

Student Services

Academic Senate 10/28/23

BP 5500 STANDARDS OF STUDENT CONDUCT**References:**

Education Code Sections 66300, 66301, and 76120;
ACCJC Accreditation Standards I.C.8 and 10

The Superintendent/President shall establish procedures for the imposition of discipline on students in accordance with the requirements for due process of the federal and state law and regulations. (See AP 5520 Student Discipline and Due Process).

This procedure defines the conduct that is subject to discipline, and identifies potential disciplinary actions, including but not limited to the removal, suspension, or expulsion of a student.

The Board of Trustees shall consider any recommendation from the Superintendent/President for expulsion. The Board shall consider an expulsion recommendation in closed session unless the student requests that the matter be considered in a public meeting. Final action by the Board on the expulsion shall be taken at a public meeting.

The procedures shall be made widely available to students through the college catalog, the college website, and other means.

When a student is suspended or expelled for disrupting the orderly operations of a District campus or facility, or both, the student may be denied access to the campus or facility, or both, for a period of one year or the term of the suspension. Sanctions imposed as a result of violations of the standards of student conduct are intended to maintain order within the District. If the sanction includes removal, suspension, or expulsion, the Assistant Superintendent/Vice President of Student Learning and Success or designee who authorized the sanctions shall give written notice to the student's instructor(s) of the sanctions within 15 days of imposing the sanctions.

The following conduct shall constitute good cause for discipline, including but not limited to removal, suspension, or expulsion of a student, except for conduct that constitutes sexual harassment under Title IX, which shall be addressed under BP 3433 Prohibition of Sexual Harassment under Title IX:

1. Causing, attempting to cause assault, battery, or attempted assault or battery, or any threat of force or violence upon a student or District personnel.
2. Possession, sale or otherwise furnishing any firearm, dirk, dagger, ice pick, knife, explosive or other dangerous object, including but not limited to any facsimile of the foregoing objects, unless, in the case of possession of any object of this type, the student has obtained written permission to possess the item from the Chief of Police who has the concurrence of the Superintendent/President. Possession of a knife does not violate this provision if possession is at the direction of an academic employee for use in a District-sponsored activity or class, for a lawful

purpose within the scope of the student's employment with the District, or for lawful use in food preparation or consumption. (See BP/AP 3530 Weapons on Campus)

3. Unlawful possession, use, sale, offering to sell, or furnishing, or being under the influence of, any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind; or any poison defined in Business and Professions Code Section 4240, or unlawful possession of, or offering, arranging or negotiating the sale of any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
4. Committing, attempting, or being an accomplice to robbery or extortion.
5. Causing or attempting to cause damage to District property or to private property on campus.
6. Stealing or attempting to steal District property or private property on campus, or knowingly receiving stolen District property, or knowingly receiving stolen private property on campus.
7. Willful or persistent smoking in any area where smoking has been prohibited by law or regulation of the District.
8. Sexual assault or sexual exploitation regardless of the victim's affiliation with the District.
9. Committing sexual harassment as defined by law or by District policies and procedures.
10. Engaging in harassing or discriminatory behavior based on ethnic group identification, national origin, religion, age, gender, gender identity, gender expression, race, color, medical condition, ancestry, sexual orientation, marital status, physical or mental disability, genetic information, or on the basis of one or more of these perceived characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.
11. Engaging in intimidating conduct or bullying against another student or District personnel through words or actions, including direct physical contact; verbal assaults, such as teasing or name-calling; social isolation or manipulation; and cyberbullying.
12. Willful misconduct which results or has the potential to result 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. The District may require students who cause damage to replace property or pay the cost of damages.
13. Continued disruptive behavior, continued willful disobedience, habitual profanity or vulgarity, or the open and persistent defiance of the authority of, or persistent interruption or abuse of, a student or District personnel.
14. Cheating, plagiarism (including plagiarism in a student publication), or knowingly engaging in other forms of academic dishonesty, including, but not limited to:
 - a. Copying, in part or whole, from someone else's quiz, examination, or work. For purpose of this item, "examination" includes quizzes, tests, and other graded or evaluated exercise.

- b. Submitting work presented previously in another course, if contrary to the rules of either course.
 - c. Altering or interfering with grading.
 - d. Using or consulting any sources or materials, including electronic devices, not authorized by the professor during an examination.
 - e. Committing other acts which defraud or misrepresent one's own academic work.
 - f. Incorporating sentences, paragraphs, or parts of another person's writing, without giving appropriate credit, and representing the product as one's own work.
 - g. Representing another's artistic/scholarly works (such as musical compositions, computer programs, photographs, paintings, drawings, or sculptures) as one's own.
 - h. Submitting an academic assignment purchased from a research/term paper service, or written by another individual; or work obtained electronically (e.g. via the internet **or Artificial Intelligence**) and representing it as one's own work.
 - i. Purposefully allowing another student to copy from your paper during an examination.
 - j. Giving your homework, term paper, or other academic work to another student to plagiarize.
 - k. Having another person fraudulently submit any work in your name.
 - l. Lying to an instructor or District official to improve your grade.
 - m. Allowing other persons to misrepresent themselves as the student for any purpose, including interacting with any District employees, submission of work, attendance, or taking examinations.
 - n. Misrepresenting circumstances in an effort to improve a grade.
 - o. Altering graded work after it has been returned and then submitting the work for re-grading without the instructor's permission.
 - p. Removing tests or examinations from the classroom or other area without the approval of the instructor.
 - q. Stealing or being an accomplice to stealing tests or examinations.
 - r. Forging signatures on drop/add slips or altering other District documents.
15. Dishonesty; forgery; alteration or misuse of District documents, records or identification; or knowingly furnishing false information to the District.
16. Unauthorized possession, duplication, or use of keys to any District premises or unauthorized entry upon or use of District facilities.
17. Lewd, indecent, or obscene conduct on District-owned or controlled property or at District-sponsored or supervised functions.
18. Engaging in expression which is libelous or slanderous; or which so incites others as to create a clear and present danger of the commission of unlawful acts on District premises or at District-sponsored or supervised functions, or the violation of lawful District administrative procedures, or the substantial disruption of the orderly operation of the District.
19. Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.
20. Unauthorized preparation, giving, selling, transferring, distributing, or publishing 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 handwritten or typewritten class notes, except as permitted by any District Policy or Administrative Procedure.

21. The use by a student of any electronic listening or recording device in any classroom without the prior consent of the instructor, except as necessary to provide reasonable auxiliary aids and academic adjustments or accommodations to a student with a disability.
22. Violation of BP/AP 3720 Information Technology Use or any conduct that constitutes a computer-related crime pursuant to Penal Code Section 502.
23. The offering of any inducement or item of value to influence the awarding of any grade or to alter any official District record.
24. Solicitation or acceptance of money or other item of value as an inducement, encouragement, or reward for intercollegiate participation in violation of Education Code Section 67361 or false declarations regarding eligibility for participation in intercollegiate athletics under Education Code Section 67362.
25. Accessing and/or disclosing confidential District information, including student records, without authorization. *Also see BP/AP 3300 Public Records, BP/AP 4231 Grade Changes, and BP/AP 5040 Student Records.*
26. Failure to obey federal, state, and local laws in connection with District attendance or activity.
27. Tampering with the election of any student organization recognized by the District.
28. Hazing defined as a “method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, ‘hazing’ does not include athletic events or school-sanctioned events.” (Education Code Section 48900(q))
29. Abuse of the Student Conduct System, including but not limited to:
 - a. Failure to obey the summons of the Student Conduct Hearing Committee or District official.
 - b. Falsification, distortion, or misrepresentation of information.
 - c. Disruption or interference with the orderly conduct of a judicial proceeding or Student Conduct Hearing Committee.
 - d. Attempting to discourage an individual’s proper participation in, or use of, the District judicial system.
 - e. Attempting to influence the impartiality of a member of a judicial body prior to, and/or during the course of, the judicial proceeding or Student Conduct Hearing Committee.

- f. Failure to comply with the sanctions imposed under the Standards of Conduct and/or Education Code.
 - g. Influencing or attempting to influence another person to commit an abuse of the judicial system.
30. Operating bicycles or motorized bicycles, skateboards, roller skates, roller blades, scooters, and other similar devices on any property owned, maintained, or controlled by the District in violation of AP 6850 Bicycles, Skateboards, Roller Skates, Roller Blades, Scooters and Other Similar Devices on Campus.
31. Stalking another student or District personnel, including engaging in a course of conduct or repeated conduct (in person, via phone or text, or virtual) directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or to suffer substantial emotional distress.
32. Non-compliance with the direction of District personnel or designated persons acting in the performance of their duties to maintain the order of the District.

Students who engage in any of the above conduct are subject to the procedures outlined in AP 5520 Student Discipline and Due Process.

Also see AP 5520 Student Discipline and Due Process, BP/AP 3540 Sexual and Other Assaults on Campus, BP/AP 3530 Weapons on Campus, BP/AP 3720 Information Technology Use, BP/AP 6850 Bicycles, Skateboards, Roller Skates, Roller Blades, Scooters and Other Similar Devices on Campus, AP 6520 Security for District Property, BP/AP 3410 Nondiscrimination, BP/AP 3300 Public Records, BP/AP 4231 Grade Changes, BP/AP 5040 Student Records and Directory Information, and BP/AP 3900 Speech: Time, Place, and Manner

Date Adopted: May 17, 2011 (*Replaced College of Marin Policies 4.0020, 4.0022, and 4.0025*)

Date Reviewed/Revised: June 18, 2013, April 18, 2017; November 9, 2021

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