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## Student Rights & Responsibilities

### Code of Conduct

West Hills College Coalinga is committed to maintaining an environment that encourages and supports student success. To ensure that students have opportunity for achievement, a code of conduct has been adopted by the Board of Trustees as Board Policy 5500 - Standards of Student Conduct. <https://www.westhillscollge.com/district/administration/board-of-trustees/documents/5500standardsconduct.pdf>

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

1. Causing, attempting to cause, or threatening to cause physical injury to another person.
  2. Open contempt for any safety rules and regulations of the District.
  3. Disruption or obstruction of teaching; research; administration; disciplinary proceedings; other West Hills Community College District (WHCCD) activities, including its public service functions on or off campus; or other authorized nonWHCCD activities when the act occurs on WHCCD premises.
  4. Possession, sale, or otherwise furnishing any firearm, knife, explosive, dangerous chemicals or other dangerous object including, but not limited to, any facsimile firearm, knife or explosive, unless, in the case of possession of any object of this type, the student has obtained written permission to possess the item from a District employee, which is concurred in by the College President.
  5. Unlawful possession, use, sale, offer to sell, furnishing, or being under the influence of, any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the California Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind; or unlawful possession of, offering, arranging or negotiating the sale of any drug paraphernalia as defined in California Health and Safety Code Section 11014.5.
  6. Committing or attempting to commit robbery or extortion.
  7. Causing or attempting to cause damage to District property or to private property on campus.
  8. Stealing or attempting to steal District property or private property on campus, possession of or knowingly receiving stolen District property or private property on campus.
  9. Willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of the college or the District.
  10. Sexual assault or sexual exploitation regardless of the victim's affiliation with the District (see Board Policy and Administrative Procedure 3540, Sexual and Other Assaults).
  11. Committing sexual harassment as defined by law or by District policies and procedures (see Board Policy and Administrative Procedure 3430, Prohibition of Harassment; and Administrative Procedure 3435, Discrimination and Harassment Investigations).
  12. Engaging in harassing or discriminatory behavior based on age, disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, marital status, political affiliation, or any other status protected by law. These acts or behaviors may not rise to the level of a crime or a violation of state or federal law, but may constitute the creation of an unsafe, negative, or unwelcome environment for the targeted individual.
  13. Engaging in intimidating conduct or bullying against another student through words or actions, including direct physical contact; verbal assaults such as teasing or name-calling; social isolation or manipulation; and cyberbullying.
  14. Willful misconduct which results in injury or death to a student or to college personnel or which results in cutting, defacing, or other injury to any real or personal property owned by the District or on campus.
  15. Disruptive behavior, willful disobedience, habitual profanity or vulgarity, or the open and persistent defiance of the authority of, or persistent abuse of, District personnel.
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16. Academic misconduct such as cheating, plagiarism (including plagiarism in a student publication), fabrication and facilitating, or engaging in other academic dishonesty.
    - The term “cheating” includes, but is not limited to:
      - o Use of any unauthorized assistance in taking quizzes, tests, or examinations;
      - o Dependence upon the aid of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments; or acquisition, without permission, of tests or other academic material belonging to a member of the WHCCD faculty or staff.
    - The term “plagiarism” includes, but is not limited to, the use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgment. It also includes the unacknowledged use of materials prepared by another person or agency engaged in the buying or selling of term papers or other academic materials.
  17. Dishonesty, forgery, alteration, or misuse of college documents, records, identification, key, or electronic device; or knowingly furnishing false information to the District.
  18. Failure to identify oneself to, or comply with, the directions of a District or college official, employee, law enforcement officer, or other public official when requested to do so; or resisting or obstructing such official in the performance of or the attempt to perform their duties.
  19. Unauthorized entry upon or use of District or college facilities.
  20. Lewd, indecent or obscene conduct on District owned or controlled property, or at District sponsored or supervised functions.
  21. Engaging in expression which is obscene, libelous or slanderous, or which so incites students as to create a clear and present danger of the commission of unlawful acts on college or district premises, or the violation of lawful District administrative procedures, or the substantial disruption of the orderly operation of the District.
  22. Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.
  23. Violation of published WHCCD policies, rules, or regulations, including those concerning student organization and the use of District or college facilities or the time, place, and manner of public expression or distribution or posting of materials.
  24. Violation of federal, state or local law on WHCCD premises or at WHCCD sponsored or supervised activities.
  25. Participation in a campus demonstration which disrupts the normal operations of WHCCD and infringes on the rights of other members of the WHCCD community; leading or inciting others to disrupt scheduled and/or normal rian or vehicular, on WHCCD premises or at WHCCD sponsored or supervised activities within any campus building or area; intentional obstruction which unreasonably interferes with freedom of movement, either pedestrian or vehicular, on WHCCD premises or at WHCCD sponsored or supervised activities.
  26. Unauthorized preparation, giving, selling, transfer, distribution, or publication, for any commercial purpose, of any contemporaneous recording of an academic presentation in a classroom or equivalent site of instruction including, but not limited to, handwritten or typewritten class notes, except as permitted by any District policy or administrative procedure.
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27. Theft or other abuse of phones, electronic devices or computer time including, but not limited to:
    1. Unauthorized entry into a WHCCD system file to use, read, or change the contents or for any other purpose.
    2. Unauthorized or illegal transfer or downloading of files
    3. Unauthorized use of another individual's identification and password.
    4. Unauthorized use of electronic devices in the classroom including, but not limited to, head phones, cellular phones, and tablets.
    5. Use of computing facilities to interfere with the work of another student, faculty member, or WHCCD staff member.
    6. Use of computing facilities to download or view material deemed to be lewd, indecent and/or obscene matter that is not education related.
    7. Use of computing facilities to send obscene or abusive threatening messages.
    8. Use of computing facilities to interfere with normal operation of WHCCD computing systems.
  28. Abuse of the Standards of Student Conduct including, but not limited to:
    1. Failure to obey the summons of a Student Conduct Hearing Panel or appear at the request of a WHCCD official.
    2. Falsification, distortion, or misrepresentation of information.
    3. Disruption or interference with the orderly conduct of a judicial proceeding or Student Conduct Hearing Panel.
    4. Institution of a judicial proceeding or Student Conduct Hearing Panel knowingly without cause.
    5. Attempting to discourage an individual's proper participation in, or use of, the WHCCD judicial system.
    6. Attempting to influence the impartiality of a member of a judicial body prior to and/or during the course of the judicial proceeding or Student Conduct Hearing Panel.
    7. Failure to comply with the sanctions imposed under the Student Code of Conduct and/or Education Code.
    8. Influencing or attempting to influence another person or commit an abuse of the judicial system.
  29. Failure to repay debts to the District; return District property; or return the property of any member of the District community.
  30. Any attempt to steal, take, carry, lead, or take away the personal property of another, or fraudulently appropriates property which has been entrusted to him or her, or knowingly and designedly, by any false or fraudulent representation or pretense, defrauds any other person of money, labor or property, or who causes, procures, or obtains credit and thereby, or fraudulently, gets or obtains possession of money or property, or obtains the labor or service of another.
  31. Unauthorized gambling on District property or at any District function.
  32. Participation in hazing or any method of initiation or pre-initiation into a campus organization or other activity engaged in by the organization or members of the organization at any time that causes, or is likely to cause, physical injury or personal degradation or disgrace which can inflict psychological or emotional harm to any student or other person.
  33. Inflicting mental harm upon any member of the District community; taking any action for the purpose of inflicting mental harm upon any member of the District community; taking any reckless, but not accidental action, from which mental harm to a member of the District community could result; causing a member of the District community to believe that the student or his/her agent may cause mental harm to that person or any member of his/her family or any other member of the District community; any act which purposefully demeans, degrades, or disgraces any person.
  34. Transferring, lending, borrowing, altering or unauthorized creation of identification or login rights.
  35. Engaging in sexual misconduct including, but not limited to unwelcome behaviors focused on sex and/ or gender that may or may not be sexual in nature (see Board Policy and Administrative Procedure 3430,
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Prohibition of Harassment; Administrative Procedure 3435, Discrimination and Harassment Investigations; and Board Policy and administrative Procedure 3540, Sexual and Other Assaults).

36. Stalking behavior in which a student repeatedly engages in a course of conduct directed at another person and makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her family; where the threat is reasonably determined by the college disciplinary officer to create substantial emotional distress, torment, create fear, or to terrorize the person (see Board Policy and Administrative Procedure 3430, Prohibition of Harassment; Administrative Procedure 3435, Discrimination and Harassment Investigations).
37. Sexual stalking directed at a specific person that would cause a reasonable person to feel fear or suffer substantial emotional distress due to another's sexual interest. Such stalking behaviors may include pursuing or following; unwanted communication or contact including face-to-face encounters, telephone calls, voice messages, electronic messages, web-based messages, text messages, unwanted gifts, etc.; trespassing; and surveillance or other types of observation.
38. Unauthorized or forcible trespass on, entry to, possession of, receipt of, or use of any District services, grounds, equipment, resources, properties, structures, vehicles, or facilities, including the unauthorized use of the District's name, insignia, or seal without permission or authorization.
39. Tape recording any person on District property or at any District function without that person's knowledge or consent. This definition shall not apply to recordings conducted in public, in a commonly recognized public forum.
40. Driving unsafely on District property or while taking part in any District function, or repeated violation of District parking regulations.
41. Violation of any health, safety, or related regulations, rules or ordinances on District property or at any District function.
42. Violation of any federal, state or local law on District property, at a District function or involving a member of the District community.
43. Violation of any rule or regulation posted on District property by the District or the college, or printed in any District publication.
44. Violation of published computer/network usage policies, procedures, or guidelines (see Board Policy 713, Acceptable Use of Electronic Resources; and Board Policy 714, Protection of Electronic Resources).

## **Drug Abuse Policy**

For the protection of other students at West Hills College Coalinga and in compliance with Section 10603 of the California Education Code, the Executive Vice President is authorized to expel or suspend a student whenever it has been established to the satisfaction of the Governing Board of West Hills Community College District, and the Chancellor, as the case may be, that the student has on college premises used, sold, or been in possession of alcohol, narcotic, or other hallucinogenic drugs or substances, or has on college premises inhaled, or breathed the fume of, or ingested any poison.

## **Policies Prohibiting Discrimination in Education**

It is the policy of West Hills Community College District not to discriminate on the basis of race, sex, color, religion, age, national origin, disability, marital status, Vietnam-era veteran status, or sexual orientation. This policy extends to all programs and activities, as required by Federal Law, including Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Vietnam Era Readjustment Assistance Act of 1974, and the Americans with Disabilities Act of 1990. The Executive Vice President is the Section 504 Coordinator. The Director of Human Resources/Affirmative Action Officer is the Title IX Coordinator and the ADA Coordinator.

## **Sexual Harassment Policy**

WHC Coalinga/North District Center is committed to eliminating all forms of unlawful discrimination and sexual harassment. Title IX of the Education Amendments of 1972 protects people from discrimination based on sex in education programs or activities which receive Federal financial assistance. Title IX states that:

“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.”

The underlying intent of Title IX is to eliminate any form of discrimination based on gender that may interfere with a student's physical well-being, emotional well-being, and academic performance. Colleges and universities receiving federal

funds bear an affirmative duty to ensure that no student (male or female) is deprived of an educational opportunity or benefit due to such discrimination.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. Submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status, or progress.
2. Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.
3. The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.
4. Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the district.

Harassment on the basis of sex is a violation of Section 703 of Title VII of the 1964 Civil Rights Act, which is enforced by the Equal Employment Opportunity Commission. Sexual harassment is included among legal prohibitions against discrimination. Title IX of the Education Amendments of 1972 also establishes sexual harassment as discriminatory and unlawful.

If you feel you have been the victim of sexual misconduct, know your rights. Contact the Title IX Compliance office at [559.934.2324](tel:559.934.2324).

A copy of the district's sexual harassment policy and procedures may be obtained from the district's Human Resources Office, 275 Phelps Ave, Coalinga, CA 93210 or via the website at [www.westhillscollge.com](http://www.westhillscollge.com)

## The Clery Act and SaVE Act

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f)) is a federal law that requires colleges and universities across the United States to disclose information about crime on and around their campuses. On October 20, 2014 the US Department of Education published regulations which amended the Jeanne Clery Act and gave additional rights to campus victims of sexual assault, domestic violence, dating violence and stalking. The Campus Sexual Violence Elimination (SaVE) Act represents these rights. For more information about WHC Coalinga's crime statistics, contact our Title IX Compliance Officer at [559.934.2176](tel:559.934.2176), or visit our website at [www.westhillscollge.com/coalinga/student-life/campus-safety/crime-statistics.php](http://www.westhillscollge.com/coalinga/student-life/campus-safety/crime-statistics.php)

## Student Grievance Procedure

In order to protect the rights of individual students, the Board of Trustees of the West Hills Community College District has adopted certain due process procedures. If a student feels that they have been subjected to unjust action or denied their rights by a member of the academic community, the student can seek redress according to the West Hills College grievance procedure. The grievance form may be obtained by any student from student services staff during office hours or via the website at [www.westhillscollge.com/district/administration/board-of-trustees/documents/ap5530studentsrightsandgrievances.pdf](http://www.westhillscollge.com/district/administration/board-of-trustees/documents/ap5530studentsrightsandgrievances.pdf)

Most complaints, grievances or disciplinary matters should be resolved at the campus level. This is the quickest and most successful way of resolving issues involving a California Community College (CCC). You are encouraged to work through the WHCC complaint process first before escalating issues to any of the following resources. Issues that are not resolved at the campus level may be presented:

- To the Accrediting Commission for Community and Junior Colleges (ACCJC) at <http://www.accjc.org/complaint-process> if your complaint is associated with the institution's compliance with academic program quality and accrediting standards. ACCJC is the agency that accredits the academic programs of the California Community Colleges.
- To the CCC Chancellor's Office by completing the web form below if your complaint does not concern CCC's compliance with academic program quality and accrediting standards.

If your complaint involves unlawful discrimination, to the Chancellor's Office website at <https://www.cccco.edu/About-Us/Contact>