



PASADENA AREA COMMUNITY COLLEGE DISTRICT POLICY

Title: Student Conduct and Academic Honesty

Policy No. 4520

Legal Authority: California Education Code Sections 76062, 76120

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It is the policy of the Pasadena Area Community College District that Pasadena City College seeks to maintain a safe, orderly, and constructive campus environment in which there is freedom to learn and respect for the dignity of all members of the College community. Students are expected to be responsible, honest, and non-violent in exercising their rights to free inquiry and free speech.

The District shall establish procedures which describe expected student conduct, penalties for misconduct, and a student discipline process.

**PASADENA AREA COMMUNITY COLLEGE DISTRICT
PROCEDURES
For Policy No. 4520**

Title: Student Conduct and Academic Honesty

**Procedure No. 4520.10
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1. Student Conduct Code

The Student Conduct Code identifies conduct that is prohibited by College policy. Students who violate the Student Conduct Code will be subject to disciplinary action under the Student Discipline Process Procedures. Disciplinary sanctions depend on the nature of the offense, the past pattern of behavior of the student, and other relevant factors. Examples of possible disciplinary sanctions are listed below. In addition, student drug or alcohol offenses or other criminal acts, may be referred to law enforcement officials.

2. Types of Conduct Subject to Discipline

The following are some of the types of conduct for which students may be subject to disciplinary sanctions. These types of conduct are prohibited at all times on College owned or controlled property and at any off-campus function sponsored or supervised by the College.

- a. Dishonesty, such as cheating, plagiarism, fabrication, or knowingly furnishing false information to the College or its officials; intentionally or knowingly helping or attempting to help another commit an act of dishonesty.
- b. Failure to comply with directions of College personnel acting in the performance of their duties, including failure to present the Pasadena City College ID card or current class schedule upon request.
- c. Unlawful use, possession, sale or presence on campus while under the influence of alcohol, narcotics, or other controlled illegal substances.
- d. Forgery, alteration or misuse of College documents, records, or identification.
- e. Misrepresentation of oneself or of an organization to be an agent of the College.
- f. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, other College sponsored or supervised activities including public-service functions on or off campus, or authorized non-College activities on College premises.
- g. Assault, battery, any threat of force or violence, physical or verbal abuse, intimidation, harassment, coercion, stalking, hazing and/or other such conduct involving any member of the College community or visitors.
- h. Attempted or actual theft or intentional damage to property of the College or any member of the College community or visitors. This includes theft of textbooks or sale of textbooks other than one's own and intentional damage to library resources.
- i. Violation of applicable College policies, procedures or regulations, State or local laws on College premises or at College sponsored or supervised activities.
- j. Violation of rules and/or regulations governing student organization chartering, official activity approval, funds handling and management, and/or participation in such activities
- k. Violation of College policies, procedures, and/or regulations on the time, place and manner of free speech and distribution of literature, including those addressing use of the free speech area, use of amplified sound, disruption of the educational processes of Pasadena City College, student body election activities, student and student organization activities and non-student organization activities.
- l. Willful or persistent smoking in any area where smoking has been prohibited by lawful authority.
- m. Disorderly conduct or lewd, indecent, or obscene conduct or expression.
- n. Illegal or unauthorized possession, use, or sale of explosives, firearms, or other dangerous objects or substances which might inflict bodily harm or be used to threaten the health or safety of anyone.

- o. Continual, disruptive, behavior, continued willful disobedience, or the open and persistent defiance of the authority of, or persistent abuse of College personnel.
- p. Unauthorized use of computers and telecommunication resources, including but not limited to:
 - (1) Unauthorized entry into a file to use, read, or change the contents, or for any other purpose;
 - (2) Unauthorized transfer of a file;
 - (3) Unauthorized use of another individual's identification and password;
 - (4) Use of computing facilities to interfere with the work of another student, faculty member or College official;
 - (5) Use of computing and telecommunications resources to send obscene or abusive messages.

(As used above, unauthorized means permission has not been given by an appropriate college office. See District Policy 5350, Privacy, Security, and Acceptable use of Electronic Resources.)
- q. Any form of unlawful discrimination or harassment, including sexual harassment, gender-based harassment and/or sexual assault of any person as defined by state or federal law. See College policy and procedures on discrimination, sexual harassment and/or sexual assault.
- r. Obstruction of the free flow of pedestrian or vehicular traffic on College premises or at College-sponsored or supervised functions such as speeding on campus property, failing to stop at stop signs and occupied pedestrian crossings and parking illegally.
- s. Parking in violation of areas reserved for people with disabilities or persons providing transportation to such employees, students and/or visitors.
- t. Use of any audio, video or other listening, recording or transmitting device in any classroom, service area or College activity without the prior consent of the instructor, College service provider or activity advisor except as necessary to provide reasonable auxiliary aids and academic adjustments to students with disabilities or as provided by regulation or law. Students who require such devices or other accommodations should inform their instructor(s) by the first day of class or their first day of attendance, whichever comes first.
- u. Other misconduct that disrupts the College, its mission or campus life.

PROCEDURES
For Policy No. 4520

Title: Misconduct Penalties

Procedure No. 4520.20
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1. Disciplinary Actions for Violation of Conduct Code
Violation of a Student Conduct Code is subject to the following types of disciplinary action that will be administered by appropriate College personnel:
 - a. Warning - A verbal admonition to the student that a College regulation has been violated. This action may be initiated by a college faculty member or manager and, if deemed necessary, sent in writing to the Office of Student and Learning Services to determine if further disciplinary action should be imposed.
 - b. Temporary Class Removal - Removal of a student from a class by the instructor when the student's behavior has interfered with the teaching/learning process within the classroom/laboratory environment. A student may also be removed from the instructional setting if the instructor determines that the student's actions are unsafe and/or dangerous to self or others. In either case, the duration shall not exceed the day of the removal and the next class meeting. Temporary class removal may be undertaken only after the instructor has warned the student and given the student a chance to improve, except in cases where the violation is so flagrant that immediate removal from the class, clinic, or laboratory is in order. The instructor shall notify the Division Dean of the temporary class removal.
 - c. Reprimand - A written reprimand to the student at the discretion of the Vice President of Student and Learning Services or designee. A copy of the letter may be placed in the student's disciplinary file. The student will be notified of this action and given an opportunity to submit a written response.
 - d. Disciplinary Probation - A written reprimand accompanied by probation for a designated period of time. Probation includes probability of more severe disciplinary sanction if the student is found to have violated College regulations during the probationary period.
 - e. Loss of Privileges - Denial of specified privileges for a designated period of time including exclusion from extra-curricular activities of the College community and restricted use of College facilities and services.
 - f. Restitution - Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
 - g. Discretionary Sanctions - Work assignments, service to the College or community or other related discretionary assignments. Such assignments must be approved by the Vice President of Student and Learning Services or designee.
 - h. Administrative Class and/or Program Drop - Drop of a student from a class and/or program by the Vice President of Student and Learning Services or designee. An instructor may initiate this drop process for one or more of the reasons given under the Student Discipline Process. (See section 1.b., Administrative Class and/or Program Drop Procedures.)
 - i. Interim Suspension – Removal, in certain circumstances, of a student from the College prior to completion of due process proceedings in order to insure the student's own physical or emotional safety and well-being or to insure the safety and well-being of members of the College community or for the preservation of College property. The student shall be given prompt notice of the charges and a reasonable opportunity for a hearing within 10 class days (class days are the days that classes are in session, excluding weekends) of the imposition of the interim suspension.
 - j. Suspension - Exclusion of the student from the College for a definite period of time, after which the student may be eligible to re-enroll. Conditions for readmission may be specified. This action is initiated by the Superintendent/President of the College or designee. Any suspension shall be accompanied by a hearing or the opportunity for a hearing.

- k. Expulsion - Removal of a student from the College by the governing board of the College (Board of Trustees) for good cause when other means of correction have failed to bring about proper conduct or when the presence of the student causes a continuing danger to the physical safety of the student or others. An expulsion is considered a permanent exclusion of the individual from being a student of the District. Re-admittance to the College requires governing board approval. Expulsion shall be accompanied by a hearing or the opportunity for a hearing.
- 2. More than one of the sanctions above may be imposed for a single violation.
- 3. Other than expulsion, disciplinary sanctions shall not be part of the student's permanent academic record, but shall become part of the student's confidential record.
- 4. Violation of parking laws, ordinances or regulations shall not be grounds for class removal, suspension or expulsion.

PROCEDURES
For Policy No. 4520

Title: Student Discipline Process

Procedure No. 4520.30
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1. Student Discipline Process

Pasadena City College administers student discipline so as to support an environment that is safe and conducive to learning and to provide for the education and development of those who have been found to be in violation of the Student Conduct Code. It is the intention of this policy and procedure that all student disciplinary actions have the effect of correcting problem situations, preventing future problem situations, and protecting the ability of all members of the campus community to be treated with dignity and respect at all on and off-campus functions. Students are expected to be honest, forthright and cooperative throughout the process.

a. Overview of Student Disciplinary Process

The student disciplinary process is an administrative process used to review alleged student conduct violations and to impose appropriate sanctions if supported by the findings. Findings will be based on a preponderance of the evidence. The student's due process rights will be observed in all instances including the right to appeal the discipline decisions of College administrators, except in cases of administrative class and/or program drop procedures. (See 1b.)

- (1) When a complaint of an alleged violation is received by the Vice President of Student and Learning Services or designee, (VPSLS/d), the matter is reviewed to determine whether disciplinary action should be pursued.
- (2) If disciplinary action is to be pursued, the student will be notified in writing of the alleged misconduct and directed to schedule a meeting with the VPSLS/d.
- (3) At such meeting, the student will be advised of his/her rights, notified of the policies that he/she is alleged to have violated, and informed of the evidence supporting the charge(s). The student is provided with an opportunity to respond and is reminded of the importance and expectation of being honest.
- (4) The VPSLS/d may discuss with the student findings and possible resolutions of the case.

b. Administrative Class And/Or Program Drop Procedures

A student may be dropped by the VPSLS/d from a class or program for one or more of the following: disruptive behavior that interferes with the instructional process, unsafe and dangerous practices in a clinical and/or laboratory setting, academic dishonesty, which includes but is not limited to cheating and/or plagiarism, or for a violation that is so flagrant that it justifies permanent removal from the class. Prior to submitting the Request for Removal form, the instructor will have informed the student of the possible consequences of his/her disruptive, unsafe or academically dishonest behavior and may give the student a chance to improve if the instructor deems it appropriate.

- (1) The instructor and Division Dean shall determine if an administrative class drop is in order, and if so, shall submit a Request for Administrative Drop form to the VPSLS/d.
- (2) The VPSLS/d shall review the request and inform the student of the action to be taken within six days of receiving the Request for Drop form. During the review of the instructor's request to drop, the student may not attend the class.
- (3) If the Vice President decides that the student should be dropped, the student shall be informed that he/she may appeal the decision to the President of the College, whose decision is final.

c. Informal And Formal Dispositions

(1) Informal

Informal disposition means resolution without a formal hearing and may include the following as appropriate if agreed upon by all parties including VPSLS/d.

- (a) Mutual Consent - agreement by the involved parties to reach a mutually agreeable resolution with the resolution subject to review by the VPSLS/d. Mutual consent agreements may also be reached between the student and the VPSLS/d when the student admits that a violation has occurred and agrees to specified sanction(s). A disciplinary contract is written and signed by the VPSLS/d and the student.
- (b) Campus Mediation - agreement by the involved parties to reach a resolution through formal mediation and the VPSLS/d. The parties will participate in the selection of the mediator(s) from a pool of trained mediators either from the campus or the community. This process requires all of the parties to attend all of the sessions as determined by the mediator(s). The agreement reached in the mediation process is final and must not be in conflict with policies set forth by the College and applicable state, federal and local codes, laws and regulations. If an agreement cannot be reached, the matter shall be referred to the VPSLS/d for Administrative Disposition.

(2) Formal

If the case cannot be resolved through an informal process, it may be referred to the appropriate body for formal disposition. The formal proceedings have several possible levels:

- (a) Level 1 - Administrative Disposition - the VPSLS/d shall investigate the charge(s) of misconduct, review the charge(s) with the student and may impose appropriate sanctions. The student shall be notified of the outcome by letter. Decisions reached through Administrative Disposition may be appealed to the College President; s/he shall refer cases to the Student Judicial Advisory Panel for recommendation.
- (b) Level 2 – Formal Hearing - A student may appeal disciplinary decisions made through administrative disposition. To do so, the student shall file a formal appeal on a Student Disciplinary Decision Appeal form within 10 class days (class days are the days that classes are in session, excluding weekends) of the date of the Administrative Disposition notification letter. The appeal form shall include the decision being appealed, the reason for the appeal, the resolution sought, together with any supporting documentation and the names of witnesses the student intends to present. An appeal may be on any one or more of the following grounds: (a) the required procedure was not followed; (b) the student did not commit the acts or omissions upon which the discipline is based; (c) the penalty is excessive, unreasonable or discriminatory.

- i. Composition of the Panel - Each year, the leadership of the College constituent groups (Associated Students, Academic Senate, Classified Senate, Management Association) shall identify five to ten members of their constituent group who shall comprise the pool of people from which panel members may be selected. Such selections shall follow the appointment procedures of the constituent group's governing body.

When an appeal is to be considered, the College President shall select a manager to act as the convener for the panel. The College President shall request each of the constituent groups to designate two members to serve on the panel and identify a first and second alternate. The College President shall notify in writing the student filing the appeal and the panel members regarding the initial composition of the panel. To conduct business, the panel must have a quorum of at least one member from each of the four constituent groups.

The student may challenge the seating of no more than two panel members without stating cause. Panel members will be replaced from the alternate list submitted by the constituent group. Any additional challenges shall require written documentation of cause. Any challenge must be filed within three class days (class days are the days that classes are in session, excluding weekends) of the date of the panel composition notification letter. Should the College President find cause, then s/he may select an alternate from the appropriate pool. Without limitation, the President may reject any challenge that s/he finds to be without merit. If, in the opinion of the President, the challenge process is being used to stall the proceedings, the President may reject additional challenges and may direct the panel to begin proceedings. The President shall notify the parties of the final composition of the panel by letter.

- ii. Hearing Process - The panel shall schedule a hearing promptly and no later than 20 class days (class days are the days that classes are in session, excluding weekends) after the date of the final panel composition notification letter from the College President. The panel shall conclude the formal hearing process as promptly as possible. The panel shall afford due process, as required by law, as described herein.

The convener may provide an orientation to the panel members prior to the hearing. The orientation shall include a review of the members' roles, conduct, tasks, and responsibilities as well as a review of the hearing process and College procedures.

At least 5 class days (class days are the days that classes are in session, excluding weekends) prior to the commencement of the hearing, 10 copies of all written materials that the student or the VPSLS/d considers relevant to the case shall be submitted to the convener. In addition, the following shall also be submitted: a list of witnesses, or a statement that none will be called, and any requests to submit witness statement(s) in lieu of oral testimony, together with the written statement and the reasons that the witness cannot appear at the hearing.

The convener may schedule a pre-hearing conference including the student and VPSLS/d to clarify and/or simplify issues, address procedural questions, limit cumulative evidence or testimony and/or to consider other matters that may aid the conduct of the hearing.

At the formal hearing, the panel shall listen to the oral testimony, receive written evidence and consider other information relevant to the alleged misconduct and disciplinary sanction(s). The panel may exclude unfair, irrelevant or cumulative information and it may require additional information, at its discretion. The student, the College and the panel shall have the right to call and question witnesses. The panel has the right to decide if it will accept a written statement under oath in lieu of personal testimony of a witness. The panel may give less weight to a written statement than to in-person testimony.

The student is expected to be present at the hearing. Failure to be present may be grounds for a summary finding against the absent student.

Each party may have an advisor from the campus community at the hearing and the parties may consult freely with such; however, advisors may not speak for the parties in the formal proceedings, unless the panel determines that fairness would be better served by such.

All testimony shall be audio taped. The parties and their advisors may listen to the tape. The official record of the hearing shall consist of the audiotape recording and all physical items or documents introduced as evidence. The official record shall be maintained in a confidential file for at least five years.

The panel may extend any time limit for good cause. Good cause shall include finals weeks, breaks, holidays, vacations and/or documented extenuating circumstances. All documents sent by the convener to the parties shall be sent by certified mail or personal delivery.

After the close of a hearing, the panel shall deliberate and prepare a written report of its findings and recommendations. The report shall set forth the majority recommendation with reasons. The recommendation may differ from the Administrative Disposition and shall be based on a preponderance of evidence.

The College President shall review the report of the panel and within 10 class days (class days are the days that classes are in session, excluding weekends) of the date of the written report issue a written decision to the student with a copy to the VPSLS/d. The President may extend the time for good cause.

The President shall report all suspensions to the Board of Trustees. Where expulsion is recommended, the President shall refer his recommendation to the Board of Trustees for action.

- (c) Level 3 – Board of Trustees - Final appeals shall rest with the Board of Trustees. The student may appeal the decisions made by the college President by submitting a written appeal within 10 class days (class days are the days that classes are in session, excluding weekends) after receipt of the decision. The Board of Trustees shall inform the student of the date when it will consider the matter. The Board's decision shall be final.