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Procedural Guidelines and Student Disciplinary Action

The purpose of this procedure is to provide a prompt and equitable means to address alleged student violations of the Standards of Student Conduct, and provide the involved student or students their due process rights guaranteed by state and federal constitutional protections. This procedure is not intended to substitute for criminal or civil proceedings that may be initiated by other agencies.

This procedure is not intended to infringe on the rights of students to engage in free expression as protected by the state and federal constitutions, and by Article 3, Section 76120 of the California Education Code.

A. Definitions

1. The term “GCC” is defined as Glendale Community College.
2. The term “student” is defined as any persons enrolled in GCC courses, both full-time and part-time, credit, noncredit, and not for credit.
3. The term “instructor” is defined as any academic employee of the District in whose class a student subject to discipline is enrolled, or counselor/librarian/specialist who is providing or has provided services to the student, or other academic employee who has responsibility for the student’s educational program.
4. The term “GCC “employee” includes any person employed by GCC performing assigned administrative, professional, academic, or staff responsibilities.
5. The term “member of the campus community” includes any person who is a student or GCC employee.
6. The term “GCC premises” includes all land, buildings, facilities, and other property owned, used, or controlled by GCC.
7. The term “organization” is defined as any group of persons who have complied with the formal requirements for official recognition as a GCC club.
8. The term “College Judicial Board” is defined as the persons authorized by the Superintendent/President to determine whether or not a student has violated the Standards of Student Conduct and to recommend disciplinary

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sanctions. Composition of the College Judicial Board is defined in GCC Administrative Regulation 5530.

9. The term “shall” is used in the imperative sense.
10. The term “may” is used in the permissive sense.
11. The term “Judicial Officer” is defined as a person designated by the GCC Superintendent/President to be responsible for the administration of an assigned area of the Standards of Student Conduct.
12. The terms “policy” and “regulations” are defined as the rules of GCC as found in publications including, but not limited to, the college catalog, class schedule, student handbook, GCC Board Policy and Administrative Regulations.
13. The term “hazing” is defined as an act that endangers the mental or physical health or safety of a student, or that damages or disturbs public or private property for the purpose of initiation, admission into, affiliation with, or as a condition of membership in a group or organization.
14. The term “good cause” includes, but is not limited to, the offenses defined by GCC Administrative Regulation 5500 and Article 3, Section 76033 of the California Education Code.
15. The term “instructional day” is defined as a day during which the college is in session and regular daytime and/or evening classes are held.
16. The term “business day” is defined as a weekday, excluding federal, state, or local holidays, during which the college is open and conducts normal business operations.

B. Jurisdiction

GCC jurisdiction over student disciplinary matters shall be limited to conduct that occurs on GCC premises, or at officially sanctioned or sponsored GCC activities held at off-campus locations. GCC may also have jurisdiction over student disciplinary matters for conduct that occurs at non-GCC activities at off-campus locations if the misconduct is so severe, pervasive, and objectively offensive that it denies a member of the campus community access to GCC's education programs or activities.

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1. The Dean of Student Affairs or designee shall be the Judicial Officer responsible for administering the Standards of Student Conduct on the main campus, or for college-sponsored activities held at off-campus locations.
2. The Vice President, Instructional Services, or designee, shall be the Judicial Officer responsible for administering the Standards of Student Conduct involving academic dishonesty.
3. The Administrative Dean, Continuing and Community Education or designee shall be the Judicial Officer responsible for administering the Standards of Student Conduct at the Garfield Campus.
4. The GCC employee designated as the site supervisor shall be the Judicial Officer responsible for administering the Standards of Student Conduct at off-campus sites or study abroad locations.

C. Disciplinary Sanctions

The following sanctions may be imposed upon any student found to have violated the Standards of Student Conduct as defined by GCC Administrative Regulation 5500:

1. **Written or Verbal Reprimand:** An admonition to the student to cease and desist from conduct determined to violate the Standards of Student Conduct. The written reprimand serves as documentation of a student's misconduct, and as a warning to the student that further violations may result in formal disciplinary sanctions.
2. **Loss of Privileges:** Exclusion from extracurricular activities, removal from campus organizations, or denial of specified privileges for a designated period of time. An organization may also lose campus privileges including, but not limited to, the forfeiture of official recognition by GCC.
3. **Restitution:** Compensation for loss, damage, or injury. Restitution may take the form of appropriate service, monetary reimbursement, or materials replacement.
4. **Removal from Class:** Dismissal of a student from class for disruptive behavior. An instructor is authorized to remove a student from class for the

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day of the removal and the next class meeting. The instructor shall immediately report the removal to the appropriate Judicial Office

5. Administrative Hold: A hold placed on a student's records by the Office of Admissions and Records to prevent the student from re-enrolling in GCC classes. This action shall be taken when a student has been suspended or permanently expelled from GCC.
6. Withdrawal of Consent to Remain on Campus: Withdrawal of consent by the Glendale Community College Police Department for any person to remain on campus in accordance with Section 626.4 of the California Penal Code, where the College Police has reasonable cause to believe that such person has willfully disrupted the orderly operation of the campus.
7. Suspension: Separation of a student from GCC for a specified period of time, after which the student may be eligible for readmission to the college under specified conditions. There are three types of suspensions:
 - a. Immediate Interim Suspension: The Superintendent/President or designee may order immediate suspension of a student where he/she concludes that immediate suspension is required to protect lives or property and to ensure the maintenance of order.
 - b. Summary Suspension: An interim suspension for good cause designed to prevent a student from endangering the health and safety of the campus community, destroying or damaging GCC premises or property, or disrupting or interfering with the orderly operation of the college. A summary suspension may be imposed for the purpose of investigation, or as a means of relieving the tension of the campus community or an individual class due to a serious infraction of the Standards of Student Conduct. A student who has been summarily suspended shall be denied access to an individual class or all GCC premises, and lose specified privileges for which he or she may otherwise be eligible.
 - c. Disciplinary Suspension: A formal dismissal of a student for good cause. While under disciplinary suspension a student shall be denied access to an individual class or all GCC premises, and lose specified privileges for which he or she may otherwise be eligible.

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8. Expulsion: A permanent dismissal or separation of a student from GCC for good cause when other means of correction fail to result in acceptable conduct, or when the presence of the student causes a continuing danger to the health and safety of the campus community.

D. Disciplinary Procedures

Complaints about alleged violations of the Standards of Student Conduct that may warrant formal disciplinary action shall be submitted to the appropriate Judicial Officer. Complaints about alleged violations related to sexual harassment and/or sexual violence shall also be submitted to the Title IX officer.

The Judicial Officer shall investigate student conduct complaints to determine if an accused student has violated the Standards of Student Conduct, and if so, what disciplinary sanction(s) may be appropriate.

1. Written or Verbal Reprimand: 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.
2. Removal from class: The Judicial Officer may arrange for a conference between the student and the instructor regarding the removal. If the instructor or the student requests, the Judicial Officer shall attend the conference. If the student removed by an instructor is a minor, the Judicial Officer shall ask the parent or guardian of the student to attend a parent conference regarding the removal as soon as possible. If the instructor or the parent or guardian of the minor so requests, the Judicial Officer shall attend the conference. Any student removed from class shall not be returned to the class during the period of the removal without the concurrence of the instructor.
3. Withdrawal of Consent to Remain on Campus: The College Police may notify any person for whom there is a reasonable belief that the persons 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/she must promptly leave or be escorted off campus. If consent is withdrawn by the College Police, a written report must be promptly made to the Superintendent/President.

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- a. The person from whom consent has been withdrawn 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 (7) instructional 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.
 - b. In no case shall consent be withdrawn for longer than 14 business days from the date upon which consent was initially withdrawn.
 - c. 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 as per Section 626.4 of the California Penal Code.
4. Immediate Interim Suspension: In cases where an interim suspension has been ordered by the Superintendent/President, 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) instructional days.
5. Summary Suspension Procedure

Before disciplinary action to summarily suspend is taken against a student, the Judicial Officer will provide the student with a written notice of the conduct warranting the discipline.

- a. The written notice will include:
 1. the specific section of the Standards of Student Conduct that the student is accused of violating,
 2. a short statement of the facts supporting the accusation,
 3. the right of the student to meet with the Judicial Officer or designee to discuss the accusation, or to respond in writing,
 4. the nature of discipline being considered.
- b. The Judicial Officer is authorized to recommend summary suspensions to the Superintendent/President as follows:

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- i. From one or more classes for a period of up to ten (10) days of instruction.
 - ii. From all classes and activities of the college for a period of up to ten (10) days of instruction.
 - c. If the student chooses to meet with the Judicial Officer for a disciplinary conference, the meeting must occur no sooner than five (5) instructional 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.
 - d. Within five (5) instructional days after the disciplinary conference, the Superintendent/President shall, pursuant to a recommendation from the Judicial officer, decide whether to impose a summary suspension, whether to impose some lesser disciplinary action, or whether to end the matter.
 - e. Written notice of the Superintendent/President's 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.
 - f. The Superintendent/President's decision on a summary suspension shall be final.
6. Disciplinary Suspension Procedure

Before a disciplinary suspension is imposed, the Judicial Officer will provide the student with a written notice of the conduct warranting the discipline.

- a. The written notice will include:
 - 1. the specific section of the Standards of Student Conduct that the student is accused of violating,
 - 2. a short statement of the facts supporting the accusation,
 - 3. the right of the student to meet with the Judicial Officer or designee to discuss the accusation, or to respond in writing,
 - 4. the nature of discipline being considered.
- b. The Judicial Officer is authorized to recommend disciplinary suspensions to the Superintendent/President as follows:

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- i. From one or more classes for the remainder of a school term.
 - ii. From all classes and activities of the college for one or more terms.
- c. If the student chooses to meet with the Judicial Officer for a disciplinary conference, the meeting must occur no sooner than five (5) instructional 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.
- d. Within five (5) instructional days after the disciplinary conference, the Superintendent/President shall, pursuant to a recommendation from the Judicial officer, decide whether to impose a disciplinary suspension.
- e. Written notice of the Superintendent/President's decision shall be provided to the student. The notice will include the right of the student to request a formal hearing before a disciplinary suspension is imposed, and a copy of Administrative Regulation 5520 describing the procedures for a College Judicial Board hearing.
- f. The Superintendent/President's decision on a disciplinary suspension shall be final.
- g. In addition to the provisions of Section 5(c), the Judicial Officer responsible for administering the Standards of Student Conduct at a study abroad location is authorized to impose disciplinary suspensions as follows:
 - i. From all classes and activities of the study abroad program location for the remainder of the school term.
 - ii. The terms of this suspension shall include the requirement that the student immediately return home to the address listed on his/her student records at his/her expense. The contracted travel agent for the Study Abroad Program, or the designated site supervisor for the Baja Field Studies Program shall be responsible for coordinating the student's travel arrangements,

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and providing the student with appropriate assistance to ensure their timely return home.

- iii. This suspension shall only be imposed in consultation with, and with the approval of the Vice President, Instructional Services, or designee.

7. Expulsion Procedure

Before disciplinary action to expel is taken against a student, the Judicial Officer will provide the student with a written notice of the conduct warranting the discipline.

- a. The written notice will include:
 - 1. the specific section of the Standards of Student Conduct that the student is accused of violating,
 - 2. a short statement of the facts supporting the accusation,
 - 3. the right of the student to meet with the Judicial Officer or designee to discuss the accusation, or to respond in writing,
 - 4. the nature of discipline being considered.
- b. The Judicial Officer is authorized to recommend a student's permanent expulsion from GCC to the Superintendent/President.
- c. If the student chooses to meet with the Judicial Officer for a disciplinary conference, the meeting must occur no sooner than five (5) instructional 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.
- d. Within five (5) instructional days after the disciplinary conference, the Superintendent/President shall, pursuant to a recommendation from the Judicial officer, decide whether to recommend expulsion to the Board of Trustees.
- e. Written notice of the Superintendent/President's 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 Administrative Regulation 5520 describing the procedures for a College Judicial Board hearing.

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- f. The Board of Trustees shall exercise final review and approval of all student expulsions.
 - 8. Whenever a minor is suspended or expelled from the college, the Superintendent/President or Judicial Officer shall notify the student's parent or guardian in writing.
- E. College Judicial Board Formal Hearing Procedures for Disciplinary Hearings
- 1. The student shall initiate a disciplinary hearing by sending a written request to the Superintendent/President or designee within ten (10) instructional days after receipt of the Superintendent/President's decision regarding a long-term suspension or expulsion.
 - 2. Upon acceptance of the request, the Superintendent/President or designee shall notify College Judicial Board Chair of the formal hearing request.
 - 3. The College Judicial Board Chair shall convene a formal hearing to review the complaint(s) against the student accused of violating the Standards of Student Conduct.
 - 4. The College Judicial Board Chair shall inform the accused student in writing of the formal complaint and the date, time and location of the disciplinary hearing.
 - 5. The College Judicial Board shall conduct the hearing no earlier than five (5) business days and not later than ten (10) business days after the accused student has been officially notified of the date, time, and location of the disciplinary hearing. Continuances or extensions to the maximum time limit for the scheduling of the hearing may be granted at the discretion of the Judicial Board Chair.
 - 6. The College Judicial Board Chair shall determine the membership of the College Judicial Board hearing panel according to procedures as defined by GCC Administrative Regulation 5530. For student disciplinary hearings, the College Judicial Board hearing panel shall be comprised of two students, two faculty members (one of whom shall serve as Chair), two classified staff members, and one administrator.

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7. College Judicial Board hearings shall be conducted according to the following guidelines:
 - a. The College Judicial Board 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.
 - b. The facts supporting the accusations shall be presented by the Judicial Officer.
 - c. College Judicial Board hearings shall be closed and confidential unless all parties and the College Judicial Board agree to a public hearing. Any such request must be made no less than five (5) business days prior to the date of the hearing. In a closed hearing, witnesses shall be present in the room only when testifying, unless all parties and the College Judicial Board agree to the contrary. In a public hearing, the College Judicial 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 hearing in closed session.
 - d. If a hearing involves more than one accused student, the College Judicial Board Chair, at his/her discretion, may permit separate hearings for each defendant.
 - e. The accused student shall have the right to be represented by a person of his/her, at his/her own expense, except that the student shall not be represented by an attorney unless, in the judgment of the College Judicial Board 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 (5) business days prior to the hearing. If the student is permitted to be represented by an attorney, the Judicial Officer may also request legal assistance. The College Judicial Board 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.
 - f. The Judicial Officer and the accused student shall each be permitted to make an opening statement. Thereafter, the Judicial Officer shall make the first presentation, followed by the student. The Judicial

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- Officer may present rebuttal evidence after the student competes his/her evidence.
- g. The Judicial Officer, and the accused student, shall have the right to directly participate in the hearing, to introduce evidence (oral and written), to call and examine witnesses, and to confront and cross-examine witnesses. All witnesses are also subject to examination by the College Judicial Board.
 - h. Pertinent records, exhibits and written statements may be accepted as evidence at the discretion of the College Judicial Board Chair. Formal rules of evidence shall not apply. Any relevant records, exhibits and written statements may be accepted as evidence at the discretion of the College Judicial Board Chair.
 - i. The College Judicial Board Chair shall have the final decision on all procedural questions.
 - j. The hearing shall be recorded by District either by electronic means such as audio or video recordings, or court reporting service. Only recording devices furnished by the College Judicial Board shall be permitted into the hearing. Any witness who refuses to be recorded shall not be permitted to testify. The recording or transcript of the proceeding shall remain the property of GCC. The College Judicial Board Chair shall furnish a copy of the record to the accused student at his or her request.
 - k. All testimony shall be taken under oath; the oath shall be administered by the College Judicial Board Chair. 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 audio/video recorded is not unavailable.
 - l. In consultation with the College Judicial Board Chair, the student shall have the right to be served by a translator or qualified interpreter to ensure his/her full participation in the proceedings.
 - m. College Judicial Board members and GCC employees who participate in College Judicial Board hearings shall abide by all state and federal laws governing the privacy and confidentiality of student educational records.

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- n. GCC shall assume the burden of proof by a preponderance of the evidence in all student disciplinary hearings.
- o. The Campus Judicial Board shall deliberate in closed session. These deliberations shall not be electronically recorded and the proceedings shall be confidential.
- p. After the conclusion of the formal hearing, the College Judicial Board shall, in closed session, determine by majority vote whether the accused student has violated the Standards of Student Conduct as charged. 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, if any, of the student, and the oral and written evidence produced at the hearing. The College Judicial Board shall issue a written report of their findings, including any recommended disciplinary action, to the Superintendent/President for a final review and decision within ten (10) business days after the hearing.

F. Appeal Procedures

1. Disciplinary Suspension Appeals

- a. An accused student may appeal the Superintendent/President's decision to impose disciplinary suspension by requesting a formal College Judicial Board hearing before the disciplinary suspension is imposed.
- b. The student shall submit a written appeal requesting a formal College Judicial Board hearing to the Superintendent/President within five (5) business days after the receiving the written notice of the Superintendent/President's decision.
- c. College Judicial Board hearings shall follow procedures as outlined in Section E above.
- d. Within ten (10) instructional days following receipt of the College Judicial Board hearing panel's recommended decision, the Superintendent/President shall render a final written decision.

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- e. The Superintendent/President may accept, modify, or reject the findings, decisions and recommendations of the College Judicial Board hearing panel. If the Superintendent/President modifies, or rejects the College Judicial Board's decision, the Superintendent/President shall review the record of the hearing, and shall prepare a new written decision which contains specific factual finding and conclusions.
 - f. The Superintendent/President's decision shall be final and binding.
1. Expulsion Appeals
- a. An accused student may appeal the Superintendent/President's decision to recommend expulsion to the Board of Trustees by requesting a formal College Judicial Board hearing before the expulsion is imposed.
 - b. The student shall submit a written appeal requesting a formal College Judicial Board hearing to the Superintendent/President within five (5) business days after receiving the written notice of the Superintendent/President's decision.
 - c. College Judicial Board hearings shall follow procedures as outlined in Section E above.
 - d. Within ten (10) instructional days following receipt of the College Judicial Board hearing panel's recommended decision, the Superintendent/President shall render a written recommendation to the Board of Trustees.
 - e. The Superintendent/President may accept, modify, or reject the findings, decisions and recommendations of the College Judicial Board hearing panel. If the Superintendent/President modifies, or rejects the College Judicial Board's decision, the Superintendent/President shall review the record of the hearing, and shall prepare a new written decision which contains specific factual finding and conclusions.
 - f. If the Superintendent/President accepts a College Judicial Board's recommendation to expel a student from the college, the case shall

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automatically be referred to the Board of Trustees for review and a final, binding decision.

- i. The student may file a written appeal of the expulsion to the Board of Trustees. The written appeal shall be submitted to Superintendent/President within ten (10) business days from the date of the written notice of the Superintendent/President's ruling.
2. The expulsion recommendation shall be presented as an agenda item for the next regularly scheduled meeting of the Board of Trustees.
3. The Board of Trustees shall consider an expulsion recommendation in a closed session, unless the student has requested that the matter be considered in a public meeting in accordance with these procedures.
4. The student shall be notified in writing, by registered or certified mail to the address last on file with the District, or by personal service, at least three (3) business days prior to the meeting, of the date, time, and place of the Board of Trustees meeting.
5. The student may, within forty-eight hours after receipt of the notice, request that the hearing be held as a public meeting.
6. Even if a student has requested that the Board of Trustees consider an expulsion recommendation in a public meeting, the Board of Trustees 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.
7. Except as required to explain the basis of new evidence, the review by the Board of Trustees shall be limited to an examination of the supporting documents and verbatim record of the initial hearing. However, the Board may accept written arguments from the accused student and the Superintendent/President's designee.
8. The Board of Trustees may accept, modify, or reject the findings, decisions and recommendations of the Superintendent/President or the College Judicial Board hearing panel. If the Board of Trustees modifies or rejects the decision, the Board shall review the record of the hearing, and shall

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prepare a new written decision which contains specific factual findings and conclusions.

9. The decision of the Board of Trustees shall be final.
10. The final action of the Board of Trustees on the expulsion shall be taken at a public meeting, and the result of the action shall be a public record of GCC District.

References:

- California Education Code, Sections 66017, 66300, 66301, 72122, 76030-76038, 76120
- California Penal Code, Section 626.4

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