



Photo courtesy of Corie Howell

CHAPTER 10 POLICIES AND PROCEDURES

Policies of the Ohlone Community College District are posted on the Ohlone College Web site at www.ohlone.edu/org/board/policy and contained in the District Board Policy Manual. Copies of the manual may be consulted in the Ohlone College Library and the Office of the President/Superintendent.

Information about policies and procedures relating to admission, residency and fees, and academic regulations are included in the related sections of this catalog.

EQUAL EDUCATIONAL AND EMPLOYMENT OPPORTUNITY

Ohlone College maintains an atmosphere that is welcoming to all students and conducive to their academic and personal success. The College provides an environment free of all forms of harassment, in which all students and employees are treated with dignity and respect.

Ohlone College is committed to equal opportunity in educational programs, employment, and campus life. The College does not discriminate on the basis of age, ancestry, color, disability, gender, marital status, national origin, parental status, race, religion, sexual orientation, or veteran status in any access to and treatment in College programs, activities, and application for employment.

Equal educational opportunity includes, but is not limited to, admission, recruitment, extracurricular programs and activities, facilities, access to course offerings, counseling and testing, financial assistance, employment, physical education, and athletics. Equal employment opportunity includes, but is not limited to, providing and safeguarding the opportunity for all persons to seek, obtain, and hold employment and qualify for advancement in the District without discrimination.

Ohlone College is committed to nondiscrimination in compliance with the Civil Rights Act; Title IX of the Education Amendments of 1972; the Rehabilitation Act of 1973 (Sections 503 and 504); the Americans with Disabilities Act of 1990; Executive Orders 11246 and 11375; the Vietnam Era Veterans Readjustment Act of 1974; the Age Discrimination in Employment Act of 1967; and nondiscrimination laws of the State of California.

Ohlone College is committed to the civil rights responsibilities spelled out in The Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex and Handicap in Education Programs, spelled out in Title VI of the Civil Rights Act. As such, the lack of English language skills will not be a barrier to admission and participation in vocational educational programs at Ohlone College.

Inquiries regarding equal opportunity and nondiscrimination may be made as follows:

Staff inquiries to:

Dean, Human Resources
Ohlone College, Building 1
P.O. Box 3909
Fremont, CA 94539
(510) 659-6088

Student inquiries to:

Associate Vice President, Student Services
Ohlone College, Building 1
P.O. Box 3909
Fremont, CA 94539
(510) 659-6262

Inquiries related to Title IX and Title IX compliance may be made as follows:

Staff inquiries to:

Dean, Human Resources
Ohlone College, Building 1
P.O. Box 3909
Fremont, CA 94539
(510) 659-6088

Student inquiries to:

Vice President, Instruction and Student Services/
Deputy Superintendent
Ohlone College, Building 1
P.O. Box 3909
Fremont, CA 94539
(510) 659-6220

Inquiries related to compliance with the Americans with Disabilities Act and the Rehabilitation Act of 1973 may be made as follows:

Vice President, Administration and Information
Technology/Deputy Superintendent
Ohlone College, Building 1
P.O. Box 3909
Fremont, CA 94539
(510) 659-6210

Inquiries related to Sexual Harassment may be made as follows:

Staff inquiries to:

Dean, Human Resources
Ohlone College, Building 1
P.O. Box 3909
Fremont, CA 94539
(510) 659-6088

Student inquiries to:

Associate Vice President, Student Services
Ohlone College, Building 1
P.O. Box 3909
Fremont, CA 94539
(510) 659-6262

Spanish, Chinese, Vietnamese, and Farsi versions of the Equal Educational and Employment Opportunity Policy are available in the Office of Admissions and Records in Building 1, first floor or by calling (510) 659-6100.

POLICIES AND PROCEDURES, STUDENT LIFE

Copies of policies and procedures which relate specifically to student life are available from a distribution rack in Building 1, first floor and from the offices of Campus Activities and the Associate Vice President, Student Services in Building 1, first floor.

Such policies and procedures include the following:

Academic Dishonesty Policy
Civil Rights Complaint
Equal Educational and Employment Opportunity
General Complaint Procedures



Photo courtesy of College Relations

Section 504/ADA Complaint
Sexual Harassment Policy
Standards of Student Conduct and Discipline and
Due Process Procedures
Title IX Complaint Procedures

Following are summaries and information from policies which relate to student life. Students are advised to read carefully the Catalog and Class Schedule for information about policies and procedures and to obtain full copies of the documents which may relate to their concerns.

Spanish, Chinese, Vietnamese, and Farsi versions of the Complaint Procedures, Equal Educational and Employment Opportunity Policy, financial aid information, and descriptions of vocational education programs are available in the Office of Admissions and Records at (510) 659-6100.

STUDENT ACCESS TO RECORDS

Any student may request to review the contents of his or her academic file by completing a form in the Office of Admissions and Records during normal window hours. Any student may challenge the contents and accuracy of the records by requesting, in writing, a review of the records with the Registrar or with the Dean, Enrollment Services and Institutional Research. All such requests for review will be honored within fifteen working days.

Students do not have access to:

- Information provided by a student's parents relating to applications for financial aid or scholarships;
- Physicians', psychiatrists', or psychologists' reports;
- Information maintained by Campus Security;
- Instructors' personal records regarding a student.

ACADEMIC DISHONESTY AND ITS CONSEQUENCES

Students at Ohlone College are expected to pursue their course work with integrity and honesty. Academic dishonesty occurs when a student attempts to show possession of a level of knowledge or skill which he or she does not possess. The two most common kinds of academic dishonesty are cheating and plagiarism. Cheating is the act of obtaining or attempting to obtain credit for academic work through the use of dishonest, deceptive, or fraudulent means. Plagiarism is when students represent the work of someone else as their own and submit it to fulfill academic requirements. Students are responsible for knowing what constitutes academic dishonesty and for consulting with instructors about questions or concerns. Copies of the Policy on Academic Dishonesty are available from the information rack in Building 1 and from the Associate Vice President, Student Services.

COMPLAINT PROCEDURES

Students may file a complaint when they believe that a College faculty or staff member has violated College rules, policies, or procedures, or other local, state, or federal laws including the Civil Rights Act; Title IX of the Education Amendments of 1972; the Rehabilitation Act of 1973 (Sections 503 and 504); the Americans with Disabilities Act of 1990; Executive Orders 11246 and 11375; the Vietnam Era Veterans Readjustment Act of 1974; the Age Discrimination and Employment Act of 1967; and the nondiscrimination laws of the State of California. The following is a list of types of complaints considered under these procedures.

Academic Complaint

An academic complaint may be filed with a Division Dean when a student feels that a faculty member has violated state law, federal law, or College policies and procedures relative to grading or other academic matters.

All grades awarded by the instructor of record shall be final. The California State Education Code §55760 permits a complaint to be filed with respect to grading only in situations where a grade was assigned due to "mistake, fraud, bad faith, or incompetence."

General Student Complaint

A general student complaint may be filed by a student who feels an action of a College staff member, office, or group violates existing College rules, policy, or procedures or other local, state, and federal laws. A complaint of discrimination, ADA compliance, or sexual harassment is not included in this category.

The Complaint Procedures are formalized procedures to ensure timely resolution at the lowest possible level. The first step is the informal resolution stage which involves the student who has a complaint and the staff member or specific group with whom the student has a complaint. The student must notify the staff person or representative of a group that s/he wishes to make an appointment for an informal meeting to review an action within ten (10) days of its occurrence. In the absence of the instructor or staff person and after a good faith effort to make contact, the student may directly contact the Division Dean. Additional information is available from the Associate Vice President, Student Services.

Title IX Complaint

These procedures are used when a complaint concerns discrimination on the basis of sex including sexual harassment. The procedures are available from the information rack in Building 1, first floor and from the Vice President, Instruction and Student Services/Deputy Superintendent, who serves as compliance officer for student matters regarding Title IX regulations.

Section 504/ADA Complaint

These procedures are used when a complaint concerns matters pertaining to compliance with the Americans with Disabilities Act (ADA) and discrimination on the basis of a disabling condition. The procedures are available from the information rack in Building 1, first floor and from the Associate Vice President, Student Services. The Vice President, Administration and Information Technology/Deputy Superintendent serves as compliance officer for student matters concerning ADA regulations.

Civil Rights Complaints

These procedures are used when a complaint concerns matters of discrimination or failure to comply with College policy or procedures or federal and/or state regulations including the Civil Rights Act; Title IX of the Education Amendments of 1972; the Rehabilitation Act of 1973 (Sections 503 and 504); the Americans with Disabilities Act of 1990; Executive Orders 11246 and 11375; the Vietnam Era Veterans Readjustment Act of 1974; the Age Discrimination and Employment Act of 1967; and the nondiscrimination laws of the State of California. The procedures are available from the information rack in Building 1 and from the Associate Vice President, Student Services. The Vice President, Instruction and Student Services/Deputy Superintendent serves as the compliance officer of all the above except ADA and Rehabilitation Act of 1973 complaints. The Vice President, Administration and Information Technology/Deputy Superintendent serves as the compliance officer for ADA and Rehabilitation Act of 1973 complaints.

Students wishing to pursue a civil rights complaint beyond the college level should direct their inquiries to the Office of Civil Rights, United States Department of Education, 50 United Nations Plaza, Room 239, San Francisco, CA 94102.

Sex Discrimination and Sexual Harassment

It is the policy of the Ohlone Community College District to provide an educational, employment, and business environment free of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communications constituting sexual harassment and/or sex discrimination as defined and otherwise prohibited by federal and state law. Engaging in sexual harassment and/or sex discrimination within the College environment and during any offcampus Collegesponsored activities is unacceptable and shall be a violation of this policy. Sanctions shall be taken against any student, employee, or nonemployee conducting business with the District who engages in sexual harassment and/or sex discrimination.

Definition of Sexual Harassment

Sexual harassment is defined as unwelcome sexual advances, request for sexual favors, or other verbal or physical conduct of a sexual nature that:

- is made either explicitly or implicitly a term or condition of an individual's educational status or employment;
- is used as a basis for educational or employment decisions affecting such individual;
- has the purpose or the effect of unreasonably interfering with an individual's educational or work performance or which creates an intimidating, hostile, or offensive educational or work environment.

Definition of Sex Discrimination

Sexual discrimination is defined as the differential treatment on the basis of sex in employment, educational programs, and activities. Examples of sexual discrimination in the treatment of students include, but are not limited to, admissions; access to programs and facilities; vocational education; physical education; competitive athletics; graduation requirements; student rules, regulations, and benefits; treatment of married and/or pregnant students' financial assistance; extracurricular activities; or comments consistently targeted at one gender.

COMPLAINT PROCESS

Ohlone College encourages prompt reporting of complaints so that rapid response and appropriate action may be taken. Information on the process, timelines, and forms to make an informal or formal complaint is available from the office of the Associate Vice President, Student Services located in Building 1 at (510) 6596262.

ALCOHOL AND DRUG ABUSE POLICIES

In accordance with Public Law 101-226 "Drug Free Schools and Communities Act Amendment of 1989," the Board of Trustees of the Ohlone Community College District prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol by any person on District property.

Any student or employee in violation of this policy is subject to disciplinary action up to, and including, expulsion from the District or termination from employment for violations of the standards of conduct. The decision to take disciplinary action in any instance rests with the Board of Trustees after consideration of the recommendation of the President/Superintendent of the Ohlone Community College District.

The possession, use, and sale of alcoholic beverages by anyone on the Ohlone Community College District controlled property is a misdemeanor as per California Business Code 25608 (community college) and a violation of the Standards of Student Conduct. The use, sale, or possession of any illegal drug is a violation of state law and any person found in violation may be subject to arrest by federal, state, local, or campus security authorities. Criminal prosecution is separate from any administrative discipline that may be imposed by the Ohlone Community College District.

Questions and suggestions regarding Campus Safety and Security may be directed to the Chief of Campus Police Safety/Security at (510) 659-6111.

SMOKING POLICY

Effective June 1, 2004, Ohlone College is a designated smoke-free college. Smoking is prohibited in all College vehicles, buildings, indoor and outdoor facilities, handicapped parking, and all open areas, except for general use parking lots. Violators shall be subject to appropriate disciplinary action that may include participating in a smoking cessation Internet presentation and counseling by the Student Health Center. Questions regarding this policy shall be directed to the Campus Safety Committee or Campus Security at (510) 659-6111. This policy supersedes any previous Ohlone College smoking policy.

STANDARDS OF STUDENT CONDUCT AND DISCIPLINE AND DUE PROCESS PROCEDURES

In joining the academic community at Ohlone College students have the right and share the responsibility to exercise the freedom to learn. Like other members of the academic community, students are expected to conduct themselves in accordance with standards of the College that are designed to perpetuate its educational purposes. These procedures are in accordance with California Education Code Section 66300, which requires each community college district to adopt standards of student conduct along with applicable penalties for violation.

- A. Students shall respect and obey civil and criminal law, and may be referred to law enforcement authorities for violation of laws of the city, county, state, and nation.
- B. A charge of misconduct may be imposed upon a student for violating provisions of Ohlone College regulations and the State Education and Administrative Codes as related to College attendance or while on College-owned or College-controlled property or at a College-sponsored activity (Education Code 76034). Examples of "cause" with respect to charges of misconduct are noted in Education Code Section 76033; authority for adoption of rules and regulations is noted in Section 76937. Violations of such codes and regulations, for which students are subject to disciplinary action, include, but are not limited to, the following:
 1. Dishonesty, such as cheating, plagiarism, or knowingly furnishing false information to the College;
 2. Forgery, alteration, or misuse of College documents, records, or identification;
 3. Obstruction or disruption of instruction, administrative processes, College activities, community services, disciplinary procedures, or other authorized College activities;
 4. Disrupting the peace or quiet of any part of the campus or of a member of the academic community by unauthorized loud or unusual noises; or by threatening conduct such as verbal abuse, quarreling, or challenging to fight; or by fighting;
 5. Continued disruptive behavior; continued willful disobedience; habitual profanity or vulgarity; or the open and persistent defiance of the authority of College personnel or persistent abuse of College personnel;
 6. Assault, battery, sexual assault, or any other threat of force or violence upon a student or College personnel;
 7. Stalking or any form of harassment of a member of the College community or visitor. Such conduct is defined as that which would cause a reasonable person to be severely distressed or fearful of physical harm.
 8. Willful misconduct which results in injury or death to a student or College personnel or which results in cutting, defacing, or other injury to any real or personal property owned by the District;
 9. Theft or damage to property belonging to the College, a member of the College community, or a campus visitor; any computer-related crime as identified by the California Penal Code (502[e][3]);
 10. Unauthorized entry to and/or use of College property;
 11. The use, sale, or possession on campus of or presence on campus under the influence of alcohol, narcotics, other hallucinogenic drugs or substances, or any poison classified as such by Schedule D in Section 4160 of the Business and Professions Code;
 12. Willful or persistent smoking or other tobacco use in any area where smoking or tobacco use have been prohibited by law or by regulation of the governing board;
 13. Gambling on College property or College-controlled property;
 14. Violation of College policies or campus regulations concerning the registration of student organizations; the use of College facilities; or the time, place, and manner of public expression; Failure to comply with lawful directions of College officials acting in performance of their duties;
 16. Possession or use of explosives, dangerous chemicals, or deadly weapons on College property or at a College function without prior authorization of the College President;
 17. Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.

Disciplinary Action

1. Disciplinary action may be taken as a result of student misconduct. Type of action shall be determined by the appropriate College official(s) directly and/or with recommendation of the Student Conduct Board. Penalties are listed in the degree of severity, but not in chronological administration.
 - a. *Warning:* Notice to student, oral or in writing, that continuation or repetition of wrongful conduct may be cause for additional disciplinary action.
 - b. *Reprimand:* Written statement of violation of a specified regulation including the possibility of more extreme disciplinary action.
 - c. *Disciplinary Probation:* Exclusion from participation in privileges or extracurricular College activities set forth in the written notice of disciplinary probation for a specified period of time.
 - d. *Summary Suspension:* A summary suspension is for purposes of investigation. It is a means of relieving the tension of the student body or individual class due to an alleged infraction of student conduct standards, removing a threat to the well-being of the students, or removing for the good order of the College a student or students whose presence would prevent the continued normal conduct of the academic community, protection of property, and of the educational process.
 - e. *Disciplinary Suspension:* Exclusion from classes and other privileges or activities as set forth in the notice of suspension for a definite period of time. May include exclusion from campus.
 - f. *Expulsion:* Termination of student status for an indefinite period. The conditions of readmission, if readmission is permitted, shall be stated in the order of expulsion.



Photo courtesy of Corie Howell

2. Any student suspended (disciplinary) or expelled who has violated Section 245 of the Penal Code (assault) must be reported to law enforcement authorities as stated in Education Code Section 76035.
3. Disciplinary actions are not recorded with a student's academic record. Disciplinary suspension and expulsion are recorded in the office of the Associate Vice President, Student Services, until date of removal of the disciplinary status.
4. Discipline policies (informal and formal) and Due Process Procedures are stated in the full policy and procedures document regarding student conduct.

STUDENT RIGHT-TO-KNOW

In compliance with the Student-Right-to-Know (SRTK) and Campus Security Act of 1990 (Public Law 101-542), it is the policy of the Ohlone Community College District and Ohlone College to make available its completion and transfer rates to all current and prospective students.

The completion rate is the percentage of students in the cohort who earned a degree or certificate, or could be considered transferable to a four-year institution (completed 56 or more transferable units with at least a 2.0 GPA). The transfer rate is the percentage of students in the cohort who have been identified as having transferred to another California Community College (CCC) or a four-year institution, but did not meet the criteria above to be classified as a completer.

The tables below present the SRTK rates for Ohlone College and statewide since 1998.

Completion Rate

	1998	1999	2000	2001
Ohlone College	34.3	33.8	40.2	41.9
Statewide	30.6	34.8	33.7	35.3

Transfer Rate

	1998	1999	2000	2001
Ohlone College	28.4	26.8	19.6	20.6
Statewide	27.0	23.6	22.1	21.4

It should be noted that the cohort used for STRK represents a very small proportion of the students at Ohlone College. Many students attend Ohlone with goals other than earning a degree or certificate or preparing to transfer to a four-year institution. In addition, the majority of Ohlone students attend on a part-time basis, thus excluding them from the STRK cohort.

AUTHORITY FOR LAW ENFORCEMENT

Campus Police Officers are granted authority to act as Police Officers by 830.32(a) of the Penal Code and 72330 of the Education Code. Campus Security Officers act as non-sworn officers only and do not have police powers. They take crime reports and reports of minor auto accidents, write parking citations, patrol the campus (on foot and in vehicles), and observe and report any unusual conditions or circumstances.

All officers working on campus (sworn and non-sworn) are required by law to attend the 832.2 P.C. School Peace Officers course or School Security Guard Course as required by the Peace Officer Standards and Training and the Department of Consumer Affairs.

Sufficient equipment, along with Post-trained and non-Post-trained personnel, shall be maintained to accomplish Campus Police Services' assigned responsibility of seven-day-a-week coverage of facilities owned, operated, or under the control of the Ohlone Community College District.

Crime Prevention and Safety Education

Campus Police Services distributes crime prevention material to the campus community. They make inspections of facilities to insure physical security; design and present programs to reduce risk from criminal acts; review plans and new construction additions to facilities to insure against design defects that could contribute to criminal acts; make preventative patrols of grounds; make necessary arrests and detentions; and interact with all other law enforcement and investigative agencies.

Crime prevention and safety brochures such as Preventing Sexual Assault, Escort Service, Earthquake Procedures, and Parking Rules and Regulations include safety tips and are provided by Campus Police Services. Material includes how to call Campus Police for emergencies and how to report crimes. These brochures are available to students upon request during registration for Fall and Spring Semesters and Summer Session and are available at various locations on campus. A rape awareness program is held at least once a year for both staff and students.

Reporting and Response Systems for Campus Police Services

The Procedures Manual contains the rules and regulations that govern the conduct of Campus Police Services personnel and enforcement procedure of the Ohlone Community College District. It is the responsibility of the Chief of Campus Police Services to maintain the Procedures Manual and communicate additions and deletions to employees.

An operational Memorandum of Understanding with the Fremont Police Department—which includes records, patrol, investigative, communications, and incarceration support—is maintained at the Campus Police Services Office. Fremont Police will be called for assistance in any instance where a major crime has been committed or for an auto accident in which there are visible injuries or complaint of pain.

Security of Facilities

Unauthorized persons are not allowed into buildings that are secured for evenings, weekends, and holidays. If an individual needs to gain entry into a building Campus Police Services personnel must first check that person's identification (unless the person is known). An entry is then made in the activity log stating the building, time, date, and name of the person allowed into the building. Campus Police Services has the authority to request Facilities staff to respond to situations that present a threat to the public safety and/or liability of the District.

Parking Policies

All parking rules are enforced during instructional periods and on weekends when special events or classes are being held. Most parking lots are open to students, visitors, and guests with the exception of parking lots A and B (except after 5:00pm); C (except for staff stalls); Q, T, and W. See the Ohlone College campus map for disabled parking locations; these are indicated with an asterisk (*).

Parking vending machines are available in lots C, D, H, and M for visitors, guests, and students to purchase daily parking permits. Parking meters are located in lots M and N. These parking stalls are used by visitors, guests, and students for up to one-hour parking. Daily and semester permits are not valid in these parking stalls. Students who do not have a semester parking permit must purchase a daily parking permit. Semester parking permits are not valid in lots M, N, or O.

Disabled persons displaying either State of California license plates issued for disabled parking purposes or permits obtained from Ohlone College's Disabled Student Programs and Services may park in spaces reserved for the disabled. These spaces are marked with the standard blue painted disabled insignia. In addition to the disabled placard, an Ohlone College semester or daily permit must also be displayed. Disabled parking permits are available in the Disabled Student Programs and Services Office, (510) 659-6140, located in Building 5, first floor.

Parking Rules

1. Cars must park in marked stalls only, not on roadways, paths, etc.
2. Vehicles must be parked front bumper to front bumper. Do not back into stalls.
3. Motorcycles must be parked in the reserved motorcycle area in lot W. Motorcycles and bicycles are prohibited on campus walkways and in buildings.
4. Vehicles parked in permit only zones without the necessary permit are subject to citation or storage.
5. Yellow loading zones are for use by vendors and staff who must deliver bulky items. These zones are restricted to 15 minute parking.

6. Government vehicles engaged in required duties may park in all areas except fire lanes and disabled lots.
7. The use of skateboards and similar devices are prohibited on campus.
8. Driving is permitted on paved roads only.
9. The Fremont campus is closed from 11:00pm-5:00am.

All California Vehicle Code Laws apply on the Ohlone College campus, along with the following rules set by the Ohlone Community College District Board of Trustees:

1. The maximum speed limit is 25 m.p.h. on roadways and 15 m.p.h. in parking lots.
2. All traffic collisions must be reported.
3. Current registration and driver's license are required of all vehicle operators on campus.
4. No privately owned vehicles shall be washed, repaired, or stored on College property.
5. Alcoholic beverages are not permitted on campus.
6. Suspicious persons, incidents, or thefts should be reported directly to Campus Safety and Security at extension 6111 on campus or (510) 659-6111 if using a non-campus phone.

If a parking vending machine is broken, Campus Police Services should be notified immediately at (510) 659-6111 in order for the broken machine to be fixed.

Vehicles are not allowed on bus zones Key C and Key D. Persons may park in Key A and Key B to drop off or pick up passengers, as long as the driver does not leave the vehicle unattended.

There are emergency phones located outside on the second floors of Buildings 2, 4, 6, and 8 that directly connect to Campus Police Services. All campus pay-phones can be used at no charge to call Campus Police Services by dialing *81. Phones in the campus elevators also call Campus Police Services directly. Campus Police Services has a 24-hour hotline recording (510) 979-7997 which may be used to report crime or suspicious events.

For more information call (510) 659-6111 or go to the Campus Police Services Web site at <http://www2.ohlone.edu/org/security/>.