

# AP 5500 Standards of Conduct

## **Reference:**

***Education Code Section 66300 and 66301  
Accreditation Standard II.A.7.b***

## **Definitions**

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 President of the College.
3. The manufacture, 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 disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other status protected by law.
10. 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.
11. 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.
12. Disruptive behavior, willful disobedience, habitual profanity or vulgarity, or the open and persistent defiance of the authority of, or persistent abuse of, college personnel.
13. Cheating, plagiarism (including plagiarism in a student publication), or engaging in other academic dishonesty.
14. Dishonesty; forgery; alteration or misuse of college documents, records or identification; or knowingly furnishing false information to the District.

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15. Unauthorized entry upon or use of college facilities.
16. Lewd, indecent or obscene conduct on District-owned or controlled property, or at District-sponsored or supervised functions.
17. 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.
18. Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.
19. 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.

Students who engage in any of the above are subject to the procedures outlined in AP 5520 titled Student Discipline Procedures.

Academic honesty depends upon the integrity of the students and faculty. The College itself is defrauded if faculty and/or students knowingly or unwittingly allow dishonest acts to be rewarded academically. It is the faculty's responsibility to make every reasonable effort to foster honest academic conduct. If the faculty member believes that there is evidence of academic dishonesty on the part of a student it is the faculty member's responsibility to take appropriate action in accordance with this policy.

Students at Gavilan College have the right to know what constitutes academic honesty at the College and in each course in which they are enrolled. Faculty members will apprise their classes of the ethical standards required in their courses and the permissible procedures in class work and examinations. A statement referring to this information as a reference for the class will be presented in the course outline (green sheet)\* and/or on the individual examination questionnaires. Students will be informed of the consequences of violating these standards, their rights of appeal, and the procedures to be followed in the appeal.

#### **1.0 Definitions of Academic Dishonesty**

- a. Purposely allowing another student to copy from your paper during a test.
- b. Giving your homework term paper or other academic work to another student to plagiarize.
- c. Having another person submit any work in your name.
- d. Lying to an instructor or university official to improve your grade.
- e. Altering a graded work after it has been returned, then submitting the work for re-grading (without knowledge of the instructor).
- f. Removing test(s) from classroom or any other place without instructor's approval.
- g. Stealing tests or keys to tests.
- h. Forging signatures on drop/add slips or other college documents.

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## **1.1 Cheating**

At Gavilan, cheating is the act of obtaining or attempting to obtain credit for academic work through any dishonest, deceptive, or fraudulent means. Cheating at Gavilan includes, but is not limited to:

- a. Copying, in part or in whole, from another's test or other evaluation instrument or obtaining answers from another person during the test without instructor's approval.
- b. Submitting work previously presented in another course, if contrary to the written rules of the course.
- c. Using or consulting, during an examination, sources or materials not specifically authorized
- d. Intentionally altering, changing, and/or misusing documents or records. Knowingly furnishing false information or generally interfering with grading procedures or instruction of a class.
- e. Any other act committed by student(s) in the course of academic work, which defrauds and/or misrepresents, including aiding or abetting, in any of the actions defined above.

## **1.2 Plagiarism**

- a. The act of incorporating the ideas, words, sentences, paragraphs, or parts thereof, or the specific substance of another's work without giving appropriate credit, and representing the product as one's own work.
- b. Representing another's artistic/scholarly works such as musical compositions, writings, computer programs, photographs, paintings, drawings, scriptures, or similar works as one's own.

## **2.0 Student Evaluation and Reporting**

When a Gavilan faculty member, responsible for a course, has reason to believe, and has evidence to substantiate, that the behavior of a student or students falls within one or both of the above sets of definitions, it is an instructor's responsibility to take the following steps:

- a. Arrange an office conference with the student and at that time advise the student of the allegations and make him or her aware of the supporting evidence and the probable consequences. Any classroom confrontation should be as discreet as possible. If, as a result of this meeting, the instructor believes that the student's response is insufficient to offset the charge of academic dishonesty to the extent that the student may be excused, the instructor will inform the student of the sanctions to be recommended or assessed in accordance with Section 3.0 of this policy.
- b. At the discretion of the instructor, a written report of the infraction and the action taken may be submitted to the Vice President of Student Services with a copy to the appropriate area dean.
- c. When a student, who has been informed in writing of an impending conference to discuss the alleged dishonesty, fails to attend, or when the apparent dishonesty is detected near the end of the semester and the instructor makes a good faith effort to contact the student but is unable to do so, the instructor may impose the recommended penalty and make the report called for in Section 3.1 without a conference. In either case, the student's right to appeal is preserved.

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### **3.0 Sanctions**

There shall be two major classifications of sanctions that may be imposed for violations of this policy: Academic and Administrative. Academic sanctions will be defined as those actions related to the coursework and grades, which is the province of the instructor. Administrative sanctions concern a student's status on campus and are acted on by the Vice President of Student Services. The imposition of one variety of sanction (Academic or Administrative) will not preclude the addition of the other.

#### **3.1 Academic Sanctions**

Faculty is responsible for the type of academic sanction to be applied to students involved in incidents of cheating or plagiarism. Usually a form of "grade modification" will be employed. Before sanctions can be employed, the faculty member must have verified the instances of academic dishonesty by personal observation and/or documentation. In all cases the violation should be reported to the Vice President of Student Services with a copy provided to the appropriate dean. A student may be:

- a. Reprimanded orally. A student may be referred for counseling but cannot be required to seek counseling.
- b. Failed in the evaluation instrument (paper or exam).
- c. Reduced course grade equal to the failed instrument.
- d. Referred for Administrative Sanctions

A faculty member may choose to refer a student to the Vice President of Student Services for disciplinary action in lieu of any academic sanction or in addition to the academic action the faculty member has taken.

- e. Faculty Discretion

Cases involving the careless or inept handling of quoted material but falls short of the definitions of the acts of cheating and/or plagiarism as defined in items 1.1 and 1.2 of this policy may be dealt with at the discretion of the faculty member concerned.

- f. Recommended Academic Sanctions

- Violations of quoted material, but falls short of the definitions of the acts of cheating and/or plagiarism as defined in Items 1.1 and 1.2 of the policy may be dealt with at the discretion of the faculty member concerned.
- For violation of Section 1.b, the recommended sanction shall be 3.1.b, reduction in grade or failure of that evaluation instrument.
- For violations of Sections 1.1.d and 1.1.e it is recommended that the student be referred to the Vice President of Student Services for Administrative sanction in accordance with 3.1.e. For violations of Section 1.2.b of this Policy, the recommended sanction shall be 3.1.c - reduction in course grade.

#### **3.2 Administrative Sanctions**

As stipulated in the California Administrative Code, Sanction 41301, cheating or plagiarism in connection with an academic program at a campus may warrant expulsion, suspension, probation or a lesser sanction. Administrative action involving academic dishonesty at Gavilan is the responsibility of the Vice President of Student Services according to the Standards of Student Conduct and Disciplinary and Due Process Procedures.

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The Vice President of Student Services will respond to:

1. Referrals from the faculty;
2. Flagrant violations of academic standards; and
3. Repeat violations as brought to his/her attention by the faculty or through the student reports filed with the Vice President of Student Services.

The Vice President of Student Services will notify faculty members involved when action has been taken.

#### **4.0 Protection of Rights**

Nothing in this Policy is intended to deny students who come within its scope appropriate "due process", including the right to be informed of the charges, the nature of the evidence supporting the charges, and to have a meeting with the faculty member, Vice President of Student Services, or other decision-makers, at which time statements and evidence on behalf of the student may be submitted. Nor is it intended to deny the right to appeal, through appropriate college channels, any decision resulting from such a meeting.

- a. Academic sanctions may be appealed through the Vice President of Student Services in accordance with college policy.
- b. When disciplinary suspension or expulsion is being recommended as an administrative sanction, the student has the right to a formal hearing by the Gavilan College Board of Trustees (Education Code 66017).

#### **5.0 Dissemination of Information**

- a. This policy shall be published in the general catalog and the Student Handbook. There shall also be copies of this policy in every department office, in the library, in the Faculty Handbook, and copies available to all interested parties in the Office of Student Services.
- b. Dissemination of this information shall be the responsibility of the Vice President of Student Services and the Vice President of Instructional Services.
- c. The Vice President of Instructional Services shall submit to the ASB and the Faculty Senate annually a statistical report on the number and type of infractions and their eventual disposition.

Students who engage in any of the above are subject to the procedures outlined in AP 5520.

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