

# Student Code of Conduct

## I. Overview

In developing responsible student conduct, disciplinary proceedings play a role substantially secondary to example, counseling, guidance and admonition. At the same time, educational institutions have a duty and the corollary disciplinary powers to protect their educational purpose through the settings of standards of scholarship and conduct for the students who attend them and through the regulation of the use of institutional facilities.

The purpose of these procedures is to provide a prompt and equitable means to address violations of the Student Code of Conduct, as set forth in Administrative Procedure AP 5510, which guarantees the student or students involved the due process rights entitled to them by state and federal constitutional protections. These procedures will be used in a fair and equitable manner, and not for purposes of retaliation. They are not intended to substitute for criminal or civil proceeds that may be initiated by other agencies.

Foothill and De Anza colleges consider the following principles essential to their educational mission and community life:

1. Mutual respect between students, faculty and staff;
2. Pursuit of studies with honesty and integrity;
3. Respect for college and personal property; and
4. Compliance with all rules and regulations.

These standards are intended to promote responsible student conduct and fair play.

## II. Definitions

College—Foothill College, De Anza College and their respective programs.

District—The Foothill-De Anza (FHDA) Community College District.

Instructor—Any academic employee of the district in whose class a student subject to discipline is enrolled, or counselor who is providing or has provided services to the student, or other academic employee who has responsibility for the student's educational program.

President—The college president or a designated representative of the college president.

Student—Any person currently enrolled as a student at any college or in any program offered by the district.

Student Discipline Officer—The official designated by the college to be responsible for reviewing and processing student discipline matters.

## III. Student Code of Conduct & Grounds for Disciplinary Action

Students shall be subject to college discipline (as outlined in Administrative Procedure AP 5520: Student Due Process & Discipline) for any of the following misconduct that occurs at any time on campus or at any off-campus facility, including Internet-based courses held on the World Wide Web, or college-approved or college-sponsored functions:

1. Academic dishonesty, such as cheating, plagiarism (including plagiarism included in student publications), or knowingly furnishing false information to the colleges, or district;
2. 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;
3. Dishonesty, forgery, alteration or misuse of college or district documents, records or identification;
4. Obstruction or disruption of teaching, research, administration, disciplinary procedures, or other college or district activities, including its public service functions, or of other authorized activities;
5. Physical or verbal abuse of any person or conduct which threatens or endangers the health or safety of any such person;
6. Committing or attempting to commit robbery or extortion;
7. Causing or attempting to cause damage to college or district property or to private property on campus;

8. Stealing or attempting to steal college or district property or private property on campus, or knowingly receiving stolen college or district property or private property on campus;
9. Willful misconduct that results in injury or death to a student or to college or district personnel or which results in cutting, defacing, or other injury to any real or personal property owned by the college or district or on the campus;
10. Unauthorized entry to or use of college or district facilities;
11. Violation of college or district policies or of campus regulations, including those concerning registration of student organizations, use of college or district facilities, or the time, place and manner of public expression;
12. Unlawful possession, use, sale, offer to sell, or furnishing or being under the influence of, any controlled substance as listed in California Health & Safety Code Section 11053 et seq., 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 & Safety Code Section 11014.5;
13. Use, possession, or sale of any firearm, knife, explosive, or other object that could be classified as a weapon (unless the student has specific authorization from a college or district official);
14. Disruptive behavior, willful disobedience, habitual profanity or vulgarity, or the open and persistent defiance of authority, or persistent abuse of college or district personnel;
15. Gambling on college or district property;
16. Hazing or any act that injures, degrades, or disgraces or tends to injure, degrade, or disgrace any fellow student or other persons;
17. Disorderly conduct or lewd, indecent or obscene behavior, conduct or expression on district-owned or district-controlled property, or at district-sponsored or district-supervised functions;
18. Willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of the college or district;
19. Theft or abuse of computer time, including but not limited to:
  - a. unauthorized entry into a file, to use, read or change the contents or for any other purpose;
  - b. unauthorized transfer of a file;
  - c. unauthorized use of another person's identification and password;
  - d. use of computing facilities to interfere with the work of another student, faculty member or college official;
  - e. use of computing facilities to send obscene or abusive messages, or to defame or intentionally harm other persons;
  - f. use of computing facilities to interfere with normal operation of the college computing system;
  - g. use of computing facilities for student's personal benefit;
20. Committing sexual harassment as defined by law or as set forth in Board Policy 4640;
21. Engaging in harassing or discriminatory behavior based on race, sex, religion, age, national origin, disability, or any other status protected by law.
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 or district premises, or the violation of lawful college or district regulations, 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.

#### IV. Types of Disciplinary Action

The following are the usual types of discipline the college imposes for violations of its rule or California laws. The following topics are listed in alphabetical order.

**Admonition**—An administrative, verbal warning to the student to cease and desist from conduct determined to violate the Student Code of Conduct.

**Day**—Day(s) during which the district is in session and regular classes are held, excluding Saturdays and Sundays.