

ARTICLE XI

STUDENT DISCIPLINE

91101. STUDENT DISCIPLINE PROCEDURES.

91101.10 Purpose and General Policy

- a. Purpose and Scope. Community college districts are required by law to adopt standards of student conduct along with applicable penalties for violation (Education Code Sections 66017, 66300, 76030 and 76031). The Los Angeles Community College District has complied with this requirement by adopting Board Rules 9803, Standards of Student Conduct and 91101, Student Discipline Procedures. The purpose of Board Rule 91101 is to provide uniform procedures to assure due process when a student is charged with a violation of the Standards of Student Conduct. All proceedings held in accordance with this Board Rule shall relate to an alleged violation of appropriate standards of student conduct. These provisions do not apply to grievance procedures, student organization councils and courts, or residence determination and other academic and legal requirements for admission and retention. Disciplinary measures may be taken by the college independently of any charges filed through civil or criminal authorities, or both.

Adopted 04-20-89
Amended 06-14-95

- b. General Policy. Conduct at any of the Colleges and District Office in the Los Angeles Community College District must conform with the laws of the Federal Government and the State of California and District policies and procedures. The Los Angeles Community College District faculty, staff and administration are dedicated to maintaining an optimal learning environment; the standards of behavior as outlined in Board Rule 9803 are essential to the maintenance of a quality college environment. These standards apply to all current students on campus, or other college property or while attending any college-sponsored classes, activities or events. Violation of such laws, policies, rules and regulations or behavior adversely affecting suitability as a student, will lead to disciplinary action. Former students may also be disciplined for violating the District's standards of behavior (Board Rule section 9803 et seq.) or other college property or at a college-sponsored activity or event.

Adopted 06-14-95
Amended 08-17-05

91101.11 Disciplinary Action

Disciplinary action appropriate to the misconduct as defined by the violation of the Standards of Student Conduct, Board Rule 9803, may be taken by an instructor (see b(1) and (5) below), an administrator (see b(1-9) below), the College President (see b(6-10) below) and the Chancellor and the Board of Trustees (see b(10) below).

- a. Notifying Campus Law Enforcement. When a violation of the Standards of Student Conduct occurs which threatens the

Adopted 06-14-95
Amended 04-14-04

lives, property or maintenance of order, campus law enforcement should be notified immediately. Campus law enforcement will issue a police report and will send a copy to the Chief Student Services Officer or designee for appropriate action.

b. Discipline. The following types of disciplinary action may be taken or pursued by the college:

1) Warning - A verbal or written notice, given to the student by an instructor, Chief Student Services Officer or designee or any college administrator or manager, that continuation or repetition of the specified conduct may be cause for further disciplinary action. The Chief Student Services Officer or designee shall place documentation of this warning in the student file.

2) Reprimand - A written reprimand for violation of specified regulations, prepared by an instructor, Chief Student Services Officer or designee or any college administrator or manager. The reprimand will be sent to the student by the Chief Student Services Officer or designee, noting that continued violations may result in further disciplinary action. The Chief Student Services Officer or designee shall place a copy of this reprimand in the student file.

Adopted 06-14-95
Amended 10-18-00
Amended 04-14-04

- 3) Restitution - A letter from the Chief Student Services Officer or designee requesting reimbursement for damages(s) or misappropriation of property will be sent to the student. One copy of this letter will be placed in the student's file and others will be sent to Chief Business Officer and appropriate administrator(s). Reimbursement may take the form of appropriate service or compensation for damage(s). Pursuant to Title 5 C.C.R. section 59410 and Board Rule 8402, students failing to provide the required restitution will be barred from subsequent enrollment in the District.
- 4) Disciplinary Probation - Disciplinary probation may be imposed for violations of the Student Code of Conduct. Disciplinary probation may be imposed for a period not to exceed one year. Repetition of conduct resulting in disciplinary probation may be cause for suspension or further disciplinary action. The Notice of Disciplinary Probation (Form SD1), signed by the Chief Student Services Officer or designee will be placed in the student's file, and copies will be sent to the appropriate administrator(s), and campus law enforcement.

Adopted 06-14-95
Amended 11-03-99
Amended 04-14-04

5) Removal By Instructor - An instructor may remove (suspend) a student from his or her class for the day of the incident and the next class meeting. During this period of removal, the student shall not return to the class from which he or she was removed without the concurrence of the instructor of the class.

(a) If a student is suspended for one class meeting, no additional formal disciplinary action is necessary; however, the faculty member is encouraged to notify the Chief Student Services Officer or designee of this action.

(b) If a student is suspended from class for the day of the incident and the next class meeting, the instructor shall send a written report of the action to his department/ cluster chairperson, who shall forward it to the appropriate instructional administrator, the Chief Instructional Officer and the Chief Student Services Officer or designee.

(c) If the student who is being suspended for two class meetings is a minor, the Chief Student Services Officer or designee shall notify the

Adopted 06-14-95
Amended 11-03-99
Amended 04-14-04

parent or guardian of the student involved in the incident, and shall hold a conference regarding the suspension as soon as possible with the student, his or her parent or guardian and the faculty member. (EC 76032)

- (d) The instructor may recommend to the appropriate instructional administrator or the Chief Instructional Officer that the student be suspended for longer than two class meetings. If the instructor, student and appropriate administrator cannot resolve the matter, the matter shall be referred to the Chief Student Services Officer or designee who shall consider further disciplinary action.

Adopted 06-14-95
Amended 04-14-04

- (e) During the period following the initial suspension from class for the day of the incident and the following class meeting, the student shall be allowed to return to the class until due process and the disciplinary procedures are completed, unless the student is further suspended pursuant to Section 6 below. Suspension by the instructor shall be considered an excused absence.

Adopted 06-14-95
Amended 11-03-99

- 6) Immediate Suspension - The Chief Student Services Officer or designee, or any other college administrator, manager or delegated authority may immediately suspend a student from all colleges in the District and District office, acting under an emergency to protect lives or property and/or to ensure the maintenance of order.

Within twenty-four (24) hours or the next regular work day of the suspension, the administrator, manager or appropriate individual shall send to the Chief Student Services Officer or designee a written report of the suspension. The Chief Student Services Officer or designee shall send the "Notice of Immediate Suspension with Recommended Disciplinary Action" (Form SD2) to the suspended student, or parent or guardian in the case of a minor, informing the student of his or her right to request a hearing. A copy of the Notice of Immediate Suspension with Recommended Disciplinary Action (Form SD2) shall be placed in the student's file, and copies of the Notice shall be sent to the President, the Chief Instructional Officer, the area administrator, the Registrar and campus law enforcement.

The suspension shall remain in effect until the conclusion of all disciplinary action(s) on this matter.

Adopted 06-14-95
Amended 11-03-99
Amended 04-14-04

7) Suspension - The Chief Student Services Officer or designee may:

- (a) Suspend a student from one or more classes, activities, services, programs, or specific locations on campus for a period of up to ten days with a right to a hearing before the Chief Student Services Officer or designee; or
- (b) Suspend a student subject to a right to a hearing before a Hearing Committee as provided under Board Rule 91101.14 for:
 - (1) One or more classes, activities, services, programs, or specific locations for the remainder of the term; or
 - (2) One or more classes, activities, services, programs, or specific locations of the college or District for up to two terms or one academic year.
- (c) The Chief Student Services Officer or designee shall send the "Notice of Suspension" (Form SD3) to the student and in the case of a minor to the parent or guardian (EC 76031).

Adopted 06-14-95
Amended 11-03-99
Amended 10-18-00
Amended 12-19-01
Amended 04-14-04

The Notice of Suspension shall contain information as to the student's rights and due process, including the student's right to an appropriate hearing based on the length of the proposed suspension. A copy of the Notice of Suspension shall be placed in the student's file, and copies of the Notice shall be sent to the President, the Chief Instructional Officer, the appropriate administrator, the Registrar and campus law enforcement.

- (d) The Chief Student Services Officer or designee shall proceed according to the Due Process and Disciplinary Procedures as outlined in Section 91101.13 or 91101.14 below.

Adopted 06-14-95
Amended 12-19-01
Amended 04-14-04

- (e) The days that the student is suspended may be considered an excused absence provided that the student can make up the required course work missed while suspended. The instructor of the course shall make that determination. The Chief Student Services Officer or designee will provide the student's instructor(s) with a written notice of the suspension.

Adopted 06-14-95
Amended 11-03-99
Amended 04-14-04

(f) A student suspended for one or more semesters shall be administratively excluded from his or her classes for the semester in which the discipline occurred. The exclusion shall be effective the date of the suspension.

Adopted 11-03-99
Amended 12-19-01

8) Suspension Subject to Reconsideration - The Chief Student Services Officer or designee may recommend to the College President temporary termination of student status, or the suspension of the student from one or more of the following: 1) classes, 2) activities, 3) services, 4) programs, or 5) specific locations on campus, subject to reconsideration after a specified length of time (pursuant to Section b(7) above) and with specific grounds for reconsideration. Reconsideration may be requested by the student only when the time specified by the suspension action has elapsed. Any premature request for reconsideration will be returned to the former student. In order to address the reconsideration, the former student must present evidence, pursuant to Board Rule 91101.18, that he or she has met all the requirements specified for reconsideration.

Adopted 06-14-95
Amended 11-03-99
Amended 10-18-00
Amended 04-14-04

- 9) Suspension of Financial Aid - The disciplined student shall be ineligible to receive state financial aid for a period not less than the period for which he or she as a recipient has been suspended pursuant to these procedures. If the student is not suspended from the college, the student can still be found to be ineligible for state financial aid for a period not to exceed two years, subsequent to a determination by a Hearing Committee, pursuant to these procedures, that a recipient willfully and knowingly disrupted the orderly operation of the campus. (EC 69810, 69811).
- 10) Expulsion - Expulsion is the termination of student status for an indefinite period of time. Upon recommendation by the College President, the Chancellor or designee shall consider the matter, and shall recommend to the Board of Trustees the expulsion of a student for good cause when other means for correction fail 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. The Chief Student Services Officer or designee shall send the Notice of Recommended Expulsion (Form SD4) to the student or in the case of minor to the parent or guardian. A copy of the Notice of Recommended

Adopted 06-14-95
Amended 11-03-99
Amended 04-14-04

Expulsion shall be placed in the student's file, and copies of the Notice shall be sent to the President, the Chief Instructional Officer, the appropriate administrator, the Registrar and campus law enforcement. Expulsion may be subject to reconsideration after a specified period of time and subject to specifically identified conditions pursuant to Board Rule 91101.17 and Board Rule 9801 et seq.

Adopted 06-14-95
Amended 11-03-99
Amended 04-14-04

A student can be expelled from either all colleges in the District, or a specified program (e.g., Nursing) from all colleges in the District.

- 11) Expulsion Subject to Reconsideration - Expulsion subject to reconsideration is the termination of student status for a definite period of time, subject to reconsideration after a specified length of time and with specific grounds for reconsideration. Reconsideration may be requested by the student only when the time specified by the expulsion action has elapsed. Any premature request for reconsideration will be returned to the student. In order to address the reconsideration, the student must present evidence pursuant to Board Rule 91101.18 that he or she has met all the requirements specified for reconsideration. If the student fails to satisfy the reconsideration requirements, the student remains expelled.

Adopted 04-14-04

91101.12 Filing of Complaints and Processing of
Charges of Misconduct.

- a. Complaints of misconduct against a student shall be based on a violation of the Standards of Student Conduct as outlined in Board Rule 9803. Complaints may be filed by any person who has personal knowledge of facts indicating that the student participated in the alleged misconduct. Such a witness shall hereinafter be referred to as "complainant" and the person being charged as "accused."
- b. The complainant must first file his or her complaint(s) with the Chief Student Services Officer or designee. In the case of faculty suspensions from class, the faculty member shall file his or her complaint(s) with the department/cluster chairperson, who in turn will forward the complaint to the Chief Instructional Officer and the Chief Student Services Officer or designee.
- c. The Chief Student Services Officer or designee shall review the complaint(s) and within thirty (30) days will either:
 - 1) attempt to informally resolve the matter(s), or
 - 2) recommend disciplinary action.
- d. In the event that disciplinary action is recommended, the Chief Student Services Officer or designee shall give the accused a written Notice of the Charges (Form SD5) which shall contain the violation of the specific Standards of Student Conduct, and the proposed disciplinary action. A copy of this policy shall be included with the Notice.

Adopted 06-14-95
Amended 04-14-04

- e. The Chief Student Services Officer or designee shall have final authority for dispensing the following disciplinary actions: Warning, Reprimand, Disciplinary Probation, Restitution and/or Suspension for ten (10) days or less.
- f. If the recommended disciplinary action is more severe than those listed in Section (5) above, the appropriate SD forms shall include notification to the accused of his or her right to request a hearing.
- g. If the accused does not request a hearing, the proposed disciplinary action, with the exception of expulsion, will be taken by the President upon recommendation by the Chief Student Services Officer or designee. In the case where expulsion is being recommended, the President shall forward his or her recommendation to the Chancellor's designee, who will forward a recommendation to the Chancellor and the Board of Trustees.

Adopted 06-14-95
 Amended 11-03-99

- h. The accused shall not be entitled to representation by counsel during the filing of complaints and processing of charges of misconduct.

Adopted 11-03-99

91101.13 Disciplinary Hearing for Suspensions Less Than Ten (10) Days

a. Student Right to a Hearing before the Chief Student Services Officer or designee.

1) The student has a right to a hearing before the Chief Student Services Officer or designee for a suspension less than ten (10) days. Students must request the Hearing before the Chief Student Services Officer or designee within five (5) days of notification of recommended disciplinary action from the Chief Student Services Officer or designee.

2) The student's right to a Hearing shall be forfeited if:

a) the student fails to appear at the Hearing without prior notice and a satisfactory explanation, or

b) the student leaves the Hearing before its conclusion.

3) The student may waive his/her right to a hearing.

b. Scheduling A Hearing

1) The accused shall receive the Notice of Charges(SD5), which contains the charges, the proposed disciplinary action, and a copy of these procedures.

2) The Hearing before the Chief Student Services Officer or designee shall be held within ten (10) days of when the accused requests a hearing. Failure on the part of the accused to appear at the Hearing will constitute a waiver of his or her right to a Hearing pursuant to these

Adopted 06-14-95
Amended 12-19-01
Amended 04-14-04

procedures. However, if there is prior notification to the Chief Student Services Officer or designee and a satisfactory explanation is given for the student's absence, the Chief Student Services Officer or designee may reschedule the Hearing.

- 3) The Chief Student Services Officer or designee shall notify the accused in writing of the time and place of the hearing. The notice shall contain information, when appropriate, on the status of the student's financial aid. The notice shall also specify if there is to be an interim exclusion from the college pursuant to Penal Code Section 626.4 and Section 91101.11(b-6) of this Board Rule. Copies of such notice shall also be sent to the student's instructors and college law enforcement.

Adopted 06-14-95
Amended 12-19-01
Adopted 04-14-04

c. How the Hearing is to be Conducted

- 1) The Hearing shall take place before the Chief Student Services Officer or designee. The Hearing shall be conducted in any manner deemed appropriate by the Chief Student Services Officer or designee, provided that the accused is offered due process and given the opportunity to confront any witnesses testifying against him/her and to offer statements of any supporting witnesses.

Adopted 06-14-95
Amended 11-03-99
Amended 12-19-01
Amended 04-14-04

- 2) The Hearing shall be closed and confidential. The public shall be excluded from the Hearing. A campus law enforcement officer may be asked to be present during the Hearing.
- 3) Either the accused and/or the Chief Student Services Officer or designee may provide witness testimony at the Hearing and to question witnesses presented by the other. All witnesses shall be excluded except when testifying.
- 4) The accused shall not be entitled to representation counsel.
- 5) If the accused is a minor, he or she shall be entitled to be accompanied by his or her parent or guardian.
- 6) If after conducting the Hearing the Chief Student Services Officer or designee finds adequate support for the charges, the Chief Student Services Officer or designee may suspend the student from one or more classes or activities for a period of up to ten (10) days. The Chief Student Services Officer or designee shall provide the accused with written notice of his or her decision within five (5) days of the Hearing.
- 7) The Chief Student Services Officer or designee's decision shall be final.

Adopted 06-14-95
Amended 12-19-01
Amended 04-14-04

91101.14 Disciplinary Hearing for Suspensions Greater than Ten (10) Days Plus Expulsion

a. Student Right to a Hearing Before a Hearing Committee

- 1) The student has a right to a Hearing before a Hearing Committee for suspensions greater than ten (10) days and for expulsions. Students must request the Hearing in writing within ten (10) days of notification of recommended disciplinary action.
- 2) The student's right to a Hearing shall be forfeited if:
 - (a) the student fails to appear at the Hearing without prior notice and a satisfactory explanation, or
 - (b) the student leaves the Hearing before its conclusion.
- 3) The student may waive his/her right to a Hearing.
- 4) If a student fails to request a hearing within ten (10) days of notification of recommended disciplinary action, the proposed discipline shall proceed to the next level without a hearing being conducted.

b. Scheduling a Hearing

- 1) The accused and the Disciplinary Hearing Committee shall receive the Notice of the Charges (Form SD5) which contains the charge(s), the proposed disciplinary action, and a copy of these procedures.

Adopted 06-14-95
Amended 12-19-01
Amended 04-14-04

- 2) The Hearing shall be held within ten (10) days of when the accused requests a hearing. Failure on the part of the accused to appear at the Hearing will constitute a waiver of his or her right to a Hearing pursuant to these procedures. However, if there is prior notification to the Chief Student Services Officer or designee and a satisfactory explanation is given for the student's absence, the Hearing Officer as designee may reschedule the Hearing.

- 3) The Chief Student Services Officer or designee shall, in writing, notify both the accused and the Disciplinary Hearing Committee of the time and place of the Hearing. The Notice shall contain information, when appropriate, on the status of the student's financial aid. The Notice shall also specify if there is to be an interim exclusion from the college campus pursuant to Penal Code Section 626.4, and Section 91101.11(b-6) of this Board Rule. Copies of such Notice shall also be sent to the student's instructors and campus law enforcement.

Adopted 06-14-95
 Amended 12-19-01
 Amended 04-14-04

c. How the Hearing is to be Conducted

- 1) The Hearing Panel. At the beginning of each school year, the College President shall establish a standing panel from which one or

Adopted 06-14-95
 Amended 12-19-01

more Disciplinary Hearing Committees may be appointed. The Panel shall be made up of the following:

- (a) Five students whose names are submitted to the President by the Associated Students' Organization governing body.
- (b) Five instructors whose names are submitted to the College President by the College Academic Senate.
- (c) Five administrators appointed by the College President.

Adopted 06-14-95
Amended 12-19-01

- 2) The Disciplinary Hearing Committee: From the panel described above, the College President will appoint a committee consisting of one student, one instructor, and one administrator to hear each disciplinary case.
- 3) The Hearing Committee shall select a Hearing Officer from among its members.
- 4) Upon appointment to the Hearing Panel all members shall receive copies of these procedures.
- 5) The hearing shall be closed and confidential. The public shall be excluded from the hearing. All witnesses shall be excluded except when testifying. A campus law enforcement officer may be asked to be present during the Hearing.

Adopted 06-14-95
Amended 12-19-01
Amended 04-14-04

- 6) The Committee Chair shall conduct the hearing in any manner he or she deems appropriate, provided that the accused is offered due process and given the opportunity to confront the witnesses testifying against him or her, and to offer the statements of any supporting witnesses. Both the Chief Student Services Officer or designee and the student shall be entitled to call witnesses and to question witnesses presented by the other. A member of the committee may ask questions at any time. Either side may recall a witness, who again may be questioned by both parties and the committee.
- 7) The accused shall not be entitled to representation by counsel.
- 8) If the accused is a minor, he or she shall be entitled to be accompanied by his or her parent or guardian.
- 9) If the student fails to appear at the requested hearing then the hearing will be cancelled. If the student leaves the hearing before its conclusion, the Hearing Committee shall decide on whether to continue the hearing and make recommendations on appropriate disciplinary action.
- 10) If the Disciplinary Hearing Committee finds adequate support for the charge(s), it shall recommend appropriate disciplinary action pursuant to Board Rule 91101.11, Section b (6-10).

Adopted 06-14-95
Amended 12-19-01
Amended 04-14-04

- d. The Disciplinary Hearing Committee's Recommendation. Within five (5) days of the hearing, the Hearing Officer shall deliver to the College President a written report giving specific findings of fact as to each charge and making recommendations for action arrived at by a majority vote of the committee. The findings of fact shall recite what factual evidence, in the opinion of the committee, supported or failed to support each charge. The findings shall further show which, if any, of the charges the committee believes were substantiated. The recommendations for action shall be specific.

Adopted 06-14-99
Amended 12-19-01
Amended 04-14-04

91101.15 College President's Decision

- a. The College President shall examine the record of the Hearing, and shall within ten (10) days, or for good cause, as soon thereafter as practicable, of receipt of the Disciplinary Hearing Committee's Recommendation render his or her decision. The President may affirm the Recommendation of the Disciplinary Hearing Committee, or may alter it, imposing a more or less severe action. A copy of the President's decision shall be sent to the student, or in the case of a minor to his or her parent or guardian. A copy of the President's decision shall be placed in the student's file, and copies shall be forwarded to the Chief Student Services Officer or designee, Chief Instructional Officer, Registrar and campus law enforcement.

Adopted 06-14-95
Amended 10-18-00
Amended 12-19-01
Amended 04-14-04
Amended 05-26-10

- b. If the decision is to suspend a student for more than ten (10) days, the College President's decision shall be final. The President shall notify the Chancellor or designee, (EC 76031). The College President shall also notify the Presidents of the other colleges in the Los Angeles Community College District of any decision to suspend a student. A student who has been suspended shall not be allowed to enroll in any other college in the District for the period of the suspension (EC 76031). Students suspended from activities, services or an instructional program shall not be allowed to enroll in comparable programs or participate in similar services and/or activities at any other college in the District.

- c. If the decision is to recommend a student's expulsion, the College President shall recommend such action to the Chancellor, who will proceed according to section 91101.17 of these procedures. Only the Board of Trustees is authorized to take expulsion actions (EC 76037). The Vice Chancellor of Educational Services shall inform the Presidents of the other colleges in the District of any expulsion actions by the Board of Trustees.

- d. If the recommendation is to expel a student, the College President shall inform the student of his or her right to appeal the decision to the Board of Trustees by filing the appeal with the Chancellor or designee, pursuant to Section 91101.16 of these procedures.

Adopted 06-14-95
 Amended 11-03-99
 Amended 10-18-00
 Amended 05-26-10

- e. When the decision is to recommend expulsion of a student to the Board of Trustees, the College President may suspend the student pending action by the Board.

Adopted 06-14-95

91101.16 Appeal

- a. The student may appeal the College President's decision to recommend expulsion to the Board of Trustees by filing an appeal with the Chancellor. Any such appeal shall be submitted in writing within five (5) days following receipt of the College President's decision and shall state specifically the grounds for appeal. The appeal shall be based only on the disciplinary record and the College President's decision.

Adopted 06-14-95
Amended 11-03-99
Amended 10-18-00
Amended 12-19-01

- b. The student may be represented by counsel when filing an appeal to the Board of Trustees.

Adopted 06-14-95

- c. The appeal and the recommended disciplinary action shall be consolidated and the Board shall consider the action as one.

Adopted 06-14-95
Amended 10-18-00

91101.17 Board Action

- a. Upon recommendation to the Board of Trustees for expulsion, the College President shall immediately transmit to the Chancellor or designee the entire disciplinary hearing record.
- b. The Chancellor or designee shall review the disciplinary record and shall make a recommendation to the Chancellor. If the recommendation is to proceed with the President's decision for expulsion, and if the Chancellor accepts the recommendation, the Board of Trustees shall then be provided with copies of the recommendation and the disciplinary hearing record. If the Chancellor does not accept the President's recommendation for expulsion, the matter shall be returned to the college for further action.

Adopted 06-14-95
Amended 11-03-99
Amended 10-18-00
Amended 12-19-01

- c. The Board shall consider student disciplinary actions at any regularly scheduled meeting held within 30 days of receipt of the recommendation by the Chancellor's Office.

Adopted 06-14-95
Amended 11-03-99

- d. The Chancellor or designee, shall, in writing, by first class mail, notify the student, or in the case of a minor, his or her parent or guardian, of the intent of the Board to hear the matter of his or her expulsion. Unless the student, or his or her parent or guardian, request in writing, within 48 hours after receipt of such written notice of intention, that the Board consider the matter in a public meeting, then the hearing to consider such matters shall be conducted by the Board in closed session, without the student and his or her parent or counsel present. If such written request is served upon the Chancellor, the meeting shall be public, except that any discussion at such meeting that might be in conflict with the right to privacy of any student, other than the student requesting the public meeting, or on behalf of whom such meeting is requested, or the right of privacy of any employee, then the meeting shall be in closed session, without the student, his or her parent or counsel present. Whether the matter is considered in a closed session or in a public meeting, the final action of the Board shall be taken in a public meeting and the result of such action shall be a public record (EC 72122).

Adopted 06-14-95
Amended 11-03-99

- e. If the student is being represented by counsel in his or her appeal to the Board of Trustees, the student's counsel can only address the Board in open session.

Adopted 06-14-95

- f. Upon review, the Board will either confirm, modify, remand, or reject the recommendation of the Chancellor. The Board's action shall be limited to a review of the disciplinary record and the recommendations of the Hearing Committee, the College President and Chancellor. The Board shall not consider any evidence outside that record. The Board's action shall be final and binding on all parties.

Adopted 06-14-95
Amended 11-03-99

91101.18 Reconsideration

a. Reconsideration from Suspension

- 1) A student who has been suspended subject to reconsideration after a specific period of time may not seek reconsideration of the action until the time specified by the suspension action has elapsed. Any premature request for reconsideration will be returned to the former student. In order for the reconsideration request to be acted upon, the former student must present evidence that he or she has met all the grounds specified for reconsideration. Any reconsideration request that does not address the grounds specified for reconsideration shall be returned to the student.

Adopted 06-14-95
Amended 12-19-01

- 2) Any request for reconsideration of a suspension shall be made in writing to the College President.

Adopted 06-14-95

The request for reconsideration shall be labeled as such and must state each ground on which the student seeks reconsideration of the President's suspension decision.

- 3) The President or his or her designee shall review the request for reconsideration together with the disciplinary record relating to the suspension to assure that the request satisfies the requirements set forth in the suspension decision and that all pertinent information has been received.
- 4) Within ten (10) days of receipt of the request for reconsideration, the College President shall respond in writing. The College President's decision shall be based on the following standards:
 - (a) If the student has met the conditions for reconsideration, the College President shall approve readmission to the college and the District.
 - (b) If the student has not met the conditions for reconsideration, the College President shall:
 - (1) Extend the period of suspension for one more term, or
 - (2) Recommend permanent expulsion to the Board of Trustees.

Adopted 06-14-95

- 5) The College President shall notify the Chancellor and the presidents of the other colleges in the Los Angeles Community College District of his or her decision, with copies to the Chief Student Services Officer or designees, Chief Instructional Officers and campus law enforcement.

Adopted 06-14-95
Amended 11-03-99
Amended 04-14-04

- 6) In the event that the President's decision is to recommend permanent expulsion, the recommendation shall proceed pursuant to Section 91101.17 above.

Adopted 06-14-95
Amended 11-03-99

b. Reconsideration from Expulsion.

- 1) A student who has been expelled subject to reconsideration after a specific period of time may not seek reconsideration of the action until the time specified by the expulsion action has elapsed. Any premature request for reconsideration will be returned to the former student. In order for the reconsideration request to be acted upon, the former student must present evidence that he or she has met all the grounds specified for reconsideration. Any reconsideration request that does not address the grounds specified for reconsideration shall be returned to the student.

Adopted 06-14-95

- 2) Any request for reconsideration of an expulsion shall be made in writing to the Chancellor. The request for reconsideration shall be labeled as such, and must state each ground on which the student seeks reconsideration of the Board of Trustees' decision.
- 3) The Chancellor, or designee, shall review the request for reconsideration together with the disciplinary record relating to the expulsion to assure that the request satisfies the requirements set forth on the expulsion decision and that all pertinent information has been received.

Adopted 06-14-95
Amended 11-03-99

- 4) The Chancellor shall make a recommendation to the Board of Trustees, as appropriate, based on the following standards:
 - (a) If the student has met all of the conditions for reconsideration, the Chancellor shall recommend readmission of the student to the college and the District.
 - (b) If the student has not met the conditions for reconsideration, the Chancellor or designee shall recommend denial of the reconsideration request.

Adopted 06-14-95
Amended 11-03-99
Amended 12-19-01

- 5) The Chancellor, in consultation with his/her other members of his/her staff, shall formulate a recommendation and forward it to the Board of Trustees.
- 6) The Board shall consider student disciplinary actions at any regularly scheduled meeting held within 30 days of receipt of the recommendation by the Chancellor's Office.
- 7) The Chancellor or designee shall notify the Presidents of the colleges in the Los Angeles Community College District of the Board of Trustees' decision, with copies to the Chief Student Services Officer or designee, Chief Instructional Officers and campus law enforcement.

Adopted 06-14-95
 Amended 11-03-99
 Amended 04-14-04

91101.19 General Provisions

- a. The fact of any disciplinary action and the reasons therefore shall be recorded on the student's records subject to access, review and comment by the student as authorized by the Family Education Rights and Privacy Act (20 USC Section 132 g) and Education Code Section 76200 et seq. All access or release of such records to members of the public shall also be in accordance with applicable state and federal laws. Student disciplinary records shall be maintained in the office of the Chief Student Services Officer or designee.

Adopted 06-14-95
 Amended 11-03-99
 Amended 12-19-01
 Amended 04-14-04

- b. Any specified time limits stated in these procedures may be shortened or lengthened by mutual concurrence of all parties.
- c. If students are suspended, which includes immediately suspended or suspended subject to reconsideration, or expelled from any of the colleges of the Los Angeles Community College District, they shall not appear on any of the campuses or at the District Office (The Educational Services Center) without authorization by the Chief Student Services Officer or designee at the campus, or the Chancellor or Chancellor's designee at the District Office, and must have a Campus/District law enforcement escort.
- d. If a student is expelled from a/an instructional program(s) in the District, he or she may not enroll in that/those specific instructional program(s) at any college in the District. A student who is expelled from a/an instructional program(s) may be allowed to enroll in other classes in the District in accordance with the existing admission requirements and procedures.
- e. Failure of the student to appeal any determination at any step within the specified time limits shall be deemed acceptance by the student of the last determination rendered.

Adopted 06-14-95
 Amended 11-03-99
 Amended 10-18-00
 Amended 04-14-04

- f. Written notice to a student pursuant to these procedures shall be sufficient if sent by first class mail to the last known address of the student currently on file at the college. Notice shall be deemed given on the day of said mailing. Notice shall be in the English language.
- g. The President or designee shall, upon the suspension, which includes immediate suspension or suspension subject to reconsideration, or expulsion of any student, notify the appropriate law enforcement authorities of any acts of the student which may be in violation of Section 245 of the California Penal Code - Assault with a deadly weapon or force likely to produce great bodily injury.
- h. The Chief Student Services Officer or designee shall be responsible for enforcing the procedures at the campus. In case of a conflict or at the discretion of the college president, another administrator may be designated to enforce these procedures.

Adopted 06-14-95
 Amended 11-03-99
 Amended 10-18-00
 Amended 04-14-04

- i. Failure of the student to request a hearing constitutes a waiver of his/her right to a hearing. Under these circumstances, the proposed discipline will proceed to the next level without a hearing.

Adopted 04-14-04

91101.20 Definition of Terms

- a. Days: Days during which the college is in session and regular classes are held. This includes summer session and winter days, and excludes Saturdays and Sundays, unless otherwise specified in the procedures.

Adopted 06-14-95
Amended 10-18-00
Amended 12-19-01

- b. Disciplinary Hearing Record: The disciplinary hearing record shall consist of all the documents and exhibits presented to the disciplinary hearing, the recommendation of the hearing committee and the College President's decision/recommendation.

EC 66017, 76033, 76034, 76035, 76037

Adopted 06-14-95

Historical Note: Former Board Rule 9804.11, enacted 3-30-71, amended 9-12-79, amended 4-6-83, repealed 4-20-89, adopted 4-20-89.

91102. REPORTS TO LAW ENFORCEMENT AUTHORITIES. The President of each college shall, prior to suspension or expulsion of any student at that college, notify the appropriate law enforcement authorities of the county or city in which the college is situated of any act of a student which involves assault with a deadly weapon.

PC 245

Adopted 04-20-89

Historical Note: Former Board Rule 9805, enacted 3-30-71, repealed 4-20-89.

91102.10 Obligation to Report Attacks, Assaults, Etc.
Whenever an employee of the District or of the Associated Students is attacked, assaulted or menaced by any student, it shall be the duty of such employee and the duty of any person under whose direction or supervision such employee is employed in the college who has knowledge of such incident, to promptly report the same to the appropriate law enforcement authorities of the county or city in which the same occurred.

Adopted 06-14-95

Failure to report the incident is a misdemeanor punishable by a fine of not more than two hundred dollars (\$200). An act by any employee of the District designed directly or indirectly to influence or urge a person responsible for making his/her report not to make such a report is guilty of a misdemeanor and punishable by a fine of not less than one hundred dollars (\$100) or more than two hundred dollars (\$200).

PC 415, 602.10, 626.6, 626.8, 71
EC 87014

Adopted 04-20-89
Amended 11-03-99

Historical Note: Former Board Rule 9805.10, enacted 3-15-72, repealed 4-20-89.

91103. STUDENT DISCIPLINE FORMS. The Chancellor or his/her designee may issue and update student discipline forms as appropriate to carry out the duties in this Article.

Adopted 05-26-10



Notice of Disciplinary Probation

Date: [] College: []

LAST [] FIRST [] []

Student Name

Student I.D./SS No.

The above named student is placed on disciplinary probation from: [] to: []

Repetition of conduct resulting in disciplinary probation may constitute a violation of probation and be cause for suspension or further disciplinary action.

Remarks:

[]

Form SD5 "Notice of Charges" must accompany this form.

Chief Student Services Officer or Designee Date
Student Signature Date

- Student did not sign Student notified by first class mail
Student notified in person

OFFICE USE ONLY

Route to:

- President Chief Instructional Officer Registrar Campus Police Other



Notice of Immediate Suspension with Recommended Disciplinary Action

Date: [] College: []

LAST [] FIRST [] Student Name Student I.D./SS No. []

The above named student is immediately suspended for violation of the Standards of Student Conduct in accordance with Board Rule 91101.11 b(6).

Describe violation(s) below (include specific charge(s) violated under the Standards of Student Conduct). Attach additional pages if needed:

[] [] []

Charges were made by: [] On [] Name and Title Date

Student's Right to a Hearing

In accordance with Board Rule 91101.13 a(1), the student is entitled to a Hearing before a Disciplinary Hearing Committee for suspensions greater than ten (10) days. The student must request the Hearing within five (5) days of receipt of this notice. The student has a right of written notice of the alleged violation(s) ("Notice of Charges" (Form SD5)), and at the Hearing the student can present evidence on his/her behalf and cross-examine witnesses.

Action Required

The student is directed to contact the Chief Student Services Officer within one (1) workday to arrange a conference. The suspension will remain in effect until the conclusion of all disciplinary action on this matter. During the period of the suspension, the student may not be physically present at any event, campus or facility owned, operated or controlled by the Los Angeles Community College District.

Chief Student Services Officer or Designee Date Student Signature Date

- Student did not sign Student notified by first class mail Student notified in person

OFFICE USE ONLY

Route to:

- President Chief Instructional Officer Registrar Campus Police Other



Notice of Suspension

Date: [] College: []

LAST [] FIRST [] []

Student Name

Student I.D./SS No.

The above named student is suspended for violation of the Standards of Student Conduct in accordance with Board Rule 91101.11 b(7). See Form SD5 for specific charges.

Recommended Disciplinary Action

[] Suspension for 10 days or less without a Hearing

[] Suspend student from one or more classes and/or campus activities or programs up to ten (10) days

Specify:

[]

[] Suspension for more than 10 days with a right to a Hearing

[] Suspend student from one or more classes and/or campus activities or programs for remainder of the semester

[] Suspend student from one or more classes and/or campus activities for two (2) semesters

Specify:

[]

[] Suspension for more than 10 days with right of Hearing and subject to Reconsideration

[] Suspend student from classes and/or campus activities for remainder of the semester

[] Suspend student from classes and/or campus activities for two (2) semesters

Specify:

[]



Notice of Recommended Expulsion

Date: [] College: []

LAST [] FIRST [] []

Student Name

Student I.D./SS No.

Expulsion is being recommended for the above mentioned student for alleged violation(s) outlined in the "Notice of Charges," Form SD5. ("Notice of Charges," Form SD5, must accompany this form).

[] Expulsion without Reconsideration

[] Expulsion with Reconsideration Recommended date for Reconsideration of Admission: []

Terms for Reconsideration:

[]

Student's Right to a Hearing

In accordance with Board Rule 91101.14 (a)(1), the student is entitled to a Hearing before a Disciplinary Hearing Committee for suspensions greater than ten (10) days. The student may also waive his/her right to a Hearing. If the student chooses to have a Hearing, the student must request the Hearing within ten (10) days of receipt of this notice. The student has a right of written notice of the alleged violation(s) "Notice of Charges" (Form SD5), and at the Hearing the student can present evidence on his/her behalf and to cross-examine witnesses. During the period of the suspension, the student may not be physically present at any event, campus or facility owned, operated or controlled by the Los Angeles Community College District Board of Trustees.

[] I waive my right to a Hearing

[] I request a Hearing

Student Signature

Date

[] Student did not sign

[] Student notified by first class mail

[] Student notified in person

Chief Student Services Officer or Designee

Date

OFFICE USE ONLY

Form issued on (Date): []

Hearing set for []

Method of issuance []

Route to:

[] President [] Chief Instructional Officer [] Registrar [] Campus Police [] Other []



Notice of Charges

Date: [] College: []

LAST [] FIRST [] []

Student Name

Student I.D./SS No.

The above mentioned student is charged with violation(s) of the Standards of Student Conduct as checked below:

- 9803.10 Willful Disobedience. Willful disobedience to directions of college officials acting in the performance of their duties.
9803.11 Violation of College Rules and Regulations. Violation of college rules and regulations, including those concerning student organizations, the use of college facilities, or the time, place, and manner of public expression or distribution of materials.
9803.12 Dishonesty. Dishonesty, such as cheating, or knowingly furnishing false information to colleges.
9803.13 Unauthorized Entry. Unauthorized entry to or use of the college facilities.
9803.14 College Documents. Forgery, alteration, or misuse of college documents, records or identification.
9803.15 Disruption of Classes or College Activities. Obstruction or disruption of classes, administration, disciplinary procedures, or authorized college activities.
9803.16 Theft of or Damage to Property. Theft of or damage to property belonging to the college, a member of the college community or a campus visitor.
9803.17 Interference with Peace of College. The malicious or willful disturbance of the peace or quiet of any of the Los Angeles Community Colleges by loud or unusual noise, or any threat, challenge to fight, fight, or violation of any rules of conduct as set forth in this Article. Any person whose conduct violates this section shall be considered to have interfered with the peaceful conduct of the activities of the college where such acts are committed.
9803.18 Assault or Battery. Assault or battery, abuse, or any threat of force or violence directed toward any member of the college community or campus visitor engaged in authorized activities.
9803.19 Alcohol and Drugs. Any possession of controlled substances which would constitute a violation of Health and Safety Code section 11350 or Business and Professions Code section 4230, any use of controlled substances the possession of which are prohibited by the same, or any possession or use of alcoholic beverages while on any property owned or used by the District or colleges of the District or while participating in any District or college-sponsored function or field trip. "Controlled substances," as used in this section, include but are not limited to the following drugs and narcotics: a) opiates, opium, and opium derivatives, b) mescaline, c) hallucinogenic substances, d) peyote, e) marijuana, f) stimulants and depressants, g) cocaine.
9803.20 Lethal Weapons. Possession, while on a college campus or at a college-sponsored function, of any object that might be used as a lethal weapon is forbidden all persons except sworn peace officers, police officers and other governmental employees charged with policing responsibilities.



Notice of Charges

Date: [] College: []

LAST [] FIRST [] Student Name Student I.D./SS No. []

[CONTINUED]

- 9803.21 Discriminatory Behavior. Behavior while on a college campus or at a college-sponsored function, inconsistent with the District's non-discrimination policy...
9803.22 Unlawful Assembly. Any assemblage of two or more persons to 1) do an unlawful act, or 2) do a lawful act in a violent, boisterous or tumultuous manner.
9803.23 Conspiring to Perform Illegal Acts. Any agreement between two or more persons to perform illegal acts.
9803.24 Threatening Behavior. A direct or implied expression of intent to inflict physical or mental/emotional harm and/or actions, such as stalking, which a reasonable person would perceive as a threat to personal safety or property.
9803.25 Disorderly Conduct. Conduct which may be considered disorderly includes; lewd or indecent attire or behavior that disrupts classes or college activities; breach of the peace of the college; aiding, or inciting another person to breach the peace of college premises or functions.
9803.26 Theft or Abuse of Computer Resources. Theft or abuse of computer 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. Unauthorized use of another individual's identification and password.
d. Use of computing facilities to interfere with the work of a student faculty member or college official, or to alter college or district records.
e. Use of unlicensed software.
f. Unauthorized copying of software.
g. Use of computing facilities to access, send or engage in messages which are obscene, threatening, defamatory, present a clear and present danger, violate a lawful regulation and/or substantially disrupt the orderly operation of a college campus.
h. Use of computing facilities to interfere with the regular operation of the college or district computing system.
9803.27 Performance of an Illegal Act. Conduct while present on a college campus or at a location operated and/or controlled by the District or at a District-sponsored event, which is prohibited by local, State, or federal law.



Notice of Charges

Date: [] College: []

LAST [] FIRST [] Student Name Student I.D./SS No. []

[CONTINUED]

- 9804 Interference with Classes. Every person who, by physical force, willfully obstructs, or attempts to obstruct, any student or teacher seeking to attend or instruct classes at any of the campuses or facilities owned, controlled or administered by the Board of Trustees of Los Angeles Community College District, is punishable by a fine not exceeding five hundred dollars (\$500) or imprisonment in a county jail not exceed one year, or by both such fine and imprisonment. As used in this section, "physical force" includes, but is not limited to, use of one's person, individually or in concert with others, to impede access to or movement within or otherwise to obstruct the students or teachers of the classes to which the premises are devoted.
9805 Interference with Performance of Duties of Employees. Every person who attempts to cause, or causes, any officer or employee of the Los Angeles Community Colleges or any public officer or employee to do, or refrain from doing, any act in the performance of his/her duties, by means of a threat to inflict any injury upon any person or property, is guilty of a public offense.
9805.10 Assault or Abuse of an Instructor. Every parent, guardian, or other person who assaults or abuses any instructor employed by the District in the presence or hearing of a community college student or in the presence of other community college personnel or students and at a place which is on District premises or public sidewalks, streets, or other public ways adjacent to school premises, or at some other place where the instructor is required to be in connection with assigned college activities is guilty of a misdemeanor.
9806 Unsafe Conduct. Conduct which poses a threat of harm to the individual and/or to others. This includes, but is not limited to, the following types of conduct: Unsafe conduct in connection with a Health Services Program (e.g. Nursing, Dental Hygiene, etc.); failure to follow safety directions of District and/or College staff; willful disregard to safety rules as adopted by the District and/or College; negligent behavior which creates an unsafe environment.
Other. []

The violation(s) occurred as specifically described below (include Standards of Conduct violated). Attach additional pages if necessary.

[]
[]
[]
[]
[]
[]
[]



Notice of Charges

Date: [] College: []

LAST [] FIRST [] Student Name
[] Student I.D./SS No.

[CONTINUED]

Horizontal lines for notes or details.

Charges made by: _____ On: _____

The recommended penalty for this charge is:

- Warning
Reprimand
Restitution (describe):
Disciplinary Probation (Form SD1 must accompany this form)
Suspension for ten (10) days or less (Form SD3 must accompany this form)
Suspension for more than ten (10) days (Form SD3 must accompany this form)
Suspension from Financial Aid (Form SD3 .must accompany this form)
Expulsion (Form SD4 must accompany this form)

Chief Student Services Officer or Designee

Date

I have read and received the "Notice of Charges" (Form SD5).

Student Signature

Date

- Student did not sign
Student notified by first class mail
Student notified in person

OFFICE USE ONLY

Route to:

- President
Chief Instructional Officer
Registrar
Campus Police
Other