

# STANDARDS OF CONDUCT

Modesto Junior College under the Yosemite Community College District Board Policy has specified those standards of student behavior which it considers essential to its educational mission and its campus life. These regulations are designed to represent reasonable standards of conduct. The Standards of Conduct governs the behavior of students and guests on campus and at college-sponsored activities. Violations of the codes may subject individuals to disciplinary action, which is consistent with the requirements of due process.

The following conduct shall constitute good cause for discipline, including but not limited to the removal, suspension, or expulsion of a student.

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. Stealing, or attempting to steal district property or private property on campus, or knowingly receiving stolen district property or private property on campus.
7. Willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of the college or the district.
8. Committing sexual harassment as defined by law or by district policies and procedures.

9. Engaging in harassing or discriminatory behavior based on race, religion, creed, color, national origin, ancestry, disability, sex (i.e., gender), marital status or sexual orientation or any other status protected by law.

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

11. Disruptive behavior, willful disobedience, habitual profanity or vulgarity, or the open and persistent defiance of the authority of, or persistent abuse of, college personnel.

12. Cheating, plagiarism (including plagiarism in a student publication), or engaging in other academic dishonesty.

13. Dishonesty; forgery; alteration or misuse of college documents, records or identification; or knowingly furnishing false information to the district.

14. Unauthorized entry upon or use of college facilities.

15. Lewd, indecent or obscene conduct on district-owned or controlled property, or at district-sponsored or supervised functions.

16. 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 district.

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

18. Obstruction or disruption of teaching, research, administration, disciplinary proceedings, or other college activities, including its public service functions, or any other authorized activities. Pagers, cellular telephones and other similar electronic devices must be turned off in classrooms and other campus sponsored events unless authorized by an appropriate faculty or staff member.

Reference: *Education Code Section 66300*

## MISCONDUCT PENALTIES

### Disciplinary Action

Violators of the Standards of Conduct are subject to the following types of disciplinary action, which will be administered by appropriate College personnel:

1. Reprimand – A person receiving a reprimand, either verbal or written, is thereby notified that continued conduct of the type described may result in formal disciplinary action against the student.

2. Instructor Removal – An instructor may remove a student from his/her class for the day of the misconduct and the next class meeting.

3. Disciplinary Probation – Formal disciplinary action may include, but is not limited to, the following:

- a. Removal from any Associated Students' organization office held.
- b. Revocation of the privilege of participating in College- and/or student-sponsored activities.

4. Disciplinary Suspension – Formal disciplinary action denying campus privileges for a specified period of time. A suspended student may not be on any portion of the campus and is denied all College privileges, including class attendance, and privileges noted under 'Disciplinary Probation', for a specified period of time. There shall be two classes of suspensions:

- a. The first, "summary suspension", serves as a penalty against the student as a result of the failure of his/her conduct to meet standards expected by the College.
- b. The second, "disciplinary suspension", serves as a penalty against the student as a result of the failure of his/her conduct to meet standards expected by the College.

5. Expulsion – Formal action taken by the Yosemite Community College District terminating a student's privilege to attend the Colleges of the District, for disciplinary reasons.

### Due Process

The student disciplinary procedure is an administrative process, used to review alleged student conduct violations. Findings will be based upon a preponderance of the evidence.

The following due process procedures are followed:

1. Student will be given written or verbal notice of the alleged violation.
2. Student will be given an opportunity to respond to the allegations.
3. The Director of Student Success or designee will investigate, and will then notify the student of the findings and disposition of the case. The investigation will be completed within 30 days.

### Appeals

The following are not appealable:

- a. Short-term suspension of five school days or fewer, and lesser sanctions.
- b. Short-term removal by a College instructor.
- c. Disciplinary probation for a period of one year or less.

1. Students may appeal suspensions and expulsions. Students must notify the Vice President of Student Services, by phone or in writing, within 24 hours of the notification of Findings and Disposition, of their intent to appeal the decision.

2. Students shall have five (5) days from the date he/she receives notice of the decision to file the intended appeal with the Vice President of Student Services. Appeal forms are available in the offices of the Vice President of Student Services, the Dean of Student Services, the Director of Student Development and Campus Life, and the Office of Student Success.

3. Students must submit a concise statement based on new evidence or procedural error in interpretation of the evidence to the Vice President of Student Services.

4. Students shall receive notice of the determination of the Vice President within 10 days. In most cases the decision of the Vice President is final.

*ACADEMIC Honesty As DEFINED BY  
THE ACADEMIC SENATE AT  
MODESTO JUNIOR COLLEGE*

### Violations

All faculty, administrators and some staff share the original jurisdiction for conduct violations in the area of academic honesty. The Academic Senate at MJC has defined Academic integrity and identified possible means for maintaining academic integrity at the College.

**Cheating** — Intentionally using or attempting to use unauthorized materials, information or study aids in any academic exercise; misrepresenting or non-reporting of pertinent information in all forms of work submitted for credit.

**Facilitating Academic Dishonesty**— Intentionally or knowingly helping, or attempting to help, another to violate a provision of the institutional code of academic integrity.

**Plagiarism** – The deliberate adoption or reproduction of ideas, words or statements of another person as one’s own, without acknowledgement. This includes all group work and written assignments.

**Maintaining Academic Integrity**

1. Academic areas may develop for their faculty and students a statement of the application of the Academic Integrity Procedure in their courses; and
2. Each faculty member is encouraged to include in his/her introduction to a course:
  - a. A statement of the application of the Academic Integrity Procedure within his/her course.
  - b. A statement notifying students that violations of the Academic Integrity Procedure will be reported.

**Consequences**

The grading of a student’s work rests on the fundamental idea that an instructor is evaluating a student’s own work, so cheating or plagiarism demonstrates a failure to complete this most basic requirement of any course. Thus, a faculty member may administer academic consequences for violating the Academic Integrity Policy ranging from partial to no credit on an exam or assignment to an F in the course. The instructor may also consider that a student’s violation of academic integrity should be a consideration for disciplinary measures, such as suspension or removal from the course or the college. Disciplinary action for violating academic integrity is administered through the Office of Student Success under the Standards of Conduct.

**Due Process Procedural Safeguards:**

1. Students shall be given notice of the violation and,
2. Students shall be given an opportunity to respond to the allegations.

*GENERAL INFORMATION*

1. No fees paid by or for a student for the term in which he/she is suspended shall be refunded.
2. The student suspected of a violation shall be regarded as innocent until sufficient contrary information is uncovered.

3. Records of disciplinary action shall be kept in a separate file from the academic or grade records for a period of time not to exceed five years.
4. If the student is a minor, the Vice President of Student Services or designee shall notify the student’s parent or guardian of any disciplinary action and consequences. ED Code (76031)
5. All references in this document to “days” shall refer to days when classes are in session, excluding weekends and Fridays during the Summer term.

*ACADEMIC FREEDOM*

The Board of Trustees believes that students have the right to listen, the right to decide, the right to choose, the right to reject, the right to express and defend individual beliefs, and that the educational purpose of the District is best served by this freedom of expression. As members of an academic community, students are encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for truth. Institutional procedures for achieving these purposes may vary from campus to campus, but the minimal standards of academic freedom of students are essential to the purposes for which community colleges exist.

Students are free to take reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course of study for which they are enrolled. Student performance will be evaluated on a broad academic basis, not on opinions or conduct in matters unrelated to academic standards.

*COMPLIANCE INFORMATION*

Inquiries regarding federal laws and regulations concerning nondiscrimination in education or the District’s compliance with those provisions may also be directed to:

**Office of Civil Rights**  
**50 United Nations Plaza Rm 322**  
**San Francisco, CA 94102**  
**415-437-8310**

**Department of Fair Employment and Housing**  
**2000 “O” St., Suite 120**  
**Sacramento, CA**  
**916-445-5523**  
**1-800-884-1684**

**Chancellor California Community Colleges**  
**1102 “Q” St.**  
**Sacramento, CA 95814**  
**916-445-8752**

**Where To Go for Help With...**

Subject	First Step For Decision or Action	Initial Review/ Appeal
Academic Matters	Instructors Division Dean	Division Dean Vice President, Instruction
Academic Probation or Dismissal	Dean, Counseling & Student Services	Vice President, Student Services
Admissions	Dean, Matriculation, Admissions & Records	Vice President, Student Services
Attendance	Instructor	Division Dean
Discipline	Director, Student Success	Vice President, Student Services
Discrimination Matters	Vice President, Student Services	President
Fee Payments or Refunds and Non-Resident Tuition	Petitions Committee	Vice President, Student Services
Financial Aid	Director, Financial Aid	Vice President, Student Services
Library	Dean, Learning Resources	Vice President, Instruction
Matriculation	Dean, Matriculation, Admissions & Records	Vice President, Student Services
Residency Determination	Dean, Matriculation, Admissions & Records	Vice President, Student Services
Security and Parking	Director, Campus Safety & Security	Assistant Chancellor, Human Resources
Sexual Harrassment	Vice President, Student Services	President
Student Records	Dean, Matriculation, Admissions & Records	Vice President, Student Services
Waiver of Academic Requirements	Petitions Committee	Vice President, Instruction

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**MODESTO JUNIOR COLLEGE**

