

Introduced by Senator JacksonFebruary 9, 2015

An act to amend Section 76034 of the Education Code, relating to community college districts.

LEGISLATIVE COUNSEL'S DIGEST

SB 186, as introduced, Jackson. Community college districts: removal, suspension, or expulsion.

Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state. Existing law establishes community college districts, each administered by a governing board, throughout the state, and authorizes these districts to provide instruction to students at community college campuses maintained by the districts.

Existing law prohibits a community college student from being removed, suspended, or expelled unless the conduct for which the student is disciplined is related to college activity or attendance.

This bill would authorize the governing board of a community college district to remove, suspend, or expel a student for conduct occurring off of the community college district property, as specified. The bill would require the governing board of a community college district, in determining whether to exercise jurisdiction over an instance of student conduct occurring off campus, to consider specified factors.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 76034 of the Education Code is amended
2 to read:

3 76034. ~~No~~(a) *Except as provided in this section, no student*
4 *shall be removed, suspended, or expelled unless the conduct for*
5 *which the student is disciplined is related to college activity or*
6 *college attendance.*

7 (b) *The governing board of a community college district may*
8 *remove, suspend, or expel a student for conduct that occurs off of*
9 *the community college district property, subject to subdivision (c).*
10 *In determining whether to exercise jurisdiction over student*
11 *conduct occurring off campus, the governing board of the*
12 *community college district shall consider all of the following as*
13 *it applies to the individual case:*

14 (1) *Whether the alleged victim is a member of the campus*
15 *community.*

16 (2) *The seriousness of the alleged misconduct.*

17 (3) *Whether a crime has been reported to the criminal*
18 *authorities.*

19 (4) *The risk of future harm involved.*

20 (5) *Whether the off-campus conduct is part of a series of actions*
21 *that occurred both on and off campus.*

22 (6) *The ability of the governing board of the community college*
23 *district to gather evidence, including, but not limited to, the*
24 *testimony of witnesses.*

25 (c) *The governing board of a community college district shall*
26 *not exercise jurisdiction over student conduct that occurs off*
27 *campus unless the conduct involves sexual assault, physical abuse,*
28 *threats of violence, arson-related offenses, sexual harassment,*
29 *stalking, or hazing.*