Kern Community College District
Administrative Procedure
Chapter 5 – Student Services

AP 5500 STANDARDS OF STUDENT CONDUCT

References:
Education Code Sections 66300, 66301, 72122, and 76030;
WASC/ACCJC Accreditation Standards I.C. 8 and 10

NOTE: *The standards of conduct for students are included in BP 5500 titled Standards of Student Conduct. The language from current KCCD Appendix 4F8D includes the detailed definitions of plagiarism and cheating referenced in item #13 in new BP 5500.*

- **From current KCCD Appendix 4F8D titled Student Conduct – Definition of Plagiarism and Cheating**

~~**STUDENT CONDUCT**~~

DEFINITIONS OF PLAGIARISM AND CHEATING

Definitions~~: *(Quoted from the Regulation at Cal State University, Long Beach, as printed in the its General Catalog dated 1990-91, page 56.)*~~

1) **Definition of Plagiarism** -- Plagiarism is defined as the act of using the ideas or work of another person or persons as if they were one's own, without giving credit to the source. Such an act is not plagiarism if it is ascertained that the ideas were arrived at through independent reasoning or logic or where the thought or idea is common knowledge.

   Acknowledgement of an original author or source must be made through appropriate references, i.e., quotation marks, footnotes, or commentary. Examples of plagiarism include, but are not limited to, the following: the submission of a work, whether in part or in whole, completed by another; failure to give credit for ideas, statements, facts or conclusions which rightfully belong to another; in written work, failure to use quotations marks when quoting directly from another, whether it be a paragraph, a sentence, or even a part thereof; close and lengthy paraphrasing of another's writing or programming. A student who is in doubt about the extent of acceptable paraphrasing should consult the instructor.

Students are cautioned that, in conducting their research, they should prepare their notes by (a) either quoting material exactly (using quotation marks) at the time they take notes from a source; or (b) departing completely from the language used in the source, putting the material into their own words. In this way, when the material is used in the paper or project, the student can avoid plagiarism resulting from verbatim use of notes. Both quoted and paraphrased materials must be given proper citations.

2) **Definition of Cheating** -- Cheating is defined as the act of obtaining, or attempting to obtain, or aiding another to obtain academic credit for work by the use of any dishonest, deceptive, or fraudulent means. Examples of cheating during an examination include, but are not limited to, the following: copying, either in part or in whole, from another's test or examination; discussion of answers or ideas relating to the answers on a examination or test unless such discussion is specifically authorized by the instructor; giving or receiving copies of an examination without the permission of the instructor; using or displaying notes, "cheat sheets," or other information or devices inappropriate to the prescribed test conditions, as when a test of competence includes a test of unassisted recall of information, skill, or procedure; allowing someone other than the officially enrolled student to represent the same. Also included are plagiarism as defined and altering or interfering with the grading procedures.

   It is often appropriate for students to study together or to work in teams on projects. However, such students should be careful to avoid the use of unauthorized assistance, and to avoid any implication of cheating, by such means as sitting apart from one another in examinations, presenting the work in a manner which clearly indicates the effort of each individual, or such other method as is appropriate to the particular course.

~~Approved by the Board of Trustees~~
~~April 19, 1994~~

~~Revised and adopted by the Chancellor's Cabinet~~
~~January 11, 1994~~

~~Renumbered 4/21/94~~
~~Renumbered 6/01/95~~
~~Revised 4/09/96~~
~~Revised 10/02/01~~

Also see AP 3410 titled Nondiscrimination, AP 3435 titled Discrimination and Harassment Investigations, BP 5500 titled Standards of Student Conduct, AP 5520 titled Student Discipline Procedures, and AP 5530 titled Student Rights and Grievances

NOTE: *The* ***red ink*** *signifies language that is* ***legally required*** *and recommended by the Policy & Procedure Service and its legal counsel (Liebert Cassidy Whitmore). The language in* ***black ink*** *is from current KCCD Appendix 4FD8 titled Student Conduct – Definitions of Plagiarism and Cheating approved on April 19, 1994 and revised on April 9, 1996 and October 2, 2001.*

Approved:

(Replaces Appendix 4FD8)

Legal Citations for AP 5500

Education Code Sections 66300, 66301, 72122, and 76030

66300. The Regents of the University of California, the Trustees of the California State University, and the governing board of every community college district, shall adopt or provide for the adoption of specific rules and regulations governing student behavior along with applicable penalties for violation of the rules and regulations.
The institutions shall adopt procedures by which all students are informed of such rules and regulations, with applicable penalties, and any revisions thereof.

66301. (a) Neither the Regents of the University of California, the Trustees of the California State University, the governing board of any community college district, nor any administrator of any campus of those institutions, shall make or enforce any rule subjecting any student to disciplinary sanction solely on the basis of conduct that is speech or other communication that, when engaged in outside a campus of those institutions, is protected from governmental restriction by the First Amendment to the United States Constitution or Section 2 of Article 1 of the California Constitution.
(b) Any student enrolled in an institution, as specified in subdivision (a), that has made or enforced any rule in violation of subdivision (a) may commence a civil action to obtain appropriate injunctive and declaratory relief as determined by the court. Upon a motion, a court may award attorney's fees to a prevailing plaintiff in a civil action pursuant to this section.
(c) Nothing in this section shall be construed to authorize any prior restraint of student speech or the student press.
(d) Nothing in this section prohibits the imposition of discipline for harassment, threats, or intimidation, unless constitutionally protected.
(e) Nothing in this section prohibits an institution from adopting rules and regulations that are designed to prevent hate violence, as defined in subdivision (a) of Section 4 of Chapter 1363 of the Statutes of 1992, from being directed at students in a manner that denies them their full participation in the educational process, if the rules and regulations conform to standards established by the First Amendment to the United States Constitution and Section 2 of Article 1 of the California Constitution for citizens generally.

EDUCATION CODE - EDC

TITLE 3. POSTSECONDARY EDUCATION [66000 - 101060]

(Title 3 enacted by Stats. 1976, Ch. 1010.)

DIVISION 7. COMMUNITY COLLEGES [70900 - 88651]

(Division 7 enacted by Stats. 1976, Ch. 1010.)

PART 45. DISTRICTS AND GOVERNING BOARDS [72000 - 72701]

(Part 45 enacted by Stats. 1976, Ch. 1010.)

CHAPTER 2. Meetings and Members [72101 - 72129]

(Chapter 2 enacted by Stats. 1976, Ch. 1010.)

ARTICLE 2. Meetings [72121 - 72129]

(Article 2 enacted by Stats. 1976, Ch. 1010.)

72122.

The governing board of a community college district shall, unless a request by the student has been made pursuant to this section, hold closed sessions if the board is considering the suspension of, or disciplinary action or any other action in connection with any student of the community college district, if a public hearing upon the question would lead to the giving out of information concerning students which would be in violation of state or federal law regarding the privacy of student records.

Before calling a closed session of the governing board of the district to consider these matters, the governing board of the district shall, in writing, by registered or certified mail or by personal service, if the student is a minor, notify the student and his or her parent or guardian, or the student if the student is an adult, of the intent of the governing board of the district to call and hold the closed session. Unless the student, or his or her parent, or guardian shall, in writing, within 48 hours after receipt of the written notice of intention, request that the hearing of the governing board be held as a public meeting, then the hearing to consider those matters shall be conducted by the governing board in closed session. If the written request is served upon the clerk or secretary of the governing board, the meeting shall be public except that any discussion at the meeting that might be in conflict with the right to privacy of any student other than the student requesting the public meeting or on behalf of whom the meeting is requested, shall be in closed session. Whether the matter is considered at a closed session or at a public meeting, the final action of the governing board of the community college district shall be taken at a public meeting and the result of that action shall be a public record of the community college district.

The governing board of a community college district may hold closed sessions to consider the conferring of honorary degrees or to consider gifts from a donor who wants to remain anonymous.

(Amended by Stats. 1990, Ch. 1372, Sec. 307.)

EDUCATION CODE - EDC

TITLE 3. POSTSECONDARY EDUCATION [66000 - 101060]

(Title 3 enacted by Stats. 1976, Ch. 1010.)

DIVISION 7. COMMUNITY COLLEGES [70900 - 88651]

(Division 7 enacted by Stats. 1976, Ch. 1010.)

PART 47. STUDENTS [76000 - 76407]

(Part 47 enacted by Stats. 1976, Ch. 1010.)

CHAPTER 1. General Provisions [76000 - 76143]

(Chapter 1 enacted by Stats. 1976, Ch. 1010.)

ARTICLE 3. Removal, Suspension, or Expulsion [76030 - 76038]

(Article 3 repealed and added by Stats. 1983, Ch. 1032, Sec. 2.)

76030.

Consistent with requirements of due process of law, with the provisions of this article, and with the rules of student conduct adopted by the governing board under Section 66300, the governing board, the president of a community college or the president's designee, or an instructor shall suspend a student for good cause. In addition, the governing board is authorized to expel a student for good cause when other means of correction fail to bring about proper conduct, or when the presence of the student causes a continuing danger to the physical safety of the student or others. The suspension or expulsion of a student shall be accompanied by a hearing conducted pursuant to the requirements of Section 66017.

(Repealed and added by Stats. 1983, Ch. 1032, Sec. 2.)

Accreditation Standards I.C.8 and 10

Standard I: Mission, Academic Quality and Institutional Effectiveness, and Integrity

The institution demonstrates strong commitment to a mission that emphasizes student learning and student achievement. Using analysis of quantitative and qualitative data, the institution continuously and systematically evaluates, plans, implements, and improves the quality of its educational programs and services. The institution demonstrates integrity in all policies, actions, and communication. The administration, faculty, staff, and governing board members act honestly, ethically, and fairly in the performance of their duties.

C. Institutional Integrity

8. The institution establishes and publishes clear policies and procedures that promote honesty, responsibility and academic integrity. These policies apply to all

constituencies and include specifics relative to each, including student behavior, academic honesty and the consequences for dishonesty.

10. Institutions that require conformity to specific codes of conduct of staff, faculty, administrators, or students, or that seek to instill specific beliefs or world views, give clear prior notice of such policies, including statements in the catalog and/or appropriate faculty and student handbooks.