

ADMINISTRATIVE PROCEDURES 5520 STUDENT DISCIPLINE PROCEDURES

Please reference the MSJC website under "Student Conduct" for any updates and revisions to this policy.

PURPOSE

The purpose of this procedure is to provide a prompt and equitable means to address violations of the Standards of Student Conduct, which guarantees to the student or students involved the due process rights guaranteed them by state and federal constitutional protections. This procedure will be used in a fair and equitable manner, and not for purposes of retaliation. It is not intended to substitute for criminal or civil proceedings that may be initiated by other agencies.

This administrative procedure is specifically not intended to infringe in any way on the rights of students to engage in free expression as protected by the state and federal constitutions, and by Education Code Section 76120, and will not be used to punish expression that is protected.

For discipline resulting from a sexual harassment complaint under Title IX, such complaints must be initially processed pursuant to the procedures set forth in AP 3434 Responding to Harassment Based on Sex under Title IX, before any disciplinary action is initiated under this procedure. In the event a finding of sexual harassment is substantiated under AP 3434, any resulting discipline shall be issued consistent with the procedures set forth in this procedure, except that the timelines for initiating discipline under this procedure do not apply in such cases.

AP 5520 Student Discipline Procedures (<https://go.boarddocs.com/ca/msjc/Board.nsf/goto/?open&id=D4EKN52A933>)