

**Edition**

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NAPA VALLEY COLLEGE

2015/2016

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*Administrator/Faculty/Staff Guide*

# Assisting the Emotionally Distressed Student

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## **Introduction**

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Dear Colleagues,

Pursuing one's educational goals should be a journey of wonder, exhilaration, and discovery. For some of our students, this journey can also be fraught with anxiety, depression, and distress stemming from self-doubt, lack of support, economic situations, life challenges, personal relationship problems, mental health and emotional issues, and the like. Our role as educators is to not only fuel the mind but to address the needs of the "whole" student so that the vital learning processes of intellectual inquiry and cognitive engagement are supported by a healthy physical and mental outlook.

At Napa Valley College, we have a strong program of support in place for our students in need of personal and crisis counseling and intervention. The high caliber of this program emanates from the unflagging commitment of our dedicated faculty, staff, consultants, and interns who provide these important services. We are indeed fortunate to be able to serve students in such a holistic manner and to provide such high quality support.

Addressing the needs of the "whole" student requires a tripartite partnership between you, our colleagues in student support services, and our students in need. Please use this guide as a resource should you encounter students who demonstrate a need for intervention and/or support. And do feel free to contact any of the individuals listed on Page 17 of this guide to obtain more information or seek guidance about a troubled student.

On behalf of our students, Napa Valley College, and your colleagues, I thank you for caring, for your sensitivity, and for seeking out information and guidance to support our students as they seek to achieve their educational dreams.

Warm regards,



Oscar De Haro  
Vice President of Student Services  
Napa Valley College

### **Acknowledgements**

*This guide is a result of the collaborative efforts of many community college educators throughout the state dedicated to providing an optimal learning environment for all students.*

## **Your Role**

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As a faculty, staff or administrator interacting with students, you are in an excellent position to recognize behavior changes that characterize the emotionally distressed student. A student's behavior, especially if it is inconsistent with your previous observations, could well constitute an inarticulate attempt to draw attention to his/her plight...“a cry for help”. Your ability to recognize the signs of emotional distress and to acknowledge your concerns directly to him/her is often noted by students as the most significant factor in their successful problem resolution.

### **Signs of Distress**

- Missed classes/assignments
- Inability to concentrate
- Confusion
- Persistent worrying
- Social isolation
- Increased irritability
- Restlessness
- Bizarre behavior
- Procrastination
- Dangerous behavior
- Disheveled appearance
- Mood swings
- Indecisiveness

## Crisis Intervention

The staff at the Napa Valle College Student Health Center goal is to link faculty, staff, and students to campus and community resources (see schematic, Pg 15.) This includes assisting in an *Imminent*, *Urgent*, or *Uncertain* situation involving anyone on campus.

If there is an Imminent, Urgent, or Uncertain situation, a call for intervention must be made. **When in doubt, err on the side of making that call.**

### EXAMPLES OF CRISIS

Imminent Danger	Urgent	Uncertain
Call 911 Or Campus Police #511 (on campus phone) or 256-7777	Campus Police 707-256-7777 AND Health Services 256-7780	Call Health Services 256-7780 or Call Campus Police to bring student to Health Center
Threats of Physical Violence	Injury Due to Medical Condition	Recent Death of Friend
Witness to Physical Assault	Fear for Life: of Self or Other	Recent Death of Family Member
Witness to an Accident	Abuse: Child, Spousal, Elder	Anger or Hostility
Threats of Suicide	Sexual Assault	Disoriented/Confused
Under the Influence: Drugs/Alcohol	Loss of Control	Extreme Sadness

**Daytime Hours:** Student Health Center- **MON, WED** 9:00am to 4:00pm, **THU, FRI** 9:00am to 3:00pm. **Activate response by calling,** 256-7780 or **College Police:** 256-7777

**Evening Hours:** TUE 2:30pm-7:00pm **256-7780** or College Police: **256-7777.**

#### Outside Operational Hours:

If a crisis occurs outside the above hours, contact the District Police, **9-1-1** or **257-9500.**  
For non-urgent consultation MON-THU contact the Evening Administrator.

#### Strategy During A Crisis

When dealing with most students in crisis, conveying your concern and willingness to help in any way you can, including referral, is probably the most important thing you can do.

## **Personal Counseling**

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### ***Personal Counseling Services***

NVC personal counseling services are designed for students who can benefit from short-term mental health intervention. If the initial assessor determines the student requires longer term counseling, s/he will likely be referred to a more appropriate off-campus resource.

**Early intervention is preferable to crisis intervention.**

When you do discuss a referral for personal counseling services with a student, it is helpful for the student to hear in a clear, concise manner your concerns and why you think counseling would be helpful. Share information about on-campus services available: all services are free to regularly enrolled students; all discussions are confidential except when the student presents a danger to self or others or when the counselor has reasonable suspicion that child or elder abuse is occurring. These situations mandate reporting.

Placing the initiative on the student to seek appointment services increases his/her personal responsibility and commitment to come in for counseling. There may be urgent times, however, when it is best for you to call to make an appointment with him/her or to accompany the student to a counselor on campus (e.g. crisis situation.). Staff persons are available as follows to insure prompt attention to begin the process:

**During Daytime Hours: Mon, Wed- 9:00am to 4:00pm Tues- 9:00am to 2:00pm & 2:30pm to 7:00PM. Thur, Frid- 9:00am to 3:00pm.**

Student Health Services, **256-7780**

**During Evening Hours: Call campus police at 256-7777.**

**and/or call one of the National hotlines: 800-273-TALK (mental health/suicide), 866-488-7386 (specialize in LGBTQ population)**

**Outside Operational Hours:**

Call (256-7780), leave a message, and a staff member will return your call the next business day.

## Identifying Students in Need of Assistance

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### *The Depressed Student*

Depression, and the variety of ways it manifests itself, is part of a natural emotional and physical response to life's ups and downs. With the busy and demanding life of a college student, it is safe to assume that most students will experience periods of reactive depression in their college careers. When the depressive symptoms become so extreme or are so enduring that they begin to interfere with the student's ability to function in school, work or social environment, the student will come to your attention and be in need of assistance.

Because faculty and staff have varied and ongoing opportunities to observe and interact with students, they are often the first to recognize that a student is in distress. Look for a pattern of these indicators:

- Tearfulness/general emotionality
- Markedly diminished performance
- Dependency (a student who makes excessive requests for your time)
- Infrequent class attendance
- Lack of energy/motivation
- Increased anxiety/test anxiety/performance anxiety
- Irritability
- Deterioration in personal hygiene
- Significant weight loss or gain
- Alcohol or drug use

Students experiencing depression often respond well to a small amount of attention for a short period of time. Early intervention increases the chances of the student's rapid return to optimal performance.

#### **Do:**

- Let the student know you're aware she/he is feeling down and you would like to help.
- Encourage the student to discuss how she/he is feeling with someone they trust.
- Offer to assist student in referring him/her for personal counseling.

#### **Don't:**

- Minimize the student's feelings, e.g., "Don't worry." "Everything will be better tomorrow".
- Bombard the student with "fix it" solutions or advice.
- Chastise the student for poor or incomplete work.
- Be afraid to ask the student whether he/she is suicidal.

## ***The Suicidal Student***

Suicide is the second leading cause of death among college students. It is important to view all suicidal comments as serious and make appropriate referrals. High-risk indicators include: feelings of hopelessness, helplessness and futility, a severe loss or threat of loss, a detailed suicide plan, a history of a previous attempt, history of alcohol or drug abuse, feelings of alienation and isolation.

### ***Do:***

- Take the student seriously – 80 percent of suicides give a warning of their intent.
- Be direct – ask if the student is suicidal, if he/she has a plan and if he/she has the means to carry out that plan. Exploring this with the student actually decreases the impulse to use it.
- Be available to listen.
- Contact Health Services
- Advise Police if threat of suicide is imminent

### ***Don't:***

- Assure the student that you are his/her best friend; agree you are a stranger, but even strangers can be concerned.
- Be overly warm and nurturing.
- Flatter or participate in their games; you don't know their rules.
- Be cute or humorous.
- Challenge or agree with any mistaken or illogical beliefs.
- Be ambiguous.

## ***The Anxious Student***

Anxiety is a normal response to a perceived danger or threat to one's well being. For some students the cause of their anxiety will be clear but for others it is difficult to pinpoint. Regardless of the cause, the resulting symptoms may be experienced as rapid heart palpitations, chest pain or discomfort, dizziness, sweating, trembling or shaking, and cold, clammy hands. The student may also complain of difficulty concentrating, always being "on the edge," having difficulty making decisions or being too fearful to take action. In rare cases, a student may experience a panic attack in which the physical symptoms occur spontaneously and intensely in such a way that the student may fear he/she is dying. The following guidelines remain appropriate in most cases.

### ***Do:***

- Let them discuss their feelings and thoughts. Often this alone relieves a great deal of pressure.
- Provide reassurance.
- Remain calm.
- Be clear and directive.
- Provide a safe and quiet environment until the symptoms subside (refer student to Health Services for rest).
- Offer to assist the student in referring her/him for personal counseling.

### ***Don't:***

- Minimize the perceived threat to which the student is reacting.
- Take responsibility for their emotional state.
- Overwhelm them with information or ideas to "fix" their condition.

## ***The Student in Poor Contact with Reality***

These students have difficulty distinguishing fantasy from reality, the dream from the waking state. Their thinking is typically illogical, confused or irrational; their emotional responses may be incongruent or inappropriate; and their behavior may be bizarre and disturbing. This student may elicit alarm or fear from others, they are generally not dangerous and are more frightened and overwhelmed by you than you are by them. If you cannot make sense of their conversation, they may be in trouble.

### ***Do:***

- Respond with warmth and kindness, but with firm reasoning.
- Remove extra stimulation from the environment, (turn off the radio; step outside of a noisy classroom).
- Acknowledge your concerns, state that you can see they need help.
- Contact Health Services.
- Acknowledge their feelings or fears without supporting the misperceptions, e.g., “I understand you think someone is following you, but I don’t see anyone and I believe you’re safe.”
- Focus on the “here and now.” Ask for specific information about the student’s awareness of time, place and destination.
- Speak to their healthy side, which they have. It’s OK to laugh and joke when appropriate.

### ***Don’t:***

- Argue or try to convince them of the irrationality of their thinking. This commonly produces a stronger defense of the false perceptions.
- Play along, e.g., “Oh yeah, I hear the voices (or see the devil).”
- Encourage further discussion of the delusional processes.
- Demand, command, or order.
- Expect customary emotional responses.

## ***The Verbally Aggressive Student***

Students may become verbally abusive when in frustrating situations that they see as being beyond their control. Anger and frustration may result in explosive outbursts or ongoing belligerent, hostile behavior - this student's way of gaining power and control in an otherwise out-of-control experience. It is important to remember that the student is generally not angry with you personally, but is angry at his/her world and you are the object of pent-up frustrations. This behavior is often associated with the use of alcohol and other drugs.

### ***Do:***

- Acknowledge their anger and frustration, e.g., "I hear how angry you are."
- Rephrase what they are saying and identify their emotion, e.g., "I can see how upset you are because you feel your rights are being violated and nobody will listen."
- Reduce stimulation; invite the person to a quiet place if this is comfortable and the place is safe
- Allow them to ventilate, get the feelings out, and tell you what is upsetting them; listen.
- Be directive and firm about the behaviors you will accept, e.g., "Please stand back, you're too close." "I cannot listen to you when you yell and scream at me that way." "Let's step outside to discuss this further." (Refer to *NVC Student Conduct Policy*)
- Contact Campus Police 256-7777 and Office of the Vice President of Student Services 256-7363.
- Remember, *Safety First*. If threat increases call **9-1-1**.
- Prohibit the student from entering your work area/classroom/office if behavior is repeated.

### ***Don't:***

- Get into an argument or shouting match.
- Become hostile or punitive, e.g., "You can't talk to me that way!"
- Press for explanations for their behavior.
- Ignore the situation.
- Touch the student.

## ***The Violent Student***

Violence due to emotional distress is rare. It typically occurs when the student's level of frustration has been so intense or of such an enduring nature as to erode all of the student's emotional controls. The adage, "An ounce of prevention is worth a pound of cure," best applies here. This behavior is often associated with the use of alcohol and other drugs.

### ***Do:***

- Prevent total frustration and helplessness by quickly and calmly acknowledging the intensity of the situation, e.g., "I can see you're really upset."
- Explain clearly and directly what behaviors are acceptable, e.g., "You certainly have the right to be angry but breaking things is not okay."
- Stay safe; maintain easy access to a door; keep furniture between you and the student.
- Immediately seek assistance; contact **District Police at 9-1-1 or 257-9500** and/or Campus Police 256-7777.

### ***Don't:***

- Ignore warning signs that the person is about to explode, e.g., yelling, screaming, clenched fists, threats.
- Threaten or corner the student.
- Touch the student.

## ***The Demanding Passive Student***

Typically even the utmost time and energy given to these students is not enough. They often seek to control your time and unconsciously believe the amount of time received is a reflection of their worth. You may find yourself increasingly drained and feeling responsible for this student in a way that is beyond your normal involvement. It is important that this student be connected with many sources of support on-campus and in the community in general.

### ***Do:***

- Let them make their own decisions.
- Set firm and clear limits on your personal time and involvement.
- Offer referrals to other resources on and off campus.
- During repeated interactions stand while speaking with student; limit discussion to 3 minutes.

### ***Don't:***

- Get trapped into giving advice, special conditions, etc.
- Avoid the student as an alternative to setting and enforcing limits.

## ***The Student Under The Influence***

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. Patterns of use are affected by fads and peer pressure. Currently, alcohol is the preferred drug on college campuses.

The effects of alcohol on the user are well known to most of us. Alcohol abuse by a student is most often identified by faculty. Irresponsible, unpredictable behavior affecting the learning situation (i.e., drunk and disorderly in class), or a combination of the health and social impairments associated with alcohol abuse noticeably sabotages student performance. Because of denial that exists in most substance abusers, it is important to express your concern to the student in terms of specific changes in behavior/performance rather than terms of suspicions about alcohol/drug use.

### ***Do:***

- Confront the student with the behavior that is of concern (Refer to *NVC Student Conduct Policy*).
- Address the substance abuse issue if the student is open and willing.
- Offer concern for the student's overall well-being.
- Contact Campus Police 256-7777 and/or Office of the Vice President of Student Services 256-7363.

### ***Don't:***

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

## ***The Suspicious Student***

Typically these students complain about something other than their psychological difficulties. They are tense, anxious, mistrustful, loners, and have few friends. They tend to interpret minor oversights as significant personal rejection and often overreact to insignificant occurrences. They see themselves as the focal point of everyone's behavior and everything that happens has special meaning to them. They are overly concerned with fairness and being treated equally. Feelings of worthlessness and inadequacy underlie most of their behavior. They seem capable and bright.

### ***Do:***

- Express compassion without intimate friendship. Remember that suspicious students have trouble with closeness and warmth.
- Be firm, steady, punctual, and consistent.
- Be specific and clear regarding the standards of behavior you expect.
- Suggest to student that personal counseling is available and potentially helpful.

### ***Don't:***

- Assure the student that you are his/her friend; agree you are a stranger, but even strangers can be concerned.
- Be overly warm and nurturing.
- Flatter or participate in their games; you don't know their rules.
- Be cute or humorous.
- Challenge or agree with any mistaken or illogical beliefs.
- Be ambiguous.

## ***The Sexually Harassed Student***

Sexual harassment involves unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct; it is usually found in the context of a relationship of unequal power, rank or status. It does not matter that the person's intention was not to harass. It is the effect it has on others that counts. As long as the conduct interferes with a student's academic performance or creates an intimidating, hostile or offensive learning environment, it is considered sexual harassment.

Sexual harassment usually is not an isolated one-time-only case but a repeated pattern of behavior that may include:

- Comments about one's body or clothing.
- Questions about one's sexual behavior.
- Demeaning references to one's gender.
- Sexually oriented jokes.
- Conversations filled with innuendoes and double meanings.
- Displaying of sexually suggestive pictures or objects.
- Repeated non-reciprocated demands for dates or sex.

Sexual harassment of students is defined by the California Education Code, Section 89535. Common reactions by students who have been harassed is to doubt their perceptions, wondering if it was a joke, did it really happen or, if in some way, they have brought it on themselves. A student may begin to participate less in the classroom, avoid or drop classes, or even change majors.

### ***Do:***

- Listen carefully to the student, validating her/his experience.
- Separate your personal biases from your professional role - maintain objectivity.
- Encourage the student to approach the person directly or in writing.
- Encourage the student to keep a log or find a witness.
- Help student seek informal advice through a department chair, supervisor or advisor.
- Inform student that informal and formal complaints can begin with the Vice President of Student Services at **256-7363**.

### ***Don't:***

- Do nothing. Taking no action invalidates the student's already shaky perception and puts the college in a vulnerable position should this behavior continue.
- Overreact.

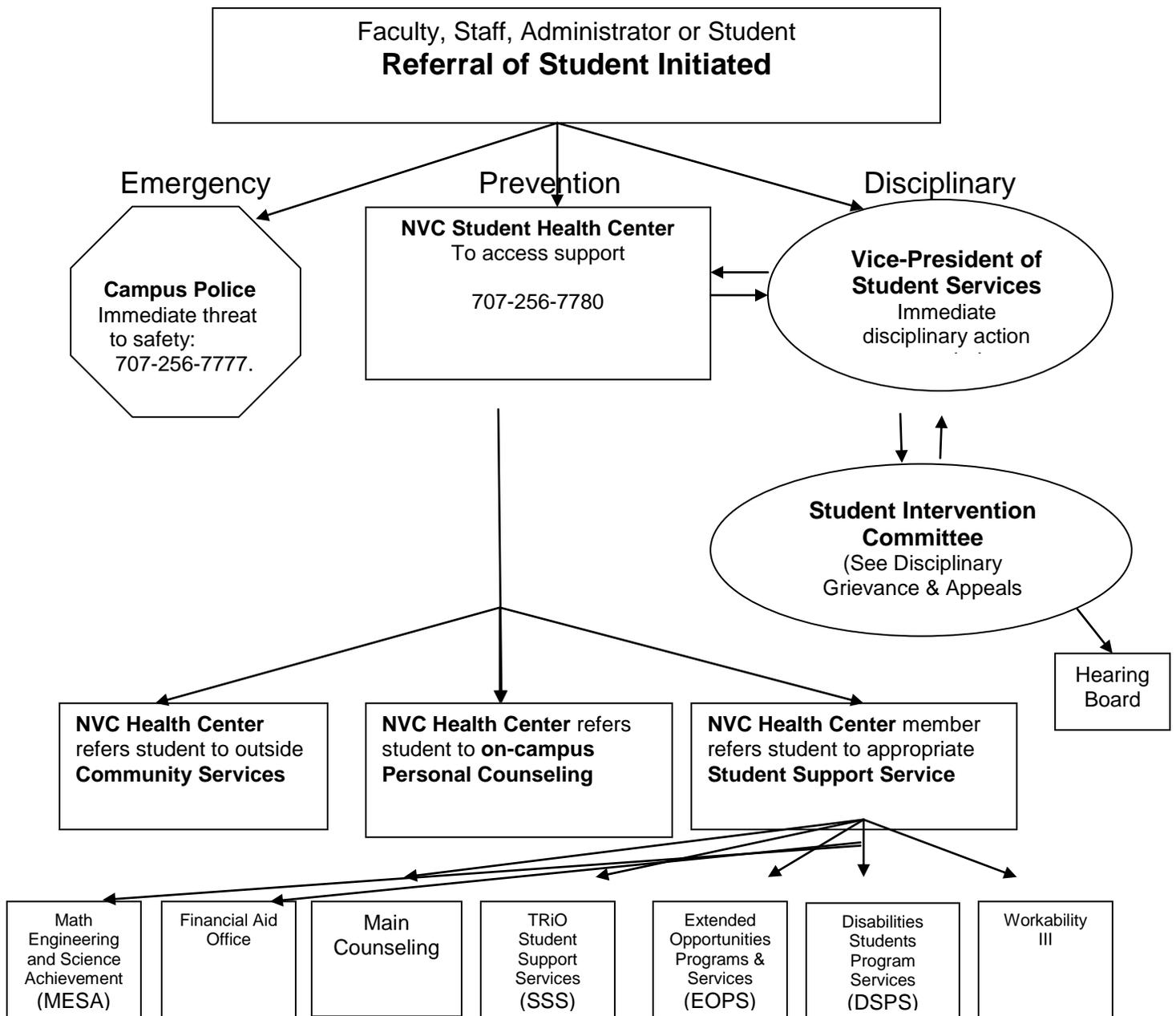
## **The Student Who Submits Disturbing Writings**

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Video Resource – Indicators of Student Distress (4 minutes)

[http://light.vbs.vt.edu/adhoc/summer2008/Identifying\\_Distressed\\_Students/Disturbing\\_Writings.  
mov](http://light.vbs.vt.edu/adhoc/summer2008/Identifying_Distressed_Students/Disturbing_Writings.mov)

# NVC Mental Health Services Procedures



## **Guidelines For Intervention**

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### ***Guidelines for Intervention***

Openly acknowledge to students that you are aware of their distress, you are sincerely concerned about their welfare, the welfare of those around them, and that you are willing to help. Exploring their alternatives can have a profound effect. We encourage you, whenever possible, to speak directly and honestly to a student when you sense that s/he is in academic and/or personal distress.

1. Request to see the student in private. This may help minimize embarrassment and defensiveness.
2. Briefly acknowledge your observations of them (specific to behaviors and or performance); express your concerns directly and honestly.
3. Listen carefully to what the student may be troubled about and try to see the issues from his/her point of view without necessarily agreeing or disagreeing.
4. Attempt to identify the student's problem or concern as well as your concerns or uneasiness.
5. Unusual and inappropriate behaviors should not be ignored. Comment directly on what you have observed.
6. Involve yourself in the process as it impacts your immediate work area and situation. At times, in an attempt to reach or help a troubled student, you may become more involved than time or skill permits.
7. You are legally responsible in terms of the mandatory reporting of child abuse and elder abuse.

Extending oneself to others always involves some risk-taking but it can be a gratifying experience when kept within realistic limits.

### ***Referring Students For Personal Counseling***

To make a personal counseling appointment direct the student to go to or call one of the Napa Valley College programs listed for "a Personal Counseling appointment. One-hour appointments are made based on availability of licensed counselor.

To ensure that the student follows through with the referral, ask the student for permission to contact her/him at a later date. If your relationship with the student is such that you are confident s/he trusts your actions, you might also request permission to contact the referral provider directly. This communication arrangement maximizes the potential for successful follow through.

## **Personal Counselors on Campus**

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### **Student Health Center**

Charlene Reilly, NP, MSN – Nurse Practitioner/Director, Student Health Center 707-256-7780

### **Licensed Mental Health Counselor**

Magdalena Orr, MFT – Marriage Family Therapist, MFT 20290, Board of Behavioral Sciences Student Health Center 707-256-7780

Napa Valley College counselors are able to provide personal counseling as stated in the California Education Code, Section 72620. The counselor listed on this page has additional expertise to assist students with personal counseling concerns. Due to other role responsibilities, scheduled time for personal counseling may change semester to semester.

If Student Health Center is open, another option is to walk the student over to the Health Center, Portable Building 2250 behind the Science building.

## **Personal Counseling on Campus 2010-2011**

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**(Please copy this page and give to students as appropriate)**

### ***Instructions for Students:***

To make a Personal Counseling appointment, please go to or call the Napa Valley College Student Health Center. One-hour appointments are made based on the availability of licensed counselors within each area.

If you need to be seen right away, go to the Health Center Building 2250. Open: M-W 9am-4pm,  
Tue until 7pm, T-F 9am-3pm

### ***Health Services (Student Health Center) – 256-7780***

If you have a connection with specific programs such as: EOPS, Puente, Umoja, DSPS, Trio Student Support Services you can also see your counselor/advisors and be referred to appropriate services.



# NAPA VALLEY COLLEGE

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## PERSONAL COUNSELING REFERRAL FORM

Student's Name: \_\_\_\_\_ ID # \_\_\_\_\_

I have referred this student for personal counseling with your department.

Health Services 256-7780  
 Marriage and Family Therapist 256-7780

Referred by: \_\_\_\_\_ Extension: \_\_\_\_\_ Date: \_\_/\_\_/\_\_

Department: \_\_\_\_\_

Reason for Referral (brief summary of concerns - optional): \_\_\_\_\_

Due to the laws of confidentiality, exchanging information about personal counseling is only possible with the student's written permission.

Would you like to share information with the counselor if student permission is obtained?  Yes  No

**\* Please submit this form via interoffice mail marked CONFIDENTIAL.**

.....

Thank you for your referral of: \_\_\_\_\_

*We have given this referral to the appropriate counselor.*

Department: \_\_\_\_\_ Extension: \_\_\_\_\_

Processed by: \_\_\_\_\_ Date: \_\_\_\_\_

Off Campus Emergency Resource Contact List

<b>RESOURCE</b>	<b>PHONE</b>	<b>AVAILABILITY</b>
<b>Anorexia Nervosa and Assoc. Disorders or National Eating Disorders Assoc.</b>	<b>630-577.1330 800-931-2237</b>	<b>M-F, 9am-5pm Central Time M-F 9am-5pm EST</b>
<b>National Suicide Prevention Services</b>	<b>800-273-8255</b>	<b>24/7</b>
<b>Napa County Mental Health Services</b>	<b>707-253-4306</b>	<b>Medical</b>
<b>Sexual Assault Victims Services-Savs</b>	<b>707-255-6397</b>	<b>24/7</b>
<b>Napa Emergency Women's Services – NEWS</b>	<b>707-255-6397</b>	<b>24/7</b>
<b>Poison Control</b>	<b>800-876-4766</b>	<b>24/7</b>
<b>Substance Abuse and Mental Health Treatment Services Locator (SAMHSA)</b>	<b>800-622-4357</b>	<b>24/7</b>
<b>GATEWAY – Alcohol &amp; Drug Screening Information &amp; Referral</b>	<b>800-488-9919</b>	<b>24/7</b>
<b>Napa Valley Alcoholics Anonymous Helpline &amp; Meeting Referral</b>	<b>707-500-7001</b>	<b>24/7</b>
<b>Narcotics Anonymous</b>	<b>866-642-3848</b>	<b>Automated sys. local meeting info</b>
<b>Planned Parenthood (Napa Health Center)</b>	<b>707-252-8050</b>	<b>M-F 9a–5p for appointment</b>

# NVC Student Conduct Policy

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## Napa Valley College

STANDARDS OF STUDENT CONDUCT

S6310

Students shall be expected to obey all local, state, and federal laws and such campus regulations as prescribed for the effective operation of Napa Valley College.

The Standards of Student Conduct provide uniform procedures to assure due process when a student (a) is charged with a violation of these standards, or (b) wishes to resolve specific concerns in an expeditious and fair manner. All proceedings held in accordance with these procedures shall relate specifically to an alleged violation of the established Standards of Student Conduct.

Education Code Sections 66300, 66301, 76030-76037.

### ADMINISTRATIVE REGULATIONS

Standards of Student Conduct

Board Policy 6310

#### I. INTRODUCTION

Free inquiry and free expression are essential attributes of an educational community. As members of the community, students should be encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for truths. The freedom to learn depends upon appropriate opportunities and conditions in the classroom, on the campus and in the community. The responsibility to secure and to respect general conditions conducive to the freedom to learn is shared by all members of the college community. Students should endeavor to exercise their freedom with maturity and responsibility.

#### II. STUDENT CONDUCT

The primary purpose of Board Policy 6310 is to provide notice to all students of the type of conduct that is expected of each student. Procedures are set forth that are fair and timely to all concerned parties (student charged, victim, district) in order to determine whether a violation(s) of conduct has occurred. The District is defined as the Napa Valley Community College District. Students shall be disciplined only for good cause which shall include, but not limited to, the following categories of misconduct.

- A. Dishonesty, such as cheating, plagiarism or knowingly furnishing false information to the college.
- B. Forgery, alterations or misuse of, or unauthorized access to college documents, records or identification.
- C. Continual willful and knowing obstruction or disruption of teaching, counseling, administration, disciplinary procedures, college activities, or other authorized activities or operations on college premises (E.C. 69810).
  - a. Technology-related disruptions include, but are not limited to, the use of headsets, any portable music devices, cellular telephones, pagers, or text messages in the classroom/Library, unless authorized by an appropriate faculty or staff member.

- D. Willful misconduct which results in injury or death to a student, campus visitor, or college personnel or which results in cutting, defacing, or other injury to any real or personal property owned by the college Or an attempt to cause damage to any real or personal property owned by the college. [EC 76033(c)]
- E. Continued or significant disruptive behavior, continued or significant willful disobedience, habitual profanity or vulgarity, or the open and persistent defiance of authority or persistent abuse, either written or verbal, of college personnel acting in the performance of their duties. [EC 76033(a)]
- F. Harassment of any type, pictorial, written, or oral, including but not limited to harassment that is sexual or racial in nature, of any college student or employee, on the basis of ethnic group identification, national origin, religion, age, sex, gender, gender identity, gender expression, genetic condition, genetic information, race, color, ancestry, sexual orientation, or physical or mental disability, or on the basis of these perceived characteristics or based on association with a person or group with one or more of these actual or perceived characteristics, including status as a non-native English, including status as non-native English speaker. Types of harassment may include:
- a. Making unsolicited written, verbal, physical, and/or visual contacts with sexual overtones.
  - b. Continuing to express sexual interest after being informed that the interest is unwelcome.
  - c. Making reprisals, threats of reprisal, or implied threats of reprisal following a rebuff of a harassing behavior.
  - d. Engaging in explicit or implicit coercive sexual behavior within the educational environment that is used to control, influence, or affect the educational opportunities, grades, and/or learning environment of a student.

G. Bullying which is defined as the aggressive and hostile acts of an individual or group of individuals which are intended to torment, frustrate, provoke, or humiliate, mentally or physically injure or intimidate, and/or control another individual or group of individuals. It is a type of interpersonal aggression that goes beyond incivility and is marked by frequency, intensity and duration.

Such aggressive and hostile acts can occur as a single, severe incident or repeated incidents, and may manifest in the following forms:

- a. Physical Bullying includes pushing, shoving, kicking, poking, and/or tripping another; assaulting or threatening a physical assault; damaging a person's work area or personal property; and/or damaging or destroying a person's work product.
- b. Verbal/Written Bullying includes ridiculing, insulting or maligning a person, either verbally or in writing; addressing abusive, threatening, derogatory or offensive remarks to a person; and/or attempting to exploit an individual's known intellectual or physical vulnerabilities.
- c. Nonverbal Bullying includes directing threatening gestures toward a person or invading personal space after being asked to move or step away.
- d. Cyber bullying is defined as bullying an individual using any electronic form, including, but not limited to, the Internet, interactive and digital technologies, or mobile phones.
- e. Sabotaging or undermining an individual or group's work performance or education experience.

- H. Theft, attempted theft, or willful damage to property of the college, a member of the college community, or campus visitor, while that property is properly on District property.
- I. Willful or persistent smoking in any area on college property where smoking has been prohibited by law or by regulation of the Board of Trustees of Napa Valley College. [EC(76033(e))]
- J. Unauthorized entry into college facilities, or unauthorized use of college facilities, supplies or equipment.
- K. Violation of college rules and/or the misuse of college facilities.
- L. The use, sale, or possession on campus of, or presence on campus under the influence of, any controlled substance, or any poison classified as such by Schedule D in section 4160 of the Business and Professions Code. [(EC 76033(d))]
- M. Use, possession, or distribution of alcoholic beverages on college property, appearance on campus or at any college sponsored event after consuming alcoholic beverages unless authorized for legal age students at approved events under Board Policy 3400.
- N. Disorderly, lewd, indecent, or obscene conduct on college owned or controlled property or at college sponsored or supervised functions.
- O. Possession, use or threat of use, of any deadly weapon on college property or at college sponsored events, including but not limited to any dirk, dagger, ice pick, or knife having any blade longer than 2 ½ inches, razor with an unguarded blade, firearms (loaded or unloaded), explosives, pipes or bars used or intended for use as a club, or any item, such as a chain, taser, stun gun, or chemical agent used to threaten bodily harm.
- P. Assault, battery, extortion, robbery, unlawful fighting, or any threat of force or violence upon a student, campus visitor or college personnel. [EC 76033(b), Penal Code, 415.5(a)]
- Q. Persistent or serious misconduct where other means of correction have failed to bring about proper conduct. [E.C.Sec. 76033(f)]
- R. Failure to observe precautions which the college deems necessary to insure the safety of the student or others, or failure to comply with directions of District officials, faculty, staff, or persons charged with campus security acting in performance of their duties.
- S. Tampering with, or unauthorized entry to any college computer and/or unauthorized altering of any college computer generated or stored information.[Calif. P.C. 502{e(3)}] Computer-related misconduct includes:
  - a. Knowingly accessing and without permission adding, altering, damaging, deleting, destroying or otherwise using any data, computer, computer system, or network, any computer software or computer programs, and/or
  - b. Knowingly accessing and without permission taking, copying, or making use of any data from a computer or computer system or network, or taking or copying any supporting documentation whether existing or residing internal or external to a computer, computer system or network, and/or
  - c. Knowingly and without permission using or causing to be used computer services or disrupting or

causing the disruption of computer services or denying or causing the denial of computer services to an authorized user, and/or

- d. Knowingly and without permission providing or assisting in providing a means of accessing a computer or a computer system or network in violation of the above, and/or
- e. Knowingly introducing any computer contaminant into any District computer or computer system or network.

T. Sexual assault or threat of, on college owned or controlled property upon a student, campus visitor, or college personnel.

U. Intentionally preventing, alone or in concert with others, an individual from entering or exiting a campus health care facility or other District facility by physically detaining the individual or physically obstructing the individual's passage. [Penal Code, 602.10, 602.11]

V. Soliciting or assisting another to do any act which would subject a student to removal, suspension or expulsion, under this regulation.

No student shall be removed, suspended, or expelled unless the conduct for which the student is disciplined is related to college activity or college attendance. (E.C. Sec. 76034).

Any violation or violations of any law, ordinance, regulation, or rule regulating or pertaining to the parking of vehicles shall not be cause for the removal, suspension or expulsion of a student. (E.C. Sec. 76036)

#### PENALTIES FOR MISCONDUCT

Depending on the situation, students may be removed from class, warned, censured, put on conduct probation, suspended or terminated from financial aid, suspended, or expelled.

### **III. DISCIPLINARY ACTIONS, DEFINITIONS AND STUDENT DISCIPLINE TERMS**

- A. Disruptive Behavior: This type of behavior includes all willful and knowing behavior which interferes with the legitimate instructional, administrative, or service functions of the college. In identifying disruptive behavior, the instructor or administrator will consider the impact the disruption(s) is having on the students/staff as well as on himself/herself in the delivery of instruction or service to all students. See section IV for procedures to follow in response to disruptive behavior.
- B. Warning: A warning, written or oral, may be initiated by any faculty member or college administrator. Verification of the warning should be sent in writing to the Office of Student Services. The Vice President of Student Services will determine if there exists good cause to initiate a greater disciplinary action.
- C. Censure: Written reprimand for violation of specific regulations which will become part of the student's file and is considered in the event of future violations.
- D. Conduct Probation: Exclusion from participation in designated privileges or extracurricular college activities for a specific period of time. If a student violates any condition of probation or is charged

with a violation of the Standards of Student Conduct during the probationary period, this shall be grounds for revocation of the student's probationary status and for further disciplinary action.

- E. Restitution: Reimbursement for damage to or misappropriation of property which may take the form of appropriate service to repair or otherwise compensate for damages. Restitution may be imposed in combination with any other penalty.
  
- F. Suspension or Termination of Financial Aid: Students who accept financial aid are deemed to have agreed to observe District rules. Misconduct may result in ineligibility for state financial aid for a period not less than the period for which a recipient has been suspended for willfully and knowingly disrupting the orderly operation of the District, or ineligibility for state financial aid for a period not to exceed two years subsequent to a determination that a recipient willfully and knowingly disrupted the orderly operation of the campus. The period of ineligibility shall also be up to two years if a recipient is arrested and convicted of a public offense likely to disrupt the peaceful conduct of the activities of the campus .(Education Code Section 69810, 68911)
  
- G. Suspension: Temporary exclusion from student status, and withdrawal of consent to remain on campus for a specific period of time.
  - 1. Regular: Suspension is recommended following administrative review. Student may be suspended (a) from one or more classes up to one term of instruction; (b) from one or more classes for the remainder of the school year; (c) from all District classes and activities for one or more terms.
  
  - 2. Summary: In cases of emergency to protect lives or property and to ensure the maintenance of order, or where there is reasonable cause to believe that a person has willfully disrupted the orderly operation of the campus or a campus facility, suspension is immediate. [EC 66017, Penal Code,626.4]
  
- H. Expulsion: Permanent termination of student status and denial of access to the campus in accordance with law. Readmission is contingent upon showing rehabilitation by the student. (E.C. Section 76030)
  
- I. Administrator: The Vice President of Student Services, or another administrator designated by the Superintendent/President, to maintain order, handle disciplinary questions on campus or represent the District before a Disciplinary Hearing Committee.
  
- J. Hearing Officer: An administrator selected from names submitted by President for the Disciplinary Hearing Panel.
  
- K. Days: Days during which college is in session and regular classes are held, including summer session days, and excluding Saturdays, Sundays and holidays, unless otherwise specified in the procedures.

## IV. PROCEDURES

- A. Disruptive Behavior: If a student willfully and knowingly disrupts a class, the operation of a college office/center, or a college activity, or endangers students or staff members, the faculty member or administrator may remove the student from the class for that class meeting and the next class meeting or the student may be summarily suspended from the office or the activity for up to two days. During this period the student may not return to the office or classroom without the approval of the instructor or the office supervisor. (E.C. Sec. 76031)
1. If a student is removed for one class meeting, no additional disciplinary procedures are necessary. If the student removed by the instructor is a minor, the instructor shall notify the Vice President of Student Services, who shall ask a parent or guardian of the student to attend a parent conference regarding the removal of the student as soon as possible. (E.C. 76032)
  2. If a student is removed from class for the day of the incident and the next class meeting, the instructor shall send a written report of the action to his or her division chair who shall forward the information to the Vice President, Student Services and the President. If the student removed by the instructor is a minor, the Vice President of Student Services shall ask a parent or guardian of the student to attend a parent conference regarding the removal of the student as soon as possible. (E.C. 76032)
  3. During the period following the removal from class for the day of the incident and the following class meeting, the student shall be allowed to return to class until due process and disciplinary procedures are completed unless the student is further suspended as a result of administrative review as outlined under Section IV, C.
- B. Review: The Director of Public Safety or designee shall provide the administrator with a written report containing facts which may constitute an alleged violation of the Standards of Student Conduct. To the extent possible, within three (3) days of receipt of said report, the administrator will inform the student in writing of the alleged offense and request that the student schedule a meeting within five (5) days of the date of the letter. If no meeting is scheduled, a second letter will be sent setting a rescheduled meeting within three (3) days of the date of the second letter. Reports forwarded by faculty members or administrators who remove a student from class or summarily suspend a student will, to the extent possible, be addressed in 72 hours by the administrator or other designee.
- C. Emergency: When a situation is determined by the administrator or designee to constitute a substantial and material threat of significant injury to students or staff on campus, a student may be suspended pursuant to this section. Notice to the student that consent to remain on campus has been withdrawn, and the reasons for the withdrawal, will be provided at the student's address of record as soon as possible. In no event is such consent to be withdrawn for longer than fourteen (14) calendar days from the date on which the consent is initially withdrawn (Penal Code Section 626.4). Where such action is taken, the administrator shall inform the Superintendent/President who shall confirm the suspension within twenty-four (24) hours. An informal meeting shall be scheduled as soon as possible, but not later than ten (10) days from the time the suspension is ordered. (E.C. 66017) That informal meeting and all action taken thereafter shall be in accordance with District procedures outlined in Section V, but any hearing shall be held within seven (7) days of the student's request for one.

## V. RESOLUTION

- A. **Informal Meeting/Resolution:** The purpose of the informal meeting is to outline the Code of Conduct alleged violation to the student and to allow the student to respond to the allegations. The administrator will consider the written input from the Public Safety report in addition to verbal input from the college personnel involved in the incident and the type of disciplinary action expected. After reviewing the situation with the student, the administrator may conclude that a warning or censure or suspension of less than ten (10) days is appropriate, and so deliver the warning or censure. If the student does not attend an informal meeting or the rescheduled meeting, the administrator will make a determination on the evidence presented.

If, after reviewing the situation with the student, and college personnel, the administrator concludes that a consequence greater than a warning, or a censure or suspension of less than ten (10) days is appropriate, the administrator shall so inform the student of the recommended disciplinary action, his or her right to a formal hearing, and his or her right to an advocate at the hearings who shall not be an attorney. The student however, may consult with an attorney, at his/her own expense, in preparation for the hearing.

1. **Waiver:** The student shall be afforded the opportunity to waive the right to a formal hearing and agree to the imposition of a sanction mutually agreed upon by the student and the administrator. Any such waiver shall be in writing and in the form attached as Appendix A of these procedures. If the student and administrator mutually agree upon a suspension, that agreement shall be sent to the President for his/her concurrence in the agreement. This mutual agreement between student and administrator is not appealable.

### B. Formal Resolution:

1. **Administrative Hearing:** If the student exercises the right to a formal hearing and if the recommended disciplinary action is a suspension of more than ten (10) days, the matter will be referred to the Disciplinary Hearing Committee. If the student did not attend the informal meeting or rescheduled the meeting and the recommended action is a suspension of more than (10) days, then the administrator will so notify the student. All notices for a hearing will follow the procedures outlined in Section V, B., 3.
2. **Disciplinary Hearing Committee:** If the student requests a hearing and the recommended disciplinary action is a suspension of greater than ten (10) days, the Disciplinary Hearing Committee will hear the matter within ten (10) days and thereafter render a decision.
3. **Notice of Hearing:**
  - a. The student will be provided with written notice of the hearing not less than seven (7) Calendar days prior to the hearing. Service shall be made by certified first class mail or personally. Notices sent to the last address available in the records of the college and deposited in the United States certified mail, postage prepaid and return receipt requested, shall be presumed to have been received and read.
  - b. The hearing notice shall specify the time and place of the hearing and contain a statement of the charges against the student, including applicable financial aid termination. A copy of these procedures shall be enclosed. Notice shall also specify if there is to be an interim exclusion from the college campus pursuant to Penal Code Section 626.4. Copies of such notice will be sent to the student's instructors and the college Department of Public Safety.

## VI. DISCIPLINARY HEARING COMMITTEE

- A. The Hearing Panel: There shall be a standing panel from which a Disciplinary Hearing Committee may be appointed by the administrator. The panel shall be made up of the following:
  - 1. Three students whose names are submitted by the student government.
  - 2. Three faculty members whose names are submitted by the Faculty senate president.
  - 4. Three administrators whose names are submitted by the Administrative Senate.
- B. The Disciplinary Hearing Committee: From the panel described above, members will be appointed by the administrator to a committee consisting of one student, one instructor, and one administrator to hear each disciplinary case.
- C. The Hearing Format: The panel, administrator, student, and others will follow the hearing format described in the Hearing Booklet. The recommendation by the administrator shall in no way affect the authority of a Disciplinary Hearing Committee to recommend a sanction less severe or greater than the sanction proposed by the Vice President of Student Services.
- D. Recommendation: The Disciplinary Hearing committee shall make a recommendation to the President within five (5) days of the conclusion of the formal hearing. The student and administration will be notified at the same time.

## VII. PRESIDENT'S DECISION

- A. Within five (5) days following receipt of the administrator's or Hearing Committee's recommendation, the President shall make a written decision. The President shall base his/her decision only upon the record of the hearing and the recommendation of the administrator or Hearing Committee, and shall not consider matters outside of that record, except that the President may consider prior disciplinary actions related to the student in determining whether other means of correction affected the student's conduct. The President may adopt the administrator's or the committee's recommendations for action, may adopt a less severe sanction, or may adopt a more severe sanction.
- B. The President should promptly send a copy of his/her decision, together with the administrator's or the Hearing Committee's decision, to the student, administrator, and to any other person(s) directly involved in the complaint, providing such other persons are authorized to receive information pursuant to state and federal law regarding privacy of student records.
- C. If the decision is to suspend a student, the President shall notify the Board of Trustees of that Decision (Education Code Section 76031). If the decision is to expel a student, the President shall recommend such action to the Board of Trustees. Only the Board of Trustees shall be authorized to take such action (Education Code Section 76030).
- D. When the decision is to recommend expulsion of a student to the Board of Trustees, the President may suspend the student pending action by the board.

## VIII. APPEAL

- A. Student(s), faculty members(s), or administrator(s) directly involved in a complaint may appeal to the President the recommendations of the administrator resulting from the informal meeting. Suspensions which are the result of mutual agreement including the student are not appealable by the student sanctioned.
- B. Within three (3) days from notice of hearing recommendations, the student may appeal the recommendation to the President. Any such appeal shall be submitted in writing and shall be based only on the record and decision of the administrator or the Hearing Committee. The President or designee shall decide the appeal within ten (10) working days upon receipt of the appeal. The President will base the appeal on the records, and if desired but not required, on an interview with the student.
- C. The student may appeal a suspension decision of the President that is greater than two terms to the Board of Trustees. Any such appeal shall be submitted in writing within five (5) days following receipt of the President's decision and shall be based only on the record and decision of the administrator or the Hearing Committee and the President.
- D. The Board of Trustees should consider student disciplinary cases at any regularly scheduled or special board meeting held within forty-five (45) days after receipt of the appeal. This review will normally occur in a closed hearing, unless the student or the parent or guardian of a minor student, requests in writing 48 hours prior to the hearing, that the hearing be held in public. Notwithstanding a request that the hearing be held in public, any disclosure or discussion that might be in conflict with the right to privacy of any student other than the student (or parent or guardian of such student) requesting the hearing, shall be in closed session.
- E. Upon review, the Board will either confirm, modify, or reject the decision of the President. The Board's action shall be limited to a review of the record of the Hearing Committee, and the Board shall not consider any evidence outside that record, except that the Board may consider whether other means of correction affected conduct. The Board's action shall be final and binding on all parties.

## VIII. MISCELLANEOUS

- A. The fact of any disciplinary action and reasons therefore shall be recorded on the student's records subject to access, review, and comment by the student, as authorized by the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g) and Education Code Section 76210 et seq., Board Policy 6410. All access or release of such records shall also be in accordance with applicable state and federal law.
- B. Specified times may be shortened or lengthened by mutual concurrence of the District and the student against whom disciplinary proceedings are undertaken.
- C. Non-Student Disciplinary Action: Use of the Napa Valley College Campus is intended for enrolled students and community members participating in authorized activities. Non-students are welcome on the campus only if they abide by all college rules and regulations. If non-students abuse college facilities, violate college rules or refuse directions from college officials, they may be asked to leave and be prohibited from returning. Campus Public Safety officers will enforce this policy in cooperation with college officials.

## **IX. LIMITATIONS**

These provisions do not apply to existing student Title IX grievance procedures (Board Policy 6310,A.R.1), evaluation of student progress (Board Policy 6310, A.R. 2) residence determination (Board Policy 6421) and residency appeals (Board Policy 6421), and other academic and legal requirements for admission and retention. Disciplinary measures may be taken by the college independently of and in addition to any charges filed through civil and/or criminal authorities, for violation of the laws of the city, county, state, and nation.

## **X. NOTICE**

Students shall be notified of these regulations through appropriate college publications, and these regulations shall be available in the library, the President's Office and the Student Government Office. Copies of the regulations and any questions may be directed to the Vice President of Student Services in the Office of Student Services.

Revised and approved by Board 4/10/86

Title updated 10/31/87

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