

*Assisting Students in Distress*

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*Merced Community College District  
Faculty and Staff  
Resource Guide*



*Spring 2009*

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# **INTRODUCTION**

**As members of the faculty and staff of Merced College, we are constantly interacting with students. At times you may encounter a student whose behavior is inappropriate, disruptive, or troublesome.**

**Some students will have chronic problems that may affect their lives on a regular basis. Other students will experience serious and painful crises in their lives or situational frustrations, pressures, or conflicts. There will also be students experimenting with, abusing, and/or addicted to alcohol and/or other drugs.**

**All of these circumstances may interfere with students' learning processes and alter their behavior. Sometimes it is difficult to distinguish why someone is acting differently, and what they are trying to achieve or express through their behavior.**

**These guidelines are designed to give you some techniques in dealing with distressed or difficult students. It will hopefully offer you some reassurance in recognizing that you are not alone in any situation. Referral sources are at hand for your use.**

# **ROLES AND RESPONSIBILITIES**

## **Faculty, Staff and Administrators**

- Immediately set clear expectations for conduct (Example: faculty should include statement in syllabus regarding student conduct).
- Make initial contact with appropriate members of the Crisis Consultation and Assessment Team.
- Document each incident of disruptive or threatening behavior.
- Maintain confidentiality.

## **Vice President of Student Personnel**

- Initiates formal disciplinary action when requested.
- Informs involved parties as to decision made regarding student.
- Establishes guidelines for readmission to class/campus.
- Confers with student and gives authorization for return to class.

## **Crisis Consultation and Assessment Team**

- Provides consultation to faculty and staff when requested.
- Assesses disruptive behavior.
- Clarifies action to be taken.
- Takes steps to resolve situation satisfactorily.
- Directs intervention and mediation with individuals involved in disruptive situations as appropriate.
- Provides brief counseling to individuals if so requested, or provides referrals to counseling services in the community.

## **Campus Police**

- Respond first to any potential emergency.
- Consultation by phone.
- Intervene in any situation where the safety of an individual is in jeopardy.
- Make arrests when necessary.
- Provide transportation to a mental health facility for assessment of mental status and to determine whether or not the person is a danger to self or others.

## **Personal Counseling**

- Provide brief, confidential psychotherapy to students by appointment.
- Provide crisis intervention to students when available.
- Evaluate distressed or disruptive students.
- Consult with faculty or staff concerned about a student (within confines of confidentiality).
- Refer students to community resources when appropriate.

## **Disabled Student Services**

- Authorize and provide academic accommodations (support services) to students with verified medical and/or educational disabilities.
- Provide academic and disability management counseling to students utilizing DSS services.
- Consult with faculty concerned about a student (within confines of confidentiality).
- Refer students to resources on-campus and in the community.

## **Student Health Services**

- Receives calls regarding students needing assistance with medical and/or mental health problems.
- Resource to faculty and staff regarding medical conditions that may affect students on campus.
- Emergency Medical Response when available.
- Consults with faculty and staff about health-related student concerns (within confines of confidentiality).
- Refers students to appropriate on-campus and community resources.

# **CRISIS INTERVENTION GUIDELINES**

A crisis situation occurs when the student feels unable to cope with the circumstances of his or her life. The more helpless the individual feels, the greater the crisis.

**A psychological emergency occurs when a person is:**

- Suicidal
- Homicidal
- Gravely Impaired
  - Confusion
  - Extreme hyperactivity
  - Hallucinations
  - Not in control of his/her behavior
  - Disoriented

**When to refer a student:**

- The problem or request for information is beyond your level of competency.
- You fear for the safety of the student, yourself, and/or others
- You feel like you cannot work with a student for whatever reason (e.g., you feel overwhelmed, have limited energy or patience, or you feel manipulated or frightened).

## **CRISIS INTERVENTION PROCEDURE**

**In the Event of a Crisis, Contact:**

- Switchboard Emergency Line: 384-6400
- Campus Police: 384-6054
- Student Health Services: 384-6045

**Off-Campus Referral Resources**

- Emergency: Dial 911 (dial 9 first to get an outside line)
- Merced County Department of Mental Health Crisis Line: (209) 381-6800

**Until help arrives:**

- Listen: Avoid any physical contact and allow student to talk.
- Assist: Provide a quiet atmosphere; minimize environmental stimulation; dismiss class if necessary.
- Recognize: Know your limitations.

***Campus Police and/or the Student Health Services Professionals, as available, will make an assessment and will take action as necessary to protect the health and safety of the student and other persons.***

**SPECIFIC  
CRISIS  
SITUATIONS**

**&**

***GUIDELINES FOR  
ACTION***

# **REFERRAL TO MERCED COLLEGE PERSONAL COUNSELING**

**CALL 384-6045 FOR AN APPOINTMENT**

**Education and general information about college services can make the difference in a successful referral. It is helpful to remember that you are doing what you think is best for the student and that understanding your limits is important and commendable rather than something negative.**

**When you refer a student to Personal Counseling, it would be helpful for the student to hear your concerns and why you believe counseling would be of benefit. You might also tell them a few facts about Personal Counseling Services. For instance, all services are free to enrolled students. A counselor is available every week during the Fall and Spring semesters. Counseling appointments are generally 45 minute sessions and are offered for short term treatment. If long-term therapy is indicated, a community referral is made.**

**No information will be released without the student's written consent except when the student presents a danger to him/herself or others, or if child or elder abuse is indicated.**

**Having the student call for an appointment increases his or her responsibility and commitment to come in for counseling. There may be situations, however, when it is more advantageous for you to have the student call and make an appointment with the student in your office (e.g., student in crisis) or walk the student over to Student Health Services. When referring a student for Personal Counseling, please do not refer to a specific therapist as this may not be in the student's best interest due to appointment availability or other conflicts.**

**Common presenting problems include:**

- **Stress / anxiety**
- **Relationship issues**
- **Depression**
- **Independence transition issues**
- **Test anxiety**
- **Disordered eating**
- **Anger issues**
- **Abuse issues**
- **Self-esteem issues**
- **Low motivation**
- **Educational issues**
- **Sexual issues**

# **I. THE VERBALLY AGGRESSIVE AND POTENTIALLY VIOLENT STUDENT**

Aggression can take many forms ranging from very subtle and passive acts to violent outbursts. Aggression is often the result of being frustrated and feeling out of control. It is important to remember that the student is generally not angry with you personally, but is angry at his/her world, and you may be the object of pent-up frustrations. Some of the most difficult situations involve dealing with potential danger to self or others, especially when the danger is associated with aggressive behavior. Aggressive behavior occurs in many contexts and varies from verbal abuse to severe physical abuse. In most situations it is difficult to predict aggression until the person's behavior changes. For example, (a) a person could be quiet, reserved, hard working, and intelligent but prone to hostile, aggressive outbursts; (b) a person could have social resentment, a lack of moral inhibitions, suspiciousness, and intermittent explosive episodes; (c) another person could have rigid control of his/her emotional expressions, an inability to verbally express him/herself and over-controlled responses to hostility, but sporadic and extremely assaultive episodes; or (d) a person with no history of violence may have aggressive outbursts that occur only in association with substance intoxication or substance withdrawal.

**When you encounter a verbally aggressive or potentially violent student:**

## **DO:**

1. First determine if you feel safe with the student. If you feel unsafe, remove yourself from the situation and call Campus Police at 384-6054 or dial 911.
2. Remain in an open area, preferably with an exit door near you.
3. Allow the student to vent their thoughts and feelings, if safe to do so.
4. Stay calm and attempt to control the situation by clearly setting limits and addressing the issue of concern. Clearly explain the behaviors that are acceptable and unacceptable.
5. If the student remains aggressive, tell him/her to make an appointment with you after he/she has calmed down.
6. Contact Campus Police, x6054 to report the situation.
7. Debrief the situation with your Division Head or Supervisor, and document the incident.
8. When appropriate, report the incident to the Crisis Consultation and Assessment Team, the Vice President of Student Personnel and your area Vice President.

## **DO NOT:**

1. Remain in a place that you do not feel is safe.
2. Engage in a screaming match.
3. Make promises you cannot keep.
4. Ignore warning signs that the person's anger is escalating.
5. Threaten, dare, taunt or back a student into a corner.
6. Allow yourself to be backed into a corner.
7. Touch the student or crowd his/her personal space.
8. Meet alone with the student.

**NOTE: ANY threat of physical violence is to be reported to Campus Police immediately.**

## **II. THE DEPRESSED STUDENT**

Depression is a pervasive problem in our society and does not discriminate demographically. Depression differs from feeling sad or struggling with life events. Depression has symptoms of significant duration and severity. The most common features of depression are feeling empty, hopeless, helpless, worthless and unloved; a deep sense of sadness and emotional pain; the inability to experience pleasure in many activities; irregular sleep and eating patterns; difficulty concentrating, retaining information and making decisions; and fatigue and social isolation. Some depressed students experience agitation, anxiety, and intense anger. Some have recurrent thoughts of destruction and are preoccupied with death. Some desire to escape the pain through suicide. Fortunately, depression responds to treatment, and most of those treated show improvement.

Refer to *Crisis Intervention Guidelines* and *The Suicidal Student* if you feel the student is suicidal.

When dealing with a depressed student:

### **DO:**

1. See the student in private, if possible.
2. Validate the student's feelings and experience.
3. Listen to the information the student is sharing.
4. Be supportive and express your concern about the situation.
5. Be directive and concise about a plan of action.
6. Initiate the action plan, such as having the student call from your office for a counseling appointment.
7. Ask if the student has any thought of hurting him/herself (do not be afraid to ask this question).
8. Refer the student to Personal Counseling at x6045.
9. Be willing to consider a request for, or offer an accommodation (e.g., extension on a paper, exam or project) if you feel it is appropriate.

### **DO NOT:**

1. Ignore the student.
2. Minimize the situation.
3. Say, "I know how you feel".
4. Argue with the student.
5. Provide too much information for the student to process and retain.
6. Expect the student to stop feeling depressed without some form of intervention.
7. Assume the family knows about the student's depression.

### **III. THE SUICIDAL STUDENT**

Suicide is the second leading cause of death among college students. Suicidal states are temporary and usually associated with major depression, a combination of acute anxiety and severe depression, post-traumatic stress disorder and bipolar disorder. Suicidal persons tend to give clues to those around them. Most people who have attempted suicide discussed their intent to do so with someone around them. The initiation of the suicidal event is likely to be triggered by a major life stress such as a loss or threat of loss (e.g. death of family/friend, end of a significant relationship, flunking out of school). Some indicators of potential suicidal behavior include: talk of ending things (e.g. quitting school, work); giving things away; taking care of business, statements of hopelessness, and a lift in depression or surge of energy. Students with a specific plan and means (medication, knives, or gun) to carry out the plan have a high level of lethality.

#### *Facts about suicides:*

1. More men commit suicide but more women attempt suicide.
2. There are more attempts at the beginning and end of semesters.
3. People committing suicide rarely want to die; they want to end the pain.
4. Talking about suicide will not plant the idea in a person's mind, but will probably relieve some of the tension they are experiencing.
5. Suicides rarely occur without warning.
6. Feeling isolated (no support group) increases the likelihood for suicide.
7. The more developed the suicide plan, the greater the likelihood.

**This is a reportable event and immediate intervention is required.**  
**You MUST contact Student Health Services at x6045, Campus Police at x6054**  
**and/or the**  
**Mental Health Crisis Line at 381-6800.**

#### **DO:**

1. When possible, see the student in private.
2. Remain calm.
3. Take the student seriously and acknowledge the threat as a serious plea for help.
4. Listen to the student and respond with concern and care.
5. Reassure the student that you will help him/her find psychological care.

#### **DO NOT:**

1. Minimize the situation. All threats need to be handled as potentially lethal.
2. Argue with the student about the merits of living.
3. Be afraid to ask the student about his/her intent and /or plans of suicide.
4. Agree to be bound by confidentiality.
5. Over commit yourself and not be able to deliver what you promise.
6. Allow friends to take care of the student without getting a professional opinion.
7. Leave the student alone until help arrives.

**MENTAL HEALTH CRISIS LINE 24 HOURS (209) 381-6800**  
**NATIONAL CRISIS HOTLINE 24 HOURS 1-800-784-2433**

## IV. THE STUDENT OUT OF TOUCH WITH REALITY

Some of the features of being out of touch with reality are disorganized speech, disorganized behavior, increase in odd or eccentric behavior, inappropriate or no expression of emotion, expression of erroneous beliefs that usually involve a misinterpretation of reality, expression of bizarre thoughts that could involve visual or auditory hallucinations, withdrawal from social interactions, an inability to connect with people and an inability to track and process thoughts that are based in reality. Many of the disorders that involve psychotic features have an onset between the late teens and the mid-thirties.

When you encounter a student who demonstrates a gross impairment in reality testing:

### DO:

1. **Call Merced College Switchboard Emergency Line at x6400, Campus Police x6054 and/or Student Health Services x6045. If they are unavailable, contact the Mental Health Crisis Line at 381-6800.**
2. **Speak to the student in a concrete and direct manner.**
3. **Tell the student the plan for getting him/her to a safe environment, and repeat the plan, emphasizing the safe environment.**
4. **Be aware that the student may show no emotions or intense emotions.**
5. **Be aware that the student may be extremely fearful to the extent of paranoia.**
6. **Be aware that the student may not understand you or understand only pieces of what is being said.**
7. **Be aware that a student in this state may pose a danger to self or others.**
8. **Be flexible in how you proceed with the student.**

### DO NOT:

1. **Crowd the student's personal space.**
2. **Assume the student will be able to take care of him/herself when out of touch with reality.**
3. **Agitate the student.**
4. **Argue with the student's erroneous thought processes.**
5. **Assume the student can understand you.**
6. **Chase after the student who decides to run. Call Campus Police at 384-6054 for assistance.**
7. **Allow friends to take care of the student without getting a professional opinion.**
8. **Assume the family knows about the student's condition.**

## **V. THE ANXIOUS STUDENT**

Anxiety disorders are the most common psychiatric conditions in the United States, affecting more than 23 million people. Anxiety disorders are grouped into twelve distinct diagnostic categories, among which are generalized anxiety, social anxiety, panic disorder, obsessive-compulsive disorder, post-traumatic stress disorder, and phobias. Some symptoms of anxiety include: intense tension or fear when there is no danger, feelings of losing control and a sense of doom, confusion, excessive worry, irrational thoughts, catastrophic thinking, avoidance behavior, hyper-vigilance, physical agitation, and the inability to sleep and eat. Some students may have generalized anxiety, which can impact their ability to perform academically by affecting concentration, memory, the processing of information, the ability to recall information, and the ability to comprehend. Others may struggle with a specific type, such as performance anxiety, that can affect an oral presentation, or test taking anxiety, that impacts the ability to perform on a test. Research suggests that when treating persons with high levels of anxiety, the most effective treatment is the combination of psychotherapy and psychotropic medication.

When you encounter a student who you suspect is struggling with an anxious condition:

### **DO:**

1. Talk to the student in private, when possible.
2. Remain calm
3. Manage the situation in a soothing, supportive manner.
4. Focus on the relevant information
5. Respectfully help the student focus on items that can be addressed.
6. Speak in an explicit, concrete and concise manner.
7. Assist the student in developing an action plan.
8. Contact or refer the student to Student Health Services or Personal Counseling, Ext. 6045.

### **DO NOT:**

1. Make solutions complicated
2. Overwhelm the student with information.
3. Argue with irrational thoughts or catastrophic thinking.
4. Crowd the person's physical personal space.
5. Try to solve all problems presented.
6. Devalue the information presented.
7. Assume the family knows about the student's anxiety.
8. Assume the student will get over his/her anxiety without treatment.

It is not uncommon for students with a great deal of anxiety to experience a panic attack. A panic attack is an overwhelming sense of dread and fear and is the extreme result of feeling anxious. Some of the physiologic and psychological components of general anxiety and a panic attack are:

- |                      |                          |
|----------------------|--------------------------|
| • Rapid heartbeat    | Difficulty concentrating |
| • Sweating           | Choking                  |
| • Fear/Worry         | Cold, clammy hands       |
| • Memory distortions | Chest pain or discomfort |
| • Dizziness          | Trembling or shaking     |

## **VI. THE SUBSTANCE ABUSING STUDENT**

Alcohol is the most widely used psychoactive drug. It is common to find alcohol abusers in college populations also abusing other drugs, both prescription and illicit. Fads and peer pressure affect patterns of use. Locally, we know methamphetamine and marijuana use is common. The effects of alcohol on the user are well known to most of us. Substance abuse problems often come to the attention of faculty when irresponsible, unpredictable behaviors begin to affect the learning process or environment (i.e. drunk and disorderly in class). Because of the denial that exists in most substance abusers, it is important to **express your concern in terms of specific changes in behavior or performance rather than in terms of suspicions.**

### **DO:**

1. Discuss the behavior of concern with the student.
2. Address the substance abuse issue if the student is open and willing.
3. Offer support and concern for the student's overall well being.
4. Maintain contact with the student after a referral is made.
5. Refer the student to Health Services and/or Personal Counseling.

### **DO NOT:**

1. Convey judgment or criticism about the student's substance abuse.
2. Make allowances for the student's irresponsible behavior.
3. Ignore signs of intoxication in the classroom.

**NOTE:** Being under the influence of alcoholic beverages and/or illegal narcotics/drugs on college premises, or college-sponsored events is against the Standards of Student Conduct and subject to disciplinary actions. *If you suspect a student is under the influence of drugs or alcohol please call Campus Police, x6054.*

# **APPENDIX A**

## **BOARD POLICY 5500      STANDARDS OF CONDUCT**

### ***Reference:***

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

**The Superintendent/President shall establish procedures for the imposition of discipline on students in accordance with the requirements for due process of the federal and state law and regulations.**

**The procedures shall clearly define the conduct that is subject to discipline, and shall identify potential disciplinary actions, including but not limited to the removal, suspension or expulsion of a student.**

**The Board shall consider any recommendation from the Superintendent/President for expulsion. The Board shall consider an expulsion recommendation in closed session unless the student requests that the matter be considered in a public meeting. Final action by the Board on the expulsion shall be taken at a public meeting.**

**The procedures shall be made widely available to students through the college catalog and other means.**

**See Administrative Procedure 5500.**

**Adopted 3/5/02**

**Revised 4/6/04**

## **ADMINISTRATIVE PROCEDURE 5500 - Standards of Conduct**

### **Reference:**

*Education Code Section 66300*

### **Definitions**

The following conduct shall constitute good cause for discipline, including but not limited to the removal, suspension or expulsion of a student.

- ❖ **Causing, attempting to cause, or threatening to cause physical injury to another person.**
- ❖ **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 college president.**
- ❖ **Unlawful 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.**
- ❖ **Committing or attempting to commit robbery or extortion.**
- ❖ **Causing or attempting to cause damage to district property or to private property on campus.**
- ❖ **Stealing or attempting to steal district property or private property on campus, or knowingly receiving stolen district property or private property on campus.**
- ❖ **Willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of the college or the District.**
- ❖ **Committing sexual harassment as defined by law or by District policies and procedures.**
- ❖ **Engaging in harassing or discriminatory behavior based on race, sex, (i.e., gender) religion, age, national origin, disability, or any other status protected by law.**
- ❖ **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.**
- ❖ **Disruptive behavior, willful disobedience, habitual profanity or vulgarity, or the open and persistent defiance of the authority of, or persistent abuse of, college personnel.**
- ❖ **Cheating, plagiarism (including plagiarism in a student publication), or engaging in other academic dishonesty.**

- ❖ **Dishonesty; forgery; alteration or misuse of college documents, records or identification; or knowingly furnishing false information to the District.**
- ❖ **Unauthorized entry upon or use of college facilities.**
- ❖ **Lewd, indecent or obscene conduct on District-owned or controlled property, or at District-sponsored or supervised functions.**
- ❖ **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.**
- ❖ **Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.**
- ❖ **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.**

**Adopted 3/5/02**  
**Revised 4/6/04**

# **APPENDIX B**

## **ADMINISTRATIVE PROCEDURE 5520 - Student Discipline Procedures**

*Reference: Education Code Section 66300, 72122, 76030*

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.

These Administrative Procedures are 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.

### **Definitions**

**District.** The Merced Community College District

**Student.** Any person currently enrolled as a student at any college or in any program offered by the District.

**Instructor.** Any academic employee of the District in whose class a student subject to discipline is enrolled, or counselor who is providing or has provided services to the student, or other academic employee who has responsibility for the student's educational program.

**Short-term Suspension.** Exclusion of the student by the Superintendent/President for good cause from one or more classes for a period of up to ten consecutive days of instruction.

**Long-term Suspension.** Exclusion of the student by the Superintendent/President for good cause from one or more classes for the remainder of the school term, or from all classes and activities of the college for one or more terms.

**Expulsion.** Exclusion of the student by the Board of Trustees from all colleges in the District for one or more terms.

**Removal from class.** Exclusion of the student by an instructor for the day of the removal and the next class meeting.

**Written or verbal reprimand.** An admonition to the student to cease and desist from conduct determined to violate the Standards of Student Conduct. Written reprimands may become part of a student's permanent record at the college. A record of the fact that a verbal reprimand has been given may become part of a student's record at the college for a period of up to one year.

**Withdrawal of Consent to Remain on Campus.** Withdrawal of consent by the Vice President, Student Personnel Services for any person to remain on campus in accordance with California Penal Code Section 626.4 where the Vice President, Student Personnel Services has reasonable cause to believe that such person has willfully disrupted the orderly operation of the campus.

**Day.** Days during which the District is in session and regular classes are held, excluding Saturdays and Sundays.

**Short-term Suspensions, Long-term Suspensions, and Expulsions**

Before any disciplinary action to suspend or expel is taken against a student, the following procedures will apply:

**Notice.**

The Vice President, Student Personnel Services will provide the student with written notice of the conduct warranting the discipline. The written notice will include the following:

- The specific section of the Standards of Student Conduct that the student is accused of violating.
- A short statement of the facts supporting the accusation.
- The right of the student to meet with the Vice President, Student Personnel Services or designee to discuss the accusation, or to respond in writing.
- The nature of the discipline that is being considered.

**Time limits.** The notice must be provided to the student within 5 days of the date on which the conduct took place; in the case of continuous, repeated or ongoing conduct, the notice must be provided within 5 days of the date on which conduct occurred which led to the decision to take disciplinary action.

**Meeting.** If the student chooses to meet with the Vice President, Student Personnel Services, the meeting must occur no sooner than 3 days after the notice is provided. At the meeting, the student must again be told the facts leading to the accusation, and must be given an opportunity to respond verbally or in writing to the accusation.

**Short-term Suspension.**

Within 5 days after the meeting described above, the Superintendent/President shall, pursuant to a recommendation from the Vice President, Student Personnel Services decide whether to impose a short-term suspension, whether to impose some lesser disciplinary action, or whether to end the matter. Written notice of the Superintendent/President's decision shall be provided to the student. The notice will include the length of time of the suspension, or the nature of the lesser disciplinary action. The Superintendent/President's decision on a short-term suspension shall be final.

**Long-term Suspension.**

Within 10 after the meeting described above, the Superintendent/President shall, pursuant to a recommendation from the Vice President, Student Personnel Services, decide whether to impose a long-term suspension. Written notice of the Superintendent/President's decision shall be provided to the student. The notice will include the right of the student to request a formal hearing before a long-term suspension is imposed, and a copy of this policy describing the procedures for a hearing.

## **Expulsion.**

Within 5 days after the meeting described above, the Superintendent/President shall, pursuant to a recommendation from the Vice President, Student Personnel Services, decide whether to recommend expulsion to the Board of Trustees. Written notice of the Superintendent/President's decision shall be provided to the student. The notice will include the right of the student to request a formal hearing before expulsion is imposed, and a copy of this policy describing the procedures for a hearing.

### **Hearing Procedures:**

**Request for Hearing.** Within 5 days after receipt of the Superintendent/President's decision regarding a long-term suspension or expulsion, the student may request a formal hearing. The request must be made in writing to the Superintendent/President or designee.

**Schedule of Hearing.** The formal hearing shall be held within 10 days after a formal request for hearing is received.

**Hearing Panel.** The hearing panel for any disciplinary action shall be composed of one administrator or manager, two faculty and two students.

The President of the Faculty Senate and the President of ASMC shall, at the beginning of the academic year, establish a list of five persons who will serve on student disciplinary panels. Two faculty and two students will be selected, at random, to serve on a hearing panel. The Superintendent/President shall appoint an administrator/ manager to serve on each panel. However no administrator, manager, faculty member or student who has any personal involvement in the matter to be decided, who is a necessary witness, or who could not otherwise act in a neutral

**Hearing Panel Chair.** The hearing panel shall elect one member of the panel to serve as the chair. The decision of the hearing panel chair shall be final on all matters relating to the conduct of the hearing unless there is a vote by both other members of the panel to the contrary.

### **Conduct of the Hearing.**

The members of the hearing panel shall be provided with a copy of the accusation against the student and any written response provided by the student before the hearing begins.

The facts supporting the accusation shall be presented by a college representative who shall be the Vice President, Student Personnel Services.

The college representative and the student may call witnesses and introduce oral and written testimony relevant to the issues of the matter.

Formal rules of evidence shall not apply. Any relevant evidence shall be admitted.

Unless the hearing panel determines to proceed otherwise, the college representative and the student shall each be permitted to make an opening statement. Thereafter, the college representative shall make the first presentation, followed by the student. The college representative may present rebuttal evidence after the student completes his or her evidence. The burden shall be on the college representative to prove by substantial of evidence that the facts alleged are true.

The student may represent himself or herself, and may also have the right to be represented by a person of his or her choice. Except that the student shall not be represented by an attorney unless, in the judgment of the hearing panel, complex legal issues are involved. If the student wishes to be represented by an attorney, a request must be presented not less than five days prior to the date of the hearing. If the

student is permitted to be represented by an attorney, the college representative may request legal assistance. The hearing panel may also request legal assistance; any legal advisor provided to the panel may sit with it in an advisory capacity to provide legal counsel but shall not be a member of the panel nor vote with it.

Hearings shall be closed and confidential unless the student requests that it be open to the public. Any such request must be made no less than 5 days prior to the date of the hearing.

In a closed hearing, witnesses shall not be present at the hearing when not testifying, unless all parties and the panel agree to the contrary.

The hearing shall be recorded by the District either by tape recording or stenographic recording, and shall be the only recording made. No witness who refuses to be recorded may be permitted to give testimony. In the event the recording is by tape recording, the hearing panel chair shall, at the beginning of the hearing, ask each person present to identify themselves by name, and thereafter shall ask witnesses to identify themselves by name. Tape recording shall remain in the custody of the District at all times, unless released to a professional transcribing service. The student may request a copy of the tape recording.

All testimony shall be taken under oath; the oath shall be administered by the hearing panel chair. Written statements of witnesses under penalty of perjury shall not be used unless the witness is unavailable to testify. A witness who refuses to be tape recorded is not unavailable.

Within five days following the close of the hearing, the hearing panel shall prepare and send to the Superintendent/President a written decision. The decision shall include specific factual findings regarding the accusation, and shall include specific conclusions regarding whether any specific section of the Standards of Student Conduct were violated. The decision shall also include a specific recommendation regarding the disciplinary action to be imposed, if any. The decision shall be based only on the record of the hearing, and not on matter outside of that record. The record consists of the original accusation, the written response, if any, of the student, and the oral and written evidence produced at the hearing.

#### **Superintendent/President's Decision:**

**Long-term suspension.** Within 5 days following receipt of the hearing panel's recommended decision, the Superintendent/President shall render a final written decision. The Superintendent/President may accept, modify or reject the findings, decisions and recommendations of the hearing panel. If the Superintendent/President modifies or rejects the hearing panel's decision, the Superintendent/President shall review the record of the hearing, and shall prepare a new written decision which contains specific factual findings and conclusions. The decision of the Superintendent/President shall be final.

**Expulsion.** Within 5 days following receipt of the hearing panel's recommended decision, the Superintendent/President shall render a written recommended decision to the Board of Trustees. The Superintendent/President may accept, modify or reject the findings, decisions and recommendations of the hearing panel. If the Superintendent/President modifies or rejects the hearing panel's decision, he or she shall review the record of the hearing, and shall prepare a new written decision which contains specific factual findings and conclusions. The Superintendent/President's decision shall be forwarded to the Board of Trustees.

### **Board of Trustees Decision:**

The Board of Trustees shall consider any recommendation from the Superintendent/President for expulsion at the next regularly scheduled meeting of the Board after receipt of the recommended decision.

The Board shall consider an expulsion recommendation in closed session, unless the student has requested that the matter be considered in a public meeting in accordance with these procedures. (Education Code Section 72122)

The student shall be notified in writing, by registered or certified mail or by personal service, at least three days prior to the meeting, of the date, time, and place of the Board's meeting.

The student may, within forty-eight hours after receipt of the notice, request that the hearing be held as a public meeting.

Even if a student has requested that the Board consider an expulsion recommendation in a public meeting, the Board will hold any discussion that might be in conflict with the right to privacy of any student other than the student requesting the public meeting in closed session.

The Board may accept, modify or reject the findings, decisions and recommendations of the Superintendent/President and/or the hearing panel. If the Board modifies or rejects the decision, the Board shall review the record of the hearing, and shall prepare a new written decision which contains specific factual findings and conclusions. The decision of the Board shall be final.

The final action of the Board on the expulsion shall be taken at a public meeting, and the result of the action shall be a public record of the District.

### **Immediate Interim Suspension [Education Code Section 66017]:**

The Superintendent/President may order immediate suspension of a student where he or she concludes that immediate suspension is required to protect lives or property and to ensure the maintenance of order. In cases where an interim suspension has been ordered, the time limits contained in these procedures shall not apply, and all hearing rights, including the right to a formal hearing where a long-term suspension or expulsion is recommended, will be afforded to the student within ten (10) days.

### **Removal from Class [Education Code Section 76032]:**

Any instructor may order a student removed from his or her class for the day of the removal and the next class meeting. The instructor shall immediately report the removal to the Superintendent/President and the Vice President, Instruction. The Vice President, Instruction shall arrange for a conference between the student and the instructor regarding the removal. If the instructor or the student requests, the Vice President, Instruction shall attend the conference. The student shall not be returned to the class during the period of the removal without the concurrence of the instructor. Nothing herein will prevent the Vice President, Instruction from recommending further disciplinary procedures in accordance with these procedures based on the facts which led to the removal.

### **Withdrawal of Consent to Remain on Campus**

The Vice President, Student Personnel Services may notify any person for whom there is a reasonable belief that the person has willfully disrupted the orderly operation of the campus that consent to remain on campus has been withdrawn. If the person is on campus at the time, he or she must promptly leave or be escorted off campus. If consent is withdrawn by the Vice President, Student Personnel Services a written report must be promptly made to the Superintendent/President.

The person from whom consent has been withdrawn may submit a written request for a hearing on the withdrawal within the period of the withdrawal. The request shall be granted not later than seven days from the date of receipt of the request. The hearing will be conducted in accordance with the provisions of this procedure relating to interim suspensions.

In no case shall consent be withdrawn for longer than 10 days from the date upon which consent was initially withdrawn.

Any person as to whom consent to remain on campus has been withdrawn who knowingly reenters the campus during the period in which consent has been withdrawn, except to come for a meeting or hearing, is subject to arrest. [Penal Code Section 626.4]

### **Time Limits:**

Any times specified in these procedures may be shortened or lengthened if there is mutual concurrence

Adopted 3/5/02

# Assisting Students in Distress

## Assisting Students in Distress

### WHAT YOU CAN DO

#### Immediate Threat

*If you believe someone may pose an immediate threat to themselves or others, or is gravely disabled, immediately call*

*Campus Police at 384-6054, Switchboard Emergency # 384-6400, or dial 911.*

#### Be Prepared To Give:

1. Nature of emergency, exact location, and phone number.
2. Your name, location, and phone number.
3. Stay on the line for directions.

#### No Immediate Threat

*Refer students to Student Health Services/Personal Counseling, 384-6045 or 384-6044.*

*Refer employees to Human Resources.*

### CAMPUS CONTACT INFORMATION

- Switchboard Emergency Line-384-6400
- Campus Police-384-6054
- Student Health Services-384-6045 (Located in the Student Union)
- Personal Counseling (Counselor Office)-384-6044
- Personal Counseling (Appointments)-384-6045

### CRISIS CONSULTATION AND ASSESSMENT TEAM

- Dr. Anne Newins, Vice President, Student Personnel-384-6185
- Jim Wilde, Director, Campus Police-384-6054
- Donya Avila, RN, Student Health Services- 384-6045
- Jill Henningsgaard, LMFT, Personal Counseling-384-6044
- Dr. Jeanie Clifford, Professor of Psychology- 384-6070
- Lyle Davis, Guidance Division Counselor- 384-6050
- Richard Marashlian, Director, Disabled Student & Student Health Services- 384-6155

### OTHER RESOURCES

- Merced County Department of Mental Health- (209) 381-6800
- Valley Crisis Center (Domestic Violence)- 722-HELP (722-4357)
- National Suicide Hotline 1-800-784-2433 (1-800-SUICIDE)