

## **Student Rights and Responsibilities**

**AP 5500**

Students at Foothill and De Anza College are members of an academic community. The primary goal of that community is the development and growth of students through the transmission and application of knowledge. Freedom of expression, inquiry and action are an essential part of student's rights. Students are expected to exercise those rights within rules established under the general policies of the Governing Board and in accordance with the *Student Code of Conduct* as set forth in *Administrative Procedure 5510*.

### **I. 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 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 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 students' 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. Disclosures without a student's consent shall be limited to those allowed under applicable law.

### **II. STUDENT RECORDS**

#### A. Definition of Records

The following files, records, and documents are maintained by the colleges as "Education Records:" admissions and registration forms, academic transcripts and grade reports, general education certification, graduation petitions, K-12 permission forms, instructor role books, placement test scores, counseling records, financial aid applications, campus employment information, veterans

folder relating to certification and benefits, discipline records, and athletic eligibility forms.

**B. Right to Access**

Any currently enrolled or former students shall have a right of access to 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. Such access shall be provided during regular office hours, and the appropriate College official may require 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 Administration Building. The Vice President of Student Services (De Anza College) and the Dean of Instruction and Student Development (Foothill College) have overall responsibility for such records. The Vice President's Office (De Anza) or Dean (Foothill) 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 colleges may release directory information as to any student or former student currently attending the college, consistent with applicable Federal and State statutes. Directory information for students includes the following: name, address, telephone number, date and place of birth, class schedule, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and most recent public or private school attended. No directory information shall be released regarding any student or former student when the student or former student has notified the college in writing, pursuant to published procedures established by the District, that such information shall not be released.

**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.

Access to student records may be permitted to the following:

*Foothill-De Anza Community College District  
Administrative Procedures*

1. Officials and employees of the Foothill-De Anza District; provided that any such person has a legitimate educational reason for inspecting a record.
2. Federal and state officials so authorized.
3. Officials of other public or private schools where the student seeks or intends to enroll.
4. 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.
5. Accrediting organizations in order to carry out their accrediting functions.
6. 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.
7. Appropriate person 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 records are impounded shall not be allowed to: register for subsequent terms of instruction, receive or send transcripts or work completed, and/or receive other services in the college which relate to his/her records.

### **III. STUDENT AFFAIRS**

A. Freedom of Association

Students are free to organize and join associations to promote their common interest.

1. 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 either Foothill or De Anza College.
2. Affiliation with an extramural organization shall not of itself disqualify a student organization from institutional recognition.

3. Campus advisers are strongly recommended; 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 adviser may advise organizations in the exercise of responsibility, but they will not have the authority to control the internal policies of such organizations.
4. Student organizations are required to submit to the Associated Student Body at the campus for which they are seeking recognition, a statement of purpose, criteria for membership, rules or procedures, and a current list of officers as a condition of institutional recognition.
5. Campus organizations, including those affiliated with an extra-mural organization, shall be open to all Foothill and De Anza College students without respect to race, creed, gender, religion, sexual orientation, age, physical abilities, 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, student 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 colleges 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 students may participate in the formulation and applications of institutional policy affecting academic and student affairs through student government. The Associated Student Body

(ASB) at Foothill and De Anza College are the institutionally recognized system of student government which has express responsibility for a student activities program designed to benefit the colleges and contribute to the welfare of the students. The student council of each ASB formulates and executes student government policies; administers a budget; plans and conducts social, club, recreational, service and leisure-time programs in accordance with the ASB constitution and other laws and regulations (of each college); makes appointments to college- and district-wide committees, task forces etc.; and assists in the coordination of club activities.

Any matter of student governance that conflicts with college policy shall be resolved by the administration after opportunities have been given to the ASB to either correct the matter or to discuss the matter completely with the administration. (*See Board Policy 2222*)

D. Official Student Publications

Foothill and De Anza Colleges provide sufficient editorial freedom and financial autonomy for the official 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 instruct students on the role of the official 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 official student publications, the following provisions are necessary:

1. The student press is free of censorship and advance approval of copy to the extent of First Amendment protections, and its editors and managers are free to develop their own editorial policies and news coverage. Editors and managers of student publications are protected from arbitrary suspension and removal because of student, faculty, administrative, or public disapproval of First Amendment protected 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 agency does exist, the orderly and prescribed procedures for removal must be stated in writing and submitted to the appropriate administrator (vice president/dean) at each

*Foothill-De Anza Community College District  
Administrative Procedures*

campus to ensure it is consistent with the District's procedures and policies related to Student Rights and Responsibilities and Student Due Process.

2. All Foothill and De Anza 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 student body.

*See Board Policy 5500—Student Rights and Responsibilities*

*See Administrative Procedure 5510—Student Code of Conduct*

*See Administrative Procedure 5520—Student Due Process & Discipline*

*See Administrative Procedure 5530—Student Grievances*

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