

# *Student Rights and Responsibilities*

## **STUDENT RIGHTS**

### **THE RIGHT TO PETITION FOR SPECIFIC CONSIDERATION •**

A student may petition for issues related to specific courses (i.e. grade correction, course repeat, and withdrawal according to Title 5 regulations). Issues that relate to missed deadlines and graduation requirements are not petitionable. Petitions are reviewed by the Director of Admissions & Records and in some instances forwarded to the MJC Petitions Committee for further review. Petitions are available in the Enrollment Services Office, located on the first floor of the Student Services Building, East Campus or by visiting our website <http://www.mjc.edu/studentservices/enrollment/petitions.php>. All petition notifications will be delivered through MJC student email. Petition Appeals must be submitted within 30 days of denial notification in order to be considered. Contact the Enrollment Services Office for additional information. Please note: Effective fall 2016, “No-Show” Verifications are no longer accepted.

### **THE RIGHT TO CHALLENGE A PREREQUISITE •**

Any student may challenge a prerequisite on the grounds that (1) it was not established in accordance with the District’s policy; (2) it is in violation of Title 5; (3) it is discriminatory; (4) student can succeed even though student has not completed the prerequisite; or (5) student will be subject to undue delay because the prerequisite has not been made reasonably available. To challenge a prerequisite, the student must complete a Prerequisite Challenge Form (available in the division office for the discipline of the course to be challenged) and state the basis for the challenge. A committee from the division in which the class is offered will review each petition and render a decision within five working days. It is the responsibility of the student to provide information that supports the challenge.

## **STUDENT COMPLAINTS**

Students who have general complaints regarding Modesto Junior College may follow the established complaint process. The student may visit the link below to access the complaint form and additional information about the process.

[mjc.edu/student-services/complaints](http://mjc.edu/student-services/complaints)

## **STUDENT RESPONSIBILITIES**

### **ENROLLMENT RESPONSIBILITIES •**

Modesto Junior College strives to make students aware of the varied educational programs that it offers and to provide smooth access to these programs. Once enrolled, the college provides many services to ensure success. Each student is required to:

- Express at least a broad educational intent upon admission (educational goal and educational program)
- Declare a specific educational goal by the time 15 units are earned
- Participate in assessment, orientation, counseling and advising prior to registration
- Complete an educational plan with a counselor in the semester following the completion of 15 units
- Diligently attend class
- Complete assigned work
- Abide by the Student Code of Conduct
- Read and obey all published college rules and regulations
- Officially enroll in every class before the "add" deadline date and pay all fees within 24 hours of enrollment
- Complete courses and maintain progress toward an educational goal according to standards established by the college
- Inform the Admissions and Records Office of changes in personal data (name, mailing address, email address, phone number(s), major goal, educational status, etc.)
- Enroll in each class
- Complete each class or withdraw officially
- Submit legal, not fraudulent documents

### **ATTENDANCE •**

All students enrolled at Modesto Junior College are expected to be punctual and attend classes regularly. Instructors are encouraged to announce to their students their policies regarding excessive absences or tardiness at the beginning of the semester. When an instructor determines that a student's absences are excessive, the instructor may drop the student from the class. It is the student's responsibility to discuss anticipated and/or extensive absences with the instructor. No absence relieves the student of the responsibility of completing all work assigned. Any student who fails to attend class regularly may be dropped; however, it is the responsibility of the student to complete the course or to officially withdraw from a class. Tardiness may be treated as an absence.

### **ACADEMIC FREEDOM •**

Students have the right to listen, the right to decide, the right to choose, the right to reject and the right to express and defend individual beliefs. As members of the MJC community, students are encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for truth.

The educational purpose of the college is best served by this 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 for which they are enrolled. Student performance will be evaluated on a broad academic basis, not on opinions or conduct in matters unrelated to academic standards.

# Academic Integrity

The Academic Senate at MJC shares the original jurisdiction for conduct violations in the area of academic integrity. The Academic Senate at MJC has defined academic integrity and identified possible means for maintaining academic integrity at the College.

## THE FOLLOWING ARE VIOLATIONS OF ACADEMIC INTEGRITY:

- **Cheating:** Intentionally using or attempting to use unauthorized materials, information or study aids in any academic exercise; misrepresenting or non-reporting of pertinent information in all forms of work submitted for credit.
- **Facilitating Academic Dishonesty:** Intentionally or knowingly helping, or attempting to help, another to violate a provision of the institutional code of academic integrity.
- **Plagiarism:** The deliberate adoption or reproduction of ideas, words or statements of another person as one's own, without acknowledgement. This includes all group work and written assignments.

## VIOLATIONS OF ACADEMIC INTEGRITY

The grading of a student's work rests on the fundamental idea that an instructor is evaluating a student's own work, so cheating or plagiarism demonstrates a failure to complete this most basic requirement of any course. Thus a faculty member may administer academic consequences for violating the Academic Integrity Policy ranging from partial credit to an F on the assignment or exam.

The instructor may also consider that a student's violation of academic integrity should be a consideration for disciplinary measures. Disciplinary action for violating academic integrity is administered by the Student Discipline Officer under Board Policy 5500: Standards of Conduct.

## ACADEMIC INTEGRITY IN COURSES

Academic areas may develop for their faculty and students a statement of the application of the Academic Integrity Procedure in their courses; and each faculty member is encouraged to include in his/her introduction to a course:

- A statement of the application of the Academic Integrity Procedure within his/her course.
- A statement notifying students that violations of the Academic Integrity Procedure will be reported.

## DUE PROCESS FOR VIOLATIONS OF ACADEMIC INTEGRITY

1. *Students shall be given notice of the violation and,*
2. *Students shall be given an opportunity to respond to the allegations.*

*MJC Academic Senate, Spring 2007*

# Code of Conduct

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Modesto Junior College under Yosemite Community College District Board Policy and Procedure 5500, Standards of Conduct has specified standards of student behavior which it considers essential to its educational mission and its campus life. These regulations are designed to represent reasonable standards of conduct. The Student Code of Conduct governs the behavior of students on campus and at facilities controlled by the district or college, and at college-sponsored activities. Violations of the codes may subject individuals to disciplinary action, which is consistent with the requirements of due process. The following student conduct violation(s) conduct will constitute good cause for disciplinary action:

## CONDUCT VIOLATIONS INCLUDE:

1. *Causing, attempting to cause, or threatening to cause physical injury to another person.*
2. *Possession, sale or otherwise furnishing any firearm, knife, explosive 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 an appropriate District employee, which is concurred in by the college president or designee.*
3. *Unlawful possession, use, sale, offer to sell, or 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, or offering, arranging or negotiating the sale of any drug paraphernalia, as defined in California Health and Safety Code, Section 11014.5.*
4. *Committing or attempting to commit robbery or extortion.*
5. *Causing or attempting to cause damage to District property or to private property on campus.*
6. *Stealing or attempting to steal District property or private property on campus, or knowingly receiving stolen district property or private property on campus.*
7. *Willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of the college or the District.*
8. *Committing sexual harassment as defined by law or by District policies and procedures.*
9. *Engaging in harassing or discriminatory behavior based on race, religion, creed, color, national origin, ancestry, disability, sex (i.e. gender), marital status or sexual orientation or any other status protected by law.*
10. *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.*
11. *Disruptive behavior, willful disobedience, habitual profanity or vulgarity, or the open and persistent defiance of the authority of, or persistent abuse of, college personnel.*
12. *Cheating, plagiarism (including plagiarism in a student publication), or engaging in other academic dishonesty.*
13. *Dishonesty; forgery; alteration or misuse of college documents, records or identification; or knowingly furnishing false information to the district.*
14. *Unauthorized entry upon or use of college facilities.*
15. *Lewd, indecent or obscene conduct on district-owned or controlled property, or at district-sponsored or supervised functions.*
16. *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 premises; or the violation of lawful district administrative procedures; or the substantial disruption of the orderly operation of the District.*
17. *Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.*
18. *Obstruction or disruption of teaching, research, administration, disciplinary proceedings, or other college activities, including its public service functions, or any other authorized activities. Pagers, cellular telephones and other similar electronic devices must be turned off in classrooms and other campus sponsored events unless authorized by an appropriate faculty or staff member.*

## Disciplinary Actions Resulting From Conduct Violations

Violators of the Student Code of Conduct are subject to the following types of disciplinary action, which will be administered by appropriate College personnel:

DISCIPLINARY ACTION	DEFINITION
<b>Informal Reprimand:</b>	<i>An oral admonition or warning to cease and desist from conduct that has been determined to violate the standards of conduct.</i>
<b>Formal Reprimand:</b>	<i>Written admonition or warning to cease and desist from conduct that has been determined to violate the standards of conduct.</i>
<b>Removal from Class:</b>	<i>The involuntary removal of a student from class by an Instructor for a maximum period of two consecutive class sessions.</i>
<b>Removal from Facility:</b>	<i>The involuntary removal of a student by an administrator from a District or College facility, or facility under the control of the District or College for a maximum period of two consecutive days.</i>
<b>Loss of Privileges:</b>	<i>Disciplinary action involving the loss of certain student privileges, such as eligibility to participate in extracurricular activities, for a stated period of time.</i>
<b>Disciplinary Probation:</b>	<i>A status between good standing and suspension or expulsion. It covers a stated trial period and disciplinary conditions required of the Yosemite Community College District.</i>
<b>Disciplinary Suspension:</b>	<i>The involuntary removal of a student for good cause from one or more classes or from the college by action of the Student Discipline Officer for a limited period of time, as follows:</i>
<b>Short-Term Suspension:</b>	<i>Removal from one or more classes for a period of up to 10 consecutive days of instruction;</i>
<b>Long-Term Suspension:</b>	<i>Removal from one or more classes for the remainder of the academic term; Removal from one or more classes for one or more academic terms; or Removal from all classes and activities of the College for one or more academic terms.</i>
<b>Immediate Interim Suspension:</b>	<i>The Student Discipline Officer may order the immediate suspension of a student where there is reasonable cause to believe that immediate suspension is required to protect lives or property and to ensure the maintenance of order.</i>
<b>Expulsion:</b>	<i>A student may be expelled for good cause where other means of correction have failed to bring about proper conduct or when the presence of the student causes a continuing danger to the physical safety of students or others. Only the Board of Trustees may expel a student.</i>

The Standards of Conduct Policy and Procedures are available at:  
<https://www.yosemite.edu/trustees/boardpolicy>

# Illegal Distribution of Copyrighted Material

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Modesto Junior College students are prohibited from using the Yosemite Community College District (YCCD) information network to illegally download or share music, video and all other copyrighted intellectual property. Modesto Junior College supports the Higher Education Opportunity Act and Digital Millennium Copyright Act, including efforts to eliminate the illegal distribution of copyrighted material. Under the law, college administrators may be obligated to provide copyright holders with information about users of the YCCD information network who have violated the law. Be aware that illegal forms of downloading and file sharing as well as the unauthorized distribution of copyrighted materials are violations of the law and may subject you to academic sanctions from the college as well as criminal and civil penalties, including a lawsuit against you by the Recording Industry Association of America (RIAA). In addition to being illegal, file sharing drains the YCCD network's bandwidth, which slows computer connections for students and employees who are using the network for legitimate academic purposes and ultimately costs the college money. The illegal downloading and sharing of music or other copyrighted intellectual property is a form of theft and is prohibited under the Student Code of Conduct. Additional information is available at [www.riaa.com](http://www.riaa.com) (teacher/student information). There are plenty of easy, affordable ways to get music online legally. To protect their intellectual property, companies have licensed hundreds of digital partners that offer a range of legal downloading options, including download and subscription services, legitimate peer-to-peer services, video-on-demand, podcasts and CD kiosks. For a list of sources that offer legal downloading sites, access [www.riaa.com](http://www.riaa.com).

## **SEXUAL HARASSMENT POLICY**

Sexual harassment is a form of unlawful sexual discrimination and will not be tolerated by the College.

### **SEXUAL HARASSMENT INCLUDES:**

- submission to conduct which is explicitly or implicitly made a term or a condition of an individual's employment, academic status, or progress;
- submission to, or rejection of, conduct by an individual which is used as the basis of an employment or academic decision affecting the individual or 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; and
- submission to or rejection of, conduct by the individual which is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution. (Education Code Section 212.5.)

The College strongly forbids any form of sexual harassment, including acts of nonemployees. Disciplinary action will be taken promptly against any student or employee, supervisory or otherwise, engaging in sexual harassment.

## Discrimination Terms

TERM:	DEFINITION:
<b>Color or Ethnic Group Identification</b>	means the possession of the racial, cultural, or linguistic characteristics common to a racial, cultural, or ethnic group or the country or ethnic group from which a person or his or her forbears originated. (22 California Administrative Code Section 98210(b).)
<b>Religion</b>	includes all aspects of religious observance, practice and belief, including duties of the clergy or elders. A belief is religious if sincerely held and, in the scheme of the believer, holds a place analogous to that filled by the deity of those people whose religion may be more orthodox or more widely accepted. (22 California Administrative Code Section 98220.)
<b>Age</b>	means how old a person is, or the number of elapsed years from the date of a person's birth. (22 California Administrative Code Section 98230(b).)
<b>Sex Discrimination</b>	<ul style="list-style-type: none"> <li>▪ includes any rule, policy, or practice concerning actual or potential parental, family, or marital status which differentiates on the basis of sex or sexual orientation;</li> <li>▪ any rule, policy, or practice concerning disability due to pregnancy, childbirth, recovery from childbirth or termination of pregnancy, or other psychological conditions related to the capacity to bear children not applied under the same terms and conditions and in the same manner as any other rule, policy, or practice relating to any other temporary disability except as otherwise provided by the Fair Employment Practice Act;</li> <li>▪ any rule, policy, or practice which treats men and women differently for purposes of any program or activity on the basis of aggregate statistical characteristics of men or women, whether founded in fact, belief or statistical probability;</li> <li>▪ any rule, policy, practice, or incident which conditions the receipt of any benefit upon entering into, or maintaining, a sexual relationship or participation in sexual activity, or subjects a person to sexual harassment or intimidation such as unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature. (22 California Administrative Code Sections 98240, 98242, 98244.)</li> </ul>
<b>Sexual Orientation</b>	means a private preference of an individual for heterosexuality, homosexuality, or bisexuality; or a history of such a preference; or an identification with having such a preference.
<b>Physical or Mental Disability</b>	means any physical or mental impairment which substantially limits one or more major life activities.
<b>Disabled Person</b>	means any person who has a physical or mental impairment which substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment.

### TO FILE A DISCRIMINATION COMPLAINT

In the pursuit of academic studies and other college-sponsored activities that promote intellectual growth and personal development, the student should be free of unlawful discrimination or sexual harassment by any member of the academic community. (Students disturbed by the acts of another student have recourse through the Standards of Conduct.)

Modesto Junior College ensures that its programs and activities, including employment, are available to all qualified persons without regard to ethnic group identification, religion, age, sex, gender, sexual orientation, color, or physical or mental disability.

## STUDENTS RIGHTS AND RESPONSIBILITIES

Complaints may be initiated by a student against an instructor, an administrator, or a member of the classified staff. **When a student feels he/she has suffered unlawful discrimination, he/she shall within one year of the occurrence of the incident(s) meet with the Vice President of Student Services.**

Students are advised to obtain written instructions for the filing of a complaint from the office of the Vice President of Student Services. You may also contact the Americans with Disabilities Act (ADA) Coordinator, (209) 575-6702 (voice) or (209) 575-6863 (TTY).

Para más información respecto a las leyes federales y regulaciones tocantes a la prohibición de discriminación en la educación, o el cumplimiento de este Distrito con dichas leyes y regulaciones, comuníquese al:

### **Office of Civil Rights**

Old Federal Building  
50 United Nations Plaza, Room 239  
San Francisco, CA 94102

## ***NONDISCRIMINATION COMPLIANCE INFORMATION***

Inquiries regarding federal laws and regulations concerning nondiscrimination in education or the District's compliance with those provisions may also be directed to the agencies below.

Para más información respecto a las leyes federales y regulaciones tocantes a la prohibición de discriminación en la educación, o el cumplimiento de este Distrito con dichas leyes, regulaciones, políticas y procedimientos, comuníquese al:

### **Office for Civil Rights**

San Francisco Office  
U.S. Department of Education  
50 Beale Street, Suite 7200  
San Francisco, CA 94105  
(415) 486-5555

### **Department of Fair Employment and Housing**

Headquarters  
2218 Kausen Drive, Suite 100  
Elk Grove, CA 95758  
(916) 478-7521

### **California Community Colleges**

Chancellor's Office  
1102 "Q" Street, 4th Floor  
Sacramento, CA 95811  
(916) 445-8752  
Complaints Process & Form

