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# Students' Rights and Responsibilities

## Code of Conduct

West Hills College Lemoore exists to educate individuals in its community. All other considerations are secondary. The college will not infringe on anyone's constitutional rights and the right to dissent and to protest will be supported. However, the right to dissent and to protest must not be confused as a right to disrupt operation of the institution. No individual or group can be permitted to infringe on the rights of others to secure an education.

This general policy will apply to any student who deliberately prevents, physically or verbally:

- Students from pursuing their authorized curricular or co-curricular interests.
- Faculty and administrators from fulfilling their professional responsibilities.
- Classified employees from fulfilling their prescribed duties.
- Authorized guests from carrying out the presentations for which they were invited.
- The safety of persons, or the security of college property.

In line with the above policy, the following are guidelines for acceptable student conduct. A student enrolling in West Hills College Lemoore assumes an obligation to behave in a manner compatible with the college's function as an educational institution. Any student or applicant may be disciplined for any one or more of the following causes, when the discipline is related to college activity or attendance:

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 non-WHCCD 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.
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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.
  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:
      - Use of any unauthorized assistance in taking quizzes, tests, or examinations;
      - 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 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
  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, Prohibition of Harassment; Administrative Procedure 3435, Discrimination and Harassment Investigations; and Board Policy and Administrative Procedure 3540, Sexual and Other Assaults).
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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).

Attempting to do any of the causes identified above. Any cause set forth in California Education Code Section 76033.

## Check Your Student Email

All West Hills College Lemoore students are provided with an email account which will be the primary form of communication for the college. It is important that you regularly check your West Hills College Lemoore email account which is available through the myWestHills portal. Information regarding financial aid, account balances, class schedule updates, support services, clubs and activities will be sent via email. Direct your email questions to the Helpdesk at [helpdesk@whccd.edu](mailto:helpdesk@whccd.edu) or 559-925-3000.

## Drug Abuse Policy

For the protection of other students at West Hills College Lemoore and in compliance with California Education Code, the Dean of Student Services 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.

## Affirmative Action

The West Hills Community College District, under the approved Faculty and Staff Diversity Plan, is committed to the concept and principles of affirmative action in providing equal opportunity in education and employment for all persons and to prohibit discrimination based on race, sex, color, religion, age, national origin, disability, marital status, Vietnam-era veteran status, or sexual orientation. This commitment applies to every aspect of education and personnel policies and practices in employment, development, advancement and treatment of employees, students and the general public.

“La Institución de West Hills College Lemoore cumple con la Acción Afirmativa y la Igualdad de Oportunidades en la política, los procedimientos y la practica que tienen que ver con el empleo, la accesibilidad, y la admisión de estudiantes.”

### **Administrative Provisions for Changes or Waivers**

West Hills Community College District reserves the right to change any provisions or requirements at any time within the student’s term of enrollment at the college and shall not be responsible for any interruptions in the student’s educational program due to unforeseen circumstances beyond the control of the college.

Any regulation adopted by the administration of the college and approved by the West Hills College Board of Trustees, shall have the same force as a printed regulation in the catalog and shall supersede, upon promulgation, by posting on official bulletin boards any ruling on the same subject which may appear in the printed catalog and other official bulletins of the college.

Students are responsible for meeting in full the requirements for graduation set forth in the college catalog. The West Hills College Lemoore staff assists in the planning of a program, but the final responsibility for meeting the requirements for graduation rests with the student.

Students who desire a waiver to any West Hills College Lemoore graduation policy or procedure should put their request in writing to the Vice President of Educational Services.

### **Family Educational Rights and Privacy Act of 1974**

All student records of West Hills College Lemoore are kept in accordance with the provisions of the Family Education Rights and Privacy Act of 1974.

Students may request access to those campus records which personally identify the student; the student may challenge the accuracy of the record or the appropriateness of its retention in the campus records. Student consent is needed for the release of records covered by the Act to outside parties (e.g., prospective employers), except for those agencies entitled to access under the provisions of the Act (e.g., campus officials, other schools, federal educational and auditing officers and requests in connection with the application or receipt of financial aid). These provisions apply to records received and used after November 19, 1974. A student may request a copy of a record that the student has consented to being released.

The Act authorizes West Hills College Lemoore to regard the following information as “Directory Information” and to release this information without student consent: student’s name, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received and the most recent previous educational agency or institution attended by the student.

If a student does not wish any or all directory information released without his/her consent, he/she must inform the Admissions and Records Office in writing within ten (10) days after classes begin.

To inspect, review, or challenge any of their educational records, students must make such a request in writing to the Director of Admissions and Records/Registrar.

Under the Family Educational Rights and Privacy Act (FERPA), the rights currently held by parents transfer to the student once the student enters a post-secondary institution, without regard to the student’s age. Students at the post-secondary institutions have the right to inspect and review their education records. Under FERPA, schools may, but are not required to, provide parents of students who are dependent for tax purposes access to the student’s education records.

Particular questions with respect to a student’s prerogatives under the Family Educational Rights and Privacy Act of 1974 should be directed to the office of the Director of Admissions and Records/Registrar.

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## Sexual Harassment Policy

It is the policy of West Hills Community College District to prohibit sexual harassment in the workplace and in all programs and activities of the district. The Board of Trustees declares that it intends to act promptly, visibly and vigorously in demonstrating a strong disapproval of sexual harassment.

Sexual Harassment Defined. Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- Submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status, or progress.
- Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.
- 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.
- 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. The college Title IX Coordinator is Vice President of Student Services, Val Garcia. More information regarding Title IX can be found at <https://westhillscollge.com/lemoore/student-life/campus-safety/> for more information.

In determining whether conduct constitutes sexual harassment, the circumstances surrounding the conduct will be considered.

A copy of the district's sexual harassment policy and procedures may be obtained from the District's Human Resources Office.

## 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 Lemoore grievance procedure contained within Administrative Procedure 5530, Student Rights and Grievances. Copies of these procedures may be obtained by any student from the Dean of Student Services Office at any time during office hours.

## 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 DSPS Director/Counselor is the Section 504 Coordinator. The Director of Human Resources/Affirmative Action Officer is the Title IX Coordinator and the ADA Coordinator.

## Off Campus Meetings and Field Trips

**Student Transportation:** Throughout the school year many classes may meet at off campus locations. The college does not provide transportation to these sites and all transportation arrangements are the responsibility of each of the students enrolled in the class. Although district personnel may assist in coordinating this transportation and/or may recommend travel time, routes, caravan, etc., these recommendations are not mandatory. West Hills College Lemoore is in no way responsible nor does West Hills College Lemoore assume responsibility for any injuries or losses resulting from this non-college sponsored transportation. If you ride with another student, that student is not an agent of, or driving on behalf of, the college.

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**Voluntary Field Trips:** Throughout the school year, West Hills College Lemoore may sponsor voluntary field trips and excursions in which students may want to participate. Be advised as stated in the California Code of Regulations, Subchapter 5, Section 55450, if you participate in a voluntary field trip or excursion you are deemed to have held harmless the district, its officer, agents and employees from all liability or claims which may arise out of or in connection with your participation in this activity.

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