2.4.1 General Statement

The Maricopa Community Colleges are dedicated to providing a healthy, comfortable and educationally productive environment for students, employees and visitors.

2.4.2 Nondiscrimination

See the EEO/AA Section of the Administrative Regulations.

2.4.3 Equal Opportunity Statement

See the EEO/AA Section of the Administrative Regulations.

2.4.4 Sexual Harassment Policy for Employees and Students

See the EEO/AA Section of the Administrative Regulations.

2.4.5 Copyright Act Compliance

Students are expected to comply with the provisions of the Copyright Act of 1976 pertaining to photocopying of printed materials, copying of computer software and videotaping. In order to assist students in complying with the Copyright Law, appropriate notices shall be placed on or near all equipment capable of duplicating copyrighted materials.

1. Copyright Policy
   See the INSTRUCTION Section of the Administrative Regulations.

2. Taping of Faculty Lectures
   See the INSTRUCTION Section of the Administrative Regulations.

3. What Students Should Know About Copyright (www.maricopa.edu/legal/ip/students.htm)

2.4.6 Emissions Control Compliance

Pursuant to ARS §15-1444 C, no vehicle shall be allowed to park in any college parking lot unless it complies with ARS §49-542 (the annual vehicle emissions inspection program). At the time of course registration, every out-of-county and out-of-state student will be required to sign an affidavit stating that the student’s vehicle meets the requirements of ARS §49-542. Vehicles that are not in compliance are subject to being towed at the owner’s expense.

2.4.7 Abuse-Free Environment

See also the Auxiliary Services section for Tobacco-Free Environment (AR 4.12) and the Appendices/Student Section (S-16) Medical Marijuana Act of the Administrative Regulations.

1. Substance Abuse/Misuse Statement
   Drug abuse and misuse has become a national issue and is receiving national attention, particularly in the academic community. The insidious effects of the abuse of these agents are also felt by all walks of life and economic levels. Therefore, as an education providing institution, we are responsible to provide knowledge and guidelines about prevention, control, and treatment of the abuse/misuse of alcohol, illegal and legal drug uses and misuses. Annual
Acknowledgements for students and employees are provided through the online messaging accounts.

Students who experiment with drugs, alcohol, and illegal substances or use them recreationally may develop a pattern of use that leads to abuse and addiction. Maricopa Community Colleges recognized drug and alcohol abuse as an illness and a major health problem as well as a potential safety and security issue.

Part of the educational mission of the Maricopa Community Colleges is to educate students about positive self-development, the benefits of a healthy lifestyle and the health risks associated with substance abuse. This mission closely aligns with the Drug-Free School and Communities Act of 1989, and other relevant substance abuse laws.

2. Student Program to Prevent Illicit Use of Drugs and Abuse of Alcohol

The Maricopa Community College District fully supports disciplinary action for misconduct and the enforcement of state laws governing the use of alcohol and the use, abuse, possession or distribution of controlled substances or illegal drugs.

A. Introduction and Purpose

The Federal Drug-Free Schools and Communities Act of 1989 (Public Law 101-226) requires federal contractors and grantees to certify that they will provide a drug-free school. As a recipient of federal grants, the District must adopt a program toward accomplishing this goal. While federal legislation has been the impetus for creation of the program, the administration and Governing Board recognize that substance abuse is a problem of national proportions that also affect students at the Maricopa Community Colleges.

The Maricopa Community Colleges are committed to maintaining learning environments that enhance the full benefits of a student’s educational experience. The Maricopa County Community College District will make every effort to provide students with optimal conditions for learning that are free of the problems associated with the unauthorized use and abuse of alcohol and drugs.

B. Standards of Conduct

In the student handbooks of the Maricopa Community Colleges under codes of conduct, the following are examples of behavior that is prohibited by law and/or college rules and policies:

i. Drinking or possession of alcoholic beverages on the college campus.
ii. Misuse of narcotics or drugs.

C. Sanctions for Violation of Standards of Conduct

Disciplinary actions include, but are not limited to:

i. Warning,
ii. Loss of privileges,
iii. Suspension, or
iv. Expulsion.

D. Legal Sanctions

Local, state, and federal law prohibit the unlawful possession, use or distribution of illicit drugs and alcohol. Conviction for violating these laws can lead to imprisonment, fines, probation, and/or assigned community service. Persons convicted of a drug-and/or alcohol related offense will be ineligible to receive federally funded or subsidized grants, loans, scholarships, or employment.

Any employee is subject to disciplinary action, up to and including employment
termination, for any of the following: reporting to work under the influence of alcohol and/or illegal drugs or narcotics; the use, sale, dispensing, or possession of alcohol and/or illegal drugs or narcotics on MCCC premises, while conducting MCCC business, or at any time which would interfere with the effective conduct of the employee’s work for the MCCC; and use of illegal drugs.

3. MCCC Program Standards
   The Maricopa Community College District is committed to establishing a preventative substance abuse program at each college designed to affect positively the problems of irresponsible use of alcohol and the use and abuse of illegal substances. A main focus of the program will be on education of the campus community and assistance to individuals.

   A. Identify a key individual, at each college, to provide emergency services and/or to contact and work with outside agencies that provide drug and alcohol counseling, treatment or rehabilitation programs that may be available to students and employees.

   B. Support disciplinary action for misconduct and the enforcement of state laws governing the use of alcohol and the use, abuse, possession or distribution of controlled substances or illegal drugs.

   C. Establish a preventative substance abuse program at each college designed to affect positively the problems of irresponsible use of alcohol and the use and abuse of illegal substances.

4. Use of Alcoholic Beverages
   See Section 4.13 of the Administrative Regulations

5. Other Health Concerns
   General Guidelines Concerning AIDS
   Neither a diagnosis of AIDS nor a positive HIV antibody test will be part of the initial admission decision for those applying to attend any of the Maricopa Community Colleges. The Maricopa Community Colleges will not require screening of students for antibody to HIV.

   Students with AIDS or a positive HIV antibody test will not be restricted from access to student unions, theaters, cafeterias, snack bars, gymnasiums, swimming pools, recreational facilities, restrooms, or other common areas, as there is not current medical justification for doing so.

   Where academically and logistically feasible, students who have medical conditions, including AIDS, may seek accommodation in order to remain enrolled. Medical documentation will be needed to support requests for accommodation through the Office of Disabled Resources and Services or the Office of Vice President of Student Affairs.

   The Maricopa Community Colleges acknowledge the importance of privacy considerations with regard to persons with AIDS. The number of people who are aware of the existence and/or identity of students who have AIDS or a positive HIV antibody test should be kept to a minimum. When a student confides in a faculty member, knowledge of the condition should be transmitted to the appropriate vice president or designee who will make the determination if the information should be further disseminated. It should be remembered that mere exposure to the person in a classroom does not constitute a need to know the diagnosis. It is, therefore, unnecessary to document in a student’s file the fact that he or she has AIDS unless the information is to be used for accommodation reasons. Sharing confidential information without consent may create legal liability.
Students are encouraged to contact the Office of Disabled Resources and Services and/or the vice president of student affairs or designee for the types of services available in the district or community on matters regarding AIDS or the HIV virus.

AMENDED through the Administrative Regulation Process, March 25, 2013
AMENDED through the Administrative Regulation Process, March 13, 2012
AMENDED through the Administrative Regulations approval process, October 22, 2008

2.4.8 Petition Signature Solicitation

1. This regulation shall govern access to college premises by representatives who wish to solicit signatures on petitions for the purpose of submission of a ballot proposition to voters, or nomination of a candidate for elective office, in a city-, county-, or state-wide election.

2. Each college president shall designate general hours of accessibility for solicitation and a location on college premises where all representatives on behalf of any candidate or ballot proposition may solicit signatures. The location shall be in a common area where the solicitation will not serve as an obstruction to student activities or otherwise disrupt the college environment.

3. All solicitation must take place in designated areas. Standard space may include one or two tables and chairs. Campus restrictions regarding amplification will apply. Representatives may not distribute or make available to students, employees, or college visitors any tangible item, except for informational literature about the proposed candidate or ballot initiative.

4. Representatives shall notify the designated official at each college or center for their intent to be present on college premises no fewer than three working days prior to soliciting signatures. Upon obtaining authorization, representatives shall be provided a written version of this regulation.

Specific procedures on how to implement the Petition Signature regulation can be found in Appendix S-14.

AMENDED through the Administrative Regulation approval process, July 6, 2010
ADOPTED through the Administrative Regulation approval process, July 18, 2002

2.4.9 Use of College Grounds by Non-MCCCD-Affiliated Users

In contrast to traditional public forums such as a public square, park, or right of way, Maricopa’s campuses are dedicated by law to the purpose of formal education. They are, and have been since their creation, for the use and benefit of prospective and enrolled students, the Maricopa employees who serve them, and those who are invited to campus by members of the College community to attend or participate in sponsored events. The Maricopa County Community College District (MCCCD) has a long history of regulating the time, place, and manner in which expressive activities are conducted on campuses, for the purposes of avoiding disruption or interference with its educational activities, and protecting the rights of the members of the campus community and their invited guests to express themselves and access information. While members of the general community always have been welcome to share their ideas with the campus community, they are subject to reasonable, content-neutral regulation of the time, place and manner of the event and to the institution’s mission-based priorities – including but not
limited to the need to provide an environment conducive to teaching and learning.

**POLICY**

This administrative regulation governs use of the college grounds, defined as the open areas and walkways of the campus by non-MCCCD-affiliated users. Use of college facilities is governed by a separate administrative regulation. Parking lots are not available for events and activities other than those sponsored and authorized by the College president.

Camping is not permitted anywhere on the campuses. Camping is defined as the use of college grounds or facilities for living accommodations or housing purposes such as overnight sleeping or making preparations for overnight sleeping (including the laying down of bedding for the purpose of sleeping), the making of any fire for cooking, lighting or warmth, or the erection or use of tents, motor vehicles, or other structures for living or shelter. These activities constitute camping when it reasonably appears, in light of all the circumstances, the participants conducting these activities intend to use or are using the facilities or grounds for living accommodations or housing, regardless of the duration or other purpose of the use.

Lawful use of college grounds for events or expressive activities by individuals, groups, and organizations may be authorized by college officials when the events and activities are lawful and consistent with the non-profit, educational nature of the campus, authorized and conducted in accordance with MCCCD policies, administrative regulations and priorities, and compliant with reasonable restrictions as to time, place, and manner. The content of the expression will not be a factor in authorizing, locating, or scheduling decisions. However, events and activities will not be permitted to disrupt or obstruct the teaching, research, or administrative functioning of the College by means of physical obstacles and crowds, by the creation of sound or noise that would interfere with teaching, learning, and the conduct of College business, or by any other means. Each College president will designate a Responsible College Official with delegable authority to approve, locate, and schedule use of college grounds.

**Permit Application:** Any non-MCCCD-affiliated organization, group, or individual desiring to use campus grounds for an event or activity must submit a request form to the Responsible College Official in advance of the use date.

If the activities proposed in the application are limited to low-impact, non-commercial activities the request form shall be submitted at least two business days in advance of the expected use date. For purposes of this administrative regulation, “low-impact, non-commercial activities” are defined as: (1) activities that do not seek to sell or promote a product or service for direct or indirect financial gain; (2) activities that are limited to gatherings of five people or less at any given time; and (3) activities that do not involve machinery, temporary structures, tables, chairs, displays or electronic equipment, including amplifiers, or the distribution of food products.

For events that are not low-impact, non-commercial activities, the request form shall be submitted at least seven business days before the expected use. The additional advance time is required to allow the College to prepare for conditions that may affect the flow of foot traffic, involve signs and displays, create crowds, involve significant numbers of participants, or require the use of significant amounts of space and/or use of equipment and resources.

**Designated Areas:** Because each College has a limited amount of outdoor space, activities and events sponsored by non-MCCCD-affiliated users, including speech and literature distribution, shall be restricted to designated areas. For each College, the Responsible College Official shall establish specific designated areas for such activities. A written description of these areas shall
be maintained at the office of Student Life and Leadership for each College. Consistent with the goal of providing a healthy, comfortable, and educationally productive environment, the Responsible College Official should attempt to locate the designated areas in prominent locations on campus where there is a likelihood of significant pedestrian traffic. The designated areas shall not be located in building stairways and entryways, parking lots, or congested areas. The Responsible College Official will make every effort to assign users to their requested space when a specific space is desired. However, in order to ensure the potential success of all scheduled events, the College reserves the right to assign an event or activity to the area the College deems most appropriate in light of the campus capacity, other activities scheduled, and the type of event or activity being planned.

**Use Fees and Proof of Insurance:** To offset the costs associated with the use of college grounds, non-MCCCD-affiliated users shall be required to pay a fee of $50 per day or $125 per week. In order to protect the health and safety of College students, faculty and staff and to protect MCCCD resources, non-MCCCD-affiliated users shall also be required to provide proof of insurance that indicates at least $1 million in general liability coverage and names the MCCCD as an additional insured for the anticipated use date.

The fee and proof-of-insurance provisions of this Administrative Regulation shall not be applied to low-impact, non-commercial users. A user may request designation as a low-impact, non-commercial user from the applicable College’s Responsible College Official. Any questions or comments about the criteria for approval or denial of such request shall be directed to the District Ombudsman.

**Permits:** The approved request form will describe the location of the authorized activity and any other restrictions specific to the event. Violation of the terms of the permit, District policy, administrative regulation or law shall be grounds for immediate revocation of the permit, and the individual violators and their organizations may be banned from the campus.

**Priorities and Criteria for Approval of Permits:** The content or subject of the proposed expressive activity or event will not affect approval of the application. Availability of space is not guaranteed. Reservations shall be approved on a space-available basis and will be addressed on a first come-first served basis, subject to the following priorities and criteria for the use and scheduling of space on campus grounds:

**Scheduling Priorities (in order)**
1. The use of facilities and grounds for the operations of the College. For example, there are times when the college is unusually crowded by members of the campus community, such as registration and orientation at the beginning of the semester. Other uses may reasonably be precluded during those times.
2. Activities and events sponsored by the College administration.
3. Activities and events sponsored by MCCCD student organizations or employee groups.
4. Activities of non-MCCCD-affiliated individuals and organizations.
5. Commercial advertising or activities.

**Criteria**
1. Capacity of college grounds to accommodate the number of participants at the scheduled time and proposed location.
2. Capacity of College Safety staff to provide security for all events and activities scheduled at the time.
3. Possible interference or conflict with College operations or other scheduled activities and events on the grounds.
4. General feasibility of hosting the event as proposed.

**Other Policies:** This administrative regulation will be applied in conjunction and coordination...
with all other MCCCD policies and administrative regulations and College processes and procedures, including but not limited to regulations on facilities use, signage, sales of alcohol and/or food, and solicitation of donations.

Specific procedures on how to implement the Use of College Grounds regulation can be found in Appendix S-15.

AMENDED via direct approval by the Chancellor, March 13, 2012
AMENDED through the Administrative Regulation approval process, July 6, 2010
ADOPTED through the Administrative Regulations approval process, July 12, 2001

2.4.10 Children on Campus
Children (younger than 18) may not attend any class unless they are officially registered for the class.

Children will not be allowed on campus unless participating in an authorized college program or under the supervision of an adult.

2.4.11 Crime Awareness and Campus Security Act
Federal legislation requires the college to maintain data on the types and number of crimes on college property as well as policies dealing with campus security. To obtain additional information on this subject, contact the college Safety and Security Department.

2.4.12 Workplace Violence Prevention
It is the policy of the Maricopa Community Colleges to promote a safe environment for its employees, students, and visitors. The Maricopa Community Colleges are committed to working with its employees to maintain an environment free from violence, threats of violence, harassment, intimidation, and other disruptive behavior.

Violence, threats, harassment, intimidation, and other disruptive behavior in our facilities will not be tolerated, and it is the responsibility of all members of the Maricopa Community Colleges to report any occurrence of such conduct. Every employee, student and visitor on Maricopa Community College District property is encouraged to report threats or acts of physical violence of which he/she is aware. All reports will be taken seriously and will be dealt with appropriately. Such behavior can include oral or written statements, gestures, or expressions that communicate a direct or indirect threat of physical harm.

This policy applies to employees and students, as well as independent contractors and other non-employees doing business with the Maricopa Community Colleges. Individuals who commit such acts may be removed from the premises and may be subject to disciplinary action, criminal penalties, or both. The Chancellor is hereby instructed to enact all administrative regulations necessary to implement this policy.

2.4.13 Student Right to Know
Under the terms of the Student Right To Know Act, the college must maintain and report statistics on the number of students receiving athletically related student aid reported by race and sex, the graduation rate for athletes participating in specific sports reported by race and sex, the graduation rate for students in general, reported by race and sex and other similar statistics. To obtain copies of these reports, contact the Office of Admissions and Records.