

# STUDENT RIGHTS

Santa Barbara City College is committed to the success of each student, providing a variety of ways for students to access outstanding and affordable higher education programs that foster lifelong learning. SBCC works to ensure academic success for all students as they earn a degree or certificate, prepare for transfer, or gain the occupational competencies and academic skills needed to advance in their careers. To achieve the environment and conditions essential to the pursuit of this mission, SBCC has developed procedures regarding student rights and responsibilities. These procedures may be obtained online (<https://www.sbcc.edu/student-services/student-grievances.php>) or in-person at the Associate Dean of Student Affairs office, Room CC-222.

1. Students shall have the right of protection against prejudiced or capricious academic evaluation. Students have the right to impartial, objective evaluation of their academic performance and to receive in writing, at the beginning of each course, information outlining the method of evaluating student progress toward, and achievement of, course goals and objectives, including the method by which the final grade is determined.
2. Students shall be assured that all college programs and activities are available to all persons without regard to ethnic group identification, sexual orientation, religion, age, gender, color, or physical or mental disability. The Santa Barbara Community College District subscribes to the principles and implementation of Equal Opportunity and Affirmative Action and to the provisions of Assembly Bill 803. (Further information may be obtained from the District's EOAA Officer/Vice President of Human Resources.)
3. Students shall be free from acts or threats of intimidation, harassment, mockery, insult, or physical aggression. Santa Barbara City College expressly prohibits sexual harassment by all faculty, staff and students. The college is committed to creating and maintaining an educational environment which is free of objectionable and disrespectful conduct, and communication of a sexual nature that interferes with an individual's work or classroom performance or creates an intimidating, hostile or offensive working or learning environment.
4. Students shall have the right to free assembly and to exercise free expression. This includes the right to hear and to present speakers on any subject. The right to free assembly is subject only to regulations that ensure the regular functioning of the college; these regulations shall include reasonable provisions for the time, place and manner of conducting these activities. The exercise of free expression includes, but is not limited to, the use of bulletin boards and the distribution of buttons, badges and other insignia. The right of free expression does not include discriminatory harassment, speech, or other expressions, which insult or stigmatize individuals or groups on the basis of gender, race, color, disability, religion, sexual orientation, or national and ethnic origin.
5. Students shall have the right to form an organization around any particular interest and to join student organizations, subject to published district policy.
6. Students shall have the right to be informed on all campus matters that can be shown to be directly relevant to them and to have a voice in decision-making that affects their academic future. Students are to have an active role in campus governance by having student members on all faculty and administrative committees, as well as groups which deal with matters related to student concerns (with the exception of staff appointments, terminations and tenure or

confidentiality where other students are concerned). In case of conflict, the determination of what campus matters are relevant to students will be determined by a campus-designated student/faculty/administrative committee.

7. Students have the right to have student publications which are free from censorship and advance copy approval, except as provided by published district regulations which adhere to the guidelines for responsible journalism.

## Academic Records

1. Students shall have the right to have their academic records treated in a confidential and responsible manner as required by the Family Educational Rights and Privacy Act of 1974 and outlined in SBCC district policy which stipulates that any release of student educational records be made with the student's written consent, except where specified. An authorized release of educational records to a third party does not obligate the college to discuss the student's academic record with a third party with or without the student's consent.
2. Students have a right to inspect and review the content of their educational records and to request copies of these records. Students wishing to gain access to their educational records will submit a written request to the Director of Admissions & Records, requesting the right to inspect and review their educational records.

## Due Process

Procedures for due process are described in the District's Student Discipline Procedures (AP 5520) ([https://www.sbcc.edu/boardoftrustees/files/policies/chapter\\_5\\_ap/AP-5520-Student-Discipline-Procedures.pdf](https://www.sbcc.edu/boardoftrustees/files/policies/chapter_5_ap/AP-5520-Student-Discipline-Procedures.pdf)). Copies are distributed to all new students during advisement. For more information, contact the Associate Dean of Student Affairs, CC-222.

## Family Educational Rights and Privacy Act

All Santa Barbara City College student records are kept in accordance with the provisions of the Family Educational Rights and Privacy Act (FERPA) and California code of Regulations, Title 5. FERPA affords students certain rights with respect to their education records. These rights include:

- The right to inspect and review the student's education records within 15 days of the day Santa Barbara City College receives a written request for access. Contact the Dean, Student Affairs for more information.
- The right to request the amendment of the student's education records that the student believes are inaccurate, misleading, or otherwise in violation of the student's privacy under FERPA. Contact the Dean, Student Affairs for more information.
- The right to provide written consent before Santa Barbara City College discloses personally identifiable information from the student's education records, except to the extent that FERPA authorizes disclosure without consent. Santa Barbara City College discloses education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by the College in an administrative, supervisory, academic or research, or support staff position (including security and health staff), a person or company with whom the College has contracted as its agent to provide a service instead of using College employees or officials; a person serving on an official committee, or assisting another school official in performing his or her tasks. A school

official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for the College.

- The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Santa Barbara City College to comply with the requirements of FERPA.

Family Policy Compliance Office,  
U.S. Department of Education,  
400 Maryland Avenue SW,  
Washington, DC 20202-5901

- Educational records are maintained in the college's Admissions & Records Office (SS-110), which is supervised by the Director, Admissions & Records. Students also have the right to review their personal information at Student Health Services (Director SS-170); Financial Aid Office (Director, SS-210); Veterans Office (Student Program Advisor, ECOC-1, Rm. 7); SBCC Foundation (Chief Executive Director, A-210); Extended Opportunity Program/Services (Director, SS-240); and Disabled Student Program/Services (Coordinator, SS-160).
  - SBCC may provide directory information ([http://www.sbccc.edu/boardoftrustees/files/policies/chapter\\_5\\_bp\\_final/BP%205040%20Student%20Records\\_Directory%20Info\\_Privacy%20Rev.%205-10-14%20Ready%20for%20Website.pdf](http://www.sbccc.edu/boardoftrustees/files/policies/chapter_5_bp_final/BP%205040%20Student%20Records_Directory%20Info_Privacy%20Rev.%205-10-14%20Ready%20for%20Website.pdf)) in accordance with the provisions of FERPA. Designated directory information at SBCC includes the following: confirmation of current enrollment at SBCC, dates of attendance, the degrees/awards received, students on the President's Honor Roll, names of student officers and those who participate in intercollegiate athletics including name, photograph, weight, height, and high school of attendance of athletic team members.
  - Student Records may be released to the SBCC Foundation (<http://www.sbcccfoundation.org>) in connection with a student's application for, or receipt of financial aid. Personal identification of students may be disclosed only as may be necessary for the purpose of determining eligibility for the SBCC College Promise.
  - A student may request a copy of a record which the student has requested or consented to be released. Students may request a copy of their records by making an appointment directly with the Director of Admissions and Records.

Particular questions with respect to a student's rights under the *Family Educational Rights and Privacy Act of 1974* should be directed to the Dean, Student Affairs, Room SS-260.

## Financial Aid Rights

1. Students have the right as applicants for/or recipients of financial aid to information about procedures, deadlines, refund policies, eligibility requirements and the appeal process.
2. Students have the right to file a grievance, in the event of an alleged breach of their rights, as outlined in the student grievance policy which is available from the office of the Dean, Student Affairs, Room SS-260.

## Grievance Rights

1. Students have a right to be informed in writing of the issues and charges, and be given the opportunity to refute the charges, in any conflict relating to student discipline.

2. Students have the right to be free from the imposition of disciplinary sanctions without proper regard for due process.
3. Students have a right to file a grievance, in the event of an alleged breach of their rights, as outlined in the student grievance policy.

For information on grievance procedures, refer to AP 5530, Student Rights and Grievances ([http://www.sbccc.edu/boardoftrustees/files/policies/chapter\\_5\\_ap/AP%205530%20Student%20Rights\\_Grievances.pdf](http://www.sbccc.edu/boardoftrustees/files/policies/chapter_5_ap/AP%205530%20Student%20Rights_Grievances.pdf)) or contact the Associate Dean of Student Affairs, CC-222.

## Student Success and Support Rights

1. Each student has the right to develop an individual written student education plan with a counselor within 90 days after a specific individual educational goal has been declared.
2. Students have the right to have their educational plan reviewed as needed by a counselor/academic adviser to ensure that it continues to accurately reflect the needs and goals of the student.
3. Students may clear any prerequisite, using the Prerequisite Clearance procedures (<http://www.sbccc.edu/prerequisites/>) on one or more of the following grounds:
  - a. Student has the knowledge or ability to succeed in the course despite not meeting the prerequisite (e.g., student has prior coursework, assessment levels, certification, license or work experience that satisfies the prerequisite, or by other criteria presented by the student).
  - b. The prerequisite course has not been made reasonably available ("reasonably available" is defined by the college).
  - c. The prerequisite is discriminatory or applied in a discriminatory manner.
  - d. The prerequisite is not necessary for success in the course.
  - e. The prerequisite approval did not follow SBCC district policy.
4. Students may obtain a waiver of any prerequisite or corequisite course for a particular term because the course is not available to students during two consecutive terms.
5. Students may review the matriculation regulations of the California Community Colleges and file a complaint when they believe the college has engaged in any practice prohibited by these regulations. The regulations are available and complaints may be filed in the office of the Dean, Student Affairs, Room SS-260.
6. Students may challenge Student Success and Support regulations through the student grievance process available from the Dean, Student Affairs, Room SS-260.
7. A list of exemptions to Student Success and Support components is available in Admissions, Counseling, or from the Dean, Student Affairs, Room SS-260.
8. The college's policy on "registration priorities" is available from the Director, Admissions & Records, Room SS-110.

## Non-Discrimination/Prohibition of Harassment

The policy of the Santa Barbara Community College District is to provide an educational and employment environment in which no person shall be denied full and equal access to, the benefits of, or be subjected to discrimination, in whole or in part, on the basis of national origin, religion, age, gender, gender identity, gender expression, race, ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, military and

veteran status, or on the basis of these perceived characteristics or based on association with a person or group with one or more of these actual or perceived characteristics, in any program or activity that is administered by, funded directly by, or that receives any financial assistance from the State Chancellor or Board of Governors of the California Community Colleges.

The policy of the Santa Barbara Community College District is to provide an educational and employment environment free from unlawful harassment, including unwelcome sexual advances, requests for sexual favors, sexual favoritism, or other verbal or physical conduct or communications constituting sexual harassment.

The following definition will aid in identifying the kinds of behavior which constitute sexual harassment:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. *Submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of instruction, employment, or participation in other college activity;*
2. *Submission to or rejection of such conduct by an individual is used as a basis for evaluation in making academic or personnel decisions affecting an individual; or*
3. *Such conduct has the purpose or effect of unreasonably interfering with an individual's performance or creating an intimidating, hostile, or offensive college environment.*

The policy of the Santa Barbara Community College District is to comply with the accessibility requirements of Section 508 of the *Rehabilitation Act* of 1973 in the development, procurement, maintenance, or use of electronic or information technology and respond to and resolve discrimination complaints regarding accessibility. Such complaints will be treated as complaints of discrimination on the basis of disability.

This non-discrimination policy covers admission, access and treatment in college programs and activities—including, but not limited to, academic admissions, financial aid, educational services and athletics—and applications for, and treatment in, college employment.

In conformance with the requirements of *Title II of the Educational Amendments of 1976*, amending the *Vocational Education Act of 1963*, the college is committed to overcoming sex discrimination and sex stereotyping in vocational education programs.

Furthermore, in compliance with the *Vocational Education Guidelines for Eliminating Discrimination on the Basis of Race, Color, National Origin, Sex and Handicap*, lack of English language skills alone will not be a barrier to admission to and participation in vocational education programs. Any screening procedures for vocational programs will evaluate skill levels and proficiencies pertinent to the program as criteria for admission.

Employees, students, or other persons acting on behalf of the district who engage in discrimination as defined in this policy or by state or federal law may be subject to discipline, up to and including suspension, discharge, expulsion, or termination of employment.

## Filing of Discrimination Complaint/ Additional Information

Students intending to file a complaint regarding any action which they believe discriminates against them, or who require additional information

on the policy and procedures may contact the Associate Dean of Student Affairs, 721 Cliff Drive, Room CC-222, Santa Barbara, CA 93109-2394. Phone (805) 730-4078.

Employees, unpaid interns or volunteers intending to file a complaint regarding any action which they believe discriminates against them or who require additional information on the policy and procedures may contact the Director of Human Resources, 721 Cliff Drive, Room SS-230, Santa Barbara, CA 93109-2394, (805) 730-4734.

If you are a student and you require additional information regarding the *Americans with Disabilities Act (ADA)*, or Section 504 of the *Rehabilitation Act*, contact the DSPS Office, 721 Cliff Drive, Room SS-160, Santa Barbara, CA 93109-2394, (805) 730-4164 [voice].

If you are an employee and you require additional information regarding the *Americans with Disabilities Act (ADA)*, or Section 504 of the *Rehabilitation Act*, contact the Director of Human Resources, 721 Cliff Drive, Room SS-230, Santa Barbara, CA 93109-2394, (805) 730-4734 [voice].

The ADA/504 Coordinator for employees is the Director, Human Resources, 721 Cliff Drive, Room SS-230, Santa Barbara, CA 93109-2394, (805) 730-4734.

The Title IX Coordinator is Linda Esparza Dozer, Title IX and Gender Equity Coordinator, 721 Cliff Drive, Room SS-230, Santa Barbara, CA 93109-2394, (805) 730-4734.

In so providing, the Santa Barbara Community College District hereby implements the provisions of California Government Code sections 11135 through 11139.5, the *Sex Equity in Education Act* (Ed. Code, §§ 66250 et seq.), Title VI of the *Civil Rights Act of 1964* (42 U.S.C. § 2000d), Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681), Section 504 of the *Rehabilitation Act of 1973* (29 U.S.C. § 794), Section 508 of the *Rehabilitation Act of 1973* (29 U.S.C. § 794d), the *Americans with Disabilities Act of 1990* (42 U.S.C. §§ 12100 et seq.) and the *Age Discrimination Act* (42 U.S.C. § 6101).

*Authority:* Cal. Code Regs., tit. 5, § 59300; Ed. Code §§ 66250 et seq., 66271.1, 66700, and 70901; Gov. Code § 11138. Reference: Ed. Code §§ 66250 et seq. and 72011; Gov. Code, §§ 11135-11139.5; Penal Code §§ 422.6 and 422.55; 20 U.S.C. § 1681; 29 U.S.C. §§ 794; 42 U.S.C. §§ 6101, 12100 et seq. and 2000d; 36 C.F.R. § 1194.

## “Política contra la discriminación/Política contra el acoso u hostigamiento sexual”

La política del Distrito de Santa Barbara Community College es la de ofrecer un ambiente educativo y de empleo, en el cual a ninguna persona se le niega el pleno y paritario acceso ni sus beneficios, o ser sujeto de discriminación, totalmente o en parte, en base a su identificación con un grupo étnico, nacionalidad, religión, edad, género, raza, color, ascendencia, orientación sexual, discapacidad física o mental, o en base a la percepción de estas características, o en base a la asociación con una persona o grupo con una o más de estas características, ya sea percibidas o reales, en cualquier programa o actividad administrada, patrocinada directamente, o para la que recibe cualquier asistencia financiera del Canciller del Estado o de la Junta de Gobernadores de las Instituciones Postsecundarias de dos años (California Community Colleges Board of Governors).

La política del Distrito de Santa Barbara Community College es proporcionar un ambiente educativo y de empleo libre de solicitudes

sexuales forzadas, solicitudes de favores sexuales, favoritismos basados en el sexo u otra conducta física o verbal o comunicación que constituye acoso u hostigamiento sexual.

La siguiente definición ayuda a identificar los tipos de comportamientos que constituyen el acoso u hostigamiento sexual:

Las solicitudes sexuales forzadas, solicitudes de favores sexuales y otra conducta verbal o física de naturaleza sexual constituyen acoso u hostigamiento sexual cuando:

1. La sumisión o el rechazo a tal conducta se expresa explícitamente como una condición para la instrucción, el empleo o la participación en una actividad de la universidad;
2. La sumisión o el rechazo a tal conducta por un individuo se usa como base para evaluar y tomar decisiones académicas o de personal que afectan al individuo; o
3. Tal conducta tiene el propósito o efecto de interferir desproporcionadamente con el rendimiento de una persona o de crear un ambiente universitario hostil, intimidador u ofensivo.

La política del Distrito de Santa Barbara Community College es la de cumplir con los requisitos de accesibilidad de la Sección 508 de la Ley de Rehabilitación de 1973 en el desarrollo, consecución, mantenimiento, o uso de información electrónica, o información tecnológica, y responder y resolver las quejas de discriminación relacionadas con la accesibilidad. Tales quejas se tratarán como quejas de discriminación basada en la discapacidad en cuestión.

La política de no-discriminación cubre la admisión, el acceso y el tratamiento recibido en los programas y actividades universitarios—incluyendo, pero no limitados a, la admisión académica, ayuda financiera, servicios educativos y deportes—y la solicitud a y el trato en el empleo en la universidad.

En conformidad con los requisitos del Title II de las Enmiendas Educativas de 1976, enmendando el Vocational Education Act de 1963, la universidad se compromete a superar la discriminación sexual y los estereotipos en los programas de educación profesional.

Es más, en cumplimiento de las Guías para la eliminación de la discriminación en base a la raza, el color, la nacionalidad, el sexo y la discapacidad en programas de Educación Profesional, la falta de lengua inglesa en sí misma no será barrera para la admisión y participación en programas de educación profesional. Cualquier procedimiento de selección para programas profesionales evaluará los niveles de habilidad y destreza pertinentes al programa como criterio de admisión.

Los empleados, estudiantes, y otras personas que actúen en nombre del Distrito y que actúen discriminatoriamente tal y como se define en este reglamento o en las leyes del estado o federales, están sujetos a medidas disciplinarias que pueden incluir la suspensión, el despido, la expulsión o la rescisión de contrato.

## Presentación de una queja por discriminación/Información adicional

Los estudiantes que quieren presentar una queja en relación con cualquier acción que ellos consideran discriminatoria contra ellos, o que requieren información adicional sobre el reglamento y los procedimientos, pueden contactar al Decano Asociado de Programas, en

721 Cliff Drive Oficina CC-222, Santa Barbara, CA 93109-2394, o llamando al teléfono (805) 730-4078.

Los empleados, pasantes no remunerados o voluntarios que quieren presentar una queja en relación con cualquier acción que ellos consideran discriminatoria contra ellos, o que requieren información adicional sobre el reglamento y los procedimientos, pueden contactar al Director de Recursos Humanos (Human Resources), en 721 Cliff Drive, Oficina SS-230, Santa Barbara, CA 93109-2394, o llamando al teléfono (805) 730-4234.

Si usted es un estudiante y requiere información adicional sobre la Ley de Americanos con Discapacidades (Americans with Disabilities Act -ADA), o la Sección 504 de la ley de Rehabilitación (Rehabilitation Act) póngase en contacto con la oficina de DSPS, en 721 Cliff Drive, Oficina SS-160, Santa Barbara, CA 93109-2394, (805) 730-4164.

Si usted es empleado o empleada y requiere información adicional sobre la Ley de Americanos con Discapacidades (Americans with Disabilities Act -ADA), o la Sección 504 de la ley de Rehabilitación (Rehabilitation Act) póngase en contacto con la oficina de Recursos Humanos, en 721 Cliff Drive, oficina SS-230, Santa Barbara, CA 93109-2394, o llamando al teléfono (805) 965-0581 extensión 2434.

El coordinador de ADA/504 para los empleados es el/la director/a de Recursos Humanos, en 721 Cliff Drive, Oficina SS-230, Santa Barbara, CA 93109-2394, (805) 730-4234.

La coordinadora de Title IX es Linda Esparza Dozer, en 721 Cliff Drive, Oficina SS-230, Santa Barbara, CA 93109-2394, (805) 730-4234.

Al proporcionar esta información y recursos, el Distrito de Santa Barbara Community College pone en práctica las disposiciones del Código de Gobierno de California secciones 11135 a 11139.5, la Ley de la Paridad de Género en la Educación (Ed. Code, §§ 66250 et seq.), Title VI de la Ley de Derechos Civiles de 1964 (42 U.S.C. § 2000d), Title IX de las Enmiendas de Educación de 1972 (20 U.S.C. § 1681), la Sección 504 de la Ley de Rehabilitación de 1973 (29 U.S.C. § 794), la Sección 508 de la Ley de Rehabilitación de 1973 (29 U.S.C. § 794d), la ley de Americanos con Discapacidades de 1990 (42 U.S.C. §§ 12100 et seq.) y la Ley de Discriminación por la Edad (42 U.S.C. § 6101).

Autoridad: Código de Regulaciones de California, tit. 5, § 59300; Código de Educación §§ 66250 et seq., 66271.1, 66700, y 70901; Código de Gobierno § 11138. Referencia: Código de Educación §§ 66250 et seq. y 72011; Código de Gobierno, §§ 11135-11139.5; Código Penal §§ 422.6 y 422.55; 20 U.S.C. § 1681; 29 U.S.C. §§ 794; 42 U.S.C. §§ 6101, 12100 et seq. and 2000d; 36 C.F.R. § 1194.