures shall clearly define the conduct that is subject to discipline, and shall identify potential disciplinary actions, including but not limited to the removal, suspension or expulsion of a student.

The District Superintendent/President shall notify the Board of all long term suspensions of one or more school terms. The Board shall consider any recommendation from the Superintendent/President for expulsion. The Board shall consider an expulsion recommendation in closed session unless the student requests that the matter be considered in a public meeting. Final action by the Board on the expulsion shall be taken at a public meeting.

The procedures shall be made widely available to students through the college catalog and other means.

The following conduct shall constitute good cause for discipline, including but not limited to:
1. Acts of dishonesty, including but not limited to the following:
   a. Cheating or plagiarizing in relation to a District course or academic program. See also Board Policy 5515.
   b. Falsification, alteration or misuse of District documents and records; or knowingly furnishing false information to the District.
2. Unauthorized preparation, giving, selling, 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 class notes, except as permitted by any District policy or administrative procedure.
3. The physical or verbal disruption of instructional or student services activities, administrative procedures, public service functions, authorized curricular or co-curricular activities or prevention of authorized guests from carrying out the purpose for which they are on campus, including but not limited to the following:
   a. Continued disruptive behavior, continued willful disobedience, habitual profanity or vulgarity, open and persistent defiance of the authority of, or persistent abuse of, District personnel on District-controlled property or at District sponsored or supervised functions or through electronic means.
4. Conduct that is disorderly, lewd, or indecent; breach of peace; or aiding, abetting or procuring another person to breach the peace on District premises or at functions sponsored by, or those in which members of the academic community participate. Disorderly conduct includes, but is not limited to:
   a. Any unauthorized use of electronic or other devices to make an audio or video record of any person while on District premises without his/her prior knowledge, or without his/her effective consent when such a recording is likely to cause injury or distress. This includes, but is not limited to, surreptitiously taking pictures of another person in a gym, locker room, or restroom.
5. Physical abuse, verbal abuse, threats, intimidation, harassment, coercion, and/or other conduct which threatens or endangers the health and safety of another person, including but not limited to:
   a. Assault, battery, or any threat of force or violence upon a student or District employee.
   b. Engaging in intimidating conduct or bullying against another student or employee through words or actions, including direct physical contact; verbal assaults, such as teasing or name-calling; social isolation or manipulation; and/or cyberbullying.
   c. Discrimination against or harassment of another student, District employee, or individual based on ethnic group identification, national origin, religion, age, sex, gender identity and expression, race, color, medical condition, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, parenting after pregnancy, or because he or she is perceived to have one or more of the foregoing characteristics. (Board Policies 3410 and 3430).
6. Acts that would be considered sexual harassment as defined by law or by District policies and procedures.
7. Sexual assault, defined as actual or attempted sexual contact with another person without that person’s consent, regardless of the complainant’s affiliation with the community college (Title V, section 76033 g.).
8. Act or threat of damage to, theft or attempted theft, or knowingly receiving stolen property belonging to or located on District-controlled property or facilities.
   a. Committing or attempting to commit robbery or extortion.
   b. Unauthorized entry into, or use of, District-controlled facilities.
9. Theft or other abuse of computer facilities and resources, including but not limited to:
   a. Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
   b. Unauthorized transfer of a file.
   c. Use of another individual’s identification and/or password.
   d. Use of computing facilities and resources to interfere with the work of another student, faculty member, or District official.
   e. Use of computing facilities and resources to send obscene or abusive messages.
   f. Use of computing facilities and resources to interfere with normal operation of the District computing system.
   g. Any violation of the District computer use policy (AP 3720).
10. 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 permissions to possess the item from a District employee, which is concurred by the Superintendent/President.
11. Unlawful possession, use, sale, offer to sell, or furnishing, or being under the influence of, any controlled substance listed in Chapter 2 (commencing Section 11053) of Division 10 of the California Health and Safety Code, 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, on campus or during District-sponsored activities such as field trips, athletic events, study abroad programs, conferences, and workshops.
12. Smoking any substance or the use of tobacco or non-regulated nicotine products where prohibited by law or District regulation.
13. Gambling on District property.
14. Failure to comply with program-specific policies, procedures, and standards and District Board Policies and Administrative Procedures.
15. Failure to comply with directions of District officials, faculty, staff, or campus security officers who are acting in performance of their duties and/or failure to identify oneself when requested to do so.
16. Continued serious misconduct where other means of correction have failed to bring about proper conduct.
17. Violation of any statute, regulation, or ordinance or law punishable by incarceration or a fine, other than a vehicular parking violation. Whether a student has committed such a violation shall be determined solely by the District for purposes of any student disciplinary action. Any District disciplinary action is separate and distinct from any other governmental action. The decision of any non-District person or entity, including, but not limited to, a jury, as to whether the violation occurred is not
binding on the student disciplinary action, although it may be considered in the student disciplinary action.

18. Abuse of the student conduct system, including but not limited to:
   a. Failure to obey the notice from the Discipline Officer, designee, or Student Conduct Committee to appear for a meeting or hearing as part of the student conduct process.
   b. Falsification, distortion, or misrepresentation of information to the Student Discipline Officer or designee, or before a Student Conduct Committee.
   c. Disruption or interference with the orderly conduct of a Student Conduct Committee proceeding.
   d. Attempting to discourage an individual’s participation in, or use of, the student conduct process.
   e. Attempting to influence the impartiality of a member of a Student Conduct Committee prior to, and/or during the course of, the Student Conduct Committee proceeding.
   f. Harassment (verbal or physical) and/or intimidation of a member of a Student Conduct Committee prior to, during, and/or after a student conduct code proceeding.
   g. Failure to comply with the sanction(s) imposed under the Student Conduct Code.
   h. Influencing or attempting to influence another person to commit an abuse of the student conduct code/process.

Students are required to engage in responsible social conduct that reflects credit upon the college community and to model good citizenship in any community.

See Administrative Procedure 5520.