

Introduced by Senator Hancock

February 21, 2014

An act to amend Section 76030 of the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

SB 1400, as introduced, Hancock. Community colleges: expulsions.

Existing law requires a governing board, the president of a community college, or the president's designee, or an instructor to suspend a student for good cause. Existing law authorizes the governing board 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. Existing law requires the suspension or expulsion of a student to be accompanied by a hearing as provided.

This bill would authorize the governing board of a community college to expel a student, without further proceedings, if good cause for the issuance of an order protecting a campus of the district, or any person regularly present on a campus of the district, is issued by a court against the student after an evidentiary hearing.

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 76030 of the Education Code is amended
- 2 to read:
- 3 76030. (a) Consistent with requirements of due process of
- 4 law, with ~~the provisions of this article~~, and with the rules of student

1 conduct adopted by the governing board under Section 66300, the
2 governing board, the president of a community college or the
3 president's designee, or an instructor shall suspend a student for
4 good cause. In addition, the governing board is authorized to expel
5 a student for good cause when other means of correction fail to
6 bring about proper conduct, or when the presence of the student
7 causes a continuing danger to the physical safety of the student or
8 others. The suspension or expulsion of a student shall be
9 accompanied by a hearing conducted pursuant to the requirements
10 of Section 66017.

11 *(b) Notwithstanding this article and Section 66017, the*
12 *governing board of a community college may expel a student,*
13 *without further proceedings, if good cause for the issuance of an*
14 *order protecting a campus of the district, or any person regularly*
15 *present on a campus of the district, is issued by a court against*
16 *the student after an evidentiary hearing.*