

DISCIPLINARY ACTION

Disciplinary action appropriate to the misconduct as defined in BP 5500 may be taken by an instructor (see items C-1 and 5 below), the Director of Student Development or his or her designee (see items C-1, 2, 3, 4, 6, and 7 below), and the Board of Trustees (see item C8 below).

A. Consequences for Academic Dishonesty

When an instructor has determined that there is evidence of dishonesty in any academic work, the student may receive a failing grade for that piece of work and disciplinary action may be pursued. Any or all of the following actions may be imposed:

1. The instructor may assign a failing grade (no credit) to an examination or assignment in which academic dishonesty occurred.
2. The instructor may remove the student from the class or activity for the day of the incident and one additional class day as stipulated in C.5 of this procedure.
3. The instructor may complete the appropriate reporting forms (Disciplinary Form C – Academic Dishonesty Report Form and/or Disciplinary Form B – Notice of Suspension from Class/Lab/Library) and submit them along with a copy of the evidence to the Director of Student Development or his or her designee. This information will be placed in the student file.
4. If there is evidence of serious or repeated violations of academic honesty, the college may pursue additional disciplinary action in accordance with the disciplinary measures outlined in this procedure.

B. Notify Campus Police

Misconduct as noted in BP 5500 sections II, III, IV, V and VI should be brought to the immediate attention of the Campus Police or local police department/security force (for courses taught off campus). This does not preclude a staff member from calling Campus Police for any other misconduct that warrants such action. Campus Police are to be called immediately and a police report will be written with notice to the Director of Student Development, or his or her designee.

C. 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 a faculty member, the Director of Student Development, or his or her designee, or any college manager or delegated authority that continuation or repetition of the specified conduct may be cause for other disciplinary action. A copy of such action shall be sent to the Director of Student Development or his or her designee and placed in the student file.

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2. Reprimand - A written reprimand for violation of specified regulations sent to the student by the Director of Student Development, or his or her designee, noting that continued violations may result in further disciplinary action. The Director of Student Development or his or her designee shall place a copy of this reprimand in the student file.
3. Restitution - A letter from the Director of Student Development, or his or her designee, requesting reimbursement for damage or misappropriation of property will be sent to the student. A copy of this letter will be sent to the student file, Dean of Enrollment Services, and the Vice President of Student and Community Advancement. Reimbursement may take the form of appropriate service to repair or otherwise compensate for the damage.
4. Disciplinary Probation - Exclusion from college activities or services set forth in the notice of disciplinary probation. It may include one or all of the following and may be imposed upon an individual or groups of students.
 - a. Removal from any or all college organization offices.
 - b. Denial of privileges or participation in any or all college or student-sponsored activities or services. 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. A written statement from the Director of Student Development, or his or her designee, will state those activities from which the student will be excluded. A copy of the disciplinary probation letter will be sent to the student file, Dean of Enrollment Services, Vice President of Student and Community Advancement, and Campus Police.
 - c. Requirement to complete one or more counseling or behavioral modification programs or classes including but not limited to drug/alcohol diversion program, anger management workshop, interpersonal communication workshop, life-skills class, Special Resources Center program and academic or psychological counseling appointments.
5. Removal by Instructor – In cases of academic dishonesty or disruptive behavior, 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, a conference shall be held with the instructor and the student in an attempt to resolve the situation that led to the student’s removal.

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- a. If a student is suspended for one class meeting, no additional formal disciplinary procedures are necessary. A record of the suspension should be sent to the Director of Student Development or his or her designee and placed in the student file.
 - 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 or her dean who shall forward this information to the Director of Student Development, or his or her designee. The Director of Student Development, or his or her designee, shall send copies to the Vice President of Student and Community Advancement and the President. If the student removed by an instructor is a minor, the Director of Student Development, or his or her designee, shall ask a parent or guardian of the student to attend a parent conference with the instructor regarding the removal as soon as possible. A college administrator shall attend the conference if any party (instructor, parent, or guardian) so requests.
 - c. The instructor may recommend to his or her dean that a student be suspended for longer than two class meetings. If the dean, instructor, and student cannot resolve the problem, the recommendation for a suspension of more than two class sessions will be referred to the Director of Student Development, or his or her designee, for possible actions described in Section 6 of this procedure.
 - d. 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 as a result of actions taken as defined in Section 6 of these procedures.
6. Suspension - The Director of Student Development, or his or her designee, may suspend a student as follows:
- a. From one or more classes for a period of up to ten days of instruction; or
 - b. From one or more classes for the remainder of the term; or
 - c. From one or more classes and activities of the community college for one or more terms not to exceed a period of two years. The Director of Student Development, or his or her designee, shall send the notice of suspension to the student, the student file, Dean of Enrollment Services, Vice President of Student and Community Advancement, President, and Campus Police. Whenever a minor is suspended from the College, the parent or guardian shall be notified in writing by the Director of Student Development, or his or her designee.

7. Immediate Suspension - Any college manager or college delegated authority during non-school hours, may immediately suspend a student from the campus in an emergency action to protect lives or property and to insure the maintenance of order. Within twenty-four (24) hours or the next regular work day of the suspension, the college manager or college delegated authority shall send to the Director of Student Development, or his or her designee, a written report of the suspension. The Director of Student Development, or his or her designee, shall send a written notice to the suspended student, informing the student of his or her right to a hearing within ten (10) business days of the suspension. A copy of this notice will be sent to the student file, Dean of Enrollment Services, Vice President of Student and Community Advancement, President, and Campus Police.

Immediate suspension will be enforced for the following types of student misconduct:

- a. Possession or use of any weapon, firearms, or explosives.
- b. Willful misconduct which results in injury or death to a student or college personnel.
- c. Assault, battery, sex crimes, including sexual assault, or rape.

When there is probable cause to believe that a student has committed any of the above actions, that student will be immediately suspended from the campus by any college manager or college delegated authority. Within twenty-four (24) hours of, or the next regular work day after the suspension, the manager or college delegated authority shall send to the Director of Student Development, or his or her designee, a written report of the suspension. The Director of Student Development, or his or her designee, will then send a written notice to the suspended student, informing the student that he or she has been suspended for the remainder of the semester at a minimum and/or up to two years at a maximum and that he or she has the right to a hearing within ten (10) business days of the suspension.

8. Expulsion – The termination of student status for an indefinite period of time. The Board of Trustees is authorized to expel a student for good cause when other means of correction fail to bring about proper conduct, or when the presence of the student causes a continuing danger to the physical safety of the student or others. The notice of expulsion will be sent to the student with copies to the student file, Director of Student Development, Dean of Enrollment Services, Vice President of Student and Community Advancement, President, and Campus Police.

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The expulsion of a student shall be accompanied by a hearing if requested by the student. The Board of Trustees shall consider any recommendation from the Superintendent/ President for expulsion at the next regularly scheduled meeting of the Board after receipt of the recommended decision.

The Board shall consider any expulsion recommendation in closed session, unless the student has requested that the matter be considered in a public meeting in accordance with these procedures (Education Code Section 72122). The student shall be notified in writing, by registered or certified mail or by personal service, at least three (3) days prior to the meeting, of the date, time, and place of the Board of Trustees' meeting. The student may, within forty-eight hours after receipt of the notice, request that the hearing be held as a public meeting. Even if a student has requested that the Board consider an expulsion recommendation in a public meeting, the Board will hold any discussion that might be in conflict with the right to privacy of any student other than the student requesting the public meeting in a closed session.

The Board may accept, modify or reject the findings, decisions and recommendations of the Superintendent/President and/or the hearing panel. If the Board modifies or rejects the decision, the Board shall review the record of the hearing, and shall prepare a new written decision which contains specific factual findings and conclusions. The decision of the Board shall be final. The final action of the Board on the expulsion shall be taken at a public meeting, and the result of the action shall be a public record of the District.

DUE PROCESS DISCIPLINARY PROCEDURES

A. LODGING OF CHARGES

1. Charges of misconduct against a student, as defined in Sections I through VII of Board Policy 5500, may be lodged 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 the “complainant” and the person being charged as the “accused.”
2. The complainant must first lodge his or her charge(s) with a responsible manager at the level of director or above.
3. The responsible manager will review the charge(s). The manager will then either:
 - a. attempt to informally resolve the issue(s) or
 - b. recommend disciplinary action.
4. If the responsible manager recommends disciplinary action, he or she will forward the charge(s) to the Director of Student Development, or his or her designee. The Director of Student Development or his or her designee shall review the charge(s) and make an independent determination as to whether or not the conduct charged amounts to misconduct as defined in Items I through VII of Board Policy 5500 and whether disciplinary action should be brought against the accused.
5. If disciplinary action is appropriate, the Director of Student Development, or his or her designee or appropriate administrator shall give the accused a written notice of the lodging of charges, the specified acts of misconduct and the proposed disciplinary action. The accused will be notified of his or her right to request a hearing within five (5) business days. A copy of this policy will be included with the notice. If the student does not request a hearing, the proposed disciplinary action will be taken.

B. HEARING OF CHARGES

1. Scheduling of Hearing
 - a. Students who are placed on immediate suspension - If the student has been suspended prior to a hearing, the hearing shall be commenced within fifteen (15) business days of the ordered suspension.
 - b. Students who have not been placed on immediate suspension:
 - 1) The accused shall receive written notice of the charge(s) giving rise to the proposed disciplinary action.

- (2) The accused has five (5) business days after receipt of written notice of the charge(s) to request a hearing before the Disciplinary Hearing Committee. Failure to request such a hearing in writing within this five day period, or failure to appear at such hearing will constitute a waiver of his or her right to a hearing pursuant to these procedures. Unless the hearing may result in expulsion, the accused is not entitled to representation by counsel. If the accused wishes to be represented by counsel at an expulsion hearing, the accused shall provide written notice in the request for hearing of the intention to be represented. If the accused is a minor, he or she shall be entitled to be accompanied by his or her parent or guardian at any hearing before the Disciplinary Hearing Committee.
- (3) The Disciplinary Hearing Committee shall be chaired by the Director of Student Development, or his or her designee who will serve as the hearing officer and have as members one representative from each of the following groups: the Academic Senate, the Classified Employees, the Student Senate, and College Management.
- (4) If the accused requests a hearing, the Director of Student Development, or his or her designee shall schedule a disciplinary hearing to take place within fifteen (15) business days of the receipt by him or her of the written request for a hearing.
- (5) The Director of Student Development or his or her designee shall give the accused and members of the Disciplinary Hearing Committee written notice of the time, place and date set for the hearing.
- (6) If the accused does not request a hearing, the Director of Student Development, or his or her designee may finalize the disciplinary action with the exception of expulsion, which must be recommended to the Vice President of Student and Community Advancement. If the Vice President determines that expulsion is appropriate, he or she Board of Trustees Agenda – will recommend expulsion to the Board of Trustees for final approval.

2. How Hearing is to be Conducted

- a. The public shall be excluded from this hearing.
- b. The hearing shall be recorded by either an audio recording or stenographic recording.

- c. The hearing officer may conduct the hearing in any manner he or she deems appropriate, provided the accused is given the opportunity to confront the witnesses testifying against him or her and to offer the statements of any supporting witnesses.
- d. If the Disciplinary Hearing Committee finds adequate support for the charge(s), it shall take appropriate disciplinary action pursuant to Section I.C of this procedure.
- e. When the Disciplinary Hearing Committee reaches a decision, the accused shall be given written notice in a timely manner of the decision, the disciplinary action, if any, to be taken, and the right to appeal the decision to the Vice President of Student and Community Advancement.

C. REVIEW BY THE VICE PRESIDENT OF STUDENT AND COMMUNITY ADVANCEMENT

- 1. The accused may seek review of the decision of the Disciplinary Hearing Committee by delivering to the Vice President of Student and Community Advancement, no later than five (5) business days after notice to the accused of the Disciplinary Hearing Committee's decision, a signed statement containing:
 - a. A statement that the accused appeals the decision; and
 - b. A brief statement of why the accused considers the decision to be in error.
- 2. The Vice President of Student and Community Advancement shall examine all documents received and shall grant review of the matter only if he or she determines from these documents that the decision of the Disciplinary Hearing Committee was in error or the sanctions imposed were excessive in light of the seriousness of the charge(s).
- 3. If the Vice President of Student and Community Advancement determines that review is not appropriate, he or she shall, within ten (10) business days after receipt of the accused's request for review, send written notice to the accused denying review and affirming the decision of the Disciplinary Hearing Committee.
- 4. If the Vice President of Student and Community Advancement determines that review is appropriate, he or she shall, within ten (10) business days after receipt of the request for review, schedule a meeting giving the accused at least five (5) business days written notice thereof with the accused and the hearing officer, at which time the accused will be allowed to present his or her objections to the Disciplinary Hearing Committee's decision, and the hearing officer will be allowed to respond thereto.

5. After such a meeting, the Vice President of Student and Community Advancement may reverse, revise or modify the decision and the disciplinary sanctions therein imposed on the accused, or the Vice President may let the decision and disciplinary sanctions stand.

D. GENERAL PROVISIONS

1. If students or other persons are suspended or expelled from the campus, they shall not appear on the campus without permission from the Vice President of Student and Community Advancement or designee and must have a Campus Police escort.
2. The time limits specified in the Due Process and Disciplinary Procedures may be shortened or extended if there is a mutual written concurrence between the parties.
3. Failure of the accused to appeal any determination at any step to another step within the specified time limits shall be deemed acceptance by the accused of the last determination rendered.
4. Written notice to an accused pursuant to these procedures shall be sufficient if sent by first class mail to the last known address of the accused currently on file with the college. Notice shall be deemed given on the day of said mailing. Notice shall be in the English language.
5. In the absence of the Director of Student Development, a designee may be appointed by the Vice President of Student and Community Advancement.
6. No student shall be removed, suspended or expelled unless the conduct for which the student is disciplined is related to college activity or college attendance. In addition, no student may be removed, suspended, or expelled for parking violations.
7. The President or the President's designee (Campus Police) shall, upon the suspension or expulsion of any student, notify the appropriate law enforcement authorities of Los Angeles County or the City of Torrance 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.

Time Limits: Any times specified in these procedures may be shortened or lengthened if there is mutual concurrence by all parties.

References:
Education Code Sections 66300, 72122, 76030



Violation of Standards of Student Conduct – Written Warning

(Board Policy 5500 – Academic Honesty & Standards of Conduct)

Name of Student _____ (Please print)

Student ID Number _____ (Please print)

Name of Faculty Member/Staff/Administrator: _____

Class _____ Section number _____ Date _____

Please mark the appropriate provision(s) for which the student is in violation:

- _____ 1. Obstruction or disruption of teaching (or other authorized college activities). Obstruction or disruption includes, but is not limited to, tardiness, use of electronic devices during class (i.e., cell phones, pagers, CD players, ipods), or disrespectful or inappropriate classroom behavior.
- _____ 2. Continued disruptive behavior, continued willful disobedience, profanity or vulgarity, or continued defiance of the authority of, or abuse of, college personnel or anyone on campus, or failure to comply with the directions of a member of the college personnel (faculty, administrators, supervisors, staff, or campus police).
- _____ 3. Sexual harassment, which includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. **(Sexual harassment must also be reported to the Director of Staff and Student Diversity immediately.)**
- _____ 4. Dishonesty, including but not limited to, cheating, plagiarism or knowingly furnishing false information.*
- _____ 5. Unauthorized entry to or use of college facilities, equipment or supplies, or failure to use facilities, equipment, or campus resources in a responsible manner.
- _____ 6. Other: _____

Comments: _____

If a student violates the Standards of Student Conduct again following receipt of the written warning, the student may be suspended from class for at least one class session (see Board Policy 5500). Disciplinary Form B should be used to notify the student of such action.

Signature of Faculty Member/Staff/Administrator: _____

Signature of Student: _____

A copy of this completed form MUST be given to the student. The faculty member/staff/ administrator will route copies of this form as listed below. Questions regarding use of this form should be discussed with the Director of Student Development.

***Note to Instructors:** For incidents of Academic Dishonesty, please also fill out Disciplinary Form C.



EL CAMINO COLLEGE

Disciplinary Form B

Notice of Student Suspension from Class/Lab/Library

(Board Policy 5500 – Academic Honesty & Standards of Conduct)

Name of Student _____ (Please print)

Student ID Number _____ (Please print)

Name of Faculty Member/Staff/Administrator: _____

Division _____ Class _____ Section number _____

Class Day(s)/Time _____ Today's Date _____

Date(s) of Suspension: 1 day _____ 2 days _____ & _____

Cause of Suspension: _____

- Please make an appointment to see your instructor or division dean prior to returning to class to discuss what led to this suspension.

Office Hours: _____

Telephone number: _____

- Please make an appointment to see the Director of Student Development (310-660-3500) regarding this suspension prior to returning to class, lab or library.

Signature of Faculty Member/Staff/Administrator: _____

A copy of this completed form MUST be given to the student. The faculty member/staff/ administrator will route copies of this form as listed below.

Questions regarding student discipline and use of this form should be discussed with the Director of Student Development.



EL CAMINO COLLEGE

Disciplinary Form C

Academic Dishonesty Report Form

(Board Policy 5500 – Academic Honesty & Standards of Conduct)

Name of Student _____ (Please print)

Student ID Number _____ (Please print)

Name of Faculty Member/Staff/Administrator: _____

Division _____ Class _____ Section number _____

Class Day(s)/Time _____ Today's Date _____

Date of Incident: _____

Description of Incident: _____

(Please attach additional information and/or documentation)

Action Taken:

- _____ 1. Assigned failing grade to the examination or assignment in which the alleged cheating or plagiarism occurred.
- _____ 2. Dismissed student from class/activity for _____ class session(s) at time of alleged violation. **(Disciplinary Form B should be used to notify student of such action.)**
- _____ 3. Dismissed student from class/activity for _____ class session(s) following alleged violation. **Disciplinary Form B should be used to notify student of such action.)**

Further Action Recommended to the Division Dean and/or Director of Student Development:

- _____ 1. Suspension from class for the remainder of the semester.
- _____ 2. Other (please specify): _____

Signature of Faculty Member/Staff/Administrator: _____

Questions regarding student discipline and use of this form should be discussed with the Director of Student Development. The faculty member/staff/administrator will route copies of this form as listed below.

CLARIFICATION & PROCEDURES TO DOCUMENT AND HANDLE**CLASSROOM CHEATING & PLAGIARISM**

El Camino College is dedicated to maintaining an optimal learning environment and insists upon academic honesty. To uphold the academic integrity of the institution, all members of the academic community, faculty, staff and students alike, must assume responsibility for providing an educational environment of the highest standards characterized by a spirit of academic honesty.

It is the responsibility of all members of the academic community to behave in a manner which encourages learning and promotes honesty and to act with fairness toward others. Students should not seek an unfair advantage over other students when completing an assignment, taking an examination, or engaging in any other kind of academic activity.

Examples of Cheating or Plagiarism

- Representing the words, ideas or work of another as one's own in any academic exercise, including the use of commercial term paper companies or online sources for essays, term papers, or research papers, whether free or paid.
- Copying from another student or former student or allowing another student to copy from one's work.
- Allowing another individual to assume one's identity or assuming the identity of another individual.
- Falsifying or attempting to falsify attendance records and/or grade rosters.
- Changing answers on a previously scored test, assignment or experiment with the intent to defraud.
- Inventing data for the purpose of completing a laboratory experiment or case study analysis with the intent to defraud.
- Giving and/or receiving information during an examination or test by any means such as sign language, hand signals, secret codes or through the use of electronic devices.
- Obtaining copies of notes, exams or exam questions by any means when prohibited by the instructor. This includes copying and removing exam questions from the classroom for any purpose.
- Using study aids such as calculators, tape recorders, notes or other electronic devices unless specifically authorized by the instructor.
- Handing in the same paper or other assignment in more than one class when prohibited by the instructor.
- Any action that is not an honest reflection of a student's own academic work.

Consequences for Cheating or Plagiarism

When an instructor has determined that there is evidence of dishonesty in any academic work, the student may receive a failing grade for that piece of work and disciplinary action may be pursued. Any or all of the following actions may be imposed:

1. The instructor may assign a failing grade (no credit) to the examination or assignment in which the academic dishonesty occurred.
2. The instructor may dismiss the student from the class or activity for the day of the incident and one additional class day as stipulated in C.5 of Administrative Procedure 5520: Student Discipline & Due Process Procedure.
3. The instructor may complete the appropriate reporting forms (Disciplinary Form C – Academic Dishonesty Report Form and/or Disciplinary Form B – Notice of Suspension from Class/Lab/Library) and submit them along with a copy of the evidence to the Director of Student Development or his/her designee. This information will be placed in the student file.
4. If there is evidence of serious or repeated violations of academic honesty, the college may pursue additional disciplinary action in accordance with the disciplinary measures outlined in Administrative Procedure 5520 – Student Discipline & Due Process Procedure.

Questions regarding student disciplinary action should be discussed with the Director of Student Development.

