

Procedure Title: Student Rights and Responsibilities Statement
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Board Policy Reference: I.B. Educational Opportunities

Accountable Administrator: Dean, Student Services
Position responsible for updating: Dean, Student Services
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Purpose/Principle:

Students at Blue Mountain Community College (BMCC) have the right to various freedoms and protections, such as the right to freedom of association, inquiry, expression, and learning in an educational environment that is free from harassment and discrimination of all types. Students in good standing at BMCC have the right to participate in institutional governance, co-curricular activities, student clubs, and other student life activities. Students are afforded the right to due process, to file a grievance, or to make a complaint. A student's admission to the College obligates them to be personally responsible for their conduct and to comply with the policies and regulations of the College.

Definitions:

- "Student" is defined as an individual that has been admitted to BMCC and subsequently enrolled in a course (credit or noncredit). Once an individual has enrolled in a course, they are then considered a BMCC student regardless of their current enrollment status.
- "College" includes college facilities, premises, and non-college property if the student is at any BMCC sponsored, approved, or related activity or function where students are under the jurisdiction of the College

Conditions:

- Enrollment with BMCC and participation in college sponsored activities and curriculum carries with it the presumption that the student is in good standing with the college and will conduct themselves as responsible members of the BMCC community.
- The college is granted approval by the Board of Education to adopt student rights, responsibilities, and conduct standards that are deemed necessary to assure the college is a safe and supportive environment for all.
- Student rights and responsibilities applies to all immediate and surrounding areas deemed as BMCC property and/or jurisdiction.
- It is the students' responsibility to observe college rules and regulations and to help maintain appropriate conditions in the classroom, on campus, and in the community.
- The Student Rights and Responsibilities statement along with Code of Conduct standards are reviewed annually and updated as needed prior to publication in the Student Handbook and Catalog. All new students are apprised of their Student Rights, Responsibilities, and Code of Conduct standards as part of their orientation/onboarding process.
- Returning and continuing students receive annual notification reminders about their Student Rights, Responsibilities, and Code of Conduct standards.

I. Freedom of Association

Students shall be free to organize and join associations to promote their common interests subject to the following considerations:

- A. Students have the right to form student clubs and organizations under the provisions of the Associated Student Government (ASG) constitution and bylaws, and the right to carry out fund-raising activities for these clubs. All fund-raising activities for ASG and student clubs must be approved by the Student Recruitment & Engagement Coordinator or designee.
- B. Students and recognized student clubs and organizations have the right to have access to BMCC facilities, subject to ordinary schedules, policies and regulations governing the use of each facility. Recognized student clubs and organizations have access to facilities at no cost unless additional services (custodial, safety, table and chair set-up, etc.) are required. BMCC procedures for reserving spaces in BMCC's buildings for meetings, speakers, or demonstrations must be followed.
- C. Campus life organizations, including those affiliated with an extramural organization shall be open to all students without respect to race, color, sex, sexual orientation, marital and/or parental status, religion, national origin, age, mental/physical/learning disability, Vietnam era or disabled veteran status, or any other status protected under applicable federal, state, or local law.
- D. Any chartered student club or officially recognized student organization acting through the Associated Student Government (ASG) of BMCC may invite any person of their own choosing to the campus, provided the invitation and arrangements are in compliance with established policies of the College.
- E. Student organizations shall be required to submit a statement of purpose, criteria for membership, rules of procedures, a current list of officers and a certified number of active members as a condition of institutional recognition.
- F. Club Advisors must be approved faculty or staff currently employed full-time by BMCC. Employees serve the college community when they accept the responsibility to advise and consult with student organizations, and provide guidance to the group on college procedure and policy.

II. Freedom from Harassment and Discrimination, Right to File a Complaint or Grievance

- A. BMCC does not tolerate unlawful discrimination based on race, color, religion, use of native language, national origin, sex, marital status, height/weight ratio, disability, veteran status, age, or sexual orientation in any area, activity, or operation of the college. BMCC complies with applicable federal, state, and local civil rights laws and regulations prohibiting discrimination. Equal opportunity for employment, admission, and participation in BMCC's benefits and services shall be extended to all persons, and BMCC shall promote equal opportunity and treatment through application of this policy and other efforts of BMCC designed for that purpose.
 - i. Any person who believes they have been discriminated against or harassed by a BMCC employee, representative, or student is encouraged to file a complaint through the Office of Human Resources, Pendleton Campus, Morrow Hall, or through the online incident reporting link.
 - ii. Any person who believes that they have been discriminated against on the basis of disability under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act ("ADA"), including believing that they have not been provided with a reasonable accommodation or modification to which they are entitled, may discuss these concerns with a disability services staff member in the Success Center or submit a complaint through the online incident reporting link.
- B. The College recognizes that disputes may sometimes arise and requires the parties involved to resolve the conflict informally whenever possible. A formal complaint process is provided in matters that can't be resolved informally in order to assure impartial and equitable resolution for those conflicts.

- i. Any student that feels they have been treated unfairly may submit a report through the online complaint reporting link.
- ii. Students will have the ability to present their concerns and have the right to be heard fairly and promptly.
- iii. The informal/formal complaint process may not be invoked for matters that have independent appeal processes established. Examples of these include, but are not limited to academic standing appeals, student conduct decisions, FERPA regulations, financial aid awarding and decisions, grades, Title IX regulations, discrimination and harassment policies/procedures, and safety related activity.
- iv. Matters which are not resolvable through the formal complaint process include Federal and State laws, employment and personnel decisions, policies of the BMCC Board of Education, rules and procedures adopted by the Oregon, Higher Education Coordinating Council (HECC).

III. Freedom of Inquiry and Expression

Students, faculty, and staff are obligated to respect freedom of inquiry and expression and to take appropriate action when prevention or disruption of this right occurs.

- A. Students have the right to take reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of opinion. However, they are responsible for learning the content of any course of study in which they are enrolled.
- B. Students have the right to conduct orderly demonstrations in approved free expression space unless the participants of those demonstrations threaten to endanger the safety of any member(s) of the College community, pose a threat to physical facilities, or substantially obstruct or disrupt regular and essential operations.
 - a. The college recommends that those intending to conduct an outdoor demonstration consult with the Dean, Student Services or designee to identify allowable space that accommodates the reasonable needs of both the College and those engaged in acts of speech or protest.
 - b. Individuals and groups holding an indoor demonstration must comply with campus policies and procedures for requesting space. Advance notice and approval is required for indoor demonstrations to allow the College to make appropriate and reasonable logistical arrangements for the demonstration.
- C. Students have the right to distribute free publications not in violation of federal or state laws, and/or College policies and procedures, such as books, magazines, newspapers, handbills, leaflets, and similar materials. Distribution of these materials in classrooms, hallways, libraries, offices or other College facilities used primarily for educational and instructional purposes must not interfere with the work or study of persons in those facilities.
 - a. Any persons desiring to post or distribute publications must comply with campus policies and procedures. All handbills, leaflets, newspapers, posters, and similar materials must bear the name and address of the organization and/or individual distributing the materials.
 - b. Information on submitting items for posting may be obtained through the Marketing and Communications Office.

IV. Right to Participate in Institutional Governance

Students have the right to be appointed representatives on selected College councils and committees and to participate in institutional governance. Appointment to participate is by invitation of the acting committee Chair through the ASG, Student Life Office. Students must be in good standing with the college to serve on a council or committee.

V. Right of Access to and Protection from Improper Disclosure of Student Records The college strictly adheres to and with all applicable state and federal laws, rules, and regulations that apply to student records. All information contained in College records that is personally identifiable to any student will be kept confidential and not released except upon prior written consent or as allowed by the Family Educational Rights and Privacy Act (FERPA).

- A. Student information may be shared among College faculty and staff when it has been determined that there is a legitimate educational interest in the information.
- B. The confidentiality of student record information obtained by counseling and advising services will be strictly maintained, except when the College is legally permitted or required to disclose student record information.
- C. Students have the right to access their educational record as reflected in the Family Educational Rights and Rights Privacy Act.

VII. Right of Access to College Facilities

Students have the right of access to college facilities and are subject to published business hours, schedules, and regulations governing the use of each facility. When using these facilities, the student has the responsibility to respect these regulations and to comply with the spirit and intent of the rules governing facility use.

Designated college staff have the authority to prohibit entry or ask the student to leave the premises if the student's behavior is disruptive, threatening to the health and welfare of the College community, or interferes with the ingress and/or egress of persons.

VIII. Right of Sale and Distribution of Material, Right to Conduct Fund-raising Activities

- A. The use of college grounds or facilities for the purpose of commercial or private gain is prohibited except where such activity contributes to the operation of the instructional program or where limited sale is specifically authorized by the college for the benefit of an approved student activity.
- B. Students have the right to engage in legal incidental sales of personal private property in private transactions, provided College facilities are not expressly used for this purpose.
- C. All fund raising activities by clubs and organizations must be approved in accordance with Student Life.
- D. All merchandise, periodicals, magazines and books offered for commercial sale may be sold only through the College bookstore and food services, except when approved by Dean, Student Services.

IX. Right to Protection from Improper Academic Evaluation

Student academic performance will be evaluated on an academic basis (which may include attendance), and the ability to apply skills, and not on a student's opinions or conduct in matters unrelated to academic standards.

- A. The course syllabus will contain and articulate the evaluation standards and grading criteria by which student performance is measured for that particular course.

- B. Students are responsible for meeting the standards of academic performance established for each course in which the student is enrolled.
- C. A student may dispute their academic evaluation under the Colleges Grade Appeal Procedure if the student believes that the evaluation standards and grading criteria contained in the course syllabus were not followed by the instructor or were imposed in an arbitrary or capricious manner.

X. Student Responsibilities

- A. Students are also responsible for acknowledging the right to freedom of expression in others and honoring the diversity of perspectives within the College community.
- B. Students are expected to behave individually and collectively, in a manner that allows all members of the College community the opportunity to exercise their freedoms in pursuit of learning.
- C. It is the student’s responsibility to learn and meet the behavioral expectations of the College as outlined in the Students’ Rights and Responsibilities full statement and Standards of Student Conduct. A student’s application for admission serves as acceptance of these expectations.
- D. Students will be held accountable to the College’s behavioral expectations through a fair, clear, educationally focused, and restorative justice student-conduct process.

Reference:

Student Handbook

Administrative Procedures:

Associated Student Government	07-2006-0009
Complaint Process	07-2014-0001
Drug and Alcohol-Free College	03-2006-0003
Duty to Report Criminal and Threatening Behavior	07-2015-0001
Equal Educational Opportunity	07-2006-0010
Facility Use Policy	06-2016-0001
Hazing, Harassment, Intimidation, Bullying, Cyberbullying, and Menacing	03-2006-0012
Participation in Student Organizations and Student Life Activities	07-2019-0001
Protection of the Rights and Privacy of Students	07-2003-0013
Public Conduct on College Property	01-2006-0012
Sexual Harassment	06-2020-0001
Student Code of Conduct Standards	07-2019-0005
Student Club Advisors	07-2016-0001

Legal Reference(s) ORS 341.290 (2), (4), ORS 659.850 ORS 659.865 OAR 589-010-0100
 46 Op Attorney Gen 239 (1989). 5-11, United States Constitution, Article I and XIV.
 Oregon State Constitution, Article I, Section 8.