

Students shall assume an obligation to conduct themselves in a manner compatible with the college's function as an educational institution. Students shall observe the rules and regulations of the College and shall refrain from conduct which interferes with the College's teaching and administration, or which unreasonably interferes with the rights of others. Misconduct while on the college campus or at a College-sponsored function for which students and student organizations are subject to disciplinary action.

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

- (1) Causing, attempting to cause, or threatening to cause physical injury to another person.
- (2) Perpetrating, attempting, or threatening dating violence, domestic violence or stalking against another person.
- (3) 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 a District employee which is concurred in by the college president.
- (4) Unlawful possession, use, sale, offer to sell, or furnishing, or being under the influence of, any controlled substance listed in California Health and Safety Code Sections 11053 et. seq., 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.
- (5) Committing or attempting to cause damage to District property or to private property on campus.
- (6) Causing or attempting to commit robbery or extortion.
- (7) Stealing or attempting to steal District property or private property on campus, or knowingly receiving stolen District property or private property on campus.
- (8) Willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of the college or the District.
- (9) Sexual assault or sexual exploitation regardless of the victim's affiliation with the district.
- (10) Committing sexual harassment as defined by law or by District policies and procedures.
- (11) Engaging in harassing or discriminatory behavior based on disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other status protected by law.
- (12) 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.
- (13) Willful misconduct that results in injury or death to a student or to District personnel or which results in cutting, defacing, or other injury to any real or personal property owned by the District or on campus.

- (14) Disruptive behavior, willful disobedience, habitual profanity or vulgarity, or the open and persistent defiance of the authority of, or persistent abuse of, college personnel.
- (15) Cheating, plagiarism (including plagiarism in a student publication), or engaging in other academic dishonesty.
- (16) Dishonesty; forgery; altercation or misuse of District documents, records or identification; or knowingly furnishing false information to the District.
- (17) Unauthorized entry upon or use of District facilities.
- (18) Lewd, indecent or obscene conduct or expression on District-owned or controlled property, or at District sponsored or supervised functions.
- (19) 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 District premises, or the violation of lawful District regulations, or the substantial disruption of the orderly operation of the District.
- (20) Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.
- (21) 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.

Students who engage in any of the above are subject to the procedures outlined in AP 5520 titled Student Discipline Procedures.

The complete policy on Standards of Student Conduct, Disciplinary Action, and Due Process can be found in the Handbook for Faculty Advisors and Student Leaders in the Student Affairs Office or <https://www.imperial.edu/students/student-affairs/policies/student-complaint-policy>.

Imperial Valley College

Students Rights and Grievances Policy

The purpose of this procedure is to provide a prompt and equitable means of resolving student grievances. These procedures shall be available to any student who reasonably believes a college decision or action has adversely affected his or her status, rights or privileges as a student. The procedure shall include, but not be limited to, grievances regarding:

- Access to classes;
- Deviation from course content;
- Refusal of instructor to confer with a student;
- Sex discrimination as prohibited by Title IX of the Higher Education Amendments of 1972;
- Financial aid [unless the District's financial aid policy contains an appeal procedure];

- Course grades, to the extent permitted by Education Code Section 76224(a), which provides: "When grades are given for any course of instruction taught in a community college District, the grade given to each student shall be the grade determined by the instructor of the course and the determination of the student's grade by the instructor, in the absence of mistake, fraud, bad faith, or incompetency, shall be final." "Mistake" may include, but is not limited to errors made by an instructor in calculating a student's grade and clerical errors;
- The exercise of rights of free expression protected by state and federal constitutions and Education Code Section 76120.

This policy does not apply to:

- Student Code of Conduct issues.
- Allegations of discrimination based on race, color, national origin, disability, or age in any of its policies, procedures, or practices, in compliance with Title VI of the Civil Rights Act of 1964 (pertaining to race, color or national origin), Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 (pertaining to disability) and the Age Discrimination Act of 1975 (pertaining to age). For complaints of this nature, please refer to the Discrimination Complaint Form.
- Student disciplinary actions, which are covered under separate Board policies and Administrative Procedures.
- Police citations (i.e. "tickets"); complaints about citations must be directed to the County Courthouse in the same way as any traffic violation.

For a clarification regarding student conduct issues or discrimination issues, the student may contact the Director of Admissions & Records, Director of Disabled Student Programs and Services or Title IX Officer.

INFORMAL RESOLUTION

Each student who has a grievance shall make a reasonable effort to resolve the matter on an informal basis prior to requesting a grievance hearing, and shall attempt to solve the problem with the person with whom the student has the grievance, that person's immediate supervisor, or the local college administration.

Informal meetings and discussion between persons directly involved in a grievance are essential at the outset of a dispute and should be encouraged at all stages. An equitable solution should be sought before persons directly involved in the case have stated official or public positions that might tend to polarize the dispute and render a solution more difficult. At no time shall any of the persons directly or indirectly involved in the case use the fact of such informal discussion, the fact that a grievance has been filed, or the character of the informal discussion for the purpose of strengthening the case for or against persons directly involved in the dispute or for any purpose other than the settlement of the grievance.

A grievance must be initiated within twenty (20) instructional days of the alleged act or decision. If the alleged circumstance or act occurs during the last twenty (20) instructional days of the Spring semester, the grievance must be made prior to the end of the third Friday of the Fall semester.

Step 1 The student may discuss the problem with the individual or the individual's supervisor.

Step 2 If a mutually satisfactory understanding has not been reached with the other person, the student may, within five (5) instructional days, present the student grievance to the immediate supervisor.

If Grievance is About:	Contact:
• Classified Staff/ Managers/ Confidentials	• Immediate Supervisor/ Chief Human Resource Office
• Teaching & Non-Teaching Faculty	• Appropriate Dean
• Department Chair	• Appropriate Dean
• Dean	• Administrator
• Administrator	• Appropriate Vice President or President
• Another Student	• Dean of Student Affairs and Enrollment Services

Within two days following receipt of a grievance, the immediate supervisor shall advise the student of his or her rights and responsibilities under these procedures, and assist the student, if necessary, in the preparation of the Grievance form. The supervisor must respond via verbal communication or email within ten (10) instructional days of the initiation of the grievance.

Step 3 FORMAL RESOLUTION

If, within ten (10) days, the grievance is not resolved informally, or the student is not satisfied with the resolution recommended by the supervisor, or if the supervisor does not respond timely a student may submit a student grievance form to the Vice President for Academic Services regarding academic matters or Dean of Student Affairs & Enrollment Services regarding non-academic matters.

The Vice President for Academic Services or the Dean of Student Affairs & Enrollment Services will respond in writing to the grievance within ten (10) instructional days of receipt of the grievance form.

Students' Grievance forms are available from:

Dean of Student Affairs	Student Affairs	(760) 355-6456
Director of Disabled Student Programs & Services	DS&P&S Office	(760) 355-6312
Title IX Officer	Student Affairs	(760) 355-6456
Chief Student Services Officer	Student Services	(760) 355-6106
Chief Human Resource Officer (staff)	Human Resources Office	(760) 355-6212

Or at: <http://www.imperial.edu/students/admissions-and-records/>

Step 4 REQUEST FOR HEARING

If a student is not satisfied with the decision made by the Vice President for Academic Services, Vice President of Student Services, or the Dean of Student Affairs & Enrollment Services, a student may request a hearing within five (5) instructional days of that decision (forms are available in the Student Affairs Office and on the back of the Handbook for Student Lead.

Academic matters will be heard by the Admissions, Petitions and Registration Committee. Non-Academic Matters will be heard by the Student Affairs Committee.

A request for a hearing shall be filed no later than thirty (30) instructional days following the initiation of the grievance (step 2). If a grievance is filed within the last thirty (30) instructional days of the semester the president of the college may delay any further action on the grievance until the next semester.

Any committee member who has a direct involvement with the grievance shall be excluded from reviewing that grievance or participating in any manner in the determination of the ultimate outcome of that grievance.

The appropriate Committee shall meet in private and without the parties present to determine on the basis of the Grievance whether it presents sufficient grounds for a hearing.

The determination of whether the Grievance presents sufficient grounds for a hearing shall be based on the following:

- The statement contains facts which, if true, would constitute a grievance under these procedures;
- The grievant is a student as defined in these procedures, which include applicants and former students;
- The grievant is personally and directly affected by the alleged grievance;
- The grievance was filed in a timely manner;
- The grievance is not clearly frivolous, clearly without foundation, or clearly filed for purposes of harassment.

If the grievance does not meet each of the requirements, the Hearing Committee chair shall notify the student in writing of the rejection of the Request for a Hearing, together with the specific reasons for the rejection and the procedures for appeal. This notice will be provided within ten (10) days of the date the decision is made by the Hearing Committee.

If the Request for Hearing satisfies each of the requirements, the Committee Chair shall schedule a grievance hearing. The hearing will begin within twenty (20) days following the decision to grant a Hearing. All parties to the grievance shall be given not less than five (5) days' notice of the date, time and place of the hearing.

Step 5 Hearing Procedures

The decision of the Hearing Committee chair shall be final on all matters relating to the conduct of the hearing unless there is a vote of a majority of the other members of the panel to the contrary.

The members of the Hearing Committee shall be provided with a copy of the grievance and any written response provided by the respondent before the hearing begins.

Each party to the grievance may call witnesses and introduce oral and written testimony relevant to the issues of the matter.

Formal rules of evidence shall not apply. Any relevant evidence shall be admitted.

Unless the Hearing Committee determines to proceed otherwise, each party to the grievance shall be permitted to make an opening statement. Thereafter, the grievant or grievants shall make the first presentation, followed by the respondent or respondents.

The grievant(s) may present rebuttal evidence after the respondent(s)' evidence. The burden shall be on the grievant or grievants to prove by substantial evidence that the facts alleged are true and that a grievance has been established as specified above. Each party to the grievance may represent himself/herself, and may also have the right to be represented by a person of his/her choice; except that a party shall not be represented by an attorney unless, in the judgment of the Hearing Committee, complex legal issues are involved. If a party wishes to be represented by an attorney, a request must be presented not less than five (5) days prior to the date of the hearing. If one party is permitted to be represented by an attorney, any other party shall have the right to be represented by an attorney. The hearing committee may also request legal assistance through the CEO. Any legal advisor provided to the hearing committee may sit with it in an advisory capacity to provide legal counsel but shall not be a member of the panel nor vote with it.

Hearings shall be closed and confidential unless all parties request that it be open to the public. Any such request must be made no less than five (5) days prior to the date of the hearing.

In a closed hearing, witnesses shall not be present at the hearing when not testifying, unless all parties and the committee agree to the contrary.

The hearing shall be recorded by the Hearing Committee by electronic recording device, and shall be the only recording made. No witness who refuses to be recorded may be permitted to give testimony. In the event the recording is by an electronic recording device, the Hearing Committee Chair shall, at the beginning of the hearing, ask each person present to identify themselves by name, and thereafter shall ask witnesses to identify themselves by name. The electronic recording shall remain in the custody of the District, either at the college or the District office, at all times, unless released to a professional transcribing service. Any party may request a copy of the tape recording.

All testimony shall be taken under oath; the oath shall be administered by the Hearing Committee Chair. Written statements of witnesses under penalty of perjury shall not be used unless the witness is unavailable to testify. A witness who refuses to be tape recorded shall be considered to be unavailable.

Following the close of the hearing, the Hearing Committee shall prepare and send to the CEO a written decision. The decision shall include specific factual findings regarding the grievance, and shall include specific conclusions regarding whether a grievance has been established as defined above. The decision shall also include a specific recommendation regarding the relief to be afforded the grievant, if any. The decision shall be based only on the record of the hearing, and not on matter outside of that record. The record consists of the original grievance, any written response, and the oral and written evidence produced at the hearing.

CEO's Decision: Within five (5) days following receipt of the Hearing Committee's decision and recommendation(s), the CEO shall send to all parties his/her written decision, together with the Hearing Committee's decision and recommendations. The CEO may accept or reject the findings, decisions and recommendations of the Hearing Committee. The factual findings of the Hearing Committee shall be accorded great weight; and if the CEO does not accept

the decision or a finding or recommendation of the Hearing Committee, the CEO shall review the record of the hearing, and shall prepare a new written decision which contains specific factual findings and conclusions. The decision of the CEO shall be final, subject only to appeal as provided below.

Step 6 Appeals

If the student desires to appeal the Hearing Committee's recommendation, this appeal must be made in writing directly to the CEO within five (5) instructional days of the hearing.

The CEO may approve, reject or modify the Hearing Committee's recommendation within five (5) instructional days after the appeal is received.

Any appeal relating to a Hearing Committee decision that Grievance form does not present a grievance as defined in these procedures shall be made in writing to the CEO within [five] days of that decision. The CEO shall review the Grievance and Request for Hearing in accordance with the requirements for a grievance provided in these procedures, but shall not consider any other matters. The CEO's decision whether or not to grant a hearing shall be final and not subject to further appeal.

Definitions:

Party - The student or any persons claimed to have been responsible for the student's alleged grievance, together with their representatives. "Party" shall not include the Grievance Hearing Committee.

CEO - The CEO or a designated representative of the CEO.

Student - A currently enrolled student, a person who has filed an application for admission to the college, or a former student. A grievance by an applicant shall be limited to a complaint regarding denial of admission. Former students shall be limited to grievances relating to course grades to the extent permitted by Education Code Section 76224(a).

Respondent - Any person claimed by a grievant to be responsible for the alleged grievance.

Day - Unless otherwise provided, day shall mean a day during which the college is in session and regular classes are held, excluding Saturdays and Sundays.

If your complaint cannot be resolved at the campus level, you may present your issues to Accrediting Commission for Community and Junior Colleges or to the California Community College Chancellor's Office at: <http://californiacommunitycolleges.cccco.edu/ComplaintsForm.aspx>

Petition and Hearing Process

Formerly and currently enrolled IVC students are entitled to seek and receive responses to any questions related to their educational programs in accordance with the Imperial Community College District educational philosophy.

Petition Process

The petition process is used to request exceptions to the rules and regulations in order to meet the student's special needs or circumstances.

Petition Procedure

The student will use a petition form (available in the Admissions and Records Office and Counseling Center) and submit his/her request to the Registrar who will review the request and provide a resolution. If the student is not satisfied with the resolution, a request may be made to the Registrar for a hearing before the appropriate committee.

Hearing Process

There are three established areas which may require hearing procedures for students and campus organizations seeking responses to educational questions or issues. These are:

1. Standards of Student Conduct
2. Access to Student Records and Challenge Procedure
3. Grievance Procedure Policy in Matters of Nondiscrimination.

Hearing Procedure

Students and campus organizations are requested to summarize their concerns or issues in writing and submit them to the Registrar who is designated coordinator of the hearing procedures.

IVC Campus Safety

Imperial Valley College encourages all persons on campus to practice low risk and defensive behaviors, and to be especially alert at night. Students and others are advised to park in well lighted and frequently trafficked areas, and to always lock their vehicles. Students should not engage in high risk behaviors and are advised to not pick up strangers or accept rides from persons they do not know.

If you suspect that a crime is being committed against persons or property, call 911 or Campus Safety at (760) 483-7411.

Safety and security information published in accordance with federal, state and local crime awareness and campus safety is available at www.imperial.edu.

IVC Parking

Students must purchase and properly display an Imperial Valley College parking permit. Citations are issued by the Imperial Valley College Campus Safety and Parking Control Department. Citations are issued by Parking Control attendants. Motorcycles and motorbikes must also display proper parking permits and must park in designated areas.

Easily accessible parking lots provide parking for students' and visitors' vehicles. Red, Blue, Green curb markings, all designated parking signs, and emergency parking zones are to be observed at all times, day and night. Parking on or in front of ramps is forbidden day or night. Restricted parking is in effect from 7:00 AM to 11:00 PM Monday through Friday of each week. Parking regulations may be found on the college website, or obtained from the Campus Safety & Parking Control Office. Parking for individuals with disabilities (blue curb parking) must be observed both day and evening. Permits are to be obtained from the Department of Motor Vehicles and must be displayed when parking in designated blue zone.

Imperial Valley College assumes no liability for vehicles parked on the campus.