STUDENT CODE OF CONDUCT

Yuba Community College District

6/3/2014

YUBA COMMUNITY COLLEGE DISTRICT
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Table of Contents

Section 1. Expected Conduct 3

Section 2. Purpose 3

I. Specific Rules and Regulations Governing Student Behavior 4

Section 3. Campus Expression; Freedom of Speech 4

Section 4. Campus Expression; Hate Violence 4

Section 5. Dress Code 4

Section 6. Animals on Campus 4

Section 7. Parking Violations 5

Section 8. Student Identification 5

Section 9. Use of Technology Equipment or Devices 5

II. Inappropriate Conduct and Levels of Student Discipline for Violation of the Rules and Regulations 5

Section 10. Definitions of Terms 5

Section 11. Scope of Disciplinary Authority; “Good Cause” Grounds for Discipline 7

Section 12. Forms of Discipline 11

YUBA COMMUNITY COLLEGE DISTRICT
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Effective 6/3/2014

References:
Education Code Sections 66300 and 66301;
Accreditation Standard II.A.7.b

The Yuba Community College District provides access to its services, classes, and programs without regard to national origin, religion, age, gender, race, color, medical condition, ancestry, sexual orientation, marital status, physical or mental disability, or because a person is perceived to have one or more of the foregoing characteristics.

Section 1. Expected Conduct
Yuba Community College District is committed to ensuring student success by providing a world class learning environment. In this constructive campus environment, students will gain or develop knowledge, skills or abilities in the following areas: Communication, Computation, Critical Thinking, Global Awareness, Information Competency, Personal and Social Responsibility and Technological Awareness. In joining our academic community, and as a vital part of maintaining this environment, College students are expected to conduct themselves in accordance with district standards and to comply with district rules and those adopted by state and local authority.

Section 2. Purpose
The purpose of providing this Code of Conduct is to:

- give notice of specific rules and regulations governing standards of student behavior,
- give notice of inappropriate conduct and applicable penalties for violation of the rules and regulations, and
- to provide a procedure for disciplining students that offers fair and objective treatment (§ 66300).

For students enrolled in Academy or other regulatory programs, compliance with Academy rules or regulations is a condition of satisfactory academic performance, rather than a matter of student discipline. Academy students may be terminated from participation in the Academy and receive a grade of Incomplete for violating Academy rules or regulations. Termination from an Academy program does not otherwise affect a student's enrollment in the College, unless a separate disciplinary action is commenced pursuant to this Code of Conduct.

I. Specific Rules and Regulations Governing Student Behavior

Section 3. Campus Expression; Freedom of Speech

The right to free expression will be handled according to AP 3900, Speech: Time, Place and Manner.

Section 4. Campus Expression; Hate Violence

A. The governing board of the District may adopt rules and regulations that are designed to prevent "hate violence" from being directed at students in a manner that denies them their full participation in the educational process, so long as the rules and regulations conform to standards established by the First and Fourteenth Amendments of the U.S. Constitution or Article I, Section 2 of the California Constitution.

B. Acts shall not be considered "hate violence" based on speech alone, unless the speech itself threatens violence against a specific person or group of persons, the person or group of persons against whom the threat is directed reasonably fears that violence will be committed because of the speech, whether in person or via a virtual space provided by the College or District, and the person threatening violence had the apparent ability to carry out the threat. (See Section 14(d) of this Code.)

Section 5. Dress Code

College students are expected to demonstrate maturity and exercise good judgment and taste in everyday attire. Whatever the student's judgment, however, every individual must abide by the following dress code policies:

A. Top and bottom clothing must be worn at all times.

B. Every individual is required to wear footwear in all campus buildings. In addition, there are other areas of the campus – for example, the gymnasium, tennis courts, track, and shop areas – where specific types of footwear may be required because of safety factors and/or potential damage to the flooring of the surface of the facility.

C. Additional dress regulations may be imposed upon students participating in certain programs or extracurricular activities that are sponsored or organized by the College (e.g. athletic teams, Academies, etc.).

Section 6. Animals on Campus

A. Except as provided below, students are not allowed to bring animals on campus without prior written approval from the College President or designee.

B. This section does not apply to:
   1. Dogs or other animals that are specially trained to assist blind, hearing

impaired, or otherwise disabled College community members (AP 3440); or

2. Animals brought to campus as patients of the Veterinary School, in accordance with Veterinary School rules.

C. Whether an animal is legitimately on campus or not, no animal shall be left unattended in a motor vehicle at any time. A student who violates this provision may be subject to disciplinary probation.

D. Students should not feed or have contact with feral cats and other wild animals on campus, as these animals may cause injury or disease.

Section 7. Parking Violations

A. All parking and traffic violations will be handled according to the provisions of the California Vehicle Code and in accordance with AP 6750, Driving and Parking on District Property.

B. No student may be expelled from school because of a parking violation.

Section 8. Student Identification
A student shall state his or her name whenever he or she is requested to do so by a College authority.

Section 9. Use of Technology Equipment or Devices
While in a classroom, lab, or any instructional activity in which a student is participating or attending, using any technology equipment or devices not authorized by the instructor will not be allowed. Technology equipment includes but is not limited to cell phones, smart phones, pagers, text messaging devices, tablets, notebooks, laptops, camera phones, personal digital assistants (PDAs), etc. Any authorized use of notebooks, laptops or personal computers for college courses or activities shall be operated consistently with the District policy (AP 3720, Computer and Network Usage) governing the use of this technology equipment and the provisions of this Code of Conduct.

II. Inappropriate Conduct and Levels of Student Discipline for Violation of the Rules and Regulations

Section 10. Definitions of Terms

A. “Behavior” includes conduct or expression.

B. “Class” includes a college, campus, or center.

C. “College authority” means a member of the District governing board, Chancellor, the College President, the Vice President of Academic and Student Services, the Disciplinary Committee, a member of the campus police force, members of the College faculty and administration, and anyone else specifically designated as such by the College President.

D. “College day” or “instructional day” means a day when the College’s regular instructional program is offered, including summer school.

E. “College or District property” includes both of the following:

1. Real or personal property in the possession of, or under the control of the governing board of the District.

2. All district facilities whether operated by the District or by a District auxiliary organization.

F. “Content-neutral” means regulation of speech and other expressive activity that is justified without reference to the content of the regulated speech.

G. “Deadly weapon” includes, but is not necessarily limited to, any instrument or weapon of the kind commonly known as a blackjack, sling shot, billy, sand club, sandbag, metal knuckles, any dirk, dagger, switchblade knife, pistol, revolver, or any other firearm, any knife having a blade longer than two and one-half (2 ½) inches, any razor with an unguarded blade, and any metal pipe or bar used or intended to be used as a club.

H. “Hate violence” means any act of physical intimidation or physical harassment, physical force or physical violence, or the threat of physical force or physical violence, that is directed against any person or group of persons, or the property of any person or group of persons, because of the ethnicity, race, national origin, religion, sex, sexual orientation, disability, or political or religious beliefs of that person or group. Speech alone will not constitute “hate violence” unless such speech threatens violence against a particular person or group of persons; and the person or group of persons against whom the threat is directed reasonably fears that, because of the speech, violence will be committed against them or their property and that the person threatening violence had the apparent ability to carry out the threat.

I. “Hazing” means any method of initiation into a student organization or any pastime or amusement engaged in with regard to the organization that causes, or is likely to cause, bodily danger, or physical or emotional harm, to any member of the College community. “Hazing” does not include customary athletic events or other similar contests or competitions.

J. “Instructor” includes any academic employee of the District in whose class a student subject to discipline is enrolled, or counselor who is providing or has provided services to the student, or other academic employee who has responsibility for the student’s educational program. Instructor also includes a college Librarian.

K. “Member of the College community” includes a member of the governing board of the District, any academic, nonacademic, or administrative personnel and students of the College, and any other person while the person is on College property or at a College function.

L. “Minor” means a person under 18 years of age. For a student enrolled at the College, the permission or consent required of and the rights accorded to the parents of the student, with respect to access to the student’s records, shall only be required of and accorded to the student, whether or not the student has attained the age of 18.

M. “Sexual harassment” means unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the work or educational setting, where, among others, the conduct has the effect of having a negative impact upon the individual’s work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment. (See Administrative Procedure 3430.)

N. Student is any person currently enrolled as a student at any college or in any program offered by the District.

O. “Workday” means a day when the College’s regular operation is open to the general public.

Section 11. Scope of Disciplinary Authority; “Good Cause” Grounds for Discipline

Students are subject to discipline, for any of the following behavior, if the behavior is related to College or District activity or attendance, which includes, but is not necessarily limited to, behavior that occurs on College or District property, at a College sponsored activity off College premises, or while going to or from a College sponsored activity in College provided or approved transportation.

Behavior constituting “good cause” for discipline is defined in Board Policy 5500 and also includes, but is not necessarily limited to, the following:

1) Obstruction or disruption, on or off College or District property, of teaching, research, administration, disciplinary procedures, or other college activities.

2) Physical abuse, on or off College or District property, of the person or property of any member of the College or District community or of members of his or her family or the threat of physical abuse.

3) Lewd, indecent or obscene conduct or expression on District-owned or controlled property, or at College or District sponsored or supervised functions.

4) Violation of any order of the College President or designee, notice of which was given prior to the violation and publicly posted during the academic term in which the violation occurred.

5) Failure to comply with directions of a College authority acting in the performance of their duties.

6) Acts of “hate violence,” as defined in Section 4, above.

7) Display of behavior that jeopardizes their own welfare or the welfare of a member of the College or District community.

8) Assault, battery, including sexual assault and sexual battery, or any threat of force or violence while on College or District property, or any College or District sponsored or supervised activity. This includes mutual affrays.

9) Committing sexual harassment against a member of the College or District Community as defined by law or by District policies and procedures.

10) Engaging in harassing or discriminatory behavior against a member of the College or District Community based on disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other status protected by law.

11) Engaging in intimidating conduct or bullying against a member of the College or District community through words or actions, including direct physical contact; verbal assaults, such as teasing or name-calling; hazing; social isolation or manipulation; and cyberbullying.

12) Willful misconduct that results in injury or death to a member of the College or District Community

13) Willful misconduct that results in cutting, defacing, or other damage to College or District property or real or personal property located at College or District sponsored or supervised functions. Any student who has caused non-accidental damage to College or District property may be required to reimburse the District for the loss. If the student denies

responsibility for the damage, the procedures prescribed in AP 5520, Student Discipline Procedures, will be followed. The District may seek a court judgment to effect collection.

14) Disruptive behavior, willful disobedience, habitual profanity or vulgarity, or the open and persistent defiance of the authority of, or persistent abuse of, College or District personnel.

15) Willful or persistent smoking or other use of tobacco where such use has been prohibited by law or by regulation of the College or District.

16) Possession, sale, or otherwise furnishing any firearm, knife, explosive, dangerous chemical 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 permission to possess the item from a College or District employee, which is concurred by the College President or his or her designee.

17) Unlawful possession, use, sale, offer to sell, or furnishing, or being under the influence of, any controlled substance listed in California Health and Safety Code Section 11053 et. seq., 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.

18) Committing or attempting to commit robbery or extortion.

19) Stealing or attempting to steal: (1) College or District property; or (2) Private property while on College or District property or at a College or District sponsored event.

20) Knowingly receiving stolen: (1) College or District property; or (2) Private property while on College or District property or at a College or District sponsored event.

21) Dishonesty; forgery; alteration or misuse of College or District documents, records or identification; or knowingly furnishing false information to the College or District.

22) Misrepresentation of oneself or of an organization as an agent of the College or District.

23) Engaging in expression which is obscene, 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 property, or the violation of lawful District regulations, or the substantial disruption of the

orderly operation of the College or District.

24) Cheating, plagiarism (including plagiarism in a student publication), or engaging in other academic dishonesty as defined by District policies and procedures.

25) 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 handwritten or typewritten class notes, except as permitted by any district policy or administrative procedure.

26) Commission of a computer-related crime, including, but not limited to, tampering, interference, damage, and unauthorized access to computer data and computer systems, as described in Penal Code section 502.

27) Use of any electronic listening or recording device in any classroom without the prior consent of the instructor, except as necessary to provide reasonable auxiliary aids and academic adjustments to students with disabilities.

28) Tampering with, damaging, or removing fire extinguishers, or any part of the fire alarm system (including smoke detectors and exit signs) or violating fire and fire protection regulations.

29) Unauthorized entry into, unauthorized use, or misuse, of College or District property.

30) Soliciting or assisting another to do any act that would subject a student to expulsion, suspension, probation, or other form of discipline pursuant to this code.

31) Riding a moped, bicycle, skateboard, roller blades, or skates in College or District buildings or on walkways where hazards could be created by their use.

32) Violation of the Student Dress Code as defined in Section 5 above.

33) Littering on College or District property.

34) Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.

Students who engage in any of the above are subject to the procedures outlined in AP 5520, Student Discipline Procedures.

Section 12. Forms of Discipline
The following forms of discipline, in order of severity, may be imposed on a student for behavior that constitutes "good cause," as defined above and in accordance with the procedures outlined below.

A. **Removal from class:** An instructor may remove a student from his or her class for the day of removal and the next class meeting. In the case of the Library, removal would be for the day and the next college day. The instructor shall immediately report the removal of the student to the College President or designee for appropriate action.

B. **A written or verbal reprimand:** An admonition to the student to cease and desist from conduct determined to violate the Student Code of Conduct. Such reprimands are given in a disciplinary conference with an administrator. Written reprimands may become part of the student's permanent record at the college. Verbal reprimands may become a part of a student's record at the college for a period of up to one year.

C. **Disciplinary probation** : The disciplinary authority has the discretion to impose an appropriate probationary period consistent with these procedures. A copy of the written disciplinary probation is filed in the student's permanent file. In addition, if the student is a minor, a copy of the letter shall be sent to the student's parent or guardian, and the parent or guardian shall be invited to confer with the college administrator imposing the discipline.

D. **Immediate Interim Suspension:** The suspension from one or more classes when required to protect lives or property and to ensure the maintenance of order. A student may be placed on immediate interim suspension without prior notice, provided that student is provided a reasonable opportunity for a hearing within ten (10) days of the first day of suspension.

E. **Short-term suspension:** The suspension from one or more classes for a period of up to 10 consecutive instructional days.

F. **Long-term Suspension**: The exclusion of the student from one or more classes for more than 10 consecutive instructional days, or from all classes and activities of the college for one or more additional terms.

G. **Expulsion:** The exclusion of the student by the Board of Trustees from the college indefinitely when other means of correction fail to bring about proper conduct, or when the presence of the student causes a continuing danger to the physical safety of others. (Education Code §76030.)

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