



ARTICLE 4400 **STUDENT CONDUCT, ACTIVITIES AND PROGRAMS**

AR 4405 **Student Bill of Rights**

Preamble

Academic institutions exist for the transmission of knowledge, the pursuit of truth, the intellectual and social development of students, and the general well-being of society. Free inquiry and free expression are indispensable to the attainment of these goals. As members of the academic community, students should be encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for truth.

Freedom to teach and freedom to learn are inseparable facets of academic freedom. The freedom to learn depends upon appropriate opportunities and conditions in the classroom, on the campus, and in the larger community. Students should exercise their freedom with responsibility. Students are entitled to the following rights.

1. Access to Higher Education

The institution shall provide access to its services, classes and program without regard to race, religious creed, color, national origin, ancestry, handicap or sex.

Reference: Education Code 72011

2. In the Classroom

Student performance should be evaluated solely on achievement of the goals of the curriculum, not on opinions or conduct in matters unrelated to curricular standards.

A. Protection of Freedom of Expression

Students should be free to take reasoned exception to the data or views offered in any courses 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.

B. Protection Against Improper Academic Evaluation

Students shall have protection through orderly procedures against prejudiced or capricious academic evaluations. At the same time, they are responsible for maintaining standards of academic performance established for each course in which they are enrolled. Any student shall have access to a hearing before an unbiased academic appeals committee, as provided for under Board policy.

C. Protection Against Disclosure

Information about student views, beliefs, and political associations which professors and administrators acquire in the course of their work as instructors, advisors and counselors, should be considered confidential. Protection against improper disclosure is a serious professional obligation. Judgments of ability and character may be provided under appropriate circumstances, always with the knowledge or consent of the student. Nothing in this section shall prevent disclosure of information as provided for in state law.



3. Confidentiality of Student Records

Transcripts, health records, disciplinary records, library records and counseling records are confidential except under judicial process or in cases where the safety of persons or property is involved.

Reference: Education Code 76210, 76240

4. Student Activities

In student activities, the district guarantees the right of students to organize, to exercise freedom of speech, to participate in the student and institution government and to prepare and distribute student publications.

A. Freedom of Association

Students bring to the campus a variety of interests previously acquired and develop many new interests as members of the academic community. They should be free to organize and join associations to promote their common interests. Any group of six associated students may form such an organization.

- (1) The membership, policies and actions of a student organization usually will be determined by vote of only those persons who hold bona fide membership in that organization. No student should be barred from any organization because of his race, religion, sex or natural origin.
- (2) Affiliation with an extramural organization should not, of itself, disqualify a student organization from institutional recognition.
- (3) Since campus advisors are required, each organization should be free to choose its own advisor. Campus advisors may advise organizations in the exercise of responsibility, but they should not have the authority to control the policy of such organizations. However, it is understood that the governing board must retain responsibility under the education code for supervision and regulation of student affairs.
- (4) Student organizations may be required to submit a statement of purpose, criteria for membership, rules of procedure, and a current list of officers and advisors. They shall be required to submit a membership list as a condition of institutional recognition.

Reference: Education Code 76060, 76062



B. Freedom of Inquiry and Expression

- (1) Students and student organizations should be free to examine and to discuss all questions of interest to them and to express opinions publicly and privately. They should always be free to support causes by orderly means which do not disrupt the essential operation of the institution. At the same time, it should be made clear to the academic and the larger community that, in their public expressions or demonstrations, students, or student organizations, only speak for themselves.
- (2) Students should be allowed to invite and to hear any person of their own choosing, provided that there is compliance with the laws of the State of California, 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 should not be used as a device of censorship. It should be made 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 sponsoring group or the institution.

Reference: Education Code 76120

C. Student Participation in Institutional Government

As constituents of the academic community, students should be 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 should have clearly defined means to participate in the formulation and application of institutional policy affecting academic and student affairs. The role of the student government and both its general and specific responsibilities should be made explicit, and the actions of the student government within the areas of its jurisdiction should be reviewed only through orderly and prescribed procedures.

Reference: Education Code 76067

D. Student Publications

Student publications and the student press are a valuable aid in establishing and maintaining an atmosphere of free and responsible discussion and of intellectual exploration the campus. They are a means of bringing student concerns to the attention of the faculty and the institutional authorities and of formulating student opinion on various issues on the campus and in the world at large.

Whenever possible, the student publications should be independent entities, financially and legally separate from the college. Where financial and legal autonomy are not possible, the institution, as the publisher of student publications, may have to bear the legal responsibility for the contents of the publications.



Student publications which are published as laboratory work for the journalism department will be subject to the same faculty and administrative direction as any other laboratory course in the college and should explicitly state on the editorial page that the opinions there expressed are not necessarily those of the college or student body. In the delegation of editorial responsibility to the editorial board, the college, through the journalism instructor, should provide sufficient editorial freedom for the student publications to maintain their integrity of purpose as vehicles for free inquiry and free expression in an academic community. At the same time, the editorial freedom of student editors and managers entails corollary responsibilities to be governed by the canons of responsible journalism, such as avoidance of libel, indecency, undocumented allegations, attacks on personal integrity, and the techniques of harassment and innuendo.

The editorial freedom of student editors and managers of student publications not connected with the Journalism Department also entails the responsibilities listed above. As safeguards for the editorial freedom of such publications, the following provisions are necessary:

- (1) The student press should be free of censorship and advance approval of copy, and its editors and managers should be free to develop their own editorial policies and news coverage.
- (2) Editors and managers should be 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 should editors and managers be subject to removal and then, by orderly and prescribed procedures, as outlined in Board of Trustees policy.
- (3) All student publications should explicitly state on the editorial page that the opinions there expressed are not necessarily those of the college or student body.

7. Enactment

This Bill of Rights is a separate entity and apart from any Constitution, and it shall stand by itself. This Bill of Rights shall be come effective upon passage by the student body and the Board of Trustees. All amendments to this Bill of Rights shall be ratified by the student body and the Board of Trustees.

Reference: Education Code 72023.5

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