



C U Y A M A C A
· C O L L E G E ·
LEARNING FOR
THE FUTURE

Date: January 21, 2010
To: All Faculty
From: Acting Associate Dean of Student Affairs
Subject: Student Discipline

Since faculty members rarely have to use the student discipline procedure, it is difficult to remember the steps to take when a problem does arise. In an attempt to simplify the process, you will find the attached "Faculty Disciplinary Form." This form delineates the levels of student discipline that you may use, including: 1) Warning; 2) Faculty-Initiated suspension from the class in progress; or 3) Suspension from the class in progress and the subsequent class session. If a problem does occur, please complete the attached form and send a copy of it to my office immediately.

The various standards of student conduct are listed on the back of the Faculty Disciplinary Form. If you choose to use this form for more than a reference sheet, simply place a check mark by the violated standard(s).

Please Note: Discipline problems that require Public Safety involvement supersede this process. In these cases, I usually receive police reports and take disciplinary action based on the reports.

Attached is a summary of the types of discipline that can be implemented. Please note that students are never excluded (dropped by the instructor) for disciplinary reasons. In the case of suspension from all classes, the Student Affairs Office notifies the student's instructors.

Please feel free to contact Serene Pritchett at ext. 4295 if you have any questions, comments, or suggestions or if additional disciplinary measures are needed.

SMB:ar

Attachment

c: President's Cabinet
Administrative Council
Department Chairs and Coordinators
Joel Javines, Director of Public Safety

Types of Disciplinary Action

Disciplinary actions that may be imposed for violations of the Student Code of Conduct include the following:

Warning: Written or oral notice to the student that continuation or repetition of misconduct may be causes for further disciplinary action.

Reprimand: Written censure for violation of specific regulations.

Disciplinary Probation: Specific period of conditional participation in campus and academic affairs that may involve exclusion from designated privileges or extracurricular activities. If a student violates any condition of probation, or is charged a second time with a violation of the Standards of Student Conduct during the probationary period, it shall be grounds for revocation of the student's probationary status and for further disciplinary action to be taken in accordance with these procedures.

Faculty Initiated Suspensions: A faculty member may remove, for good cause, any student from his or her class for up to two (2) class sessions. The student shall not return to the class during the period of the removal without concurrence of the instructor, and if required the consent of the CSSO, or designee. Nothing herein will prevent the College President, the CSSO, or designee from recommending further discipline in accordance with these procedures based on the facts that led to the removal. As used in this rule, "good cause" includes those offenses listed in the Student Code of Conduct. The faculty member shall immediately report the suspension to the respective Division Administrator and to the CSSO or designee. If the student is a minor, the College President, the President's designee or the CSSO shall schedule a conference with the student and the student's parent or guardian regarding the suspension. The faculty member is not obliged to provide makeup opportunities for class work missed during the two (2) class periods of suspension.

Suspension or Termination of Financial Aid: In the event a student is suspended for willfully and knowingly disrupting the orderly operation of the campus, this action will result in ineligibility for State financial aid, as defined in Education Code Section 69813, for the period of suspension. (Education Code Section 69810).

Short-Term Suspension: Temporary exclusion from student status, or other privileges or activities, for a specified period of time, not to exceed ten (10) days (Education Code Section 76031).

Immediate Interim Suspension: The College President the President's designee or the CSSO may order immediate suspension of a student when he or she concludes that immediate interim suspension is required to protect lives or property and to ensure the maintenance of order provided that a reasonable opportunity be afforded the suspended person for a hearing within ten (10) days of the time that the CSSO or designee, or the College President became aware of the infraction unless mutually agreed upon by the student and the designated College administrator that more time is required. In cases where an immediate interim suspension has been ordered, the time limits contained in these procedures shall not apply, and all hearing rights, including the right to a formal hearing where a long-term suspension or expulsion is recommended, will be afforded to the student according to the provisions above. In the event that a student does not request a hearing within the ten (10) days or contract the CSSO or his or her designee, or the College President to establish a mutually agreed upon time for a hearing, the college where the infraction occurred will proceed

with a due process hearing twenty (20) days after the point that the aforementioned administrators became aware of the infraction with or without the accused student being present. Students placed on Immediate Interim Suspension shall have holds placed on all records and transcripts pending the outcome of the due process hearing. (Education Code Section 66017)

Withdrawal of Consent to Remain on Campus: The College President, the President's designee or the CSSO, may notify any person as to whom there is a reasonable belief that the person has willfully disrupted the orderly operation of the campus that consent to remain on campus has been withdrawn. If the person is on campus at the time, he or she must promptly leave or be escorted off campus by District Public Safety. If consent is withdrawn by the College President, College President's designee or CSSO, a written report must be promptly made to the College President. The person from whom consent has been withdrawn may submit a written request for a hearing on the withdrawal within the period of the withdrawal. The request shall be granted not later than seven (7) days from the date of the receipt of the request. The hearing will be conducted in accordance with provisions of this procedure, relating to interim suspensions. In no case shall consent be withdrawn for longer than fourteen (14) days from the date which consent was initially withdrawn. Any person as to whom consent to remain on campus has been withdrawn who knowingly reenters the campus during the period in which consent has been withdrawn, except to come for a meeting or hearing, is subject to arrest. (California penal Code 626.4)

Long-term Suspension: Temporary exclusion from student status, or other privileges or activities, for the remainder of the current semester.

Expulsion Subject to Reconsideration: Permanent termination of student status, subject to reconsideration by the Board of Trustees after a specified length of time. Reconsideration may be requested in accordance with the procedure for Reconsideration.

Permanent Expulsion: Permanent termination of student status. There shall be no right of reconsideration of a permanent expulsion at any time. On its own motion, the Board of Trustees may reconsider such actions at any time.

Restitution: Appropriate restitution shall be sought from any student found guilty of theft, vandalism or willful destruction of District or College property.

**CUYAMACA COLLEGE
FACULTY DISCIPLINARY FORM**

Please complete this form whenever you take action against a student for violating any of the Standards of Student Conduct, and send it to the Associate Dean of Student Affairs. Depending on the violation, this form may be filed in a general folder for reference in the case of repeated violations. In more severe cases, this form will be used to contact the student to make an appointment with the Associate Dean of Student Affairs.

Student's Name _____ Date _____ Time _____

I.D.# _____ Course _____ Section# _____

NARRATIVE

1. See other side of this form and check the appropriate code(s) of conduct violated.
2. Explain below the facts and details substantiating this charge.
3. Indicate action taken.

- ACTION**
- Warning
 - Suspended from class in progress
 - Suspended from class in progress and next class
 - Student to schedule an immediate appointment with the Associate Dean of Student Affairs at (619) 660-4275 prior to returning to class

Instructor's name (Print)

Instructor's Signature

Date

Without admitting guilt, I acknowledge receipt of this notice.

Student's Name (Print)

Student's Signature

Date

CUYAMACA COLLEGE
STANDARDS OF STUDENT CONDUCT

You are charged with violation(s) of the Standards of Student Conduct as checked below:

- Academic dishonesty**, such as cheating or plagiarism, or knowingly furnishing false information to the District and/or the College by any method including but not limited to any electronic mail, text messaging, media, or online course.
- Forgery**, alteration or misuse of District or College documents, records, or identification.
- Obstruction or disruption of** instructional, counseling, administrative, public service or other authorized District or College functions or activities.
- Assault or battery**, abuse, harassment or any threat of force or violence or hazing directed toward any person on District-owned or controlled property, or at District or College-sponsored or supervised functions, or conduct which threatens or endangers the health or safety of any such person, or stalking of any District or College student or staff member by any method including but not limited to any electronic mail or other media.
- Theft of or willful damage** to District property or theft or willful damage to property of a member of the District or College community, such as visitors, students or employees on District property or at an authorized District or College activity.
- Unauthorized entry** onto or use of District or College facilities including but not limited to; administrative offices and instructional classrooms.
- Violation of District or College rules** or regulations including District or College policies concerning student organizations, use of District or College facilities, or the time, place, and manner of student expression (Education Code 76120).
- Use, possession, or distribution of alcoholic beverages**, narcotics, or controlled substances including related paraphernalia on campus, except as expressly permitted by law, or presence on District property or at a District or College authorized event while under the influence thereof.
- Willful failure to comply with directions of District or College officials**, including faculty and staff acting in the performance of their duties.
- Disorderly, lewd, indecent, or obscene conduct**, expression, or language on District-owned or controlled property or at District or college-sponsored or supervised functions.
- Use of slander, libel** in any way across any medium including electronic mail, text messaging, web sites, or blogs to cause defamation.
- Possession or use of explosives**, dangerous chemicals, deadly weapons; including but not limited to knives, firearms, martial and physical arts training or implements, (not expressly required for an academic or non-credit course of instruction) or any item used to threaten bodily harm to any person on District property or at a District or College function without prior authorization of the Chancellor or designee.
- Misrepresentation of oneself** or of an organization to be an agent of the District or College.
- Conduct that is in violation** of Federal, State, or local laws or ordinances while on District premises or at District or College-sponsored or supervised activities.
- Abuse of computer facilities**, not limited to but including servers, the Internet and telephones or use of computers for other than authorized assigned work including, but not limited to: unauthorized entry into a file to read, use, copy, or change its contents; unauthorized transfer of a file; unauthorized use of another individual's identification or password; use of District or College computing facilities to interfere with the work of another member of the District or College

community; use of computers for unauthorized activities; unauthorized use of computers to display material of a sexual nature or other material that creates a hostile environment for persons in the immediate vicinity; and by any method including but not limited to any electronic mail, media.
(Please see BP/AP 3720)

- Attempting any of the causes** for disciplinary action identified above.