Disciplinary regulations for the College District are set forth in writing in order to give students general notice of prohibited conduct. The regulations should be read broadly and are not designed to define misconduct in exhaustive terms.

The College District reserves the right to take necessary and appropriate action to protect the safety and well-being of the campus community.

**Student Participation**
Students may be asked to assume positions of responsibility in the College District Student Conduct System in order that they might contribute their skills and insights to the resolution of disciplinary cases. Final authority in disciplinary matters, however, is vested in the College District administration and in the Board. Students participating in the Student Conduct System shall be trained on related policies and procedures and how to provide support to students participating in the College District Student Conduct System.

**Student Conduct Officer**
The Student Conduct Officer (SCO) has primary authority and responsibility for the administration of student discipline, including but not limited to disposition of, and imposition of disciplinary sanctions for, violations of the Student Code of Conduct. [See FLB(LOCAL)]

**Accountability**
A student against who an allegation or complaint is made (a “respondent”) may be accountable to both civil and criminal authorities and to the College District for acts that constitute violations of law and the Student Code of Conduct. College District disciplinary action with respect to any act or omission on the part of a student shall proceed during the pendency of criminal or civil proceedings and shall not be subject to challenge on the ground that criminal or civil charges involving the same incident have been dismissed or reduced. Students who participate in a college course at any College District location, off-site or through distance learning, shall be subject to the Student Code of Conduct.

**Interim Remedies**
The College District reserves the right to pursue interim remedies up to and including suspension. [See FLB(LOCAL)]

**Suspension or Partial / Full Bar**
A student who is suspended on an interim basis, or who is temporarily barred from attending any program or course sponsored by the College District, shall be given an opportunity to appear before the Dean of Students or a designee within five business days from the effective date of the interim suspension or bar. If the Dean determines there is good cause, the five-day period may be extended for a reasonable period.

A hearing with the Dean of Students shall be limited to the following issues only:
1. The reliability of the information concerning the student’s conduct; and/or

2. Whether the conduct and surrounding circumstances reasonably indicate that the student’s continued presence on College District property or premises poses a substantial threat to the student, to others, or to the stability and continuance of normal College District functions or operations.

After the hearing, the Dean or designee may modify the interim suspension as reasonably necessary to protect the respondent, or, for cases alleging an act of violence for which there is a complainant (alleged victim), the complainant, if any, the public, and/or the College District.

The College District reserves the right to pursue disciplinary action against a student for an alleged violation of College District regulation or policy as long as the student was within the jurisdiction of the College District when the action that is the subject of the allegation occurred.

In the event of an allegation of sexual misconduct, the SCO shall coordinate with the College District Campus Title IX coordinator and the appropriate College District departments to apply the investigative, disciplinary, and disposition procedures applicable to allegations of sexual misconduct, as set forth in College District rules and regulations. [See DIAA series and FFDA series]

Unless the alleged violation is grounds for suspension, a student may dispute the award of a failing grade based upon scholastic dishonesty under FLDB(LOCAL), Grade Dispute Resolution. The student shall receive an incomplete grade until final disposition of the matter under the Student Code of Conduct.

The SCO shall notify a student in writing regarding an alleged violation of the Student Code of Conduct.

The notice shall describe the alleged violation in general terms and include a copy of the published college regulation or policy that is the subject of the alleged violation.

If a notice provided under this policy is sent by letter, the letter shall be sent by certified mail, return receipt requested, and addressed to the student at the student’s last known address. If notice is provided by email, the notice shall be emailed to the student’s designated email address and shall be considered received on the date the email is sent by the College District. Notice sent to a student’s designated mailing or email address shall constitute full and adequate notice.
Investigation

Unless otherwise provided, when the SCO receives information that a student has allegedly violated a published College District policy or regulation, a designated investigator shall investigate the alleged violation. An investigation may include, but is not limited to, conducting interviews, reviewing student records, and gathering and examining other relevant documents or evidence. All information relating to the alleged conduct shall be provided to the designated investigator. Formal rules of evidence shall not be applicable.

After completing the investigation, the SCO may:

1. Dismiss the allegation for failing to allege facts sufficient to indicate that a violation of policy more likely than not occurred;

2. Proceed administratively, which includes a notice to appear, conference, and disposition; and/or

3. Proceed with a hearing under FMA(LOCAL), provided the alleged violation, if proven more likely than not to be true, would result in a sanction of suspension or expulsion. [See Conference/Disposition, below]

Administrative Resolution

Notice to Appear

If it is determined that the matter will proceed administratively, the SCO will issue a notice to appear to the student. The notice shall direct the student to appear at a specific time and place not less than five business days after the date of the notice. The notice shall describe the alleged violation in general terms and include a copy of the published college regulation or policy that is the subject of the alleged violation. If a student who is the subject of a notice to appear fails to appear after proper notice and without good cause, the College District may proceed with the administrative conference in the student’s absence.

Conference / Disposition

At a conference with a student in connection with an alleged violation of the Student Code of Conduct, the SCO shall discuss with the student administrative disposition (i.e., determination of responsibility) of the alleged violation, based on a preponderance of the evidence. Upon issuance of the administrative disposition, the following shall apply:

1. If a respondent-student accepts the administrative disposition, the student shall sign a statement that the student understands the charges, the disposition, the penalty or penalties imposed, and the student’s rights under the College District Student Code of Conduct System, including the right to appeal. The student shall return the signed form by 5:00 p.m. of the first business day following issuance of the administrative disposition.
2. If a respondent-student refuses or disputes the administrative disposition of the alleged violation, such objection must be communicated to the SCO in writing by 5:00 p.m. of the first business day following issuance of the administrative disposition.

3. If a respondent-student refuses or disputes the administrative disposition and the penalty does not include a sanction of suspension or expulsion, the respondent may appeal the disposition under this policy. [See Appeal, below]

4. If a respondent-student refuses or disputes the administrative disposition and the penalty includes a sanction of suspension or expulsion, the respondent shall have the right to a hearing. [See FMA(LOCAL)]

5. In cases where the respondent-student fails to respond to the administrative disposition, either to accept or dispute the disposition within the time allotted, and the recommended penalty includes a sanction of suspension or expulsion, the SCO will designate an entry of not responsible and set up a hearing under FMA(LOCAL). In all other cases, failure to respond to the administrative disposition, after proper notice and without good cause shall constitute acceptance of the administrative disposition.

The SCO shall prepare an accurate, written summary of each administrative disposition and send a copy to the respondent (and, if the student is a minor, to the parent or guardian of the student); for cases alleging an act of violence for which there is a complainant, (to the complainant) to the director of campus security, and to other College District officials as may be appropriate.

Authorized Disciplinary Penalties

The SCO may assess one or more of the sanctions or penalties provided under FLB(LOCAL) for violation of a Board policy, college regulation, or administrative rule. If a respondent is found not responsible for the alleged violation, no sanction will be assessed. Notice of the assessed sanction shall be issued within seven business days of receipt of the notice of the administrative disposition or within three business days of receipt of notice of the result of an appeal, as applicable.

Appeal

A student may appeal an administrative disposition by submitting the appeal, in writing, to the Associate Vice Chancellor of Student Success (AVCSS) or a designee within five business days after receipt of the disposition. The document should state the specific reason for the appeal. The AVCSS or a designee shall review the basis of the decision and issue a determination within ten business days.
days; neither the AVCSS nor the designee shall conduct a new investigation. Sanctions shall not be imposed while the review is pending.

Publication

Information regarding student discipline described in College District policies and accompanying procedures shall be published in the student handbook.