



Student Conduct Standards and Procedures

A Guide for Students, Faculty, Staff and Administrators



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INTRODUCTION

This handbook will clearly define what behaviors may result in disciplinary action at Clovis Community College. This handbook should act, as a guide to help students, faculty, and staff understand the necessary procedures to follow in order to resolve any disciplinary action as provided in Board Policy 5500.

The purpose of Board Policy 5500 is to provide notice to all Clovis Community College students of the conduct standards, which are required of each student. This document additionally defines procedures that are fair and timely both to the student charged and to Clovis Community College. Under the student conduct standards defined in Board Policy 5500, appropriately authorized employees of Clovis Community College or the State Center Community College District may determine whether violations of conduct standards have occurred. It is the responsibility of each student, faculty member, administrator and staff person to adhere to board policy.

Student rights are protected by federal and state laws, and by policies established by the trustees of the State Center Community College District. It is therefore essential for the protection of students' rights that procedures be established which would identify violations of student conduct standards and the resolution of such violations.

POLICY STATEMENT

Once a student enrolls in courses on the Clovis Community College campus, that individual accepts both the rights and responsibilities associated with that enrollment. Clovis Community College and State Center Community College District exist to educate individuals in our community. All other considerations are secondary. The district will not infringe on anyone's constitutional rights, and the right to dissent and to protest will be supported. However, the right to dissent and to protest must not be construed as a right to disrupt operation of the institution. No individual or group can be permitted to infringe on the rights of others to secure an education.

Standards of Conduct

A student enrolled in courses offered by any college or center of the State Center Community College District assumes an obligation to conduct him/herself in a manner compatible with the college's function as an educational institution. A student may be disciplined, utilizing the procedures set out in Administrative Regulation 5520, for any of the following causes, which must be related to college attendance or activity.

The following conduct shall constitute good cause for discipline, including but not limited to the removal, suspension or expulsion of a student.

1. Causing, attempting to cause, or threatening to cause physical injury to another person.
2. Possession, sale or otherwise furnishing any firearm, knife, explosive or other dangerous object, including but not limited to any facsimile firearm, knife or explosive, unless, in the case of possession of any object of this type, the student has obtained written permission to possess the item from the Vice President of Student Services.
3. Unlawful possession, use, sale, offering to sell or furnish, furnishing, or being under the influence of, any controlled substance listed in California Health and Safety Code Section 11053 et seq., an alcoholic beverage, or an intoxicant of any kind or unlawful possession of, or offering, arranging or negotiating the sale of any drug paraphernalia as defined in California Health and Safety Code Section 11014.5.
4. Committing or attempting to commit robbery or extortion, or gambling.
5. Causing or attempting to cause damage to District property or to private property on campus. Stealing or attempting to steal District property or private property on campus or knowingly receiving stolen District property or private property on campus.
6. Willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of the college or the District.
7. Committing sexual harassment as defined by law or by District policies and procedures.

8. Engaging in harassing or discriminatory behavior based on race, sex, religion, age, national origin, disability, or any other status protected by law.
9. Willful misconduct that results in injury or death to a student or to District personnel or which results in cutting, defacing, or other damage to any real or personal property owned by the District or on campus.
10. Disruptive behavior, willful disobedience, habitual profanity or vulgarity, the open and persistent defiance of the authority of, or persistent abuse of, college personnel.
11. Cheating, plagiarism (including plagiarism in a student publication), or engaging in other academic dishonesty as defined by the Office of Instruction.
12. Dishonesty, forgery, alteration or misuse of District documents, records or identification, or knowingly furnishing false information to the District.
13. Unauthorized entry upon or use of District facilities.
14. Lewd, indecent, or obscene conduct, or expression on District-owned or controlled property, or at District sponsored or supervised functions.
15. Engaging in expression which is obscene, libelous, or slanderous or which so incites students as to create a clear and present danger of the commission of unlawful acts on District premises.
16. Violation of lawful District regulations or the substantial disruption of the orderly operation of the District.
17. Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.
18. Unauthorized preparation, giving, selling, transfer, distribution, or publication, for any commercial purpose, of any contemporaneous recording of an academic presentation in a classroom or equivalent site of instruction, including but not limited to digital or electronic recording or handwritten or typewritten class notes except as permitted by any District policy or administrative procedure.
19. Other good cause as shown.

Students who engage in any of the above are subject to the procedures outlined in Administrative Regulation 5520

Student Discipline Procedures

The purpose of this procedure is to provide a prompt and equitable means to address violations of the Standards of Student Conduct, which guarantees to the student or students involved the due process rights under state and federal law. This procedure will be used in a fair and equitable manner and not for purposes of retaliation. It is not intended to substitute for criminal or civil proceedings that may be initiated by other agencies.

These Administrative Regulations are specifically not intended to infringe in any way on the rights of students to engage in free expression as protected by the state and federal constitutions, and by Education Code Section 76120, and will not be used to punish expression that is protected.

Short-term Suspensions, Long-term Suspensions, and Expulsions

Before any disciplinary action to suspend or expel is taken against a student, the following procedures will apply:

Notice:

The Vice President of Student Services will provide the student with written notice of the conduct warranting the discipline. The written notice will include the following:

- The specific section of the Standards of Student Conduct that the student is accused of violating. A short statement of the facts supporting the accusation.
- The right of the student to meet with the President/Vice Chancellor-North Centers or designee to discuss the accusation, or to respond in writing.
- The nature of the discipline that is being considered.

Time limits:

The notice must be provided to the student within five working days of the date on which the misconduct took place. In the case of continuous, repeated or ongoing conduct, the notice must be provided within five working days of the date on which misconduct occurred which led to the decision to take disciplinary action.

Meeting:

If the student chooses to meet with the President/Vice Chancellor-North Centers or his/her designee, the meeting must occur no sooner than five working days after the notice is provided.

At the meeting, the student must again be told the facts leading to the accusation and must be given an opportunity to respond verbally or in writing to the accusation.

Short-term Suspension:

Within five working days after the meeting described above, the President/Vice Chancellor-North Centers shall, pursuant to a recommendation from the Vice President of Student Services, decide whether to impose a short-term suspension, whether to impose some lesser disciplinary action, or whether to end the matter. Written notice of the President/Vice Chancellor-North Centers' decision shall be provided to the student. The notice will include the length of time of the suspension or the nature of the lesser disciplinary action. The President/Vice Chancellor-North Centers' decision on a short-term suspension shall be final.

Long-term Suspension:

Within five working days after the meeting described above, the President/Vice Chancellor-North Centers shall, pursuant to a recommendation from the Vice President of Student Services, decide whether to impose a long-term suspension. Written notice of the President/Vice Chancellor-North Centers' decision shall be provided to the student. The notice will include the right of the student to request a formal hearing before a long-term suspension is imposed and a copy of this policy describing the procedures for a hearing.

Expulsion:

Within five working days after the meeting described above, the President/Vice Chancellor-North Centers shall, pursuant to a recommendation from the Vice President of Student Services, decide whether to recommend expulsion to the Board of Trustees. Written notice of the President/Vice Chancellor-North Centers' decision shall be provided to the student. The notice will include the right of the student to request a formal hearing before expulsion is imposed and a copy of this policy describing the procedures for a hearing.

Hearing Procedures

Request for Hearing:

Within five working days after receipt of the President/Vice Chancellor North Centers or his/her designee's decision regarding a long-term suspension or expulsion, the student may request a formal hearing. The request must be made in writing to the President/Vice Chancellor-North Centers or his/her designee.

Schedule of Hearing:

The formal hearing shall be held within ten working days after a formal request for hearing is received.

The Board of Trustees may hear these matters itself or may use the services of a hearing officer or a panel. This determination will be made by the Board President on a case by case basis. If the Board opts to use a hearing officer or if a panel is adopted, the following procedures will be used:

- **Hearing Panel:** The hearing panel for any disciplinary action shall be composed of one administrator, one faculty member, and one student.
 - The President/Vice Chancellor-North Centers, the president of the Academic Senate, and the Associated Student president shall each, at the beginning of the academic year, establish a list of at least five persons who will serve on student disciplinary hearing panels.
 - The President/Vice Chancellor-North Centers shall appoint the hearing panel from the names on these lists. However, no administrator, faculty member or student who has any personal involvement in the matter to be decided, who is a necessary witness, or who could not otherwise act in a neutral manner shall serve on a hearing panel.
 - The President/Vice Chancellor-North Centers shall appoint one member of the panel to serve as the chair. The decision of the hearing panel chair shall be final on all matters relating to the conduct of the hearing, unless there is a vote by both other members of the panel to the contrary.

Conduct of the Hearing:

The members of the hearing panel shall be provided with a copy of the accusation against the student and any written response provided by the student before the hearing begins.

- The facts supporting the accusation shall be presented by a college representative who shall normally be the Vice President of Student Services or General Counsel.
- The college representative and the student may call witnesses and introduce oral and written testimony relevant to the issues of the matter.
- Formal rules of evidence shall not apply. Any relevant evidence shall be admitted. If it is the sort of evidence upon which responsible persons are accustomed to rely in the conduct of serious affairs regardless of the existence of any common law or statutory rule which might otherwise exclude such evidence.
- Unless the hearing panel determines to proceed otherwise, the college representative and the student shall each be permitted to make an opening statement. Thereafter, the college representative shall make the first presentation, followed by the student. The college representative may present rebuttal evidence after the student completes his or her evidence. The burden shall be on the college representative to prove by substantial evidence that the facts alleged in the written notice are true.
- The student may represent him or herself and may also have the right to be represented by a person of his or her choice. The student shall not be represented by an attorney unless, in the judgment of the hearing panel, complex legal issues are involved. If the student wishes to be represented by an attorney, a request must be presented not less than five days prior to the date of the hearing. If the student is permitted to be represented by an attorney, the college representative may request legal assistance. The hearing panel may also request legal assistance. Any legal advisor provided to the panel may sit with it in an advisory capacity to provide legal counsel but shall not be a member of the panel nor vote with it.
- Hearings shall be closed and confidential unless the student requests that it be open to the public. Any such request must be made no less than five days prior to the date of the hearing.
- In a closed hearing, witnesses shall not be present at the hearing when not testifying, unless all parties and the panel agree to the contrary.
- The District shall record the hearing either by tape recording or stenographic recording, which shall be the only recording made. No witness who refuses to be recorded may be permitted to give testimony. In the event the recording is by tape recording, the hearing panel chair shall, at the beginning of the hearing, ask each

person present to identify themselves by name and thereafter shall ask witnesses to identify themselves by name. The tape recording shall remain in the custody of the District at all times, unless released to a professional transcribing or copying service. The student may request a copy of the tape recording.

- All testimony shall be taken under oath. The hearing panel chair or court reporter shall administer the oath. Written statements of witnesses under penalty of perjury shall not be used unless the witness is unavailable to testify. A witness who refuses to be tape-recorded is not unavailable.
- Within five days following the close of the hearing, the hearing panel shall prepare and send a written decision to the President/Vice Chancellor-North Centers. The decision shall include specific factual findings regarding the accusation and specific conclusions regarding whether any specific section of the Standards of Student Conduct were violated. The decision shall also include a specific recommendation regarding the disciplinary action to be imposed, if any. The decision shall be based only on the record of the hearing and not on matter outside of that record. The record consists of the original accusation, the written response of the student, if any, and the oral and written evidence produced at the hearing.

Final Decision

Long-term suspension:

Within five days following receipt of the hearing panel's recommended decision, the President/Vice Chancellor-North Centers shall render a final written decision. The President/Vice Chancellor-North Centers may accept, modify or reject the findings, decisions and recommendations of the hearing panel. If the President/Vice Chancellor-North Centers modifies or rejects the hearing panel's decision, the President/Vice Chancellor-North Centers shall review the record of the hearing and prepare a new written decision, which contains specific factual findings and conclusions. The decision of the President/Vice Chancellor-North Centers shall be final.

Expulsion:

Chancellors' Recommended Decision:

Within five days following receipt of the hearing panel's recommended decision, the Chancellor shall render a written recommended decision to the Board of Trustees. The Chancellor may accept, modify, or reject the findings, decisions and recommendations of the hearing panel. If the Chancellor modifies or rejects the hearing panel's decision, he or she shall review the

record of the hearing, and shall prepare a new written decision, which contains specific factual findings and conclusions. The Chancellor's decision shall be forwarded to the Board of Trustees.

Board of Trustees Decision:

The Board of Trustees shall consider any recommendation from the Chancellor for expulsion at the next regularly scheduled meeting of the Board after receipt of the recommended decision. The Board shall consider an 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 days prior to the meeting of the date, time, and place of the Board's 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 closed session.

The Board may accept, modify, or reject the findings, decisions and recommendations of the Chancellor and/or the hearing panel. If the Board modifies or rejects the decision, the Board shall review the record of the hearing and 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.

Immediate Interim Suspension [Education Code Section 66017]:

The President/Vice Chancellor-North Centers may order immediate suspension of a student where he or she concludes that immediate suspension is required to protect lives or property and to ensure the maintenance of order. In cases where an 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 within ten (10) days.

Removal from Class [Education Code Section 76032]:

Any instructor may order a student removed from his or her class for the day of the removal and the next class meeting. The instructor shall immediately report the removal to the Chancellor and the President/Vice Chancellor-North Centers or his/her designee. The President/Vice Chancellor North Centers or his/her designee shall arrange for a conference between the student and the instructor regarding the removal. If the instructor or the student requests, the President/Vice Chancellor-North Centers or his/her designee shall attend the conference. The student shall not be returned to the class during the period of the removal without the concurrence of the instructor. Nothing herein will prevent the President/Vice Chancellor-North Centers or his/her designee from recommending further disciplinary procedures in accordance with these procedures based on the facts, which led to the removal.

Withdrawal of Consent to Remain on Campus

The Chancellor, President, Vice Chancellor-North Centers, or his/her designee, may notify any person for 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. If President, Vice Chancellor-North Centers, or his /her designee withdraws consent, a written report must be promptly made to the Chancellor.

If the person from whom consent has been withdrawn is a student, he/she 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 days from the date of receipt of the request. The hearing will be conducted in accordance with the provisions of this procedure relating to interim suspensions.

In no case shall consent be withdrawn for longer than fourteen (14) days from the date upon 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. (Penal Code Section 626.4.)

Time Limits:

Any times specified in these procedures may be shortened or lengthened if there is written agreement by all parties.

Student Rights and Grievances

The purpose of this procedure is to provide a prompt and equitable means of resolving student grievances. These procedures shall be available to any student who reasonably believes a college decision or action has adversely affected his or her status, rights or privileges as a student. The procedures shall include, but not be limited to, grievances regarding:

- Sex discrimination as prohibited by Title IX of the Higher Education Amendments of 1972 Sexual harassment
- Other illegal harassment or discrimination Financial aid
- Course grades, to the extent permitted by Education Code Section 76224(a), which provides: "When grades are given for any course of instruction taught in a community college district, the grade given to each student shall be the grade determined by the instructor of the course and the determination of the student's grade by the instructor, in the absence of mistake, fraud, bad faith, or incompetency, shall be final." "Mistake" may include, but is not limited to errors made by an instructor in calculating a student's grade and clerical errors.
- The exercise of rights of free expression protected by state and federal constitutions and Education Code Section 76120.

This procedure does not apply to:

- Student disciplinary actions, which are covered under separate Board policies and Administrative Regulations;
- Police citations (i.e. "tickets"); complaints about citations must be directed to the criminal justice system in the same way as any traffic violation.

Informal Resolution:

Each student who has a grievance shall make a reasonable effort to resolve the matter on an informal basis prior to requesting a grievance hearing and attempt to solve the problem first with the person with whom the student has the grievance then that person's immediate supervisor, or the local college administration.

The President/Vice Chancellor-North Centers shall appoint an employee who shall assist

students in seeking resolution by informal means. This person shall be called the Grievance Officer. The Grievance Officer and the student may also seek the assistance of the Associated Student Government in attempting to resolve a grievance informally.

Informal meetings and discussion between persons directly involved in a grievance are essential at the outset of a dispute and should be encouraged at all stages. An equitable solution should be sought before persons directly involved in the case have stated official or public positions that might tend to polarize the dispute and render a solution more difficult. At no time shall any of the persons directly or indirectly involved in the case use the fact of such informal discussion, the fact that a grievance has been filed, or the character of the informal discussion for the purpose of strengthening the case for or against persons directly involved in the dispute or for any purpose other than the settlement of the grievance.

Any student who believes he or she has a grievance shall file a Statement of Grievance with the Grievance Officer within ten days of the incident on which the grievance is based, or ten days after the student knew or should have known of the basis for the grievance, whichever is later.

The Statement of Grievance must be filed whether or not the student has already initiated efforts at informal resolution if the student wishes the grievance to become official. Within two days following receipt of the Statement of Grievance Form, the Grievance Officer shall advise the student of his or her rights and responsibilities under these procedures and assist the student, if necessary, in the final preparation of the Statement of Grievance form.

If at the end of five days following the student's first meeting with the Grievance Officer, there is no informal resolution of the complaint, which is satisfactory to the student, the student shall have the right to request a grievance hearing.

Grievance Hearing Committee:

The President/Vice Chancellor-North Centers shall, at the beginning of each semester, and summer session, establish a standing panel of ten members of the college community that include two students, four faculty members and four administrators from which one or more Grievance Hearing Committees may be appointed. The panel will be established with the advice and assistance of the Associated Students Government, which shall submit two names for

inclusion on the panel, and the Academic Senate, which shall submit four names for inclusion on the panel. A Grievance Hearing Committee shall be constituted in accordance with the following:

- It shall include one student, two instructors, and two college administrators selected by the President/Vice Chancellor-North Centers from the panel described above.
- No person shall serve as a member of a Grievance Hearing Committee if that person has been personally involved in any matter giving rise to the grievance, has made any statement on the matters at issue, or could otherwise not act in a neutral manner. Any party to the grievance may challenge for cause any member of the hearing committee prior to the beginning of the hearing by addressing a challenge to the President/Vice Chancellor-North Centers who shall determine whether cause for disqualification has been shown. If the President/Vice Chancellor-North Centers feels that sufficient ground for removal of a member of the committee has been presented, the President/Vice Chancellor-North Centers shall remove the challenged member or members and substitute a member or members from the panel described above. This determination is subject to appeal as defined below.
- The Grievance Officer shall sit with the Grievance Hearing Committee but shall not serve as a member nor vote. The Grievance Officer shall coordinate all scheduling of hearings, shall serve to assist all parties and the Hearing Committee to facilitate a full, fair and efficient resolution of the grievance, and shall avoid an adversary role.

Request for Grievance Hearing:

Any request for a grievance hearing shall be filed on a Request for a Grievance Hearing form within five days after filing the Statement of Grievance as described above.

Within ten days following receipt of the Request for Grievance Hearing, the President/Vice Chancellor-North Centers shall appoint a Grievance Hearing Committee as described above, and the Grievance Hearing Committee shall meet in private and without the parties present to select a chair and to determine on the basis of the Statement of Grievance whether it presents sufficient grounds for a hearing.

The determination of whether the Statement of Grievance presents sufficient grounds for a hearing shall be based on the following:

- The statement contains facts which, if true, would constitute a grievance under these procedures;
- The grievant is a student as defined in these procedures, which include applicants and former students; The grievant is personally and directly affected by the alleged grievance;
- The grievance was filed in a timely manner;
- The grievance is not clearly frivolous, clearly without foundation, or clearly filed for purposes of harassment.

If the grievance does not meet each of the requirements, the Hearing Committee chair shall notify the student in writing of the rejection of the Request for a Grievance Hearing, together with the specific reasons for the rejection and the procedures for appeal. This notice will be provided within two days of the date the decision is made by the Grievance Hearing Committee.

If the Request for Grievance Hearing satisfies each of the requirements, the College Grievance Officer shall schedule a grievance hearing. The hearing will begin within fifteen days following the decision to grant a Grievance Hearing. No parties to the grievance shall be given less than five days' notice of the date, time, and place of the hearing.

Hearing Procedure:

The decision of the Grievance Hearing Committee chair shall be final on all matters relating to the conduct of the hearing unless there is a vote of a majority of the other members of the panel to the contrary.

The members of the Grievance Hearing Committee shall be provided with a copy of the grievance and any written response provided by the respondent before the hearing begins. Each party to the grievance may call witnesses and introduce oral and written testimony relevant to the issues of the matter.

Formal rules of evidence shall not apply. Any relevant evidence shall be admitted if it is the sort

of evidence upon which reasonable persons are accustomed to rely in the conduct of serious affairs regardless of the existence of any common law or statutory rule, which might otherwise exclude such evidence.

Unless the Grievance Hearing Committee determines to proceed otherwise, each party to the grievance shall be permitted to make an opening statement. Thereafter, the grievant(s) shall make the first presentation followed by the respondent or respondents. The grievant(s) may present rebuttal evidence after the respondent(s)' evidence. The burden shall be on the grievant(s) to prove by substantial evidence that the facts alleged are true and that a grievance has been established as specified above.

Each party to the grievance may represent him or herself, and may also have the right to be represented by a person of his or her choice. An attorney shall not represent a party unless, in the judgment of the Grievance Hearing Committee, complex legal issues are involved. If a party wishes to be represented by an attorney, a request must be presented not less than five days prior to the date of the hearing. If one party is permitted to be represented by an attorney, any other party shall have the right to be represented by an attorney. The hearing committee may also request legal assistance through the President/Vice Chancellor-North Centers' office. Any legal advisor provided to the hearing committee may sit with it in an advisory capacity to provide legal counsel but shall not be a member of the panel nor vote with it.

Hearings shall be closed and confidential unless all parties request that it be open to the public. Any such request must be made no less than five days prior to the date of the hearing. The Grievance Hearing Committee may approve or deny such a request.

Witnesses shall not be present at the hearing when not testifying unless all parties and the committee agree to the contrary.

The Grievance Officer by either tape recording or stenographic recording, and this shall be the only recording made shall record the hearing. No witness who refuses to be recorded may be permitted to give testimony. In the event the recording is by tape recording, the Grievance Hearing Committee Chair shall, at the beginning of the hearing, ask each person present to identify himself or herself by name and, thereafter, ask witnesses to identify themselves by

name. The tape recording shall remain in the custody of the District, at either the college or the District office, at all times, unless released to a professional transcribing or copying service. Any party may request a copy of the tape recording.

All testimony shall be taken under oath. The Grievance Hearing Committee Chair or court reporter shall administer the oath. Written statements of witnesses under penalty of perjury shall not be used unless the witness is unavailable to testify. A witness who refuses to be tape-recorded shall be considered unavailable.

Within ten days following the close of the hearing, the Grievance Hearing Committee shall prepare and send to the President/Vice Chancellor-North Centers a written decision. The decision shall include specific factual findings regarding the grievance and include specific conclusions regarding whether a grievance has been established as defined above. The decision shall also include a specific recommendation regarding the relief to be afforded the grievant, if any. The decision shall be based only on the record of the hearing and not on matter outside of that record. The record consists of the original grievance, any written response, and the oral and written evidence produced at the hearing.

President/Vice Chancellor-North Centers Decision:

Within five days following receipt of the Grievance Hearing Committee's decision and recommendation(s), the President/Vice Chancellor-North Centers shall send to all parties his or her written decision, together with the Hearing Committee's decision and recommendations. The President/Vice Chancellor-North Centers may accept or reject the findings, decisions and recommendations of the Hearing Committee. The factual findings of the Hearing Committee shall be accorded great weight. If the President/Vice Chancellor-North Centers does not accept the decision or a finding or recommendation of the Hearing Committee, the President/Vice Chancellor-North Centers shall review the record of the hearing and prepare a new written decision, which contains specific factual findings and conclusions. The decision of the President/Vice Chancellor-North Centers shall be final and subject only to appeal as provided below:

Appeal:

- Any appeal relating to a Grievance Hearing Committee's decision that the Statement of Grievance does not present a grievance as defined in these procedures shall be made in writing to the President/Vice Chancellor-North Centers within five days of that decision. The President/Vice Chancellor-North Centers shall review the Statement of Grievance and Request for Grievance Hearing in accordance with the requirements for a grievance provided in these procedures but shall not consider any other matters. The President/Vice Chancellor-North Centers' decision whether or not to grant a grievance hearing shall be final and not subject to further appeal.
- Any party to the grievance may appeal the decision of the President/Vice Chancellor-North Centers after a hearing before a Grievance Hearing Committee by filing an appeal with the Chancellor. The Chancellor may designate a District administrator to review the appeal and make a recommendation.
- Any such appeal shall be submitted in writing within five days following receipt of the President/Vice Chancellor- North Centers' decision and shall state specifically the grounds for appeal.

The written appeal shall be sent to all concerned parties. All parties may submit written statements on the appeal.

The Chancellor or designee shall review the record of the hearing and the documents submitted in connection with the appeal but shall not consider any matters outside of the record.

Following the review of the record and appeal statements, the Chancellor's designee, if any, shall make a written recommendation to the Chancellor regarding the outcome of the appeal.

The Chancellor may decide to sustain, reverse, or modify the decision of the President/Vice Chancellor-North Centers. The Chancellor's decision shall be in writing and shall include a statement of reasons for the decision. The Chancellor's decision shall be final.

The decision on appeal shall be reached within five days after receipt of the appeal documents. Copies of the Chancellor's appeal decision shall be sent to all parties.

Time Limits:

Any times specified in these procedures may be shortened or lengthened if there is mutual concurrence in writing by all parties

APPENDIX 1

Definitions

District: The State Center Community College District.

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

Instructor: Any academic employee of the District in whose class a student subject to discipline is enrolled, or counselor who is providing or has provided services to the student, or other academic employee who has responsibility for the student's educational program.
Short-term Suspension: Exclusion of the student by the President/Vice Chancellor-North Centers for good cause from one or more classes for a period of up to ten consecutive days of instruction.

Long-term Suspension: Exclusion of the student by the President/Vice Chancellor-North Centers for good cause from one or more classes for the remainder of the school term, or from all classes and activities of the college for one or more terms.

Expulsion: Exclusion of the student by the Board of Trustees from all colleges and centers in the District for one or more terms.

Removal from class: Exclusion of the student by an instructor for the day of the removal and the next class meeting.

Written or verbal reprimand: An admonition to the student to cease and desist from conduct determined to violate the Standards of Student Conduct. Written reprimands may become part of a student's permanent record at the college. A record of the fact that a verbal reprimand has been given may become part of a student's record at the college for a period of up to one year.

Withdrawal of Consent to Remain on Campus: Withdrawal of consent by the Chancellor, President or Vice Chancellor- North Centers for any person to remain on campus in accordance with California Penal Code Section 626.4 where the Chancellor, President, or Vice Chancellor North Centers has reasonable cause to believe that such person has willfully disrupted the orderly operation of the campus.

Day: Days during which the college or center is in session and regular classes are held, excluding Saturdays and Sundays.

Chancellor: The Chancellor or a designated representative of the Chancellor.

Respondent: Any person claimed by a grievant to be responsible for the alleged grievance.

Party: The student or any persons claimed to have been responsible for the student's alleged grievance, together with their representatives. "Party" shall not include the Grievance Hearing Committee or the College Grievance Officer.