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Student Rights and Responsibilities

The purpose of this statement is to inform students of their rights and responsibilities at Monterey Peninsula College. The policies and procedures as set forth in this statement are for institutional and student use, but cannot be separated from public laws and regulations; therefore, everything stated herein must be considered within the limits of the law.

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In the Classroom

A. Protection of Freedom of Expression

Students are free to take reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course of study in which they are enrolled.

B. Protection Against Improper Academic Evaluation

Students shall not be evaluated in a prejudiced or capricious manner. At the same time, students are responsible for maintaining standards of academic performance established for each course in which they are enrolled. Standards relating to matters of class attendance, punctuality, dress (e.g. safety goggles and uniforms), and other similar classroom requirements, where essential in evaluation, should be clearly communicated by the instructors to the students enrolled in the courses where they apply.

C. Protection Against Improper Disclosure

Information about student views, beliefs, and political associations which employees acquire in the course of their work is considered confidential. Protection against improper disclosure is a serious professional obligation. Judgments of ability and character for such matters as letters of recommendation and security checks may be provided under appropriate circumstances, normally with the knowledge and consent of the student.

Student Records

A. Definition of Records

The following files, records, and documents are maintained by the College as "Education Records": admissions and registration forms, academic transcripts and grade reports, transcripts sent by other institutions, general education certification, graduation petitions, high school advanced placement forms, instructor class roster, placement test scores, counseling records, financial aid applications, campus employment information, veterans folder relating to educational certification and benefits, discipline records, and athletic eligibility forms.

B. Right to Access

Any currently enrolled or former students shall have the right to access their own "Education Records" as defined above or those that meet the definition of a "student record" in Title 5 regulations of the California Administrative Code, if debts are cleared. Such access shall be provided during regular office hours, and the appropriate College official will require identification and a written request from the student, provided that access is granted where authorized by law no later than five working days following the date of the request.

C. Location of Records

Most of the above records are housed in the Student Services Building on campus. The Vice President of Instruction and Student Services has overall responsibility for such records. The Vice President's designee shall provide specific directions to students, upon request, concerning which college officials to contact to make a request for access to any records.

D. Directory Information

The College may release directory information when, in the opinion of the Dean of Student Success, Enrollment Services, the release of such information is in the best interest of the students.

Directory information for students includes the following: name, address, telephone number, date and place of birth, major field of study, class schedule, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and certificates received, and the most recent previous public or private school attended.

E. Confidentiality of Records

Information from Education Records will be available only to legally authorized persons. The express consent of the student is required for access by any other persons. No records will be kept which reflect the political and religious activities or beliefs of students. All college employees are to respect confidential information about students which they acquire in the course of their work.

1. Access to student records may be permitted to the following:
2. Officials and employees of Monterey Peninsula College, provided that any such person has a legitimate educational reason for inspecting a record.
3. Federal and state officials so authorized access by Title 5.
4. Upon written permission from the student, officials of other public or private schools where the student seeks or intends to enroll.
5. Agencies or organizations in connection with a student's application for or receipt of financial aid, provided that information permitting the personal identification of students may be disclosed only as necessary for purposes relating directly to that aid.
6. Accrediting organizations in order to carry out their accrediting functions.
7. Organizations conducting studies for, or on behalf of, educational agencies or institutions for purposes allowed in Title 5 and so long as that information that allows personal identification of a student is kept confidential and destroyed when no longer needed.
8. Appropriate persons in connection with an emergency if the information is necessary to protect the health or safety of the student or other persons.

F. Impoundment of Records

Whenever a student is delinquent through failure to comply with College rules or regulations, to pay College debts, or to return property owned by the College, the student's records may be impounded. A student whose record is impounded shall not be allowed to: register for subsequent instruction, request transcripts of work completed, and/or receive other services at the College which relate to his/her records.

Student Affairs

A. Freedom of Association

1. Students are free to organize and join associations to promote their common interests.
2. The policies and actions of a student organization will be determined by vote of only those persons who hold bona fide membership in the organization and are enrolled at Monterey Peninsula College.
3. Affiliation with an extramural organization shall not of itself disqualify a student organization from institutional recognition.
4. Campus advisers are required; each organization is free to choose its own adviser. Institutional recognition will not be withheld or withdrawn solely because of the inability of a student organization to secure an adviser. Campus advisers may advise organizations in the exercise of responsibility, but they will not have the authority to control the internal policies of such organizations.
5. Student organizations are required to submit to ASMPC a statement of purpose, criteria for membership, rules of procedures, and a current list of officers as a condition of institutional recognition. They will not be required to submit a membership list as a condition of institutional recognition.
6. Campus organizations, including those affiliated with an extra-mural organization, shall be open to all Monterey Peninsula College students without respect to race, creed, or national origin.

B. Freedom of Inquiry and Expression

1. Students and student organizations are free to examine and to discuss all questions of interest to them, to express opinions publicly and privately, and to support causes by orderly means which do not disrupt the regular and essential operation of the institution. At the same time, students shall make it clear to the academic and the larger community that in their public expressions or demonstrations students or student organizations speak only for themselves.
2. Students are allowed to invite and to hear any person of their own choosing. Routine procedures are required by the College before a guest speaker is invited to appear on campus to insure that there is orderly scheduling of facilities and adequate preparation for the event, and that the occasion is conducted in a manner appropriate to an academic community. The institutional control of campus facilities is not used as a device of censorship. Those in charge of a program shall make it clear to the academic and larger community that sponsorship of guest speakers does not necessarily imply approval or endorsement of the views expressed, either by the sponsoring group or the institution.

C. Student Participation in Institutional Governance

As constituents of the academic community, students are free, individually and collectively, to express their views on issues of institutional policy and on matters of general interest to the student body. The student body may participate in the formulation and applications of institutional policy affecting academic and student affairs through student government. The Associated Students of Monterey Peninsula College (ASMPC) is the institutionally recognized system of student government which has express responsibility for a student activities program designed to benefit the College and contribute to the welfare of the students. The Student Council of ASMPC formulates and executes student government policies; administers a budget; plans and conducts social, club, recreational, and leisure-time programs in accordance with the ASMPC constitution and other laws and regulations; serves in a liaison capacity between the students and the administration on matters concerning the cafeteria and college center; makes student appointments to campus committees; assists in the coordination of club activities; and promotes opportunities in volunteer work.

Any matter of student governance that conflicts with College policy shall be resolved by the Administration after opportunities have been given to the Student Council to either correct the matter or to discuss the matter completely with the Administration.

D. Student Publications

Whenever possible, the student newspaper should be an independent corporation financially and legally separate from District sponsorship. Where financial and legal autonomy are not possible, Monterey Peninsula College, as the publisher of student publications, may bear legal responsibility for the contents of the publications under particular circumstances. In the delegation of editorial responsibility to students, Monterey Peninsula College provides sufficient editorial freedom and financial autonomy for the student publications to maintain their integrity of purpose as vehicles for free inquiry and free expression in an academic community.

Institutional authorities, in consultation with students and faculty, have a responsibility to provide written clarification of the role of the student publications, the standards to be used in their evaluation, and the limitations on external control of their operation. At the same time, the editorial freedom of student editors and managers entails corollary responsibilities to be governed by the canons of journalism, such as the avoidance of libel, indecency, undocumented allegations, attacks on personal integrity, and the techniques of harassment and innuendo. As safeguards for the editorial freedom of student publications, the following provisions are necessary:

1. The student press is free of censorship and advance approval of copy, and its editors and managers are free to develop their own editorial policies and news coverage.
2. Editors and managers of student publications are protected from arbitrary suspension and removal because of student, faculty, administrative, or public disapproval of editorial policy or content. Only for proper and stated causes shall editors and managers be subject to removal and then by orderly and prescribed procedures. The agency responsible for the appointment of editors and managers should be the agency responsible for their removal. In the absence of an appointment agency, the regular hearing procedures of this statement should be utilized in the removal of an editor or manager. If such an agency does exist, the orderly and prescribed procedures for removal must be stated in writing and submitted to the Disciplinary Hearing Committee (as outlined in V, Item E) for approval.
3. All Monterey Peninsula College published, financed, or recognized student publications shall explicitly state on the editorial page that the opinions there expressed are not necessarily those of the College or the student body.

Off Campus

A. Exercise of Rights of Citizenship

Students enjoy the same freedom of speech, peaceful assembly, and right of petition as do other citizens. As members of the academic community, they are subject to the obligations which accrue to them by virtue of this membership. Faculty members and administrative officials should ensure that institutional powers are not employed to inhibit intellectual and personal development of students.

B. Institutional Authority and Civil Penalties

Activities of students may, upon occasion, result in violation of law. In such cases, Monterey Peninsula College officials may apprise students of sources of legal counsel and may offer other assistance. Students who violate the law may incur penalties prescribed by civil authorities. Only where the institution's interests as an academic community are clearly involved will the special authority of Monterey Peninsula College be asserted.

The student who incidentally violates institutional regulations in the course of his/her off-campus activity, such as those relating to class attendance, is subject to no greater penalty than would normally be imposed. Institutional action is independent of community pressure.

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