

Student Conduct FAQs

Below we have listed answers to frequently asked questions received by the Office of Student Life and Conduct. If your question is not addressed, please contact the office directly at studentconduct@barstow.edu.

Student Conduct Meeting

I received a letter to schedule a meeting with the Director of Student Life and Conduct. What should I do next?

Your letter provides a day and time of the scheduled meeting and information to reach out to reschedule, if needed. If you are unable to attend the scheduled meeting, you can reply to the letter and request to have the meeting rescheduled or you can reply to the letter with a written statement prior to the due date provided on the meeting notice.

What happens during a student conduct meeting with the Director of Student Life and Conduct?

The Director of Student Life and Conduct must meet with the student within ten (10) instructional days after the incident report has been submitted.

During the meeting between the Director of Student Life and Conduct and the student, the student will:

- Have an opportunity to hear and view the alleged violations of the Standards of Student Conduct along with any supporting documentation and evidence
- Provide their side of the story, provide any relevant information, and offer any mitigating factors

If the student chooses to respond with a written statement rather than attend the meeting, the written statement must be received by the date and time of the scheduled meeting.

Will I be able to review the incident report(s) and other evidence?

Students of the District have a right of reasonable access to any and all student records relating to them maintained by the District. Students seeking to review or obtain copies of Standards of Student Conduct records relating to their investigation and/or to the outcome must make a request in writing to the Office of Student Support Services. The Office of

Student Support Services will provide copies to the student within five (5) instructional days after receiving the request.

Can I bring someone with me to the meeting?

Students have the option to bring a person(s) of their choice as support for them during a meeting and/or hearing. The proceedings will still be held between the Dean or Hearing Panel and the student. The person(s) may not speak on the student's behalf unless they are their legal guardian or conservator.

The student must sign the Confidentiality Waiver Form in order for the person(s) to attend a meeting. The person(s) role is to provide support and the person(s) may not, in any way, disrupt, interfere, or try to present the student's case within the meeting or hearing process. Any violation of this section shall result in the removal of the person(s).

What if I don't want to accept responsibility for one or more alleged violations?

If a student would like to appeal a sanction decision, not the type of findings, they may request a Discipline Sanction Appeal form from the Office of Student Life and Conduct. The student has five (5) instructional days from the date on the resolution notice to submit the Discipline Sanction Appeal form, as well as, a written statement outlining one or more reasons for the appeal. In order to process the appeal, it must include both the Discipline Sanction Appeal form and the written statement. Within the written statement, the student must explain why they feel the sanction(s) is unfair and/or provide compelling new evidence to be reviewed.

When will I receive the decision of the Director of Student Life and Conduct?

The Director of Student Life and Conduct will send a written resolution notice to the student within five (5) instructional days from the date of the meeting between the Director of Student Life and Conduct and student summarizing the meeting and sanction(s) imposed, if any. The Director of Student Life and Conduct will upload a copy of the resolution notice into the District-wide tracking system, add any notes, and then close the case.

What if I miss my meeting?

Should a student fail to appear or to submit a written response for the meeting with the Dean of Student Support Services, that student may be considered as having waived their right to be present and the proceedings may continue without the student's input. The Director of Student Life and Conduct may also place an Administrative Hold on the student's account.

Sanctions

What are possible sanctions?

The Director of Student Life and Conduct will consider the Student Incident Report and all accompanying documentation and evidence, along with the information gathered during the meeting with the student and will review the student's conduct history in determining what sanction(s), if any, is appropriate in accordance with Appendix C within the Student Handbook.

What is Disciplinary Probation?

Consists of written notice to the student that they have violated the Standards of Student Conduct and that for a specified period of time (up to two (2) years), the student must meet certain conditions as imposed by the Director of Student Life and Conduct. Any subsequent violations by the student during the term of the probation or the student's failure to comply with any condition of the probation imposed will result in additional sanctions. A student who is on probation is described as a student who is not in good standing with Barstow Community College.

How long can I be on disciplinary probation or suspended from the College?

In accordance with the Standards of Student Conduct Sanctions, a student may be on disciplinary probation or suspended for a specified period of time of up to two (2) years. After the specified period of time of probation is complete, a student will revert to the status of good standing with Barstow Community College, unless a reoccurrence of a violation of the Standards of Student Conduct occurs.

If I don't complete my sanctions, what will happen to me?

A student's failure to comply with any condition of any sanction imposed may result in additional sanctions up to and including disciplinary probation, suspension, or expulsion.

Appeals and Sanction Reduction Requests

Can I appeal the sanctions following a Student Conduct Meeting?

Yes, students have the right to appeal a sanction decision, not the type of findings, for decisions other than a long-term suspension or expulsion, made by the Director of Student Life and Conduct within five (5) instructional days from the date on the resolution notice. For a long-term suspension or expulsion, students have the right to request a conduct hearing. If they do not choose to appeal within the specified time frame that student will be considered as having waived their right to appeal. In order to process the appeal, it must include both the Discipline Sanction Appeal form and the written statement. A student has the right to appeal the sanction given by the Director of Student Life and Conduct based on one of the following:

- **Bad Faith** – Any act of the Director of Student Life and Conduct, which negatively impacts the final sanction(s) rendered. Information provided will be used to determine whether the disciplinary process was conducted fairly in light of the charges and evidence presented or to determine whether the sanction(s) imposed was appropriate for the violation(s).
- **New Evidence** – New evidence, not available at the time of the originally scheduled conduct meeting, which is sufficient enough to alter the decision and subsequent sanction(s), or other relevant facts not brought out in the original conduct meeting, because such evidence and/or facts were not known to the student appealing at the time.

Merely disagreeing with the decision and sanction(s) is not sufficient grounds to submit an appeal. Additionally, deviations from designed procedures or errors within processed discipline documents or correspondence will not be a basis for sustaining an appeal unless they significantly prejudice or effect the impartiality the process or the parties involved; as determined by the Director of Student Life and Conduct.

If I submit a Discipline Sanction Appeal form, do I have to complete the assigned sanctions?

During the discipline sanction appeal process and until a final sanction decision is made the original sanction(s) will remain in effect.

Will I appear before the individual or group reviewing the discipline sanction appeal?

No, you will not appear before the individual or group reviewing the appeal.

If I submit a discipline sanction appeal, how will I receive the decision?

Within ten (10) instructional days of receipt of the Disciplinary Sanction Appeal form and the written statement, the Superintendent/President of Barstow Community College or their designee, shall review the appeal and render a final sanction(s) decision to accept, modify, or reject the Director of Student Life and Conducts' sanction(s). The Superintendent/President of Barstow Community College or their designee may decide to have the incident brought to a conduct hearing.

The sanction(s) decided upon by the Superintendent/President of Barstow Community College or their designee shall be final and are not subject to appeal.