

# Students' Rights and Responsibilities

## Student Behavior

Students in the South Orange County Community College District are responsible for regulating their own conduct and for respecting the rights and privileges of others. Irvine Valley College students are expected to conduct themselves in a manner compatible with the function of the college as an educational institution and to respect and obey all civil and criminal laws. Failure to show respect for the standards as set forth by the South Orange County Community College District is cause for disciplinary action.

Guidelines for student conduct are set forth in the California Education Code, California Administrative Code, Title 5, policies of the Board of Trustees, and all civil and criminal codes.

In compliance with California Education Code Section 66300 and in keeping with the above, the following regulations have been established to effectively and efficiently guide the approved educational programs, approved student activities, and community services.

## Code of Conduct

A student may be disciplined for one or more of the following causes related to college activity or attendance.

1. Continued disruptive behavior, continued willful disobedience, habitual profanity or vulgarity, or the open and persistent defiance of the authority of, or persistent abuse of, district or college personnel.
2. Assault, battery, or any threat of force or violence upon a student, district or college personnel, or upon an authorized college visitor [Calif. Ed. Code, Section 76033(d)].
3. Willful misconduct resulting in injury or death to a student or college or district personnel or an authorized college visitor, or willful misconduct resulting in cutting, defacing, theft, or other injury to any real or personal property owned by the district, college personnel, or students in attendance at the colleges or programs of the district [Calif. Ed. Code, Section 76033(a)].
4. The unlawful use, sale, or possession on district property of, or presence on district property under the influence of any controlled substance or any poison classified as such by the Business and Professions Code [Calif. Ed. Code, Section 76033(e)].
5. Willful or persistent smoking in an area where smoking has been prohibited by law or regulation of the governing board.
6. Persistent, serious misconduct where other means of correction have failed to bring about proper conduct [Calif. Ed. Code, Section 76033(c)].
7. The forgery, alteration, or misuse of district or college documents, records or identification, or knowingly furnishing false information to the district or college [Calif. Ed. Code, Section 76033(b) and (c)].
8. Cheating or plagiarizing in relation to a district or college course or an academic program [Calif. Ed. Code, Section 76033(c)].
9. The unauthorized entry or use of district property.
10. Disorderly, lewd, indecent, or obscene conduct on district-owned or controlled property or at district-sponsored or supervised functions.
11. The possession or use of any firearms, explosives, dangerous chemicals, or other potentially harmful implements or substances while on district property or at a college-sponsored function without the prior authorization of a college president.

12. The obstruction or disruption, on- or off-campus, of the district's educational or administrative process or administrative process or any other district function.
13. The violation of any previous order issued by a college president that is not inconsistent with any of the other provisions of this policy. This order may be given by its publication in the student newspaper or by posting a notice on an official bulletin board designated for this purpose.
14. Any other cause not previously listed which is identified as good cause by the disciplinary panel [Calif. Ed. Code, Section 76033].
15. Attempting to perform any previously identified act that constitutes a cause for disciplinary action.

## Vandalism

Persons shall be held responsible for any damage to district property caused by their careless or wrongful acts. The district shall take appropriate action to recover the costs of repairing or replacing damaged property.

## Academic Honesty and Dishonesty

**See page 14 for college regulations concerning falsification of documents, plagiarism, cheating, and fabrication.**

## Digital Information Network: Acceptable Use Policy

The South Orange County Community College District digital information network is a shared and publicly owned resource. Access to the district's digital network is authorized for students and employees of the district using the resource for appropriate academic, professional, and institutional purposes, and in accordance with prevailing law and regulation. Misuse may constitute a misdemeanor or felony under state or local law and may result in the deprivation of network privileges and/or disciplinary actions.

## Debts Owed to the College

Failure to return college equipment, defaulting on student loans, failure to redeem returned checks, or non-payment of Library or Health Center fees may result in a student's transcript being withheld, as well as permission to register for classes being denied.

## Animals or Pets on Campus

No animals or pets of any kind are allowed within the boundaries of any college. This restriction also applies to animals and/or pets confined in any vehicle parked within the college boundaries. In connection with special class assignments, the college president or an appointed designee may grant approval to a student to bring an animal or pet on campus. When such approval is granted, the student shall control and supervise the animal or pet at all times while on campus. (Note: This policy **does not** apply to the use of a guide dog, signal dog, or service dog, specially trained for assisting a totally or partially blind person, deaf person, person whose hearing is impaired or a physically handicapped person, or the instructional use of animals or animals indigenous to the college's grounds.)

## Parking Regulations

Parking on campus is by permit only, except at meters and in those areas designated for FREE parking (white curbs). Payment is required for parking in coin-operated metered spaces during the hours posted on each meter. Students are reminded not to park in spaces marked for STAFF or CARPOOL, or in DISABLED spaces. An appropriate disabled parking permit is always required to park in designated disabled spaces.

Citations are issued for violations of the District's Traffic and Parking Regulations. Penalties range from \$15.00 to \$250.00, depending on the type of violation. An appeal process is available, and instructions are printed on each citation.

Beginning on the first class meeting day of each full-semester or summer session, the requirement to display a valid student parking permit in student or other non-reserved parking areas is waived for two calendar weeks. This waiver does not apply at metered, staff, carpool, disabled, or any other posted/reserved space. Citations will be issued for parking violations at these locations.

The South Orange County Community College District annually determines the cost of parking permits (see **Fees and Refunds, p. 18**) and the fees charged to park at meters or to purchase daily permits from dispensers. Parking permits may be purchased through online or telephone registration or at the Bursar's Office.

**Complete copies of the college's Traffic Rules and Regulations are available at the Information Desk in the Administration Building (A 100) or the Parking and Information Office (A 552). For additional information, call (949) 451-5200.**

## Liability Notice

Throughout the academic year, many classes will meet at off-campus locations. The college will not provide transportation to these sites, and students enrolled in these classes are responsible for making their own transportation arrangements. College personnel may assist in coordinating this transportation and/or may recommend travel time, routes, carpooling, etc.; however, the student does not have to follow these recommendations. The South Orange County Community College District is in no way responsible, nor does it assume liability, for any injuries or losses resulting from this non-sponsored transportation. If you ride with another student, that student is not an agent of, nor driving on behalf of the District.

Throughout the school year, the District may sponsor voluntary field trips and excursions in which you may want to participate. Under the California Code of Regulations, Subchapter 5, Section 55450, if you participate in a voluntary field trip or excursion, you hold the District, its officers, agents, and employees harmless from all liability or claims that may arise out of or in connection with your participation in this activity.

## Substance Abuse

### DISTRICT PHILOSOPHY

The South Orange County Community College District has long recognized that an academic community is harmed in many ways by the abuse of alcohol and the use of other drugs. This high-risk behavior is exemplified by decreased productivity of members of the student body, serious health problems, strained social interaction, as well as forms of vandalism.

Problems associated with the illicit use and abuse of substances have a pervasive impact upon our academic community and are not associated with a singular socioeconomic group or age level. The processes of education and learning are especially impaired by alcohol abuse and the use of illicit drugs. The South Orange County Community College subscribes to the basic philosophy of the Network of Colleges and Universities Committed to the Elimination of Drug and Alcohol Abuse.

### CAMPUS STANDARDS OF CONDUCT

Irvine Valley and Saddleback colleges are dedicated to the elimination of the use of illicit drugs and alcohol abuse. The colleges are making significant efforts to create an environment that promotes and reinforces good health. These include responsible living; respect for community and campus standards and regulations; and the intellectual, social, emotional, ethical, and physical well-being of all members of the campus community.

Within this context, the South Orange County Community College District and California State law prohibit the unlawful possession, use, distribution, manufacture or dispensing of illicit drugs and alcohol by students on college property or as part of any college activity. (California Education Code, Section 76033 (a) and South Orange County Community College District Board Policy and Administrative Regulations 5401—Code of Conduct.)

### CAMPUS LEGAL SANCTIONS

Students are reminded that violations of these provisions may lead to the imposition of a disciplinary sanction under South Orange County Community College District Administrative Regulations 5401.

All violations of policy will be handled on an individual basis affording each student the right to due process. Procedures of this process are described in Administrative Regulation 5401. Sanctions which may be imposed include reprimand, probation, suspension, and expulsion.

It is the colleges' belief that all disciplinary sanctions should provide the opportunity for personal growth; to that end, counseling and referral for individual assessment may be included as a condition of any sanction.

The Federal Controlled Substances Act provides penalties of up to 15 years' imprisonment and fines up to \$25,000 for unlawful distribution or possession with intent to distribute narcotics. For unlawful possession of a controlled substance, a person is subject to up to one year imprisonment and fines up to \$5,000. Any person who unlawfully distributes a controlled substance to a person under twenty-one years of age may be punished by up to twice the term of imprisonment and fine otherwise authorized by law.

**Criminal Sanctions under California law for the unlawful possession or distribution of illicit drugs and alcohol include the following:**

1. Imprisonment in State prison for possession of specified controlled substance, including opium derivative and cocaine (Health and Safety Code Section 11350).
2. Imprisonment in State prison for two to four years for possession for use of specified controlled substances, including opium derivatives and cocaine (Health and Safety Code Section 11351).
3. Imprisonment in State prison for three to five years for possession for sale of cocaine base (Health and Safety Code Section 11351.1).
4. Fine not exceeding \$50,000 for possession for sale of heroin (Health and Safety Code Section 11352.2).
5. Fine of not more than \$100 for the possession of less than 28.5 grams of marijuana; imprisonment in county jail and/or fine of not more than \$500, or imprisonment in State prison for possession of concentrated cannabis (Health and Safety code Section 11357).
6. Imprisonment in State prison for possession for sale of marijuana (Health and Safety Code section 11359).
7. Misdemeanor penalties for possession, sale or distribution of alcoholic beverages on school property (Business and Professions Code, Section 25608).
8. Misdemeanor penalties for sale or furnishing of alcoholic beverages to minors (Business and Professions Code, Section 25658).
9. Fines for attempt to purchase of alcoholic beverages by persons under the age of 21 (Business and Professions Code, Section 25658.5).

**HEALTH RISKS**

The foundation of the philosophy concerning alcohol and drug abuse for Irvine Valley College/Saddleback College is the firm commitment to an educational program that provides adequate information and counseling to help all members of the academic community to make informed and responsible decisions concerning the use of any controlled substance.

To become dependent upon chemicals such as illicit drugs and/or alcohol is to put your health at risk. Chemical dependency is a condition in which the use of mood-altering substances such as drugs or alcohol is associated with problems in any area of life on a more or less continuing basis. One does not, however, have to be addicted or chemically dependent to suffer health risks from the use of illicit drugs or alcohol.

Alcohol and illicit drugs (in all the many forms) may, and often do, impair physical coordination and judgment, diminish control over impulsive behavior, and cause many short- and long-term health consequences.

Alcohol-related illnesses now represent the third leading cause of death in the United States, exceeded only by cancer and heart disease, and medical research has established very strong evidence that alcohol abuse contributes significantly to cancer and heart disease. There is clear evidence of serious negative effects on babies due to use of illicit drugs and alcohol by the mother during pregnancy.

**Campus Referral Sources**

Health and Wellness Center: (949) 451-5221  
Counseling Center: (949) 451-5319

## Crime Awareness

Irvine Valley College seeks to offer the safest possible campus environment for its students and employees. Sworn and armed Campus Safety Officers are on duty 24 hours per day, seven days a week to patrol the campus and enforce the laws of the State of California, and the rules and regulations adopted by the South Orange County Community College District Board of Trustees.

A crime statistics disclosure pamphlet is available at the following locations: at Irvine Valley College— Admissions and Records, Registration, Campus Safety, Community Education, Bookstore, and President's Office. For further information, students may contact the Campus Safety Office, (949) 451-5200.

## Accommodations for Students with Disabilities

The colleges of the South Orange County Community College District shall make reasonable accommodations for qualified students with disabilities (Title 5, Calif. Code of Regulations, Sections 56000-56020). Students with disabilities have the right to receive reasonable academic adjustments to create an educational environment where they have equal access to instruction without fundamentally altering any course, educational program, or degree. The procedure by which students with verified disabilities may request academic adjustments shall be published annually by the colleges. The colleges shall employ reasonable means to inform all students, faculty, and staff about the support services available to qualified students with disabilities (Title 5, Calif. Code of Regulations, Section 56020).

## Student Privacy Rights

Under the provisions of the Family Education Rights and Privacy Act of 1974, all students are guaranteed the right to the privacy of their records. Irvine Valley College, in compliance with this law, provides students access to specified official records of their work at the college. Students have the right to challenge the content of their records—including the grade they received in a class—on the grounds that it is inaccurate, misleading, or otherwise inappropriate. Those wishing to challenge the information in their files should contact the Vice President of Student Services, who will initiate a hearing.

Irvine Valley College will not release student records unless the college has received the student's prior written consent with the following notable exceptions. As required under the provisions of the Family Education Rights and Privacy Act of 1974, Irvine Valley College will make public without student consent only certain directory information. This information consists of the following: a student's name; city of residence; major field; participation in officially recognized activities and sports; weight, height and age if a member of an athletic team; dates of attendance; degree and awards received; and the most recent previous educational institution or agency attended by the student. Also, the college will release student information to state, local and federal government authorities as required as a part of performance of official duties.

A standard fee has been established to cover the cost of furnishing copies of some college records to the student. Students wishing to have a copy of other records will be charged the actual reproduction cost. Copies of transcripts of course work completed at other institutions must be obtained from those institutions.

The Family Education Rights and Privacy Act applies to educational records only and does not include administrative records.

## Affirmative Action and Diversity

The South Orange County Community College District recognizes its obligations as a public agency of higher education to provide a quality education and work environment to all individuals without regard to race, color, religion, religious creed, ancestry, national origin, gender, age, physical disability, mental disability, medical condition, disabled veteran and Vietnam-era veteran status, marital status, and sexual orientation, pursuant to applicable federal, state, and local statutes, guidelines and regulations, and district policies and regulations.

The district, its colleges, centers, and programs shall serve a diverse work force that reflects the demographics of the district and the State of California. The SOCCCD administration shall make periodic reviews of the district adherence to this board policy, and report to the Board of Trustees the practices, results, and progress in affirmative action and faculty and staff diversity. The SOCCCD's affirmative action program shall be consistent with the provisions of Title 41-CFR as amended and with applicable federal and state laws relating to fair employment practices.

## Policy Prohibiting Discrimination and Harassment

The South Orange County Community College District (SOCCCD) is committed to providing equal opportunities for all individuals in all employment, benefits of employment, educational programs, services, and activities which it conducts.

The District prohibits any form of discrimination or harassment on the basis of race, color, religion, religious creed, ancestry, national origin, sex, age, physical disability, mental disability, medical condition, disabled veteran and Vietnam-era status, marital status, and sexual orientation, pursuant to applicable federal and state statutes, guidelines, and regulations, and district policies and regulations.

Therefore, no student of SOCCCD, applicant for admission to SOCCCD, employee of SOCCCD, applicant for employment with SOCCCD, individuals associated with those persons with disabilities who are identified herein, or others who might receive the benefits of college employment, programs, services, or activities shall be excluded from participation in, denied benefits of, or be subjected to discrimination or harassment including sexual harassment in any district employment process, position, program, service or activity on the bases identified herein.

## Complaint Policy

The Board of Trustees of the South Orange County Community College District is committed to providing an environment for work and learning that is free of discrimination and harassment. In keeping with this commitment, the district maintains a strict policy prohibiting unlawful discrimination, including harassment. This policy applies to employees, including management and non-management employees, to applicants for employment, and to students. It prohibits discrimination, including harassment on a basis prohibited by state and federal regulations for community colleges on nondiscrimination, including race, religion, creed, color, national origin, ancestry, physical or mental disability, marital status, gender, sexual orientation, or age.

Discrimination includes denial of the benefits of employment or of a community college activity or program on a basis prohibited by law. Harassment includes, but is not limited to unwanted sexual advances and requests for sexual favors where: (1) submission to such conduct is made an explicit or implicit term or condition of employment or academic standing; (2) submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual; or (3) such conduct has the purpose or effect of substantially interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working or learning environment. Employees or students who violate this policy are subject to disciplinary action.

Formal complaints under this policy shall be investigated according to the guidelines set forth in Title 5, Calif. Code of Regulations, Section 59300, et seq., per policies BP-4000.6 and BP 5405, and the district's Sexual Harassment Policy and Complaint Procedure, which is on file in the offices of the district's Chancellor and Deputy Chancellor, and in the offices of the College Presidents and Vice Presidents of Student Services.

## Sexual Harassment

Sexual harassment is a form of sex discrimination. Sexual harassment is unwanted sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to or rejection of this conduct explicitly or implicitly affects an individual's employment or learning environment; unreasonably interferes with an individual's performance; or creates an intimidating, hostile, or offensive working or learning environment. Sexual harassment may include but is not limited to unsolicited written, verbal, physical and/or visual contacts with sexual overtones (examples: jokes, slurs, epithets, assaults, cartoons, posters, or pictures) or implying or actually withholding grades earned or deserved as acts of reprisal.

Individuals who engage in the behavior identified in this statement of nondiscrimination are in violation of state and federal statute and District policy and are subject to disciplinary action up to and including student suspension and/or expulsion and employee termination.

Individuals who feel they have been subjected to discrimination or harassment, including sexual harassment, and want to file a charge of discrimination or would like additional information should contact the Vice President of Student Services or the Director of Human Resources:

Vice President of Student Services  
Irvine Valley College  
5500 Irvine Center Drive  
Irvine, CA 92618  
(949) 451-5214

Office of Human Resources  
South Orange County Community College District  
28000 Marguerite Parkway, Library 325  
Mission Viejo, CA 92692  
(949) 582-4349

Students may also obtain additional information about their rights or the procedure to file a charge of discrimination pursuant to federal law by writing to the following office:

U.S. Department of Education, Office of Civil Rights  
Post-Secondary Education Division  
Old Federal Building  
50 United Nations Plaza, #329  
San Francisco, California 94102

Remedies may be available to individuals who have been found to be victims of unlawful discrimination or harassment.

## Instructional and Course Materials Fees

In accordance with Title 5, California Code of Regulations, Part VI, Sections 59400 through 59408, the policy for requiring students to provide instructional and other materials and establishing the provisions for assessing the students a fee for a credit or non-credit course shall conform to the following guidelines:

1. The materials shall be tangible personal property which are owned or primarily controlled by an individual student.
2. The material is of a continuing value to the student outside of the classroom setting, which can be taken from the classroom setting, and which is not wholly consumed, used up or rendered valueless as it is applied in achieving the required objectives of a course which are to be accomplished under the supervision of an instructor during class hours.
3. The material shall not be solely or exclusively available from the district except if it is provided to the student at the district's actual cost; and:
  - a. The material is otherwise generally available, but is provided by the district for health and safety reasons; or
  - b. The material is provided in lieu of other generally available but more expensive material which would otherwise be required.

Any materials not meeting these guidelines will be provided by the district to students at no cost to the student.

## Student Right-to-Know Disclosure

In compliance with the Student-Right-to-Know and Campus Security Act of 1990 (Public Law 101-542), it is the policy of the South Orange County Community College District and Irvine Valley College to make available its completion and transfer rates to all current and prospective students. Beginning in Fall 1998, a cohort of all certificate, degree-, and transfer-seeking first-time, full-time students were tracked over a three-year period. Their completion and transfer rates are listed below. These rates do not represent the success rates of the entire student population at Irvine Valley College, nor do they account for student outcomes occurring after this three-year tracking period.

Based upon the cohort defined above, 33.7 percent attained a certificate or degree or became "transfer prepared" during a three-year period, from Fall 1998 to Spring 2001. Students who are "transfer prepared" have completed 56 transferable units with a GPA of 2.0 or better.

Based on the cohort defined above, 35.1 percent transferred to another postsecondary institution, (UC, CSU, or another California Community College) prior to attaining a degree, certificate, or becoming "transfer prepared" during a five-semester period, from Spring 1999 to Spring 2001.

	Completion Rate	Transfer Rate
Statewide	30.6%	27.0%
<b>Irvine Valley College</b>	<b>33.7%</b>	<b>35.1%</b>
Difference	3.1%+	8.1%+

Information about Student Right-to-Know rates for Irvine Valley College and how they should be interpreted can be found at the California Community Colleges' Student-Right-to-Know Information Clearinghouse web site: <http://srk.cccco.edu>.

# Grievances

Processes for mediating grade grievances and instructional grievances are governed by Board Policy 5505.

## GRADE GRIEVANCE

**Note to the Student:** By far, the great majority of differences arise as a result of grades assigned. By law, the instructor is solely responsible for the grades assigned; no instructor may be directed to change a grade except in certain narrow circumstances authorized by the California Education Code, Section 76224 (a).

Section 76224 (a)

"When grades are given for any course of instruction taught in a community college district, the grade given to each student shall be the grade determined by the instructor of the course and the determination of the student's grade by the instructor, in the absence of mistake, fraud, bad faith, or incompetency, shall be final."

When a student believes that the District grading policy has not been followed, the student should discuss this concern with the appropriate course instructor.

Following are the procedures to be used when a grievance is contemplated. The procedure should be completed within 90 days after the availability of grades for the semester during which the student was enrolled in the given course.

## GRADE GRIEVANCE PROCEDURE

### STAGE 1

Prior to filing a grievance, an attempt must be made to solve the problem. The student is expected to contact his/her instructor directly to discuss their differences when grades are available to the student. At this stage most differences will be resolved. This contact should be conducted in the privacy of the instructor's office whenever possible, and the pertinent issues should be well defined so that they may be discussed as objectively as possible.

If the problem cannot be resolved at this level, then the student may progress to Stage 2 after informing the instructor that he/she plans to file a grievance.

### STAGE 2

The student submits a written request for a meeting with the instructor's division/school administrator to resolve the grievance.

The written request must include, in detail, the grievant's basis for initiating the grievance.

The student shall initiate this request within five (5) school days after meeting with the instructor, and the division/school administrator or designee shall meet with the instructor and student within five (5) school days of reception of the formal request and all relevant data supplied by the student in an attempt to resolve the issue at this level. Any such meeting regarding a grade grievance will be closed to all observers.

At this stage, if the issue cannot be resolved to the satisfaction of the instructor and student, the division/school administrator or designee assumes the responsibility for arriving at a decision regarding the validity of the grievance and appropriate action to be taken. If the action to be taken is to change a grade due to error, the incorrect grade shall be removed from the student's record. Within two (2) school days, the decision and proposed action of the division/school administrator or designee will be

communicated in writing with copies to the following:

- (1) Student involved.
- (2) Faculty member involved.
- (3) Appropriate vice president of instruction or designee.
- (4) Office of Admissions and Records.

The division/school administrator's decision completes the South Orange County Community College District Grade Grievance Procedures.

## DOCUMENTATION STATEMENT

If the action to be taken is to change a grade due to a finding of fraud or bad faith or incompetency or more than one of the above, the new grade shall be the final grade.

## DEFINITION OF TERMS

**Fraud:** A deliberate misrepresentation of the truth or a fact used to take money, rights, or other privilege or property away from a person or persons may be found to be fraud.

**Bad Faith:** Bad faith may be found in an instance of an intent to deceive, in an act of dishonesty.

**Incompetency:** Incompetency may be found in a lack of ability, qualifications, fitness, or performance.

## INSTRUCTIONAL GRIEVANCE PROCEDURE

Following are the procedures to be used when a grievance is contemplated. The instructional grievance procedure should be completed within 90 days after the conclusion of the semester during which the student was enrolled in the given course.

### STAGE 1

Prior to filing a grievance, an attempt must be made to solve the problem. The student is expected to contact his/her instructor directly to discuss their differences during the semester in which the problem occurs. At this stage most differences will be resolved. This contact should be conducted in the privacy of the instructor's office whenever possible, and the pertinent issues should be well defined so that they may be discussed as objectively as possible.

If the problem cannot be resolved at this level, then the student may progress to Stage 2 after informing the instructor that he/she plans to file a grievance.

### STAGE 2

The student submits a written request for a meeting with the instructor's division/school administrator to resolve the grievance. If no other division/school or program policy exists, the mediation committee will consist of the following:

- (1) Division/school administrator or designee (committee chair). The designee shall serve in the administrative capacity of the division/school administrator.
- (2) The student lodging the grievance and an on-campus representative designated by him/her.
- (3) The faculty member involved and/or an on-campus representative designated by him/her.

The written request must include, in detail, the grievant's basis for initiating the grievance.

The student shall initiate this request within five (5) school days after meeting with the instructor, and the division/school administrator or designee shall convene the mediation committee within five (5) school days of receipt of the formal request and all relevant data supplied by the student.