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1.0 Authority to Suspend or Expel (Education Code § 76030)

1.1 The Board of Trustees may 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.

1.1.1 Expulsion is a permanent termination of student status and all attending rights and privileges from any and all Los Rios District colleges and facilities.

1.2 The suspension or expulsion of a student shall be accompanied by a hearing pursuant to the requirements of Education Code § 66017.

1.2.1 The hearing must be prompt, unless an immediate suspension is required in order to protect lives or property, or to insure the maintenance of order.

1.2.1.1 In any case, a reasonable opportunity for a hearing must be provided within ten (10) days of the suspension or expulsion.

2.0 Scope of Suspension (Education Code § 76031)

2.1 *The President of a college*, may authorize the suspension of a student for good cause as follows:

2.1.1 from one or more classes for a period of up to ten (10) days of instruction;

2.1.2 from one or more classes for the remainder of the school term;

2.1.3 from all classes and activities of the college for one or more terms.

2.1.3.1 Any student suspended pursuant to Section 2.1.3 above shall be prohibited from being enrolled in any community college or facility in the District or participating in any class or program in the District for the period of the suspension.

2.2 *An instructor* may remove a student from a class for the day of removal and the next class meeting. (Education Code § 76032)

2.2.1 Such removal shall be reported immediately by the instructor to the College President or other appropriate college officials.

2.2.2 If the student removed by an instructor is a minor, the parent or guardian of the student shall be requested to attend a parent conference regarding the removal as soon as possible. If the instructor or the parent or guardian so requests, a college administrator shall attend the conference.

2.2.3 During the period of removal, a student shall not be returned to the class

from which he or she was removed without the concurrence of the instructor of the class.

2.3 Whenever a minor is suspended, the parent or guardian shall be notified in writing.

2.4 Nothing in these regulations shall be construed to prohibit the imposition of a disciplinary sanction than suspension.

2.4.1 Such lesser sanctions may include, but need not be limited to, verbal or written reprimand, probation or ineligibility to participate in extracurricular activities.

### 3.0 Good Cause

3.1 As defined in Education Code § 76033, good cause includes, but is not limited to, the following offenses:

3.1.1 Continued disruptive behavior, continued willful disobedience, habitual profanity or vulgarity, or the open and persistent defiance of the authority of, or persistent abuse of, college personnel.

3.1.2 Assault, battery, or any threat of force or violence upon a student or college personnel.

3.1.3 Willful misconduct which results in injury or death to a student or college personnel or which results in cutting, defacing or other injury to any real or personal property owned by the district.

3.1.4 The use, sale, or possession on campus of, or presence on campus under the influence of, any controlled substance.

3.1.5 Willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of the governing board.

3.1.6 Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.

3.2 Good cause is further defined, but is not limited to, the following:

3.2.1 Violation of college rules and regulations including those concerning student organizations, the use of college facilities, or the time, place and manner of public expression and distribution of materials.

3.2.2 Obstruction or disruption of teaching, research, administrative disciplinary procedures or other college activities, including its community service activity, or of other authorized activities on college-controlled premises.

3.2.3 Theft of or non-accidental damage to property of the college or a member

of the college community or campus visitor while on campus or at college-sponsored events.

- 3.2.4 Unauthorized entry to or use of college facilities.
  - 3.2.5 Dishonesty, such as cheating, plagiarism or furnishing false information to the college, forgery, alteration or misuse of college documents, records or identifications.
  - 3.2.6 Knowing possession or use of explosives, dangerous chemicals or deadly weapons on college property or at a college function without prior authorization of the College President or designated representative.
  - 3.2.7 Use, possession, distribution or being under the influence of alcoholic beverages, narcotics or dangerous drugs on college property or at College-sponsored events.
  - 3.2.8 Soliciting or assisting another to do any act which would subject a student to expulsion, suspension, probation or other discipline pursuant to this policy.
  - 3.2.9 Violation of any order of a college president, notice of which has been given prior to such violation, and which order is not inconsistent with any of the other provisions of this policy. This notice may be given by publication in the college newspaper, by posting on an official bulletin board designated for this purpose or by any other means reasonably calculated to inform students of its provisions.
  - 3.2.10 Attempting to commit an act that would be cause for disciplinary action identified in Sections 3.1 or 3.2 above.
- 3.3 Whenever any employee is attacked, assaulted or menaced by any student, it is the duty of that employee, and the duty of any person under whose direction or supervision the employee is employed who has knowledge of the incident, to promptly report the incident to the appropriate law enforcement authorities. (Education Code § 87014)
- 3.3.1 Failure to make this report is a misdemeanor.
  - 3.3.2 Any act designed to directly or indirectly discourage or influence a person under a duty to make this report is a misdemeanor.
  - 3.3.3 Any person who assaults or abuses any academic employee in the presence or hearing of a student or college personnel is guilty of a misdemeanor. (Education Code § 87708)

#### 4.0 Computer-Related Crimes

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- 4.1 A student may be subject to disciplinary sanctions up to and including dismissal for commission of any computer-related crimes as specified in Section 502 of the Penal Code or as specified in District policies and regulations. Such crimes include, but are not limited to, the following:
- 4.1.1 Knowingly access and without permission alter, damage, delete, destroy or otherwise use any data, computer, computer system or computer network in order to either (a) devise or execute any scheme or artifice to defraud, deceive or extort, or (b) wrongfully control or obtain money, property or data.
  - 4.1.2 Knowingly access and without permission take, copy or make use of any data from a computer, computer system or computer network, or take or copy any supporting documentation, whether existing or residing internal or external to a computer, computer system or computer network.
  - 4.1.3 Knowingly and without permission use or cause to be used computer services.
  - 4.1.4 Knowingly access and without permission add, alter, damage, delete or destroy any data, computer software or computer programs which reside or exist internal or external to a computer, computer system or computer network.
  - 4.1.5 Knowingly and without permission disrupt or cause the disruption of computer services or deny or cause the denial of computer services to an authorized user of a computer, computer system or computer network.
  - 4.1.6 Knowingly and without permission provide or assist in providing a means of accessing a computer, computer system or computer network in violation of this section.
  - 4.1.7 Knowingly and without permission access or cause to be accessed any computer, computer system or computer network.
  - 4.1.8 Knowingly introduce any computer contaminant into any computer, computer system or computer network.
- 5.0 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, or pursuant to Penal Code Section 502 or other laws specifically authorizing such.
- 6.0 Notification of Law Enforcement Authorities (Education Code § 76035)
- 6.1 The College President or the president's designee shall, upon the suspension or expulsion of any student, notify the appropriate law enforcement authorities of the county or city in which the school is situated of any acts of the student which may be in violation of Sections 245 or 502 of the Penal Code.

6.2 Every student who, after a hearing, has been suspended or expelled from a Los Rios District college or facility for disrupting the orderly operation of a campus or facility, and as a condition of such suspension or expulsion has been denied access to the campus or facility, or both, for the period of the suspension, or in the case of expulsion for a period not to exceed one (1) year; who has been served by registered or certified mail at the last address given by such person with a written notice of such suspension or dismissal and condition; and who willfully and knowingly enters upon the campus or facility of the institution to which the student has been denied access, without the express written permission of the Chancellor or the College President is guilty of a misdemeanor. (Penal Code § 626.2)

#### 7.0 Notification of Student

7.1 A student who has been suspended or expelled from a Los Rios District college or facility shall be served written notice by registered or certified mail at the last address given by such student.

7.2 Whenever there is included in any student record information concerning any disciplinary action taken by the college or District, the student shall be allowed to include in such record a written statement or response concerning the disciplinary action. (Education Code '76233)

#### 8.0 Parking Violations (Education Code '76036)

8.1 Any violation or violations of law, ordinance, regulation, or rule regulating, or pertaining to the parking of vehicles, shall not be cause for the removal, suspension or expulsion of a student from a community college.

#### 9.0 Student Indebtedness

9.1 When a student has not cleared indebtedness to the college after notification has been duly given, any of the procedures listed below may be used:

9.1.1 The student may be suspended until such time as the money is paid or reasonable arrangements to pay have been made with the Business Office.

9.1.2 The student's subsequent registration may be suspended until the money has been paid or reasonable arrangements have been made at the Business Office.

9.1.3 If any request is made for a transcript of the student's academic record, the student shall be notified that the transcript is being held for clearance of indebtedness.

9.1.4 When all collection attempts have failed, the Business Office may proceed by taking the claim to Small Claims Court, if applicable.

9.1.5 Forms for student loan applications shall include a waiver of the statute of limitations.

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