

# *Student Rights and Responsibilities* 4



## Section 4

### Student Rights and Responsibilities

Each student is responsible for following the rules and regulations in this catalog. Furthermore, each student is responsible for his/her enrollment in classes and for attending classes. The College is not liable if the student fails to read and understand the rules.

#### Academic Integrity

The Center for Academic Integrity at Duke University\* defines academic integrity as a commitment, even in the face of adversity, to five fundamental values: honesty, trust, fairness, respect, and responsibility. From these values flow principles of behavior that enable academic communities to translate ideals into action.

Palomar College is wholly committed to the idea and ideals of academic integrity. We embrace and adopt the definition and related principles of academic integrity provided by the Center for Academic Integrity stated in the paragraph above. Following are the explanations of the five principles as provided by the Center for Academic Integrity and adopted by Palomar College.

1. **Honesty:** Begins with oneself and extends to others. In the quest for knowledge, we must be honest with ourselves and with each other, whether in the classroom, laboratory, meeting, library, or on the playing field.
2. **Trust:** Only with trust can we believe in the research and efforts of others and move forward with new work. Only with trust can we collaborate with individuals, sharing information and ideas without concern that our work will be misappropriated or misused, our reputations diminished, or our academic careers harmed. Only with trust can our communities believe in the social and economic value and meaning of an institution's scholarship and degrees.
3. **Fairness:** Important components of fairness are predictability, clear expectations, and a consistent and just response to dishonesty. All campus constituencies have a role in ensuring fairness and a lapse by one member of the community does not excuse misconduct by another.
4. **Respect:** Demonstrated by attending class, being on time, paying attention, following instructions, listening to other points of view, being prepared and contributing to discussions, meeting academic deadlines, and performing to the best of our ability. Being rude, demeaning, or disruptive is the antithesis of respectful conduct. We show respect for the work of others by acknowledging our intellectual debts through proper identification of sources.
5. **Responsibility:** Shared responsibility distributes the power to effect change, helps overcome apathy, and stimulates personal investment in upholding academic integrity standards. Being responsible means taking action against wrongdoing, despite peer pressure, fear, loyalty, or compassion. At a minimum, individuals should take responsibility for their own honesty and should discourage and seek to prevent misconduct by others. Whatever the circumstances, members of an academic community must not tolerate or ignore dishonesty on the part of others.

\*The Center for Academic Integrity is affiliated with the Kenan Ethics Program at Duke University in Durham, North Carolina.

#### Debts Owed to the College

Debts occur when a student fails to repay money borrowed from the College, violates a student financial aid contract, fails to pay tuition and/or enrollment fees, library fines, or bookstore charges. Debts also occur when the student fails to reimburse the College for a returned check, does not return or account for athletic equipment/uniforms, or fails to pay scheduled fees for other services provided by the College. This list of debts is not all inclusive and may include others not specifically listed. If a delinquent debt is sent to the Chancellor's Office Tax Offset Program or another collection agency, a 33% penalty charge will be added to the balance owed.

Palomar College reserves the right to withhold all further services until the debt is paid in full. Grades and transcripts may be withheld until all financial obligations are cleared.

#### Drugs and Alcohol Policy

It is the policy of the Palomar Community College District to provide, maintain, encourage, and support a drug-free and alcohol-free campus. The commitment of this policy is to education, prevention, rehabilitation, and recovery. An alcohol-free and drug-free campus will promote the safety and health of students, employees, and the public.

All employees and students are clearly and expressly prohibited from the possession, being under the influence, or consumption of alcohol, illegal drugs, or controlled substances on campus, at any school-sponsored event, or while acting within the scope of employment.

The complete Code of Conduct may be found on the Student Affairs web page at [www.palomar.edu/studentactivities/](http://www.palomar.edu/studentactivities/), and is also available in the Office of Student Affairs, SU-201.

#### Parking and Traffic Regulations

##### Parking Permits

A permit from the College is required for all vehicles on District property 24 hours a day, seven days a week. The permit must be placed on the rear-view mirror when parked or, if you have a convertible, a decal may be affixed to the right rear bumper or right rear window and on the left front fork of motorcycles.

Permits may be purchased at the Cashier's Office on the San Marcos campus and at the Palomar College Escondido Center. They may also be purchased online with a credit card via eServices at [www.palomar.edu](http://www.palomar.edu) up to one week prior to the beginning of the semester. Once payment has been received and the mailing address confirmed, the permit will be mailed to the student. Online purchase of permits will continue after the mailing cut-off date three weeks into the semester; however, the permits must be personally picked up by the student at the Police Department located in Parking Lot 1, at the main entrance. Semester permits are only valid from the date of purchase through the expiration date printed on the permits. Refunds for parking permits are granted during the first two weeks of each semester, and thereafter in cases of unusual circumstances which can be confirmed through appropriate documentation.

BOGW-eligible students may purchase a parking permit at a reduced rate. \*Only one discounted permit is allowed per semester. If a regular permit is purchased and the student becomes BOGW eligible at a later date, there will be no refund issued.



Students should only purchase a parking permit through authorized sales channels, and the re-sale of parking permits is prohibited. Students who purchase permits from unauthorized sellers may find themselves liable for possessing a stolen or counterfeit parking permit. Citations for using lost/stolen or counterfeit permits will be subject to a fine, and the offender may also be referred to the Office of Student Affairs for violation of the Student Conduct Code.

One-day permits may be purchased for \$5.00 (fee is subject to change without further notice) from machines located in lots 3, 5, 9, and 12, on the main campus, and at the Escondido Center in lots 1, 2, and 3 beginning in Fall 2013. Permit machines take \$1's, \$5's, and coins, as well as ATM or credit cards. Permits will be honored in student lots only. A two-hour visitor permit and an *emergency/temporary one-day* (limited to one per semester) student permit may be obtained from the Campus Police Office and the Escondido Center's Police Storefront. These permits are valid for the designated time period, in designated spaces/lots only, and along the roadway where parking is authorized. Overnight parking is not allowed without prior approval from the College Police Department. Violators will be towed at owner's expense and/or cited.

### Citations

The Police Department will issue citations to cars that do not display the appropriate parking permits if the cars are parked in spaces designated for handicapped, disabled students, Wellness Center, staff or visitors—this applies to all College parking lots at all times.

Vehicles receiving Palomar College citations have the same legal status as parking citations issued by any other law enforcement agency in California. C.V.C. (California Vehicle Code) and parking permit violations are enforced 24 hours a day/7 days a week. Citations may be satisfied by paying the fine (bail) within 21 days at the San Marcos campus Cashier's Office. Bail will also be accepted by check or money order via U.S. mail (the citation must accompany the bail deposit). Credit card payments may also be made at PayMyCite.com once the citation has been forwarded to the processing center. After 21 calendar days, unpaid citations become delinquent and a late fee equal to the amount of the fine may be assessed. All registered owners are responsible for the citations issued to their vehicle.

Palomar College Police Officers are not authorized to dismiss citations. A formal "Appeals Process" is in place. If you wish to appeal a citation, the forms are available on line at the Police/Parking web page at [www.palomar.edu](http://www.palomar.edu) or at the Police Department. The violator shall request the appeal within 21 calendar days of the date of issuance.

Administrative Dismissal of one violation per calendar year may be granted for a "failure to display a valid parking permit" violation. You must show proof of purchase **prior** to issuance (date and time) of the citation. This request will be reviewed by Police Department staff and may be granted at that time. Administrative Dismissals apply equally to all students, faculty and staff members of the Palomar Community College District, and it applies to permit violations only.

For further information regarding citations or regulations, contact the College Police Department at (760) 744-1150, ext. 2289 or view the department web page at [www.palomar.edu/police](http://www.palomar.edu/police).

### Police Department

The Palomar Community College District Police Department was established by the Governing Board of the District effective August 28,

1998. The Palomar Community College District Police Department is a fully accredited and California POST certified police agency. The Police Department employs trained police officers whose authority is the same as all sworn peace officers in California. The Police Department will exercise the power to issue official citations for violations of the law, and in situations requiring it, may arrest violators, taking them into custody and booking them into San Diego County Jail located in Vista. Students and staff are advised to give all members of the Police Department their full cooperation and respect as they carry out their important duties to protect students, faculty and staff while seeking to provide a safe and secure environment on and near District property.

### The Clery Act: Right to Know

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, or Clery Act requires higher education institutions to give timely warnings of crimes that represent a threat to the safety of students or employees, and to make public their campus security policies. It also requires that crime data be collected, reported and disseminated to the campus community and is also submitted to the Department of Education. The act is intended to provide students and their families, as higher education consumers, with accurate, complete and timely information about safety on campus so that they can make informed decisions by providing:

1. Policy Disclosure
2. Records Collection and Retention
3. Information Dissemination

Hard copies of the Clery Act are available at the Police Department offices located on the San Marcos campus and the Escondido Center, and are also available on the Police Department website at [www.palomar.edu/police](http://www.palomar.edu/police). The Clery Act Report is available to all prospective students and employees upon request. For further information on the Clery Act, please contact the Records Division of the Campus Police Department at (760) 744-1150, ext. 3977.

### Sexual Harassment Policy

It is the policy of Palomar College in keeping with efforts to establish and maintain an environment in which the dignity and worth of all members of the College community are respected, that sexual harassment of students and employees is unacceptable conduct and will not be tolerated.

This policy applies to the unlawful harassment of any student on the basis of sex by any employee of the District including, but not limited to, classroom conditions, grades, academic standing, scholarships, recommendations, employment opportunities, disciplinary action, or any other aspect of College life within the control of the District or its employees.

This policy also applies to the unlawful sexual harassment of any employee with respect to all terms and conditions of employment with the District, including but not limited to hiring, placement, evaluation, promotion, disciplinary action, layoff, recall, transfer, leaves of absence, training opportunities, compensation, work assignments, and hours of work, shifts, or workload.

Employees who violate this policy may be subject to corrective measures and to disciplinary action up to and including termination of employment. Students who violate this policy may be subject to corrective measure, including discipline, up to and including expulsion.

Sexual harassment is a violation of Title VII of the Civil Rights Act of 1964, Title IX of the Education Act Amendments of 1972, and California Education Code Sections 210 through 214, inclusive.

The Assistant Superintendent/Vice President for Human Resource Services is responsible for administering this policy. All questions, concerns, and complaints regarding sexual harassment should be addressed to this position.

### **Smoking Policy**

According to BP 3570, there shall be no smoking or use of tobacco-related products on Palomar Community College District property. The District shall provide and maintain a workplace and learning environment that is smoke and tobacco-free to promote the safety and health of students, employees, and the public. This policy is not intended to affect the working conditions of any Palomar employee. Any questions or concerns related to this policy or enforcement should be directed to the Director of Student Affairs. The existing Student Conduct Code is available online through the Student Affairs web page at [www.palomar.edu/studentactivities/](http://www.palomar.edu/studentactivities/), and is also available in the Office of Student Affairs, SU-201, or call (760) 744-1150, Ext. 2595.

### **Student Behavior Rules and Regulations**

Students at Palomar College are responsible for regulating their own conduct and for respecting the rights and privileges of others. Palomar students are expected to conduct themselves in a manner compatible with the function of the College as an educational institution, and respect and obey all civil and criminal laws. Failure to abide by the standards as set forth by Palomar College 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, 72282, and 72292, and in keeping with the above, regulations have been established to effectively and efficiently provide for the approved educational programs, approved student activities, and community services. For further information, contact the Office of Student Affairs, SU-201, or call (760) 744-1150, Ext. 2594.

### **Student Code of Conduct**

Student conduct must conform to District and College rules and regulations. Student Discipline Procedures (AP 5520) provide a prompt and equitable means to address violations of the Standards of Conduct, which guarantees to the student or students involved the due process rights guaranteed to them by the California and United States Constitutions.

If a Student Code of Conduct violation occurs while a student is enrolled at Palomar College, he or she may be disciplined. The Standards of Conduct categories of behavior are not intended to be an exhaustive list, but are examples of causes and are good and sufficient causes for discipline, including but not limited to, verbal and written reprimand, removal from class, probation, short-term and long-term suspension or expulsion of a student. Other misconduct not listed may also result in discipline if good cause exists (Education Code, 76034). Whenever it has been determined that "good cause" exists for student discipline, the District shall notify the student in writing. The student must attend a disciplinary hearing to ensure due process rights.

The Code of Conduct that details the standards is administered by the Director of Student Affairs. Also See BP 5030, titled Fees and BP 5130 titled Financial Aid, which addresses consequences of disciplinary action. The complete Student Code of Conduct is available in the Office of Student Affairs, SU-201, or on the Palomar College Student Affairs web page at [www.palomar.edu/studentactivities/](http://www.palomar.edu/studentactivities/) under policies.

#### **I. Standards of Conduct (BP 5500, Spring 2002)**

Revised Standards of Conduct are under review and pending approval.

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

A. Students are expected to avoid any type of dishonesty, including but not limited to, cheating, plagiarism, forgery, fabrication or counterfeiting documents, furnishing false information to the College, alteration or misuse of College documents or records, duplication of assignments, or aiding another in an act of dishonesty. Violations of the Academic Integrity Code include:

- Cheating, plagiarism, or false representation of another's work as one's own
- Forgery, alteration, or misuse of District documents or records
- Use of false identification
- Knowingly furnishing false information to the District
- Unauthorized use or misuse of District equipment
- Unauthorized access, use, or alteration of computer hardware, software, or data
- Obstruction or disruption of the educational process
- Soliciting or assisting another to do any of the above

All incidents of academic dishonesty should be reported to the Office of the Director of Student Affairs. This office maintains a record of these incidents and attempts to track for repeat offenders.

- B. Disturbance of the peace, which includes but is not limited to, behavior which contributes to the obstruction or disruption of teaching, athletic events, meetings, or other College activities on or at any District property or facility, including but not limited to, classrooms, library, athletic field, locker room, bookstore, food service facility, student union, game room, any College office, parking lot, or roadway.
- C. Assault, battery, or any threat of force or violence, physical or verbal, upon a student, personnel, or visitor.
- D. Theft of, or damage to, or threat of damage to property of the District or an employee, student, or visitor to a District facility.
- E. Unauthorized entry in to, or unauthorized use of District facilities, supplies or equipment.
- F. Violations of District policies and regulations, including but not limited to, regulations and policies related to parking, bicycles, skateboards, scooters, computer, telecommunications, campus vehicles, and any and all other District equipment, and policies and regulations related to student organizations, extracurricular activities, and student and visitor symbolic expression.
- G. Unlawful use, possession, sale, or distribution of a "controlled substance" as the term is defined by the California Health and Safety Code, Section 11007, and that which is



listed in any schedule in Sections 11054, 11056, 11057, or 11058, while on District premises or at any District sponsored activity. Attendance at any College function or event, or activity sponsored by the College while under the influence of a controlled substance.

- H. Disorderly conduct, including but not limited to, inappropriate, disrespectful, insulting, and/or obscene language, alcoholic intoxication, lewd, indecent, or obscene conduct.
- I. Possession and/or consumption of any alcoholic beverage on any district property or in any District vehicle.
- J. Disruptive behavior, profanity or vulgarity, or defiance of faculty or staff, including but not limited to, cafeteria and bookstore employees, counselors and financial aid staff, campus police employees, other students or visitors to the College.
- K. Defiance of abuse of personnel, including but not limited to, faculty administrators, counselors, librarians, office staff, athletic coaches, club advisors, or campus police.
- L. Possession of any type of object that can be reasonably assumed to be a weapon or used as a weapon (as defined by the California Penal Code), on or at any District facility, or District sponsored event or activity.
- M. Willful or persistent smoking or use of tobacco products on College premises where smoking and use of tobacco products has been prohibited by regulations of the Governing Board of Palomar College.
- N. Misuse of District computers, telephones, or telecommunications devices.

It is the expectation of Palomar College that minor children will be under the constant supervision of parents or guardians (notwithstanding those minor children enrolled in Palomar College classes and programs) and that said parents or guardians are responsible for assuring appropriate behavior of minor children. Parents or guardians will be held responsible when the behavior of minor children constitutes a violation of the Palomar College Code of Conduct and these parents or guardians will be directed to remove the minor children from District facilities (classrooms, libraries, food services, operations, athletic events, public areas, etc.) should violations occur.

- II. Consequences for Violations of the Student Code of Conduct
 

This section provides information regarding the possible consequences for violations of the Palomar College Student Code of Conduct, including incidents of academic dishonesty. Disciplinary actions may include:

  - A. **Warning** (verbal and/or written)
  - B. **Reprimand**
  - C. **Removal by the Instructor:** Suspension by a District instructor for good cause from class for the day of suspension, and the following class meeting. The instructor's decision is final, and may not be appealed. Instructors must notify the Office of the Director of Student Affairs when this sanction is utilized so that accurate records can be maintained, and repeat offenders will be identified. (California Education Code, Section 76032)
  - D. **Probation**
  - E. **Restitution**
  - F. **Community Service**
  - G. **Suspension**
  - H. **Expulsion**
  - I. **Appeals**

The Director of Student Affairs should be considered a resource person for students and staff desiring additional information of assistance with policy.

### **Student Grade Disputes**

According to Title 5, Section 55025, "The determination of the student's grade by the instructor shall be final in the absence of mistake, fraud, bad faith, or incompetency." Students who wish to dispute a final course grade under the criteria listed above must follow the Student Grade Dispute Policy and Procedures, which can be found on the Office of Instruction website at [www.palomar.edu/instruction/](http://www.palomar.edu/instruction/). All grade disputes must be initiated within one semester of the grade in question being issued.

### **Student Grievance Policy**

According to AP 5530, the Palomar Community College District authorizes students to start grievance procedures when the student believes that he/she has been subject to unjust action, or the denial of rights as published in District regulations, state law, or federal laws. Copies of AP 5530, Student Rights and Grievances, may be found on the Student Affairs web page at [www.palomar.edu/studentactivities/](http://www.palomar.edu/studentactivities/), and are also available in the Office of Student Affairs, SU-201. Grade disputes are not a part of the Student Grievance Policy. Please see Student Grade Disputes.

### **Students' Rights and Privacy of Student Records**

Pursuant to CAC Title 5, Section 54604 and subsequent sections, you may request an opportunity to inspect any and all official school records, files, and data related to the student. If information in the file is inaccurate, misleading, or inappropriate, the student may request removal of the information, or include a statement disputing the material that he/she challenges.

Other provisions of the law restrict the people who have access to the information in student records. School personnel with legitimate educational interests, schools of intended enrollment, specified federal and state educational administrators, or those who provide financial aid are entitled to access without the student's consent. Access may also be obtained without your consent pursuant to court order. Parents of minors do have access. Parents of non-minor students do not have access, except when written permission is received from the student.

De conformidad con las leyes federales, cualquier estudiante puede pedir toda copia de su informacion personal (records). Si hay errores en esta informacion, el estudiante puede pedir que estos errores sean corregidos o que la informacion sea removida. El estudiante tambien puede incluir una explicacion disputando la informacion incorrecta. Otras provisiones de la ley ponen limites a personas que tengan acceso a esta informacion personal del estudiante. En ciertos casos, hay personas en instituciones educativas (colegios, universidades, escuelas, etc.) que tienen el derecho legal de inspeccionar esta informacion personal del estudiante. Cuando hay una orden legal de la corte, esta informacion personal del estudiante puede ser inspeccionada. Los padres de personas menores de edad tambien pueden inspeccionar esta informacion. Los padres de personas mayores de edad necesitan tener permiso escrito del estudiante para poder inspeccionar esta informacion confidencial.

Directory information is maintained which includes name, address, telephone number, date of birth, email address, and class schedule information. The College will provide information to:

1. The National Student Clearinghouse for purposes of enrollment verification, degree verifications, and data matching services (for transfer follow-up research)
2. Colleges, universities, or government agencies to promote outreach to students and to enhance transfer
3. The California Student Aid Commission to facilitate the award of financial aid
4. The California Community Colleges Chancellor's Office for research and analysis purposes
5. Prospective employers upon your request. Dates of attendance, program of study, and the degree granted will be provided to an employer only upon request.
6. For law enforcement purposes.

Directory information will not be sold, used for commercial purposes, disclosed to the public, or given to government agencies for the purpose of making benefits determinations (other than for financial aid). If you do not want the College to provide any directory information without your written consent, please notify the Records Office, in writing within thirty (30) days of the start of each semester. If you activate your student email account, it will be displayed in a public electronic address book.

Students who are applying for or receiving student financial aid must disclose their social security number. Also, any student who wants a tuition tax credit form - 1098T to claim income tax credit for tuition and fees on their federal income tax return must provide the social security number.

Todo estudiante que someta una solicitud para recibir ayuda financiera del gobierno federal tiene que usar su numero de seguro social. Tambien, cada estudiante que quiera credito por los gastos de ensenanza en sus impuestos federales tiene que someter al colegio su numero de seguro social.

All health information is confidential, and is not revealed to any person or persons, except those persons in Health Services directly connected with treatment of the student. Instructors, however, will be notified if a student has a health condition that may result in losing consciousness.

Regulations and procedures regarding student records are available in the Records Office, room SSC-57.

### **Student Right To Know**

As a consumer, you have a right to know about your chances of college success. "Student Right-To-Know" (SRTK) refers to a Federally-mandated public disclosure of a college's Completion Rate and Transfer Rate. The intent of SRTK is to provide to the consumer, a statistic of comparable effectiveness that they can use in the determination of college choice.

SRTK is a "cohort" study; that is, a group of students who are first-time freshmen who are enrolled full-time and are degree-seeking is identified in a fall term and their outcomes are measured over a period of time. The outcomes that the two SRTK rates measure are Completion (the total number of students in the cohort who earn either a degree, a certificate, or who successfully completed a two-year-equivalent transfer-preparatory program) and Transfer (the total number

of cohort non-completers who were identified as having enrolled in another institution). The tracking period of the cohorts is three (3) years, at which time the SRTK rates are calculated and made public. See <http://srtk.cccco.edu/index.asp> for further information, as well as for specific college data.