



**Kern Community College District
Board Policy
Chapter 5 – Student Services**

BP 5500 Standards of Student Conduct

Reference:

Education Code Sections 66300 et seq., and 76120;
ACCJC Accreditation Standards 2

The Chancellor or designee 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.

The procedures shall clearly define the conduct that is subject to discipline and shall identify 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 Chancellor 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 and other means.

The following conduct shall constitute good cause for discipline, including but not limited to the 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, AP 3433 Prohibition of Sexual Harassment under Title IX, and AP 3434 Responding to Sexual Harassment under Title IX.

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 a District employee, which is concurred in by the college president.
3. Unlawful possession, use, sale, offer 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 California Health and Safety Code, 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.
5. Causing or attempting to cause damage to District property or to private property on campus.
6. Abuse of computer and technology resources (see BP 3725: Information and Communications Technology Accessibility and Acceptable Use).
7. Stealing or attempting to steal District property or private property on campus, or knowingly receiving stolen District property or private property on campus.
8. Willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of the college or the District.
9. Sexual assault or sexual exploitation regardless of the victim's affiliation with the District.
10. Committing sexual harassment as defined by law or by District policies and procedures.
11. Engaging in harassing or discriminatory behavior based on disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other status protected by law.
12. Engaging in intimidating conduct or bullying against another student through words or actions. including direct physical contact; verbal assaults, such as teasing or name-calling; social isolation or manipulation,; and cyberbullying.
13. Stalking, defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his/her/their safety or the safety of others or suffer substantial emotional distress. Violation of a restraining order shall constitute stalking under this policy.
14. Willful misconduct which results in injury or death to a student or to college personnel.
15. Disruptive behavior, willful disobedience, habitual profanity or vulgarity, or the open and persistent defiance of the authority of, or persistent abuse of, college personnel or violating the rights of other students.
16. Cheating, plagiarism (including plagiarism in a student publication), or engaging in other academic dishonesty. (See AP 5500 Standards of Student Conduct for the definition of Cheating and Plagiarism).
17. Dishonesty, forgery, alteration or misuse of college documents, records or identification, or knowingly furnishing false information to the District.
18. Misrepresentation of oneself or of an organization to be an agent of the District.
19. Failure to identify oneself when on College property or at a College-sponsored or supervised event, upon the request of a College official acting in the performance of his/her/their duties.
20. Unauthorized entry upon or use of college or District facilities.

21. Lewd, indecent, or obscene conduct on District-owned or controlled property or at District-sponsored or supervised functions.
22. 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 college premises, or the violation of lawful District administrative procedures, or the substantial disruption of the orderly operation of the College or District.
23. Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.
24. 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 handwritten or typewritten class notes, except as permitted by any District policy or administrative procedure.
25. Use of personal portable sound amplification equipment and other electronic devices (radios, cell telephones, pagers, and tape players, etc.) in a manner that disturbs the privacy of other individuals or the instructional program of the College.
26. Abuse of, or disruption to, the student conduct or complaint process, including but not limited to:
 - a) Failure to obey the summons of a College official or appropriate committee.
 - b) Falsification, distortion, or misrepresentation of information before a College official or appropriate committee.
 - c) Disruption or interference with the orderly conduct of an official College proceeding.
 - d) Attempting to influence the impartiality of a member of an official committee prior to or during the course of an official College proceeding.
 - e) Harassment or intimidation of any person involved in the conduct and/or complaint process, prior to, during or after the proceeding.
 - f) Failure to comply with the sanction(s) imposed under the Student Conduct Code.
 - g) Influencing or attempting to influence another person to commit an abuse of the conduct or complaint process system.
 - h) Repeated filing of frivolous or capricious complaints against College personnel.
27. Violation of other applicable Federal, State, and local laws (e.g., hate crimes) and College rules and regulations.
28. Assisting another person, or soliciting another person, in any of the offences listed in BP 5500 Standards of Student Conduct.
29. Hazing or attempted hazing of a former, current, or prospective student of the District.