

Student Rights and Responsibilities

While attending Pima Community College you will need to observe the institution's rules and regulations. A summary of the Student Rights and Responsibilities is available in the Student Handbook. The complete document is also available online at www.pima.edu/studentsev/studentrights .

Department of Public Safety

The Department of Public Safety provides annual campus crime statistics to the College community. Reports for the previous three (3) years are available. You can obtain a copy of this report by calling 206-4500 or access it online at www.pima.edu/dps/reports_and_statistics.shtml . Updates and important safety and security issues are published in the student newspaper Aztec Press and through the College's Web site.

Traffic Regulations

The PCC Department of Public Safety has the authority to enforce College, state, county, and city parking and traffic regulations and to issue parking and traffic citations. It can also impound vehicles. The State of Arizona has given the College police officers authority to issue citations for violations of state law and county or city ordinances.

As a student, you are responsible for reading and understanding the College parking and traffic regulations. For complete information on these regulations, see the Pima County Community College District Parking & Traffic Regulations for Motor Vehicles, Bicycles and Other Non-Pedestrian Devices, available online at www.pima.edu/dps/parking_and_traffic.shtml .

In accordance with A.R.S. 15-1444C, all vehicles allowed to park in any Pima Community College parking lot must comply with the emissions standard as stated in A.R.S. 49-542. Out-of-county or out-of-state students, when they register, are required to sign an affidavit that states their vehicle meets the Arizona emission standards. If a vehicle is not on record as complying, it is subject to being towed at the owner's expense.

Family Educational Rights and Privacy Act (FERPA)

Pima Community College informs its students annually of the Family Educational Rights and Privacy Act of 1974. This act, with which the institution intends to fully comply, was designated to protect the privacy of educational records, to establish the right of students to inspect and review their education records, and to provide guidelines for the correction of inaccurate or misleading data through informal and formal hearings. Students who need assistance or wish to file complaints under FERPA should do so in writing to the Family Policy Compliance Office, sending pertinent information concerning any allegations to the following address:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-5920
www.ed.gov/policy/gen/guid/fpco/index.html

Academic Reporting

Throughout the United States, colleges and universities monitor the progress students make in achieving their academic goals. PCC is pleased to provide information regarding our institution's graduation/completion and transfer rates, in compliance with the Higher Education Act of 1965, as

amended. Student success information, including student athletes, is available online at www.pima.edu/aboutpima/quickfacts/righttoknow.pdf or call 206-4500 for a brochure.

Disclosure of Student Information

The Family Educational Rights and Privacy Act of 1974 protects the privacy of student records. Certain “directory information” is excluded from this law and may be disclosed at the discretion of the College. Public directory information includes: student’s name, field of study, dates of attendance, and date of graduation.

If you wish to have directory information withheld by the College, fill out the form in the current Schedule of Classes and submit it to any campus Admissions Office. For more complete details, see the current College Catalog or visit any campus Admissions Office.

Drug Free Schools and Communities Act Information

Pima Community College is committed to the Drug Free Schools and Communities Act Amendments of 1989 (Public Law 101-226, 20 U.S.C. §1145g).

Standards of Conduct

The unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees is prohibited. The following misconduct is subject to disciplinary action, including exclusion, suspension, or expulsion:

1. Violating or failing to comply with published rules and regulations of conduct of the College which prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on College property or as part of any of its activities; or
2. Being under the influence of, using, selling, possessing, or distributing any illicit drugs or alcohol on College property or as part of any of its activities. This prohibition includes, but is not necessarily limited to, marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, barbiturate, sniffing glue, aerosol paint, or other chemical substances. Over-the-counter and prescription drugs are excluded from consideration unless improperly used.

Legal Sanctions

Local, state, and federal laws prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol. Conviction for violating these laws can lead to imprisonment, fine, probation, and/or assigned community service. Students convicted of a drug- and/or alcohol-related offense will be ineligible to receive federally funded or subsidized grants, loans, scholarships, or employment. Pima County Community College District will fully subscribe to and cooperate with the local, state, and federal authorities in the enforcement of all laws regarding the unlawful possession, use, or distribution of illicit drugs and alcohol.

Health Risks

There are definite health risks associated with the use of alcohol and illegal substances. Students who experiment with drugs, alcohol, and illegal substances, or use them recreationally, may develop a pattern of use that leads to abuse and addiction. Use of alcohol and illegal substances is a major factor in accidents and injuries, and among persons between the ages of 18 and 24, it is responsible for more deaths than all other causes combined.

Support Resources

College officials will assist students with appropriate referrals and information concerning drug and alcohol education, counseling, treatment, or rehabilitation or reentry programs that may be available in the community. Contact the Advising and Counseling Center on any campus for information.

Student Code of Conduct

In order to protect the College community and to maintain order and stability on or off campus at any College-sanctioned event, students who engage in inappropriate conduct, including but not limited to the following acts, may be subject to disciplinary action.

Some violations may ultimately be subject to the maximum sanction of expulsion.

1. Infliction of bodily or mental harm or the intent to inflict bodily or mental harm upon any member of the College community or his/her family; communicating a threat, either real or perceived, to any member of the College community or his/her family; reckless endangerment with or without intent to inflict harm upon any member of the College community or his/her family.
2. Knowingly and purposefully, causing, making, and/or circulating a false report or warning of a fire, explosion, crime, or other emergency.
3. Unauthorized possession or use of explosives, dangerous chemicals, or weapons on College Property or at any College function.
4. Being under the influence of, using, selling, possessing, or distributing any illicit drugs, including prescription drugs, or alcohol on College property or as part of its activities.
5. Acts of dishonesty, including, but not limited to: furnishing false information to any College administrator, faculty member, or office; forgery, alteration, or misuse of any College document, record, or instrument of identification; misrepresentation of oneself, or of an organization, to be an agent or representative of the College.
6. Disruption on or off College property of the College educational process, including but not limited to interrupting, impeding, or causing the interruption or impediment of any class, lab, administrative office, College activity, or College authorized activity.
7. Disruption or misuse of the College's computers.
8. Damaging, destroying, defacing, or tampering with College property or the property of any person or business on College property or at a College function, including but not limited to, taking down, defacing, or otherwise damaging College authorized posters, handbills, notices posted on College property, and/or the mutilation of library materials.
9. Demeaning behavior toward a person on the basis of gender, sexual orientation, race, religion, national origin, age, military status, and/or disability.
10. Disturbing the peace of the College by, among other things, fighting, quarreling, causing excessive noise, or engaging in indecent or obscene behavior on College property or at any College function.
11. Failure to appear before a College official or judicial body when directed to do so.
12. Failure to comply with directives of College administrators, faculty, staff, contracted personnel, employees, police, or any other law enforcement officers acting in the performance of their duties, or failing to identify oneself to these personnel when requested to do so.
13. Failure to repay debts to the College, return College property, and/or return property of any member of the College community.
14. Harassment including sexual harassment against a member of the College community. Sexually harassing or offensive conduct includes, but is not limited to: unwanted physical contact or

conduct of any kind, including sexual flirtations, touching, advances, or propositions; verbal harassment of a sexual nature, such as lewd comments, sexual jokes or references, and offensive personal references; jokes of a sexual nature; demeaning, insulting, intimidating, or sexually suggestive comments about an individual's dress or body. (Board Policy 1503)

15. Violation of any federal, state, or local law or College policy on College property, at a College function, or involving a member of the College community.
16. Theft of College property or services or theft of property or services from any person or business on College property or at a College function.
17. Unauthorized entry or occupancy of any College building, structure, vehicle, or facility; unauthorized entry to or use of College grounds; unauthorized blocking of entry to or exit from such areas.
18. Possession of College property or property of any member of the College community without permission or authorization of the owner of the property.
19. Unauthorized use, distribution, duplication, modification, or possession of any keys issued for any building, laboratory, facility, room, or other College property.
20. Unauthorized use of any electronic device on College property or at any College function, including but not limited to, classes, lectures, labs, artistic performances, and field trips.
21. Smoking and/or chewing tobacco in an area where smoking has been prohibited by law or by College regulations.
22. Violation of any policy, rule or regulation posted on College property by the College, or printed in any official College publication.
23. Violation of copyright laws as they apply to print, audio/video, and computer software materials (SPG-2701/AA Copyright Practice and Compliance).
24. Leaving unattended minor children on College property or at College functions without making provisions for them to be cared for and supervised (A.R.S. 8-201(21)).
25. Failure to obtain approval from a Dean of Student Development or other College Administrator designated by her or him for posting or distributing information of any kind on College premises or at College functions; soliciting of any type which involves Pima Community College students, employees, or visitors; and/or selling of merchandise on college property by a student or student organization. (RG-3605-A Public Expression on College Property).

Informal Procedures

Informal discussion between persons directly involved in a possible violation of the Student Code of Conduct is encouraged whenever the circumstances allow for reasoned and respectful communication. In keeping with the educational purposes of the College, disciplinary actions other than those requiring suspension or expulsion are intended to be remedial rather than punitive.

If no resolution is reached through informal means, the member of the College community who observed an action that may constitute a violation of the Student Code of Conduct will file a written report with the appropriate College administrator or designee.

Formal Procedures

**WORKING DAYS ARE DEFINED AS THE COLLEGE'S REGULAR HOURS OF OPERATION:
MONDAY-FRIDAY, 8:15 am - 4:45 pm.**

Step 1: Written Report

A written report of an alleged violation of the Student Code of Conduct will be given to the appropriate campus administrator or designee within ten (10) working days of the alleged incident. This report is the formal charge and should include a detailed description including facts, dates, and witnesses, if applicable, of the alleged behavior and all related documentation. The campus administrator or designee may choose to begin an informal investigation of the allegation prior to official notification to the student.

In cases involving potential or actual bodily or psychological harm to any person, possible damage to College property or disruption of the College's educational or administrative work, the campus administrator or designee may immediately suspend the student while a full investigation is being conducted.

Step 2: Entry of the Report into the College Log

Upon receiving a written report of an alleged violation, the appropriate campus Administrator or designee will immediately enter the information into the College Log, which is a secure college-wide electronic database maintained at the District Office. A check of Banner Hold history will be made. The Judicial Log is accessible only to the appropriate campus administrator and designees and to the AVC for Student Development at the District Office, who is responsible for maintaining the database. The database includes the final report on the outcome of the Code of Conduct process.

Step 3: Notice to the Student

The campus administrator or designee must notify the accused student within five (5) working days of receipt of the written report with a written memorandum that includes the following:

- The nature and date of the alleged violation, identifying the specific violation.
- Required meeting date and time and need for student to confirm the meeting by telephone within five (5) working days. (Another mutually agreeable meeting date and time may be negotiated at that time.)
- The consequences of the student's failure to respond to the notice or attend a meeting. The student must respond to the administrator or designee within five (5) working days after the student is notified of the violation; otherwise, the campus administrator or designee may assess a suitable penalty. If a student fails to respond to the notice or attend the agreed upon meeting, the campus administrator or designee will make a decision based on the available facts following procedures in this document, and will notify all parties of the decision.

The campus administrator or designee will send the student an official copy of the Pima Community College Student Rights and Responsibilities along with the memorandum pertaining to the alleged violation. A copy of this memorandum will be filed simultaneously with the appropriate administrator of the relevant campus, with the PCC Department of Public Safety and the College Judicial Log.

At the meeting with the campus administrator, or designee, the student has the right to select an advocate (excluding a lawyer) to insure he/she understands the alleged violation and his/her rights under the Student Code of Conduct. Unless the conduct that forms the basis for the alleged violation is also the subject of a pending criminal investigation or prosecution, the student may not select an attorney as an advocate. The advocate's role is limited to clarifying the student's due process rights under the Student Code of Conduct. If the student is under age 18, the student's custodial parent or legal guardian may be present with the consent of the student.

Step 4: Meeting with the appropriate campus administrator or designee

The campus administrator or designee will meet with the student and the individual who initiated the formal complaint, separately or together, at the campus administrator's or designee discretion. The individual who initiated the formal complaint will present facts in support of the Student Code of Conduct violation. The accused student has the right to review the facts, present additional facts, and respond to the accusations. The campus administrator or designee will make a determination regarding the complaint. The campus administrator or designee may need to re-interview the person who made the complaint. The determination of the complaint should be made within five (5) working days after the last person has been interviewed.

The campus administrator, or designee, may find the student in violation of the Student Code of Conduct, in which case the campus administrator or designee may impose a penalty. The student will be advised of the decision within five (5) working days in writing by the campus administrator. A copy of the decision will be provided to the appropriate Dean, Department of Public Safety, and the College Judicial Log.

If the penalty assessed is withholding an academic record, degree, suspension or expulsion, the student may appeal. All other penalties are not appealable.

Step 5: Appeal to the Campus Student Conduct Review Committee (SCRC)

If the penalty assessed is withholding an academic record or degree, suspension, or expulsion, the student may appeal. The student must submit a written and signed notice stating the basis for an appeal. The notice must be submitted to the appropriate campus administrator OR designee within ten (10) working days of the student's receipt of the decision. Failure to file an appeal within ten (10) working days constitutes acceptance of the decision. If the student files a written and signed notice within the required time period, the appropriate administrator will notify the student of the time and place for a formal hearing with the Campus Student Conduct Review Committee (SCRC). The notification of hearing will be delivered to the student at least ten (10) working days prior to the hearing. This ten (10) day notification may be waived by mutual agreement of both parties.

Step 6: Hearing Before the Campus Student Conduct Review Committee (SCRC)

The Committee receives and reviews all findings before hearings begin.

The Committee

The SCRC will meet as needed and will consist of the following members selected by each campus administrator:

- Two students
- One faculty member
- One staff member
- One administrator appointed by the campus administrator

The administrator chairs the meeting and selects a recording secretary for each SCRC meeting. The recording secretary will take notes and make a tape recording of the hearing; the tape recording may be heard by administration if deemed necessary. The proceedings must remain confidential. Instructions from the Chair shall include the need for confidentiality in this process. Students who know the student requesting the hearing will be exempt from the committee. Faculty and Staff who know the student may choose to excuse themselves. Both the College and the student may seek legal advice at their own expense. Unless the student is the subject of a criminal investigation or proceeding at the time of the

SCRC hearing, neither the student nor the college will be represented by a lawyer during the hearing. If the student is the subject of a criminal investigation or prosecution at the time of the SCRC hearing, the student may be accompanied to the hearing by a lawyer, who may act as an advisor to counsel the student regarding his/her due process rights, including the right against incrimination. However, the lawyer may not otherwise participate in a hearing, such as by advocating on behalf of the student or questioning witnesses.

SCRC Hearing Procedures

The term "student" below refers to the person charged with a Code of Conduct violation. The committee reviews all findings before the hearing begins. Only under special circumstances should a witness be re-interviewed prior to or during the procedure (to clarify previous statements).

Before the hearing, the chairperson reviews the procedures with all parties.

1. The hearing will be closed to the public to protect privacy and maintain confidentiality of the persons involved. The Chair may request the presence of a Pima Community College Department of Public Safety Officer for sole purposes of prevention or managing disruptive behavior by the accused, the accuser, or any witnesses. A person may assert the privilege against self-incrimination by remaining silent in the hearing and such silence cannot be used against the student. The hearing committee will make a recommendation on the evidence presented to the SCRC.
2. The student may present witnesses on his/her behalf. These witnesses will speak directly to the issue or violation and not to the general character of the student. The number of witnesses may be limited by the SCRC.
3. Only the members of SCRC, the student charged, and the charging party may ask questions.
4. The student may hear all testimony.
5. The student may question each witness only if the SCRC has determined that there is no potential harm to the witness.
6. Witnesses may be limited in the time allocated for testimony by the Committee Chair.
7. No witness can listen to testimony of any other witness.
8. The individual initiating the formal complaint testifies first; then his/her witnesses. The campus administrator or designee, who initiated the formal procedures may be called as a witness as needed.
9. The student presents his/her response; then his/her witnesses.
10. The hearing will proceed in a calm and orderly manner following all of these procedures.
11. If the procedures are not followed, the SCRC chairperson may close the proceedings and make a recommendation on the information that has been presented.
12. Any verbal abuse or threats directed toward members of the SCRC or witnesses may result in violation of the Student Code of Conduct and/or discontinuance of the process.
13. If the student is under age 18, the student's custodial parent or legal guardian may be present with the consent of the student.

Step 7: SCRC Recommendations

1. The committee will deliberate immediately after the hearing to determine the outcome and sanctions if any.
2. The vote will be a secret, paper ballot to be counted by the committee chair.
3. The SCRC final recommendation(s) must reflect the vote of at least three of the five committee members. The vote must indicate that "a preponderance of the facts" submitted indicates that a

violation of the Student Code of Conduct did or did not occur and the severity of the punishment was or was not merited.

4. The SCRC recommendation(s) will be written, signed by each committee member, and forwarded to the appropriate campus administrator and to the campus President.
5. The SCRC formal recommendation(s) to the campus administrator is confidential and will remain confidential. Should the student or the person bringing the complaint or any witness voluntarily fail to appear before the SCRC after receiving notification, the SCRC has full authority to proceed to a recommendation(s).

The SCRC may make one of the following recommendations or other recommendations relating to resolution of the matter:

- The penalty imposed be upheld.
- The penalty imposed be changed and a more lenient or harsher penalty be imposed; or
- No penalty should be imposed.

The appropriate campus administrator within five (5) working days, shall review the recommendation of the SCRC and shall provide the student written notice of his/her decision and shall provide a copy of that decision to the campus President and the charging party. The College Judicial Log will be the official repository of records regarding decisions or actions involving the appeal process.

Step 8: Final Decision

Student may appeal to the campus President within five (5) working days of receiving the written notice of the administrator's decision; the campus President makes the final decision and sends notice to the administrator and the student within five (5) working days of decision.

If the decision is expulsion the student may appeal to the Provost within five (5) working days of the decision; the decision of the Provost is final.

College-Related Complaints from Students

- Pima Community College, in its goal to provide quality instruction and service, provides students access to appropriate College staff and administration to resolve questions, concerns, or complaints against PCC staff, policies, procedures, or other actions or inactions of the College.
- Students are strongly encouraged to resolve any concern informally through the appropriate department or division administrator.
- If needed, the Office of the Dean of Instruction or other campus administrator will direct the student to the appropriate department or division administrator to initiate the informal process.
- The administrator will work with the student to resolve the student's question, concern, or complaint.
- If the student is not satisfied with the discussion and any suggested resolution, the student may file a formal complaint.
- The student may contact the appropriate campus administrator to proceed with a formal written complaint.

A. Informal Complaint (Other than Faculty or Grade-related)

- The goal of the informal complaint process is to provide information to the student that answers the student's questions and concerns and/or to come to a resolution agreeable to the student and the College.
- The student discusses the complaint informally with the division administrator. If the concern is in regards to the division administrator, the student may discuss the concern with the appropriate administrator.
- To address complaints in a timely fashion, student must begin the informal process within thirty (30) working days of the alleged complaint.
- If the student believes the discussion and any suggested resolution through the Informal Process did not provide a resolution, the student may file a formal complaint with the appropriate campus administrator.

B. Formal Complaint (Other than Faculty or Grade-Related)

- If the student believes the decision offered through the Informal Process did not provide a resolution, the student may then use the Formal Complaint Process.
- Students may file a formal written complaint against the College. The formal complaint must be filed within thirty (30) working days from the date the decision was offered to the student.
- The Student Complaint Information Packet is available in the Office of Dean of Instruction. Students may call the Office of the Dean and have this information mailed to them.
- The formal complaint must contain the following information:
 1. Name of the student(s) filing the formal complaint.
 2. Name of the staff member complaint is against.
 3. Statement of facts and nature of the formal complaint.
 4. Date(s) of the incident(s).
 5. Resolution being sought by the student(s).
 6. Student's signature.
- The student will submit the formal written complaint to the appropriate administrator.
- The administrator will have ten (10) working days to work with all parties to affect a resolution.
- If the resolution presented by the administrator is not agreed to, the student may appeal the resolution to the appropriate Dean. The Dean shall, within ten (10) working days after the first receipt of the formal complaint, cause an investigation to be made of the unresolved complaint.
- The appropriate Dean shall, within (20) College working days after receipt of the formal complaint, inform the student of the results of the investigation and the decision in writing. The Dean may recommend one or more of the following actions:
 1. Offer a resolution to the complaint.
 2. Dismiss the complaint.
 3. Take appropriate action.

NOTE: Any time limit herein may be extended by five (5) College working days with notice to the student. Timelines may be further modified by mutual agreement.

- The student may appeal to the campus President. The campus President will review documentation submitted with the appeal and from the Dean's investigation and make a final decision within five (5) days of receiving the student's appeal. The President will send a written notice to the Dean and student of the final decision.

Affirmative Action and Equal Educational/Employment Opportunity

Pima Community College is an equal opportunity, affirmative action employer and educational institution committed to excellence through diversity.

Americans with Disabilities Act

Reasonable accommodations, including materials in an alternative format, will be made for individuals with disabilities as soon as can be reasonably expected upon receiving proper notification. For the general public, please contact the PCC information line at (520) 206-4500 (TTY 206-4530); for PCC students, contact appropriate campus Disabled Student Resources office.

Religious Observance Accommodation

Pima Community College accommodates the religious observances and practices of students unless it will result in undue hardship to College programs. At least two weeks before the religious observance, students must submit to their instructor(s) a written statement that contains both the date of observance and the reason why class attendance is impossible. Absences for religious observances and practices do not count in the number of absences allowed by an instructor or department.