

## students section II

### 2.5 students rights and responsibilities

#### 2.5.1 Disciplinary Standards

1. **Disciplinary Probation and Suspension**  
According to the laws of the State of Arizona, jurisdiction and control over the Maricopa Community Colleges are vested in the District Governing Board. The Governing Board and its agents-the chancellor, administration and faculty-are granted broad legal authority to regulate student life subject to basic standards of reasonableness.

In developing responsible student conduct, the Maricopa Community Colleges prefer mediation, guidance, admonition and example. However, when these means fail to resolve problems of student conduct and responsibility, appropriate disciplinary procedures will be followed.

Misconduct for which students are subject to disciplinary action falls into the general areas of:

- A. Cheating on an examination, assessment tests, laboratory work, written work (plagiarism), falsifying, forging or altering college records
  - B. Actions or verbal statements which threaten the personal safety of any faculty, staff, students, or others lawfully assembled on the campus, or any conduct which is harmful, obstructive, disruptive to, or interferes with the educational process or institutional functions
  - C. Violation of Arizona statutes, and/or college regulations and policies
  - D. Use of college computer resources such as the Internet in violation of Technology Resource Standards (AR 4.4) which may result in notification of law enforcement authorities
2. **Disciplinary Removal from Class**  
A faculty member may remove a student from class meetings for disciplinary reasons. If an instructor removes a student for more than one class period, the faculty member shall notify the department/division chair and the appropriate vice president or designee in writing of the problem, action taken by the faculty member, and the faculty member's recommendation. If a resolution of the problem is not reached between the faculty member and the student, the student may be removed permanently pursuant to due process procedures.

#### 2.5.2 Student Conduct Code

The purpose of this Code is to help ensure a healthy, comfortable and educationally productive environment for students, employees and visitors.

##### Article I: Definitions

The following are definitions of terms or phrases contained within this Code:

1. "Accused student" means any student accused of violating this Student Conduct Code.
2. "Appellate boards" means any person or persons authorized by the college president to consider an appeal from a Student Conduct Board's determination that a student has violated this Student Conduct Code or from the sanctions imposed by the Student Conduct Administrator. The college president may act as the appellate board.
3. "College" means a Maricopa Community College or center.
4. "College premises" means all land, buildings, facilities and other property in the possession of or owned, used or controlled by the college or District.

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5. "College official" means any person employed by the college or District, performing assigned administrative or professional responsibilities pursuant to this Student Conduct Code. The college president shall designate the college or center official to be responsible for the administration of the Student Conduct Code.
6. "Complainant" means any person who submits a charge alleging that a student violated this Student Conduct Code. When a student believes that s/he has been a victim of another student's misconduct, the student who believes s/he has been a victim will have the same rights under this Student Conduct Code as are provided to the complainant, even if another member of the college community submitted the charge itself.
7. "Day" means calendar day at a time when college is in session, and shall exclude weekends and holidays.
8. "Disruptive behavior" means conduct that materially and substantially interferes with or obstructs the teaching or learning process in the context of a classroom or educational setting.
9. "District" means the Maricopa County Community College District.
10. "Faculty member" means any person hired by the college or District to conduct classroom or teaching activities or who is otherwise considered by the college to be a member of faculty.
11. "May" is used in the permissive sense.
12. "Member of the college community" means any person who is a student, faculty member, college official or any other person employed by the college or center. A person's status in a particular situation shall be determined by the college president.
13. "Organization" means any number of persons who have complied with the formal requirements for college recognition.
14. "Policy" is defined as the written regulations of the college and/or District as found in, but not limited to, this Student Conduct Code and Governing Board policy.
15. "Shall" is used in the imperative sense.
16. "Student" means any person taking courses at the college whether full-time or part-time. Persons who are not officially enrolled for a particular term but who have a continuing relationship with the college are considered "students".
17. "Student Conduct Administrator" means a college official authorized on a case by case basis by the college official responsible for administration of the Student Conduct Code to impose sanctions upon students found to have violated this Student Conduct Code. A Student Conduct Administrator may serve simultaneously as a Student Conduct Administrator and the sole member or one of the members of a Student Conduct Board. The college official responsible for administration of the Student Conduct Code may authorize the same Student Conduct Administrator to impose sanctions in all cases.
18. "Student Conduct Board" means any person or persons authorized by the college president to determine whether a student has violated this Student Conduct Code and to recommend sanctions that may be imposed when a violation has been committed.

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19. "Threatening behavior" means any written or oral statement, communication, conduct or gesture directed toward any member of the college community, which causes a reasonable apprehension of physical harm to self, others or property. It does not matter whether the person communicating the threat has the ability to carry it out, or whether the threat is made on a present, conditional or future basis.

#### Article II: Judicial Authority

1. The college official responsible for administration of the Student Conduct Code shall determine the composition of Student Conduct Board and determine which Student Conduct Administrator, Student Conduct Board, and appellate board shall be authorized to hear each case.
2. The college official responsible for administration of the Student Conduct Code shall develop procedures for the administration of the judicial program and rules for the conduct of hearings that are consistent with provisions of this Student Conduct Code.
3. Decisions made by a Student Conduct Board and/or Student Conduct Administrator shall be final, pending the normal appeal process.

#### Article III: Prohibited Conduct

1. Jurisdiction of the College  
The Student Conduct Code shall apply to conduct that occurs on college or District premises, or at college- or District-sponsored activities that adversely affects the college community and/or the pursuit of its objectives. Each student shall be responsible for his/her conduct from the time of admission through the actual awarding of a degree, certificate, or similar indicator of completion of a course of study, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment (and even if their conduct is not discovered until after a degree is awarded). The Student Conduct Code shall apply to a student's conduct even if the student withdraws from school while a disciplinary matter is pending.
2. Temporary Removal of Student  
Disruptive behavior includes conduct that distracts or intimidates others in a manner that interferes with instructional activities, fails to adhere to a faculty member's appropriate classroom rules or instructions, or interferes with the normal operations of the college. Students who engage in disruptive behavior or threatening behavior may be directed by the faculty member to leave the classroom or by the college official responsible for administration of the Student Conduct Code to leave the college premises. If the student refuses to leave after being requested to do so, college safety may be summoned. For involuntary removal from more than one class period, the faculty member should invoke the procedures prescribed in the Student Conduct Code.
3. Conduct - Rules and Regulations  
Any student found to have committed the following misconduct is subject to the disciplinary sanctions outlined in Article IV:
  - A. Acts of dishonesty, including but not limited to the following:
    - i. Furnishing false information to any college official or office.
    - ii. Forgery, alteration or misuse of any college document, record or instrument of identification.
    - iii. Tampering with the election of any college- recognized student organization.

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- B. Obstruction of teaching, research, administration, disciplinary proceedings or other college activities, including its public service functions on campus, in clinical settings or other authorized non-college activities, when the conduct occurs on college premises a faculty member may remove a student from a class meeting for disciplinary reasons. If a faculty member removes a student for more than one class period, the faculty member shall notify the college official responsible for administration of the Student Conduct Code in writing of the problem, action taken by the faculty member, and the faculty member's recommendation. If a resolution of the problem is not reached, the student may be removed permanently pursuant to appropriate due process procedures.
- C. Physical abuse, verbal abuse, threats, intimidation, harassment, coercion, conduct which threatens or endangers the health or safety of any person, and/or disruptive behavior as defined in Article II.B. above.
- D. Attempted or actual theft of and/or damage to property of the college or property of a member of the college community or other personal or public property.
- E. Failure to comply with direction of college officials or law enforcement officers in the performance of their duties and/or failure to identify oneself to these persons when requested to do so.
- F. Unauthorized possession, duplication or use of keys to any college premises, or unauthorized entry to or use of college premises.
- G. Violation of any college or District policy, rule or regulation published in hard copy such as a college catalog, handbook, etc. or available electronically on the college's or District's website.
- H. Violation of federal, state or local law.
- I. Use, possession, manufacturing or distribution of illegal or other controlled substances except as expressly permitted by law.
- J. Illegal use, possession, manufacturing or distribution of alcoholic beverages or public intoxication.
- K. Illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals on college premises, or use of any such item, even if legally possessed, in a manner that harms, threatens, or causes fear to others, or property damage.
- L. Participation in a demonstration, riot or activity that disrupts the normal operations of the college and infringes on the rights of other members of the college community; leading or inciting others to disrupt scheduled and/or normal activities within any college building or area.
- M. Obstruction of the free flow of pedestrian or vehicular traffic on college premises or at college-sponsored or supervised functions.
- N. Conduct that is disorderly, lewd or indecent; breach of the peace; or aiding, abetting or procuring another person to breach the peace on college premises or at functions sponsored by or participated in by the college or members of the academic community. Disorderly conduct includes but is not limited to: any unauthorized use of electronic or other devices or to make an audio or video record of any person while on college or District premises without his/her prior knowledge, or without his/her effective consent or when such a recording is likely to cause injury or distress. This includes, but is not limited to, secretly taking pictures of another person in a gym, locker room, or restroom.
- O. Attempted or actual theft or other abuse of technology facilities or resources, including but not limited to:
  - i. Unauthorized entry into a file, to use, read or change the contents or for any other purpose
  - ii. Unauthorized transfer of a file
  - iii. Unauthorized use of another individual's identification and/or password

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- iv. Use of technology facilities or resources to interfere with the work of another student, faculty member or college official
  - v. Use of technology facilities or resources to send obscene or abusive messages
  - vi. Use of technology facilities or resources to interfere with normal operation of the college technology system or network
  - vii. Use of technology facilities or resources in violation of copyright laws
  - viii. Any violation of the District's technology resource standards
  - ix. Use of technology facilities or resources to illegally download files
  - P. Abuse of the Student Conduct system, including but not limited to:
    - i. Falsification, distortion or misrepresentation of information before a Student Conduct Board.
    - ii. Disruption or interference with the orderly conduct of a Student Conduct Board proceeding.
    - iii. Invoking a Student Conduct Code proceeding with malicious intent or under false pretenses
    - iv. Attempting to discourage an individual's proper participation in, or use of, the Student Conduct system
    - v. Attempting to influence the impartiality of the member of a judicial body prior to, and/or during the course of, the Student Conduct Board proceeding
    - vi. Harassment, either verbal or physical, and/or intimidation of a member of a Student Conduct Board prior to, during and/or after a Student Conduct Board proceeding
    - vii. Failure to comply with the sanctions imposed under this Student Conduct Code
    - viii. Influence or attempting to influence another person to commit an abuse of the Student Conduct Code system
    - ix. Failure to obey the notice from a Student Conduct Board or college official to appear for a meeting or hearing as part of the Student Conduct system.
  - Q. Engaging in irresponsible social conduct.
  - R. Attempt to bribe a college or District employee.
  - S. Stalking behavior, which occurs if a student intentionally or knowingly maintains visual or physical proximity toward another person on two or more occasions over a period of time and such conduct would cause a reasonable person to fear for his or her safety.
4. Violation of Law and College Discipline
- A. Disciplinary proceedings may be instituted against a student charged with conduct that potentially violates both the criminal law and this Student Conduct Code (that is, if both possible violations result from the same factual situation) without regard to pending of civil or criminal litigation. Proceedings under this Student Conduct Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus at the discretion of the college official responsible for administration of the Student Conduct Code. Determinations made or sanctions imposed under this Student Conduct Code shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of college rules were dismissed, reduced, or resolved in favor of or against the criminal law defendant.
  - B. When a student is charged by federal, state or local authorities with a violation of law, the college will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also being processed under this Student Conduct Code, however, the college may advise off campus authorities of the existence of this Student Conduct Code and of how such matters will be handled internally within the college community. The college will cooperate fully with the law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators.

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Individual students and faculty members, acting within their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

#### Article IV: Student Conduct Code Procedures

##### 1. Charges and Student Conduct Board Hearings

- A. Any member of the college community may file charges against a student for violations of this Student Conduct Code. A charge shall be prepared in writing and directed to the Student Conduct Administrator. Any charge should be submitted as soon as possible after the event takes place, preferably within thirty (30) days following the incident. Misconduct charges of a sexual nature, including sexual harassment and sexual assault, should be sent to the vice president of student affairs who is the designated Title IX Coordinator at each MCCCDC college. Title IX protects students from sexual misconduct and other forms of discrimination in connection with all academic, extracurricular, athletic, and other programs sponsored by the college at any college facility or other location. The Title IX Coordinator (or designee) will conduct an investigation that is prompt, thorough, and impartial according to the MCCCDC sexual harassment complaint process.
- B. The Student Conduct Administrator may conduct a prompt, thorough, and impartial investigation to determine if the charges have merit and/or if they can be disposed of administratively by mutual consent of the parties involved on a basis acceptable to the Student Conduct Administrator. Such disposition shall be final and there shall be no subsequent proceedings. If the charges are not admitted and/or cannot be disposed of by mutual consent, the Student Conduct Administrator will convene the student conduct board. If the student admits violating institutional rules, but sanctions are not agreed to, the hearing shall be limited to determining the appropriate sanction(s).
- C. All charges shall be presented to the accused student in written form. The Student Conduct Administrator will provide written notice of the time, date, and location of the student conduct hearing. The notice will describe the evidence of alleged misconduct, the code provisions violated, and the possible sanctions. The student conduct hearing notice, plus a copy of this code, shall be provided to the student accused of misconduct no less than five (5) workdays before the hearing date. The hearing will be held no more than fifteen (15) workdays after the student has been notified unless the Student Conduct Administrator extends the deadline for good cause in his or her sole discretion.
- D. Hearings shall be conducted by a Student Conduct Board according to the following guidelines, except as provided by Article IV A.7 below:
  - i. Student Conduct Board hearings normally shall be conducted in private.
  - ii. The complainant, accused student and their advisors, if any, shall be allowed to attend the entire portion of the Student Conduct Board hearing at which information is received (excluding deliberations). Admission of any person to the hearing shall be at the discretion of the Student Conduct Board and/or its Student Conduct Administrator.
  - iii. In Student Conduct Board hearings involving more than one accused student, the Student Conduct Administrator, in his or her discretion, may permit the Student Conduct Board hearing concerning each student to be conducted either separately or jointly.
  - iv. The complainant and the accused shall have the right to be assisted by any advisor they choose, at their own expense. A party who elects to be assisted by an advisor must notify the student conduct administrator of the name and contact information of the advisor not less than two (2) days before the scheduled hearing. The advisor must be a member of the college community and may not be an attorney. Both the complainant and the accused are responsible for presenting their own information and, therefore, advisors are not permitted to speak or

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- participate directly in any Student Conduct Board hearing before a Student Conduct Board.
- v. The complainant, the accused student, and the Student Conduct Board may arrange for witnesses to present pertinent information to the Student Conduct Board. The Student Conduct Administrator will try to arrange the attendance of possible witnesses who are members of the college community, if reasonably possible, and who are identified by the complainant and/or accused student at least two days prior to the Student Conduct Board hearing. Witnesses will provide information to and answer questions from the Student Conduct Board. Questions may be suggested by the accused student and/or complainant to be answered by each other or by other witnesses. This will be conducted by the Student Conduct Board with such questions directed to the chairperson, rather than to the witness directly. This method is used to preserve the educational tone of the hearing and to avoid creation of an adversarial environment. Questions of whether potential information will be received shall be resolved in the discretion of the chairperson of the Student Conduct Board.
  - vi. The Student Conduct Administrator will present the information he or she received.
  - vii. Pertinent records, exhibits, and written statements may be accepted as information for consideration by a Student Conduct Board at the discretion of the chairperson.
  - viii. All procedural questions are subject to the final decision of the chairperson of the Student Conduct Board.
  - ix. After the portion of the Student Conduct Board hearing concludes in which all pertinent information has been received, the Student Conduct Board shall determine (by majority vote if the Student Conduct Board consists of more than one person) whether the accused student violated the section of this Student Conduct Code which the student is charged with violating.
  - x. The Student Conduct Board's determination shall be made on the basis of whether it is more likely than not that the accused student violated this Student Conduct Code.
- E. There shall be a single verbatim record, such as a tape recording, of all Student Conduct Board hearings before a Student Conduct Board (not including deliberations). The record shall be the property of the District.
  - F. No student may be found to have violated this Student Conduct Code because the student failed to appear before a Student Conduct Board. In all cases, the evidence and support of the charges shall be presented and considered.
  - G. The Student Conduct Board may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the complainant, accused student, and/or other witness during the hearing by providing separate facilities, by using a visual screen, and/or by permitting participation by telephone, videophone, closed circuit television, video conferencing, videotape, audio tape, written statement, or other means, where and as determined in the sole judgment of the college official responsible for administration of the Student Conduct Code.
2. Sanctions
    - A. The following sanctions may be imposed upon any student found to have violated the Student Conduct Code:
      - i. Warning - a written notice to the student that the student is violating or has violated institutional rules or regulations.
      - ii. Probation - a written reprimand for violation of specified rules or regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to violate any institutional rules or regulation(s) during the probationary period.

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- iii. Loss of Privileges - denial of specified privileges for a designated period of time.
  - iv. Restitution - compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.
  - v. Discretionary Sanctions - work assignments, essays, service to the college, or other related discretionary assignments. (Such assignments must have the prior approval of the Student Conduct Administrator.)
  - vi. College Suspension - separation of the student from all the colleges in the District for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
  - vii. College Expulsion - permanent separation of the student from all the colleges in the District.
- B. More than one of the sanctions listed above may be imposed for any single violation.
- C. Other than college expulsion, disciplinary sanction shall not be made part of the student's academic record, but shall become part of the student's disciplinary record. Upon graduation, the student's disciplinary record may be expunged of disciplinary actions upon the student's application to the Student Conduct Administrator. Cases involving the imposition of sanctions other than suspension or expulsion shall be expunged from the student's confidential record five (5) years after final disposition of the case.
- In situations involving both an accused student(s) (or group or organization) and a student(s) claiming to be the victim of another student's conduct, the records of the process and of the sanctions imposed, if any, shall be considered to be the education records of both the accused student(s) and the student(s) claiming to be the victim because the educational career and chances of success in the college community of each may be impacted.
- D. The following sanctions may be imposed upon groups or organizations:
- i. Those sanctions listed above in Article IV B. 1. a through d.
  - ii. Loss of selected rights and privileges for a specified period of time.
  - iii. Deactivation - loss of all privileges, including college recognition for a designated period of time.
- E. In each case in which a Student Conduct Board determines that a student and/or group or organization has violated the Student Conduct Code, the sanction(s) shall be determined and imposed by the Student Conduct Administrator. In cases in which persons other than, or in addition to, the Student Conduct Administrator have been authorized to serve as the Student Conduct Board, the recommendation of the Student Conduct Board shall be considered by the Student Conduct Administrator in determining and imposing sanctions. The Student Conduct Administrator is not limited to sanctions recommended by members of the Student Conduct Board. Following the Student Conduct Board hearing, the Student Conduct Board and the Student Conduct Administrator shall advise the accused student, group and/or organization (and a complaining student who believes s/he was the victim of another student's conduct) in writing of its determination and of the sanction(s) imposed, if any.
3. Emergency Suspension
- If a student's actions pose an immediate threat or danger to any member of the college community or the educational processes, a college official responsible for administering the Student Conduct Code may immediately suspend or alter the rights of a student pending a Student Conduct Board hearing. Scheduling the hearing shall not preclude resolution of the matter through mediation or any other dispute resolution process. The decision will be based on whether the continued presence of the student on the college campus reasonably

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poses a threat to the physical or emotional condition and well-being of any individual, including the student, or for reasons relating to the safety and welfare of any college property, or any college function. When an emergency suspension is imposed, the student conduct administrator will seek to resolve the complaint at the earliest possible date. This suspension is not a sanction but an effort to protect people and property and prevent disruption of college operations.

In imposing an emergency suspension, the college official responsible for administration of the Student Conduct Code may direct that the student immediately leave the college premises and may further direct the student not to return until contacted by that official. An accused student shall be in violation of this policy regardless of whether the person who is the object of the threat observes or receives it, as long as a reasonable person would interpret the communication, conduct or gesture as a serious expression of intent to harm.

#### 4. Administrative Hold

The Student Conduct Administrator may place a temporary administrative hold preventing an accused student's registration, financial aid award, transcript release, or graduation if it is necessary to secure the student's cooperation in the investigation or compliance with a direction. This hold is not a sanction but a necessary step to resolve the complaint promptly.

#### 5. Academic Consequences

Violations of the student conduct code can have academic consequences if the violation also constitutes failure to meet standards of performance or professionalism set by the instructor or the program, or if it constitutes cheating, plagiarism, falsification of data, or other forms of academic dishonesty. The instructor may award a failing grade for the assignment or the course in such cases, and the program faculty may decide that the student is ineligible to continue in the program. Academic consequences are determined by the faculty and academic administration, and are not dependent on the decisions of the student conduct board, the appeals board, or the student conduct administrator.

#### 6. Appeals Regarding Student Code of Conduct

- A. A decision reached by the Student Conduct Board judicial body or a sanction imposed by the Student Conduct Administrator may be appealed by accused students or complainants to an Appellate Board within five (5) days of receipt of the decision. Such appeals shall be in writing and shall be delivered to the Student Conduct Administrator.
- B. Except as required to explain on the basis of new information, an appeal shall be limited to the review of the verbatim record of the Student Conduct Board hearing and supporting documents for one or more of the following purposes:
  - i. To determine whether the Student Conduct Board hearing was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures giving the complainant a reasonable opportunity to prepare and present information that the Student Conduct Code was violated, and giving the accused student a reasonable opportunity to prepare and to present a response to those allegations. Deviations from designated procedures will not be a basis for sustaining an appeal unless significant prejudice results.
  - ii. To determine whether the decision reached regarding the accused student was based on substantial information, that is, whether there were facts in the case that, if believed by the fact finder, were sufficient to establish that a violation of the Student Conduct Code occurred.
  - iii. To determine whether the sanction(s) imposed was appropriate to the violation of the Student Conduct Code which the student was found to have committed.

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- iv. To consider new information, sufficient to alter a decision or other relevant facts not brought out in the original hearing, because such information and/or facts were not known to the person appealing at the time of the original Student Conduct Board hearing.
- C. If an appeal is upheld by the appellate board, the matter shall be returned to the original Student Conduct Board and Student Conduct Administrator for reopening of the Student Conduct Board hearing to allow reconsideration of the original determination and/or sanction(s). If an appeal is not upheld, the matter shall be considered final and binding upon all concerned.

#### Article V: Interpretation and Revision

Any question of interpretation regarding the Student Conduct Code shall be referred to the college official responsible for administration of the Student Conduct Code for final determination.

#### 2.5.3 Student Records

##### 1. Definitions

For the purposes of this policy, the Maricopa County Community College District has used the following definition of terms.

- A. "College" includes all colleges, educational centers, skill centers and District office.
- B. "Educational Records" are any record (in handwriting, print, tapes, film, or other media) maintained by the college or an agent of the college which is directly related to a student, except:
  - i. A personal record kept by a staff member, if it is kept in the personal possession of the individual who made the record, and information contained in the record has never been revealed or made available to any other person except the maker's temporary substitute
  - ii. An employment record of an individual whose employment is not contingent on the fact that he or she is a student, provided the record is used only in relation to the individual's employment
  - iii. Records maintained by the colleges security unit, if the record is maintained solely for law enforcement purposes, is revealed only to law enforcement agencies of the same jurisdiction and the security unit does not have access to education records maintained by the community college.
  - iv. Alumni records which contain information about a student after he or she is no longer an attendant of the community college and the records do not relate to the person as a student

##### 2. Records Request

Official verification of educational records is issued by the Admissions and Records Office/ Office of Student Enrollment Services.

##### 3. Fees

If a copy(ies) of a portion or all of the records in a student's file is requested, the custodian of the records may charge a fee for copies made. However, the willingness or ability to pay the fee will not effectively prevent students from exercising their right to inspect and review (under supervision of a college employee) their records. A fee will not be charged to search for or to retrieve records. Standard fees for printing and duplication services will apply.

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4. Annual Notification  
Students will be notified of their further rights annually by publication in the college catalog and/or the student handbook:

#### Rights of Access to Educational Records

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. These rights are:

- A. The right to inspect and review the student's education records within 45 days of the day the college receives a request for access.

Students should submit to the college admissions and records department written requests that identify the record(s) they wish to inspect. The college official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the college official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

- B. The right to request the amendment of the student's education records that the student believes to be inaccurate or misleading.

Students may ask the college to amend a record that they believe is inaccurate or misleading. They should write the college official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If the college decides not to amend the record as requested by the student, the college will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

- C. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interest. A school official is defined as a person employed by the college or District in an administrative, supervisory, academic, or support staff position (including law enforcement unit and health staff); a person or company with whom the college or District has contracted (such as an attorney, auditor, or collection agent); a person serving on the Governing Board; or a person assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the college discloses education records without consent to officials of another school in which a student seeks or intends to enroll.

- D. The right to file a complaint with the US Department to Education concerning alleged failures by the college to comply with the requirements of FERPA.

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The name and address of the Office that administers FERPA is:

Family Policy Compliance Office  
US Department of Education  
400 Maryland Ave., S.W.  
Washington, DC 20202-4605

5. Student Directory
 

A Maricopa community college may release directory information about any student who has not specifically requested the withholding of such information. Students who do not want directory information released may so indicate during the admissions process or notify the Office of Admissions and Records.

At any Maricopa community college, directory information is defined as a student's name, address, telephone number, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees and awards received, dates of attendance, part-time or full-time status, most recent previous educational agency or institution attended by the student, college within the Maricopa Community Colleges where the student has been enrolled, photograph of student, and electronic mail address.
6. Use of Education Records for Advisement Purposes
 

All colleges within the Maricopa Community Colleges have access to the computerized degree audit program. During the advisement process, each student may have his or her academic record reviewed for coursework taken at any of the District's colleges or centers. The institution retains the right to exercise discretion in determining the release of directory information.
7. Disclosure to Parents
 

In accordance with federal law, college officials may disclose educational records to parents of minors or to parents of a student who have established the student's status as a dependent according to the Internal Revenue Code of 1986, section 152, without the written consent of the student.

#### 2.5.4 Student Employment

1. District Student Employees
  - A. Introduction
 

Students may be employed by the college as student help. District regulations require that students be hired in essential jobs and that they be properly trained and supervised.
  - B. Philosophy and Workload for Student Employees
    - i. It shall be the philosophy of Maricopa Community College District that a student may work to augment college and living expenses, however, the scholastic endeavor should be foremost. Sufficient time should be allotted for classroom attendance, homework, out-of-class study and participation in activities.
    - ii. A workload of twenty (20) hours per week should be established as the maximum number of hours a student employee may work on campus. All student employees shall be enrolled in a minimum of three (3) semester credit hours. Any combination of day and evening hours would meet this requirement. Any student employee having special reasons to work over 20 hours per week or having dropped below three (3) credit hours should request his/her immediate supervisor to obtain approval from the College president or his/her designee.

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### 2.5 students rights and responsibilities (cont'd)

- iii. During the summer sessions, students may be eligible for employment if they were enrolled for a minimum of three (3) semester credit hours at the end of the spring semester, or if they have been accepted for admission for the fall semester. Exceptions to the three (3) semester credit hours may be made by the president, or his/her designee. Summer shall be designated as the time from the official end of the spring semester to the beginning of classes for the fall semester.
  - C. Student Employee Benefits  
As student employees, there are no entitlements to employee benefits; i.e., vacation, retirement, sick leave, health and life, or disability insurance. Students will, however, be covered under Worker's Compensation Insurance.
  - D. Student Employment Records  
Student employee records will be maintained at the Financial Aid office, the office of the fiscal agent or the Career/Placement Office and will be reviewed periodically by the vice president of students affairs.
  - E. Student Compensation  
The hourly rate of pay for student employees shall coincide with the policies of the District Salary Schedule.
  - F. Employee Contracts and Forms (See Appendix FM-3)
  - G. Student Employee Grievance Procedure  
Part-time student employees working for one of the Maricopa Community Colleges may wish to file a grievance relating to certain working conditions or violation of student employment regulation. Please refer to the Non-Instructional Complaint Resolution Process (AR 2.3.12)
- 2. Student Security Guards
  - A. Introduction and Philosophy  
Students may be employed by the college as student help. If student guards do not come from the ranks of Administration of Justice classes, they must undergo appropriate training to qualify them as student guards. This training program is outlined in the regulation.
  - B. Workload of Student Security Guards
    - i. Student security guards shall be enrolled for a minimum of three (3) semester hours.
    - ii. Student security guards shall be limited to 20 hours per week when the workweek starts at 7:00 a.m. on Monday and concludes at 11:00 p.m. on Friday. Additional hours may be worked if guards are assigned special duty at games or activities held on campus during the weekend, or if guards are assigned a shift on Saturday and Sunday, between 7:00 a.m. and 11:00 p.m.
  - C. Students not in Administration of Justice Program
    - i. Use of student other than those in Administration of Justice Program:
      - 1. Selection of the student must be personally approved by the vice president of students affairs and chief of security.
      - 2. Selection of a student should not extend beyond one semester without the approval of the vice president of students affairs.
      - 3. Selected student must undergo a special training program directed by the chief of security and approved by the vice president of students affairs.
    - ii. Recommended program for students other than those in Administration of Justice programs: Students employed by campus security who are not majors in the Administration of Justice program should be given at least twenty (20) hours of training with pay before being allowed to function independently as a campus security guard. This training should include, but not be limited to instruction in:

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### 2.5 students rights and responsibilities (cont'd)

1. Wearing of the uniform, general appearance, and demeanor
  2. The use of the various security report forms and how to properly complete them to provide requested information; General report writing methods
  3. Public relations methods used on the campus
  4. Crime prevention methods used on the campus; Patrol methods used in buildings and grounds.
  5. Basic techniques for interviewing students, faculty and visitors relative to the incidents
  6. Laws and regulations governing the actions of campus security personnel concerning rendering of assistance to students, faculty and visitors on the campus
  7. Basic first aid
- D. Student Security Guards Employee Benefits  
As student employees there are not entitlements to employee benefits; i.e., vacation retirement, sick leave, health and life, or disability insurance. Students will, however, be covered under Worker's Compensation Insurance.
- E. Student Employment Records  
The student security guard's employment records will be maintained at the office of the chief of security and reviewed periodically by the vice president of students affairs.

#### 2.5.5 Student Governance

Student governing bodies derive their authority from the Maricopa County Community College District Governing Board that exists in accordance with Arizona Revised Statutes. The administration of the District is vested in the Chancellor who delegates responsibility for each college to the college president who serves in a management and policy implementation capacity having the ultimate responsibility for all activities of the college. The president shall designate the administrator(s) (i.e., directors of student leadership) at each college who will be charged with the responsibility for working with the college student governing body(ies) in the development of college student activities and programs.

A representative form of student governance may exist at each college/center as well as district wide to provide an effective means of communication among students, faculty, staff and administration and to provide student input in college and District matters. Eligibility requirements are to be met and spelled out in detail in each student governance constitution. These constitutions shall establish the minimum requirements for the elective/appointive officers. All student government constitutions shall be submitted to the Governing Board General Counsel to ensure compliance with federal and state laws, and the Maricopa Community Colleges Governing Board Administrative Regulations. Since Rio Salado Community College is a countywide non-campus college, the president shall ensure that opportunities exist for student involvement.

College student constitutions should be reviewed annually by student governance. The appropriate vice president or designee of each college shall be responsible for submitting any changes to the president of the college for transmittal to the Governing Board General Counsel.

1. Officers/Members  
All reference in this document to positions will designate whether the position is an officer position or a member position.

Each student governance constitution shall define which of its elected positions (maximum of 5) within its structure shall be designated as officers. The persons filling those positions

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shall be referred to, in this document, as officers. Persons filling all other positions, elected or appointed, shall be referred to as members (excluding non-voting committee members).

All positions filled by election shall be considered as elected positions, even though the person filling the position may have been appointed to fill an unexpired term of another individual.

2. Designation  
Colleges with two (2) student governments shall designate the governments as “day” or “evening.” Colleges with one (1) government shall be considered day students, for the purposes of this document.
3. Eligibility for Office  
All student governance constitutions shall prescribe that all persons elected or appointed as officers shall be enrolled in and maintain a minimum of six (6) credit hours for day student governments, three (3) credit hours for evening student governments. Officers shall have and maintain a minimum cumulative grade point average of 2.50 and be in good standing (not on probation) according to the written district policy. Convicted felons shall be ineligible for office (ARS § 13-904). The constitution may, however, set more rigid requirements, if so desired by college student governance.
4. Tenure of Position  
Tenure in any student governance position shall be determined by the respective student governance constitutions. In no case shall any student be allowed to serve in any combination of officer/member positions beyond a total of ten (10) semesters. Tenure in any combination of officer positions shall be limited to four (4) semesters.
5. Removal from Office  
Provisions shall be made in all student governance constitutions for removal for cause of individuals from elected or appointed student governance positions.
6. Remuneration Limitations
  - A. Student body officers may receive financial support and/or a letter grade in a leadership class during their terms of office as authorized in their respective student governance constitutions. Student body officers (maximum 5) may receive up to twenty (20) hours per week in financial support and/or up to six (6) credit hours in leadership classes per semester. Remuneration shall be for services rendered and not for merely holding the office.
  - B. For qualifying students, Federal Work Study (FWS) funds may be used in accordance with Federal guidelines.
  - C. The allowance for awarding honorariums or scholarships for executive student officers is a maximum of \$200.00.
  - D. Compensation may be received for both honorariums/scholarships and college employment in the same semester.
7. Amending Student Constitutions  
College student constitutions should be reviewed annually by student governance. The appropriate vice president or designee of each college shall be responsible for submitting any constitutional changes to the President of the college for transmittal to the Governing Board General Counsel.

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### 2.5 students rights and responsibilities (cont'd)

8. Student Governance Advisors  
College organization advisors will be provided for in each student governance constitutions. Such advisors shall be full-time or part-time employees of the Maricopa Community Colleges.

Recommendations for appointment of an advisor may be submitted to the appropriate vice president or college president. Recommendations for dismissal of an advisor with just cause may be submitted to the appropriate vice president or college president.

9. Legal/Fiscal/Financial Matters  
Authority and responsibility beyond the scope specifically covered in student policies, or interpretation of such matters within laws, board policies, etc. shall rest with the offices of General Counsel and Chancellor, respectively.

10. Final Authority  
In the event of a complete breakdown of the governance body, the college president will serve as the final authority.

#### Student Clubs and Organizations

In addition to student governing bodies, student clubs and organizations may be formed that fall under the operational direction of the Office of Student Life and Leadership and the administrative direction of the Vice President of Student Affairs at each college. Student clubs and organizations are generally interest-based in nature (such as for a particular program, discipline, or college activity) and are considered to be an important part of the total college experience. Each college shall outline the requirements necessary to establish the formation of an interest-based student club and organization (i.e., mission/purpose, size, structure, advisors). Club advisors shall be employees of the Maricopa County Community College District.

In most instances, student clubs and organizations shall be open to all students who are enrolled in credit courses at a Maricopa Community College. Pursuant to ARS §15-1863, religious or political student organizations may determine that the organization's internal affairs, selecting the organization's leaders and members, defining the organization's doctrines, and resolving the organization's disputes are part of the organization's religious or political mission and that only persons committed to that mission should conduct such activities. For religious and political organizations, state statute recognizes the role that viewpoint serves in the mission and purpose of the organization's operations. Thus, such groups may elect to select members based upon organizational doctrine. The MCCCCD may not deny recognition or any privilege or benefit to a religious or political student organization or group that exercises its rights pursuant to the statute.

Whereas ARS §15-1863 allows religious and political organizations to determine their internal affairs and the selection of their leaders and members, the MCCCCD non-discrimination policy is applicable to all other aspects of these student clubs and organizations.

#### 2.5.6 Lost or Stolen Records

The Federal Family Educational Rights and Privacy Act of 1974 (FERPA) established that student records containing personally identifiable information be protected from disclosure. The Chancellor or designee shall develop guidelines that address how employees or agents serving on behalf of the Maricopa County Community College District (MCCCCD) will report the loss or theft of student education records, in the event that such loss or theft occurs.

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### 2.5 students rights and responsibilities (cont'd)

Any employee, agent of the MCCC, office or department that experiences the loss or theft of student education records, and/or serves as the custodian for the records, is responsible for notifying the appropriate college/district officials and or other authorities as outlined in Appendix S-11. In addition, departments or divisions that experience a loss or theft of student records shall develop and implement procedures to help avoid the future loss or theft of records.

AMENDED through the Administrative Regulation Process, March 13, 2012

AMENDED through the Administrative Regulation approval process, March 4, 2011

AMENDED through the Administrative Regulation approval process, February 23, 2010

ADOPTED through the Administrative Regulation approval process, June 24, 2002