

INSTITUTIONAL POLICIES

The following policies are institution-wide and apply to all students enrolled at California College of ASU.

ACADEMIC FREEDOM POLICY

California College of ASU is committed to protecting the right to academic freedom, including the right to speak and create, to question and dissent, to participate in debate on and off campus, and to invite others to do the same, all without fear of restraint or penalty.

Academic freedom creates a culture of active discussion and debate, one where its members open themselves to the views of others, even when those views are provocative or unfamiliar. Academic freedom permits the expression of views that even the majority of the community may find misguided, ignorant, or offensive. The appropriate response to such statements in an academic setting is not to censor or punish, but to challenge, criticize, and persuade.

Academic freedom gives both students and faculty the right to study and do research on the topics they choose and to draw what conclusions they find consistent with their studies, though it does not prevent others from judging whether their work is valuable and their conclusions sound. Academic freedom means that the political, religious, or philosophical beliefs of politicians, administrators, and members of the public cannot be imposed on students or faculty.

Academic freedom protects a faculty member's authority to assign grades to students, so long as the grades are not capricious or unjustly punitive. More broadly, academic freedom encompasses both the individual and institutional right to maintain academic standards.

Academic freedom is not unbounded. Academic freedom does not guarantee the right to defame or threaten, to deface or harass, or to incite violence or infringe on privacy. Academic freedom does not give students or faculty the right to ignore or violate college policies, though it does give faculty and students the right to express criticism of policies they believe are unfair. Academic freedom entails academic responsibility. There is no right to plagiarize or otherwise engage in academic misconduct. Academic freedom does not protect students or faculty from disciplinary action, but it does require that they receive fair treatment and due process.

PROGRAM REVIEW POLICY

California College of ASU conducts a systematic, cyclical program review and assessment process incorporating institutional data and evaluation of student learning outcomes to ensure student success. Each degree program's learning outcomes are assessed each term to identify opportunities for continuous improvement within the established curriculums. Every five years, a degree program undergoes a program review process to determine curriculum revisions and to ensure the programs offered are updated to ensure quality, integrity, effectiveness, currency in the fields of study, viability, sustainability, and alignment with the mission of the college.

The college regularly upgrades its equipment, software, and educational materials to stay current with rapidly changing technology and reserves the right to make changes to its facilities, equipment, software, and other materials at any time to provide students with the most up-to-date educational experience practicable.

SCHEDULE AND CURRICULUM CHANGES

California College of ASU reserves the right to cancel, reschedule or combine courses, change instructors or class size, adjust course fees, and alter curricula. The college also reserves the right to deny any student permission to enter or continue a course of study.

STUDENT WORK POLICY

Prior to orientation, new students are required to review and sign the Student Work Policy. This agreement is distributed along with the Enrollment Agreement and outlines ownership of materials created during the entire period of enrollment at California College of ASU. Student Work refers to media (films, videos, graphic designs, illustrations, music, sound effects, fine art, poetry and prose, screenplays, etc.) produced by California College of ASU students in fulfillment of class assignments, as projects for academic credit, or as extra- or co-curricular projects created using college equipment, facilities, or other resources. The primary purpose of all Student Work is to facilitate learning and practical experience relating to the curriculum and learning outcomes.

Student Work will be owned by the student(s), subject to a non-exclusive royalty-free license to use the Student Work for California College of ASU's educational, promotional, and public relations purposes. If the work is otherwise contracted via a specific film festival or other distribution license, only after that license expires would California College of ASU employ its educational, promotional, or public relations use. The signed copy of the Student Work Policy is stored in the student's record. A sample copy is available for student review in the Admissions Department.

STUDENT CODE OF CONDUCT

California College of ASU has established the following Student Code of Conduct to maintain an educational environment

reflective of the standards of a professional workplace.

Students are expected to abide by this code as well as all local, state, and federal laws, both on campus and at school-sponsored activities off-campus.

- Behave in a professional and appropriate manner at all times.
- Be respectful and courteous to faculty, staff, and classmates.
- Abide by all California College of ASU institutional and campus policies.
- Attend all classes.
- Come prepared with all required supplies and equipment.
- Complete and turn in coursework, projects, and assignments on time.
- Refrain from using cell phones and other electronic equipment while in class, other than for coursework.
- Leave classrooms, work areas, studios, restrooms, and other campus facilities neat and clean.
- Do not use or distribute illegal software.
- Be fully present with undivided attention in remote, synchronous classes.

A. Jurisdiction and Authority

1. Under California law, the California College of ASU is responsible for the control and supervision of the college and its properties and activities. California College of ASU is authorized to enact rules, policies, and procedures for the governance of the college and the maintenance of public order upon all property under its jurisdiction. California College of ASU has promulgated this Student Code of Conduct in order to meet its responsibilities under California law. Enforcement of this Student Code of Conduct is subject to applicable law, including constitutional protections for speech, association and the press.
2. California College of ASU or their designee are authorized to enforce the Student Code of Conduct. California College of ASU or their designee are also authorized to limit the application of this policy with respect to college property leased by the college to third parties, as set forth below.
3. Actions taken under the Student Code of Conduct are administrative and not criminal in nature. Therefore, a student can be found responsible under the Student Code of Conduct even if the underlying conduct would not constitute a criminal offense, and even if a prosecutor has determined not to prosecute as a criminal matter or the student has been found not guilty in a criminal proceeding.
4. For purposes of interpreting words and phrases not otherwise defined in the Student Code of Conduct, every day and common usages and understanding shall apply, and external sources may be consulted for guidance.
5. Students may be accountable to both civil and criminal authorities and to the college for acts of misconduct that constitute violations of the Student Code of Conduct. At the discretion of college officials or designees, disciplinary action at the college may proceed before, during, or after other proceedings. Sanctions may be imposed for acts of misconduct that occur on college property or at any college-sponsored activity. With respect to student organizations, and their members, college jurisdiction extends to premises used or controlled by the organizations on or off campus.
6. Students are responsible for informing their guests about all applicable institutional and campus rules and regulations. Students are responsible for supervising their guests and may be held accountable for the actions of their guests.

B. Philosophy

1. The aim of education is the intellectual, personal, social, and ethical development of the individual. The educational process is ideally conducted in an environment that encourages reasoned discourse, intellectual honesty, openness to constructive change, and respect for the rights of all individuals. Self-discipline and a respect for the rights of others in the college community are necessary for the fulfillment of such goals. The Student Code of Conduct is designed to promote this environment at California College of ASU.
2. The Student Code of Conduct sets forth the standards of conduct expected of students who choose to join the college community.
3. California College of ASU may respond to violations of these standards with appropriate interventions including disciplinary sanctions.

C. Scope

1. The adoption of the Student Code of Conduct does not prohibit California College of ASU from adopting or maintaining additional rules to govern the conduct of students. Allegations of misconduct brought under the Student Code of Conduct may be combined with allegations arising under other college rules.
2. The college may adopt policies and procedures for reviewing allegations of academic dishonesty.
3. The Student Code of Conduct applies to individual students and to student organizations.

4. Students and student organizations are also subject to the following rules:
 - a. Rules adopted by California College of ASU to govern the control of vehicles and other modes of transportation on college property
 - b. Rules relating to student classroom conduct, academic dishonesty, and academic eligibility, performance and evaluation
 - c. Rules governing student housing
 - d. Rules governing the maintenance of public order
 - e. Rules governing the use of college communication and computing resources, and
 - f. Such other rules as may be adopted by California College of ASU in furtherance of college and educational goals.

D. Student Organizations

1. Student organizations may be charged with violations of the Student Code of Conduct to the same extent as students.
2. Student organizations, as well as their members and other students, may also be held collectively and/or individually responsible for violations including but not limited to misconduct that occurs: (a) on college property; (b) on premises used or controlled by the organization; (c) at college-sponsored activities; or (d) in violation of college hazing policies.
3. The officers or leaders of a student organization may be held collectively and/or individually responsible when such violations are committed by persons associated with the organization who have received consent or encouragement from the organization's officers or leaders or if those officers or leaders knew or should have known that such violations were being or would be committed.
4. The officers or leaders of a student organization may be directed to take action designed to prevent or end such violations by the organization or by any persons associated with the organization. Failure to comply with a directive may be considered a violation of the Student Code of Conduct, both by the officers or leaders of the organization and by the organization.

E. Definitions

1. "Advisor" means an individual selected by the student to advise him/her. The advisor may be a faculty or staff member, student, attorney, or other representative of the student.
2. "Complainant" means any individual who initiates the referral procedures set forth in the Student Code of Conduct Procedures.
3. "Consent" in the context of sexual activity means informed and freely given words or actions that indicate a willingness to participate in mutually agreed upon sexual activity.
 - a. Consent may not be inferred from: 1) silence, passivity or lack of resistance, 2) a current or previous dating or sexual relationship, 3) acceptance or provision of gifts, meals, drinks, or other items or 4) previous consent to sexual activity.
 - b. Consent may be withdrawn during sexual activity. Consent to one form of consensual sexual activity does not imply consent to any other form of sexual activity.
 - c. Consent may not be obtained through physical force, violence, duress, intimidation, coercion, or an express or implied threat of injury.
 - d. Consent may never be given by a person who is: incapacitated (by drugs, alcohol or otherwise), unconscious, asleep, or otherwise physically or mentally unable to make informed, rational judgments. The use of alcohol or drugs does not diminish one's responsibility to obtain consent and does not excuse conduct that violates this Student Code of Conduct.
 - e. Consent cannot be given by someone who, by virtue of age, circumstances or other factors, is deemed by law to be incapable of giving consent.
4. "Controlled substance" means a drug or substance whose use, possession, or distribution is controlled under state or federal law.
5. "Day" means college business day, not including Saturday, Sunday, any officially recognized college employee holiday, or any day the college is closed.
6. "Dangerous Instrument" means anything that under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury.
7. "Dean" means the dean of the college or their designee.
8. "Dean of Students" means the administrative officer responsible for administration of student conduct bearing this

or similar title and includes his/her/their designee.

9. "Distribution" means sale, exchange, transfer, delivery, or gift.
10. "Educational Response or Intervention": The dean of students may require a student to complete an educational program at the student's expense, write a paper or letter of apology, engage in community service, or assign other educational responses to address the student's conduct.
11. "Endanger" means to bring into danger or peril.
12. "Explosive" refers to dynamite, nitroglycerin, black powder, or other explosive material or bomb including plastic explosives; any breakable container that contains a flammable liquid with a flash point of 150°F or less and has a wick or similar device capable of being ignited.
13. "Fabrication" means falsification or creation of false data or information.
14. "Fireworks" refers to any fireworks, firecrackers, sparklers, rockets, and any propellant-activated device whose intended purpose is primarily for illumination.
15. "Gambling" shall have the same meaning as defined by California law.
16. "Hazing" means either (a) any intentional, knowing or reckless act committed by a student, whether individually, or in concert with other persons, against another person, in connection with an initiation into, an affiliation with, or the maintenance of membership in any organization that is affiliated with a college that contributes to a substantial risk of potential physical injury, mental harm or degradation, or causes physical injury, mental harm or personal degradation; or (b) any act otherwise defined as hazing under applicable law. Hazing includes, but is not limited to, paddling in any form, physical or psychological shocks, late work sessions that interfere with scholastic activities, advocating or promoting alcohol or substance abuse, tests of endurance, submission of members or prospective members to potentially dangerous or hazardous circumstances or activities which have a foreseeable potential for resulting in personal injury, or any activity which by its nature may have a potential to cause mental distress, panic, human degradation, or embarrassment.
17. "Illegal drug" means any drug whose manufacturing, use, possession, or distribution is prohibited or restricted by state or federal law.
18. "Personal Safety Devices:" the college will maintain and publish a list of permitted personal safety devices to include personal alarms, chemical repellents and other devices designed to protect personal safety from physical attacks by other people. The college will also publish the process by which an individual may seek to have a device added to the list of permitted devices.
19. "Sexual misconduct" means one or more of the following:
 - a. Sexual violence and other on-consensual sexual contact – actual or attempted physical sexual acts perpetrated against a person by force or without consent; or
 - a. Sexual harassment – unwelcome conduct of a sexual nature that is sufficiently severe or pervasive as to create an intimidating, hostile, or offensive environment; or
 - b. Other unwanted or non-consensual sexual conduct including but not limited to indecent exposure, sexual exploitation or voyeurism, or non-consensual photographing or audio-recording or video-recording of another in a state of full or partial undress or while engaged in sexual activities, or publishing or disseminating such materials.
20. "Smoking" means the burning of, inhaling from, exhaling the smoke from, the possession of a lighted cigar, cigarette, pipe, hookah, water pipes or any other matter or substance that contains tobacco or any other matter that can be smoked, or inhaling or exhaling of smoke or vapor from an electronic smoking device. "Electronic smoking device" means a device that simulates smoke through inhalation of vapor or aerosol from the device, including e-cigarettes, e-cigars, e-pipes, and vape pens.
21. "Stalking" means engaging in a course of conduct that is directed toward another person if that conduct would cause a reasonable person to suffer substantial emotional distress or to fear for the person's safety or the safety of that person's immediate family member or close acquaintance, and that person in fact fears for his/her safety or the safety of that person's immediate family member or close acquaintance.
22. "Student" for purposes of this Student Code of Conduct means any person who is currently admitted or registered or who participates in a college function, such as orientation, in anticipation of enrollment, or who was enrolled in a previous term or who is or was registered for a future term, including a faculty member or other employee so admitted, registered, or enrolled.
23. "Student organization" means an organization or group which has been registered or has received recognition

according to college policies and procedures or is affiliated with a college.

24. "Title IX" means Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681 et seq.
25. "Title IX Coordinator" means the individual designated by the college to oversee compliance with the nondiscrimination and anti-harassment provisions of the Student Code of Conduct.
26. "College community" means all college students, employees, and guests.
27. "College property" means all resources, including but not limited to real and personal property, money, and intellectual property owned, operated, leased to, contracted by, controlled, or in the possession of the college. The college dean may limit the definition of "college property" for purposes of this policy to exclude certain property owned by the college and leased to a third party. Any such limitation will be in writing, such as a lease, other agreement or college policy. If property is excluded from the definition of "college property" pursuant to such limitation, it will be treated as off-campus property under this policy.
28. "College-sponsored activity" means any activity on or off campus authorized, supervised, or controlled by a college.
29. "Weapon" refers to any object or substance designed to (or which could be reasonably expected to) inflict a wound, cause injury, incapacitate, or cause death, including, without limitation, all firearms (loaded and unloaded, simulated and real), devices designed to expel a projectile (such as bb guns, air guns, pellet guns, and potato guns), swords, knives with blades of 5 inches or longer, martial arts weapons, bows and arrows, and chemicals such as tear gas, but personal safety devices as defined above are not included in the definition of "weapon."

F. Prohibited Conduct

1. All forms of student academic dishonesty, including but not limited to cheating, fabrication, facilitating academic dishonesty, and plagiarism.
2. Endangering, threatening, or causing physical harm to any member of the college community or to oneself, causing reasonable apprehension of such harm or engaging in conduct or communications that a reasonable person would interpret as a serious expression of intent to harm.
3. Violating the terms of any disciplinary sanction imposed for an earlier violation of the Student Code of Conduct or college rules.
4. Violation of, or attempt to violate, other rules that may be adopted by the college.
5. Impersonation of another, using another person's identity, or furnishing materially false information, including manufacturing or possession of false identification.
6. Initiating, causing, or contributing to any false report, warning, or threat of fire, explosion, or other emergency.
7. Failure to comply with the directions of college officials or agents, including law enforcement or security officers, acting in the good faith performance of their duties. This section is not intended to prohibit the lawful assertion of an individual's Fifth Amendment right against self-incrimination.
8. Forgery, falsification, fabrication, unauthorized alteration, or misuse of campus documents, records, or identification, including, but not limited to, electronic software and records.
9. Unauthorized presence in or unauthorized use of college property, resources, or facilities.
10. Unauthorized access to, disclosure of, or use of any college document, record, or identification, including but not limited to electronic software, data, and records.
11. Interfering with or disrupting college or college-sponsored activities, including but not limited to classroom related activities, studying, teaching, research, intellectual or creative endeavor, administration, service or the provision of communication, computing or emergency services.
12. Misrepresenting oneself or an organization as an agent of the college.
13. Possession of property the student knows or has reason to believe may be stolen or misappropriated.
14. Misuse, theft, misappropriation, destruction, damage, tampering with, or unauthorized use, access, or reproduction of property, data, records, equipment or services belonging to the college or belonging to another person or entity.

15. Violation of college rules or applicable laws governing alcohol, including consumption, distribution, unauthorized sale, or possession of alcoholic beverages.
16. Unauthorized use, sale, possession, or distribution of any controlled substance or illegal drug or possession of drug paraphernalia that would violate the law.
17. Off-campus conduct that a reasonable person would believe may present a risk or danger to the health, safety or security of the board or university community or to the safety or security of the board or college property.
18. Gambling as prohibited by applicable law, college policy, or associated with any college event.
19. Engaging in, supporting, promoting, or sponsoring hazing or violating college rules governing hazing.
20. Stalking or engaging in repeated or significant behavior toward another individual, whether in person, in writing, or through electronic means, after having been asked to stop, or doing so to such a degree that a reasonable person, subject to such contact, would regard the contact as unwanted.
21. Engaging in discriminatory activities, including harassment and retaliation, as prohibited by applicable law or college policy.
22. Interfering with any college review, investigative or disciplinary process, including but not limited to tampering with physical evidence or inducing a witness to provide false information or to withhold information.
23. Sexual misconduct.
24. Use, possession, display, or storage of any weapon, dangerous instrument, explosive material or device, torch, device with open flames, fireworks, bomb-making materials or dangerous chemical on college property, at a college sponsored activity or in violation of law or college policy, is not permitted unless one of the following exceptions apply:
 - a. Subject to applicable laws, a person may lawfully transport or lawfully store a firearm that is both 1) in the person's locked and privately-owned motor vehicle or in a locked compartment on the person's privately-owned motorcycle, and 2) not visible from the outside of the motor vehicle or motorcycle, although the board or a college may require that vehicles transporting or storing firearms be parked in alternative parking, or
 - b. Use, possession, display or storage is specifically authorized by a California or federal statute governing law enforcement officers or in writing by college officials with the authority to grant such permission, or
 - c. California College of ASU may permit students to possess certain potentially dangerous instruments, and limited quantities of chemicals or other dangerous materials if they are used for academic and other legitimate purposes, if the presence of these items does not present an undue risk to the campus or community, and if the proposed use, possession, display or storage of these items has been expressly approved in writing by an authorized college representative.
 - d. The possession or use for self-defense of personal safety devices are not prohibited by this section.
25. Photographing, videotaping, filming, digitally recording, or by any other means secretly viewing, with or without a device, another person without that person's consent in any location where the person has a reasonable expectation of privacy, or in a manner that violates a reasonable expectation of privacy. This section does not apply to lawful security or surveillance filming or recording that is authorized by law enforcement or authorized college officials.
26. Commission of any offense prohibited by state or federal law or local ordinance.
27. Smoking, the use of and the sale of tobacco products, and the use of and the sale of smokeless tobacco products, including all electronic smoking devices, in or on all college property unless an express exception is provided by the college dean for certain leased property or pursuant to college policy. In addition, the college may provide exceptions for smoking cessation products, controlled research, educational programs, traditional, cultural or religious purposes or other uses permitted by the college if approved in advance by designated college personnel or pursuant to college policy.

Any attempt to commit or conceal an act of misconduct prohibited by these rules is subject to sanctions to the same extent as completed acts.

G. College Responses to Alleged Code Violations

1. In addition to, or in place of, an educational response or intervention, the college dean or dean of students may impose one or more of the following disciplinary sanctions (e.g., expulsion, suspension, degree revocation, probation, warning, administrative hold, interim action) for any violation of the Student Code of Conduct:
 - a. Expulsion: Permanent separation of the student from the college. An indication of expulsion may appear on the

student's transcript. The expelled student will not participate in any college-sponsored activity and will be barred from college property. An expelled student will be ineligible to attend California College of ASU or Arizona State University.

- b. Suspension: Temporary separation of the student from the college for a specified period of time, or until specific conditions, if imposed, have been met. An indication of suspension may appear on the student's transcript. Except where prior approval has been granted by the college dean, a suspended student will not participate in any college-sponsored activity and will be barred from the college campus. A suspended student will be ineligible to attend California College of ASU or Arizona State University until the conditions of suspension have been met.
- c. Degree Revocation: The college dean may revoke a degree, certificate or other academic recognition previously awarded by the college to a student. Notice of any degree revocation will appear on the student's transcript. If the college previously communicated the award of a degree, certificate or other academic recognition to a third party, it may provide notice to that entity of the revocation.
- d. Probation: Removal of the student from good conduct standing. Additional restrictions or conditions may also be imposed. Probation will last for a stated period of time and until specific conditions, if imposed, have been met. Any violation of these rules, the conditions of probation, or other college rules committed during the probationary period will subject the student to further discipline, including suspension or expulsion.
- e. Warning: A written statement advising the student that a violation of the Student Code of Conduct has been committed and that further misconduct may result in more severe disciplinary action.
- f. Administrative Hold: A status documented in the registrar's official file which may preclude the student from registering, from receiving transcripts, or from graduating until clearance has been received from the dean of Students in accordance with college rules.
- g. Restricted Access to College Property: A student's access to college property, including but not limited to research, communication and computing resources, may be restricted for a specified period of time or until certain conditions are met.
- h. Organizational Sanctions: Sanctions for organizational misconduct may include revocation of the use of college property or privileges for a period of time, revocation or denial of recognition or registration, or suspension of social or intramural activities or events, as well as other appropriate sanctions permitted under the Student Code of Conduct or other rules of the college.
- i. Interim Action: The dean of students may impose restrictions on a student or suspend a student for an interim period prior to resolution of the Student Code of Conduct proceeding.
- j. Academic Conduct: The college may adopt procedures regarding student conduct that takes place while participating in academic activities. These procedures may outline sanctions including but not limited to lower-level warnings, administrative drop from a particular class, or other sanctions as appropriate.
- k. Restitution: Payment to the college or to other persons, groups, or organizations for damage to property or costs incurred as a result of the violation of this Student Code of Conduct.
- l. Notation on Transcript.
- m. Other sanctions permissible under existing college rules.

2. A student who has been suspended or expelled from California College of ASU will be ineligible for admission, enrollment, re-enrollment or re-admission to California College of ASU or Arizona State University.

H. Determining What Sanction to Impose

1. Mitigating and aggravating factors may be considered. Factors to be considered in mitigation or aggravation include the individual's prior conduct record, the nature of the offense, the severity of any damage, injury, or harm resulting from the violation, the payment of restitution to the college or to any victims, or any other factors deemed appropriate under the circumstances, including but not limited to the individual's participation in an approved counseling program.
2. Repeated violations of the Student Code of Conduct may result in the imposition of progressively more severe sanctions, although any sanction may be imposed as appropriate under the circumstances.

I. Enforcement

1. Student sanctions shall be enforced through use of procedures adopted by California College of ASU that are consistent with college policies and applicable laws and regulations.
2. Sanctions for organizational misconduct shall be enforced through the use of the procedures adopted by the college, consistent with policies and applicable laws and regulations.

J. Miscellaneous provisions

1. The description of prohibited conduct shall be interpreted as broadly as consistent with applicable law.
2. The college dean is authorized to take other actions or to adopt other rules to protect college property and the safety and well-being of members of the college community and the public.

DISCIPLINARY PROCEDURES

These grievance procedures govern Student Code of Conduct violations, except those involving academic integrity for which there are different procedures/processes.

The term “parties” refers to the Dean of Students and the student charged with misconduct. In sexual misconduct matters or other matters involving violence, the person(s) against whom the alleged misconduct was committed also has the opportunity to participate as a party if they are a member of the college community (e.g., faculty, staff, student, or affiliate).

These procedures provide a fair and impartial administrative process. A student can be found responsible under the Student Code of Conduct even if the underlying conduct would not also constitute a criminal offense, and even if a prosecutor has determined not to prosecute [the underlying conduct] as a criminal matter or the student has been found not guilty in a criminal proceeding.

The responsibilities of the college dean or dean of students under this policy may be performed by a designee.

A. Goals of the Student Code of Conduct and Procedures

1. The Student Code of Conduct sets forth the standards of conduct expected of students who choose to join the college community.
2. When a student violates the Student Code of Conduct, they will be held accountable and appropriate remedial action will be taken to address the violation. Remedial actions are meant to be educational, not punitive. They affirm college standards and encourage students to make better choices in the future. Remedial actions may include administrative actions, educational interventions, and/or discipline.
 - a. Administrative actions include, but are not limited to: probation, warning, administrative hold, restricted access to college property, and interim actions such as interim suspension, immediate removal from college housing, or exclusion from one or more classes. Administrative actions are not disciplinary.
 - b. Educational interventions include, but are not limited to: completing an educational program at the student's expense, writing a paper, engaging in community service, or any other assignment to address the student's conduct. These educational interventions are not considered discipline and processes leading to assignment of an educational intervention are not considered disciplinary proceedings.
 - c. Disciplinary sanctions include: suspension (except for an interim suspension which is an administrative action), expulsion, or degree revocation.

B. Initiation of Investigation

1. On receipt of information from any source that a student may have violated the Student Code of Conduct, the Dean of Students or their designee will evaluate the information to determine an appropriate course of action to gather the facts concerning the alleged violation. A student alleged to have violated the Student Code of Conduct will be provided notice of the alleged misconduct and will be provided an opportunity to respond.
1. Where the alleged misconduct is related to sexual misconduct cases, the Dean of Students or their designee will inform the Title IX Coordinator.
2. The Dean of Students or their designee will provide the parties with written information on supportive services available at the college and in the community. In sexual misconduct cases, the complainant, and when applicable, respondent, will be provided information on the related college policy and procedure. Complainants and when applicable, respondents will be provided supportive measures.

C. Interim Action

1. If the Dean of Students is aware of information that supports a misconduct allegation that may lead to imposing a disciplinary sanction, and the Dean of Students believes that the student poses a threat of harm or substantial disruption, the Dean of Students may take administrative action to restrict or suspend a student for an interim period. The interim action will remain in effect until a final decision has been made on the pending allegation(s) or until the Dean of Students believes that the reason(s) for imposing the interim action no longer exist.
2. The decision to restrict or suspend a student for an interim period, and the information upon which the interim restriction or interim suspension is based, will be communicated in writing to all parties.
3. A student who is restricted from campus or suspended for an interim period may request an opportunity to provide information to contest the restriction or interim suspension no later than five (5) business days following the effective date of the interim action. Based on information provided, the Dean of Students will determine whether the restriction or interim suspension should remain in place, be modified, or be lifted. The parties shall have an equal opportunity to provide information relevant to the restriction or interim suspension.
4. The Dean of Students may impose other forms of interim administrative action, such as, but not limited to, immediate removal from college housing, exclusion from one or more classes, or exclusion from other specific locations.

D. Investigation Process

1. If the Dean of Students or their designee believes that there is sufficient basis that a violation of the Student Code of Conduct may have occurred, they will notify the student in writing of the alleged violation and initiate an investigation.

2. Members of the college community are expected to comply with any request or directive issued by the Dean of Students or their designee in connection with an investigation.
3. The Dean of Students or their designee will provide advance notice to a party of any code of conduct meeting with the party. In addition, a party will be given access to information that will be used during the code of conduct meeting as permissible under the Family Educational Rights and Privacy Act (FERPA).
4. The Dean of Students or their designee will provide all parties the following:
 - a. An explanation of the allegation(s) which have been made;
 - b. A summary of the information gathered;
 - c. A reasonable opportunity for the student to reflect upon and respond to the allegation(s); and
 - d. An explanation of the applicable code of conduct procedures.
5. Before concluding an investigation, the Dean of Students or their designee will provide the parties with an opportunity to respond to all investigative materials.
6. Students may accept responsibility for Student Code of Conduct violations and waive their rights to procedures provided by this policy. A student who fails to attend the meeting with the Dean of Students or their designee will forfeit the right to respond to the alleged violation, unless the student can demonstrate that an extraordinary circumstance prevented the student's appearance. If the student fails to attend the meeting, the Dean may proceed as described in paragraph E of this subsection.

E. Determination

1. The Dean of Students or designee will determine whether it is more likely than not that a violation of the Student Code of Conduct has occurred and, if so, the appropriate administrative action, educational intervention, and/or disciplinary sanction to apply.
2. In determining the administrative action, educational intervention, or disciplinary sanction, the Dean of Students will consider any mitigating or aggravating factors, including any prior violations of the Student Code of Conduct.
3. The Dean of Students will simultaneously provide the parties a written decision within five (5) business days of making the determination. The written decision will state whether the allegation(s) was substantiated. If substantiated, the decision will state the administrative action, educational intervention, or disciplinary sanction to be imposed, this decision is final.

Filing an Incident Report:

Incident reports are accepted from students, faculty, staff, or other persons who believe that a student or a student organization may have violated the Student Code of Conduct. Complete the online Incident Report at https://cm.maxient.com/reportingform.php?ArizonaStateUniv&layout_id=17, or you may submit information about your concern to the Office of the Dean of Students via email at deanofstudents@asu.edu.

The Office of the Dean of Students reserves the right to determine that police reports, applicable newspaper articles, or other forms of documentation that can constitute a formal complaint for purposes of initiating review under the Student Code of Conduct. Additionally, any relevant information pertaining to any California College of ASU student, found in the course of a review, may also be deemed to constitute a complaint and pursued accordingly under the Student Code of Conduct.

EMPLOYEE-STUDENT RELATIONSHIP POLICY

California College of ASU prohibits fraternization between members of its staff, faculty, and currently enrolled students. Prospective students who are in a relationship with a current employee, staff, or faculty member must disclose the nature of the relationship prior to submitting an application. Enrolled students are prohibited from entering into any off-campus outside employment or internship that requires the student to report directly to a current faculty or staff member. Financial transactions and/or housing arrangements between students and staff and/or faculty members is prohibited.

ACCEPTABLE USE POLICY FOR COMPUTERS, EMAIL, & INTERNET

Computers, networks, and online communication equipment owned by California College of ASU are provided to support the educational mission of the institution. As such, access to information technology resources owned or operated by California College of ASU is a privilege accompanied by responsibilities and obligations, and subject to institution policies as well as local, state, and federal laws. Acceptable Use is always ethical, reflective of academic honesty and restraint in the consumption of shared resources. It requires respect for intellectual property, ownership of data, system security mechanisms, and individuals' rights to privacy, and must remain free from intimidation and harassment. Information technology resources are defined as all computer-related equipment, computer systems, software and network applications, interconnecting networks, facsimile machines, copiers, voicemail, and other telecommunications facilities, as well as all information contained therein, owned, and/or managed by California College of ASU.

When using computers, WiFi, email, or the internet on campus, California College of ASU students and their guests are expected to:

- Regard the use of the internet and the college computer network as a privilege
- Follow all rules and regulations of the computer labs
- Respect the lab attendant on duty
- Be courteous to other students working independently in a lab
- Respect copyright and licenses of all programs and data
- Respect the integrity of computing systems
- Respect the privacy of other users
- Use personal earphones or headphones

Violations of this Acceptable Use Policy include, but are not limited to:

- Violation of the campus food and drink policy
- Installing software without specific permission of the IT department
- Using P2P or bit torrent software to download illegal copies of movies, MP3 files, videos, or software
- Installing computer programs unrelated to California College of ASU curricula on any institutional computers
- Creating and/or propagating computer viruses
- Disrupting internet or WiFi services
- Damaging computer files, equipment, software, or data
- Contributing to the theft of any hardware and/or software
- Using the resources of the college's internet/computer network for personal financial gain
- Creating, displaying, viewing, and/or downloading threatening, obscene, racist, sexist, or harassing material, including broadcasting unsolicited messages or sending unwanted email, including spam
- Using or forging a false account or email address
- Using another person's computing account without express permission
- Intentionally seeking information on other users
- Obtaining copies of or modifying files or other data belonging to other users
- Posing as another user unless explicitly authorized to do so
- Creating a false user identity, username, password, or email address to use while accessing institutional records, files, computers, or databases
- Using another student's password to access accounts without express permission of the owner
- Using the college-owned and operated internet, computers, portal, databases, or information technology resources to violate the Academic Integrity Policy of California College of ASU

This list of violations is not intended to be all-inclusive. California College of ASU reserves the right to act in the best interest of the students, faculty, and staff and may deem actions committed by a student to be an Acceptable Use Policy violation although the action does not appear on a list of violations.

Students using information technology resources owned, operated, or otherwise provided by the college should expect to experience limited privacy in regard to the contents of personal files on the California College of ASU internet and computer network.

All students, staff, faculty, and campus visitors must acknowledge that the routine maintenance and monitoring of college information technology resources, including internet and network systems, may lead to a discovery of violation of a California College of ASU policy or the law.

California College of ASU reserves the right to discontinue account privileges of any user who violates any part of the Acceptable Use Policy. Repeated or severe infractions of this policy may result in disciplinary action leading to suspension or termination of network privileges and dismissal from the college. Any known or suspected violations of this Acceptable Use Policy must be reported to the Operations Department.

Each user has the responsibility to report any suspected violation of personal privacy to the Operations Department. An investigation will be conducted if college or campus authorities have a reasonable suspicion of violation of law, institutional policies, or the Acceptable Use Policy.

California College of ASU makes no warranties of any kind, whether expressed or implied, for the internet services provided, including the loss of data resulting from delays, non-deliveries, system failures, or service interruptions. Use of any information obtained via the internet through the California College of ASU network and/or computer systems is at the student's own risk. California College of ASU specifically denies any responsibility for the accuracy, quantity, or content of information obtained through internet services.

Unauthorized use of the network, copyright violations, intentional deletion, and damage to files and data belonging to the institution, other users, and/or outside agencies may be considered criminal acts and could result in involvement of governmental authorities. California College of ASU will cooperate fully with local, state, and federal authorities on any investigation related to illegal activities or activities not in compliance with school policies through the institution's computer network.

FAMILY EDUCATION RIGHTS AND PRIVACY ACT OF 1974 (FERPA)

The Family Educational Rights and Privacy Act (FERPA) affords eligible students who are 18 years or older and attending a postsecondary institution certain rights with respect to their education records. These rights include:

1. The right to inspect and review the student's education records within 45 days after the day California College of ASU receives a request for access. A student should submit a written request to the Registrar that identifies the record(s) the student wishes to inspect. The Registrar will make arrangements for access and notify the student of the time and place where the records may be inspected.
2. The right to request an amendment to the student's record. A student who wishes to ask the school to amend a record should submit a written request to the Registrar clearly identifying the part of the record the student wants changed and why it should be changed. If the school decides not to amend the record as requested, the Chief Academic Officer will notify the student in writing of the decision and of the student's right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
3. The right to provide written consent before California College of ASU discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

The school 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 California College of ASU in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person serving on the board of trustees; or a student serving on an official committee, such as a disciplinary or grievance committee. A school official also may include a volunteer or contractor outside of California College of ASU who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, or collection agent or a student volunteering to assist 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 California College of ASU.

Students have the right to file complaints with the U.S. Department of Education concerning alleged failures by California College of ASU to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

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

FERPA permits the disclosure of personally identifiable information from a student's education records without consent of the student if the disclosure meets certain conditions found in §99.31 of the FERPA regulations.

Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the student, §99.32 of FERPA regulations requires the institution to record the disclosure. Eligible students have a right to inspect and review the record of disclosures.

California College of ASU may disclose personally identifiable information from the education records without obtaining prior written consent of the student:

- To other school officials, including teachers, within California College of ASU whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(2) are met. (§99.31(a)(1))
- To officials of another school where the student seeks or intends to enroll, or where the student is already enrolled, if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2))
- To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as a State postsecondary authority that is responsible for supervising the university's State-supported education programs. Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35)
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4))
- To organizations conducting studies for or on behalf of the school in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7))

- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8))
- To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10))
- In connection with information the school has designated as “directory information” under §99.37. (§99.31(a)(11))
- To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of §99.39. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding. (§99.31(a)(13))
- To the general public, the final results of a disciplinary proceeding, subject to the requirements of §99.39, if the school determines the student is an alleged perpetrator of a crime of violence or non-forcible sex offense, and the student has committed a violation of the school’s rules or policies with respect to the allegation made against him or her. (§99.31(a)(14))
- To parents of a student regarding the student’s violation of any Federal, State, or local law or of any rule or policy of the school governing the use or possession of alcohol or a controlled substance if the school determines the student committed a disciplinary violation and the student is under the age of 21. (§99.31(a) (15))

CONFIDENTIALITY OF STUDENT RECORDS

The Family Educational Rights and Privacy Act of 1974 (FERPA) prohibits the release of privileged information to anyone except authorized personnel. Students who wish another individual, such as a parent or spouse, to have access to privileged information must complete a FERPA Release Form and return it to the Registrar’s Office before any information will be released. Information will only be released to the person listed on this form.

California College of ASU maintains information on students regarding their admission, registration, academic history, career, student benefits or services, extracurricular activities, advisement, discipline, or matters relating to student conduct. The college maintains these records in accordance with the provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA). This means that the college shall not, except as otherwise authorized, permit any access to or release of information except where required by law (e.g., federal and state educational and auditing officers, including application for financial aid), and then only on the basis of educational interest. Any currently enrolled or former student has the right to inspect and review personal academic records upon request through the Registrar’s Office. Students may challenge the accuracy of the records or the appropriateness of their retention in college files.

STUDENT DIRECTORY DISCLOSURE

The college regards certain directory information related to any student currently enrolled at the college as public information which may be released. Student directory information is limited to one or more of the following: student’s name, current enrollment status, dates of attendance, major field of study, degrees and awards received, and the most recent previous public or private school attended by the student.

All enrolled students grant California College of ASU the right to publicize and release such information to the media for California College of ASU publicity, events, and programs. The college at its discretion may limit or deny the release of directory information to public or private persons or organizations based on the best interests of the student. Students may restrict the release of Directory Information by completing a Non-Disclosure Form and submitting to the Registrar’s Office. Once the Non-Disclosure Form is submitted, the college will not release the student’s name in any press releases or California College of ASU materials.

Student activities, campus organizations, and friends will not be able to obtain directory information. In addition, without specific written approval, college officials will not be able to confirm enrollment or graduation for reasons like insurance, nor include the student’s name in the Graduation Commencement program.

Once filed, the Non-Disclosure Form becomes a permanent part of the student’s record until the student instructs California College of ASU, in writing, to have the request removed.

NON-DISCRIMINATION POLICY

California College of ASU operates in full compliance with Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, and Title IX of the Education Amendments of 1972.

California College of ASU administers all education-related programs and activities, including, but not limited to, admissions, financial aid, academic programs, student treatment and services, counseling and guidance, discipline, classroom assignment, grading, vocational education, housing, employment, research, recreation, physical education, athletics, and other extracurricular activities without regard to the student or applicant’s race, color, religion, national origin, sex, sexual orientation, gender identity, gender expression, marital status, pregnancy, age, physical disability, mental disability, or other characteristic protected by federal or state law.

All employment-related decisions at the college, including but not limited to decisions relating to recruitment, hiring, promotion, transfers, benefits and any other terms and conditions of employment, are made without regard to the employee’s or applicant’s race, color, religion, national origin, sex, sexual orientation, gender identity, gender expression, marital status, pregnancy, age, physical disability, mental disability, medical condition, covered veteran status, genetic