



## CHAPTER 10 POLICIES AND PROCEDURES

### ACADEMIC FREEDOM

The following academic freedom statement is from the Board of Trustees for the Ohlone Community College District Policy 4030.

- Reference: Title 5, Section 51023; Accreditation Standard II.A.7.
- Board Approved: 11/09/05

Citizens in a free society in order to discharge their responsibilities intelligently must examine, with critical judgment, all points of view on major issues.

The Governing Board of the Ohlone Community College District in order to create an environment and atmosphere most conducive to excellent teaching and to provide students with the most appropriate learning conditions approve the following policy for Academic Freedom:

The community having invested resources in a community college has the obligation to support and sustain an atmosphere which encourages the free exploration of ideas.

Academic Freedom includes the protection of the opportunity for the teacher to teach, and for the teacher and the student to study without coercion, censorship, or other forms of restrictive interference and that academic freedom encourages the flow of ideas with the recognition that freedom to teach and freedom to learn imply both rights and responsibilities within the framework of the law.

Instructors as citizens, members of a learned profession, and representatives of the Ohlone Community College District shall be free from District censorship and discipline when speaking or writing. However, the special position of instructors imposes special obligations. Instructors, as representatives of the District, should be accurate, objective, exercise appropriate restraint, encourage a spirit of mutual respect for the opinion of others, and ensure the relevancy of subject matter to their instructional areas.

### Teaching Controversial Subjects

Citizens in a free society in order to discharge their responsibilities fully and intelligently must examine, with critical judgment, all points of view regarding major issues of their day and nation.

- A. *Objectivity*: Instructors shall maintain an attitude of objectivity on controversial topics when discussing them with students.
- B. *Respect for Others*: Instructors shall encourage a spirit of mutual respect for honest and informed opinions, regardless of how divergent they may be.
- C. *Relevant Data*: Instructors shall become fully informed about the various viewpoints on problems relevant to their instructional assignments and present pertinent and objective data to their students.
- D. *Suitable Learning Materials*: Instructors and librarians shall make available a variety of suitable learning materials from which students may obtain valid data dealing with the pros and cons of issues being studied.
- E. *Time Consideration*: A reasonable allocation of time shall be devoted to the study of any single issue, in accordance with the approved course outline and student needs.

## 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 non-discrimination 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 non-discrimination 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 non-discrimination may be made as follows:

### Staff inquiries to:

Associate Vice President, Human Resources and Training  
Ohlone College  
Building 1  
43600 Mission Boulevard  
Fremont, CA 94539  
(510) 659-6088

### Student inquiries to:

Vice President, Student Services  
Ohlone College  
Building 7  
43600 Mission Boulevard  
Fremont, CA 94539  
(510) 659-6262  
or  
Associate Vice President, Academic Affairs  
Ohlone College  
Newark Center for Health Sciences and Technology, Room NC1217  
39399 Cherry Street  
Newark, CA 94560  
(510) 742-2302



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

Staff inquiries to:

Associate Vice President, Human Resources and Training  
Ohlone College  
Building 1  
43600 Mission Boulevard  
Fremont, CA 94539  
(510) 659-6088

Student inquiries to:

Vice President, Academic Affairs/Deputy Superintendent  
Ohlone College  
Building 1  
43600 Mission Boulevard  
Fremont, CA 94539  
(510) 659-6220  
or  
Associate Vice President, Academic Affairs  
Ohlone College  
Newark Center for Health Sciences and Technology, Room NC1217  
39399 Cherry Street  
Newark, CA 94560  
(510) 742-2302

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

Associate Vice President, Human Resources and Training  
Ohlone College  
Building 1  
43600 Mission Boulevard  
Fremont, CA 94539  
(510) 659-6088  
or  
Associate Vice President, Academic Affairs  
Newark Center for Health Sciences and Technology, Room NC1217  
39399 Cherry Street  
Newark, CA 94560  
(510) 742-2302

Inquiries related to Sexual Harassment may be made as follows:

Staff inquiries to:

Associate Vice President, Human Resources and Training  
Ohlone College  
Building 1  
43600 Mission Boulevard  
Fremont, CA 94539  
(510) 659-6088

Student inquiries to:

Vice President, Student Services  
Ohlone College  
Building 7  
43600 Mission Boulevard  
Fremont, CA 94539  
(510) 659-6262  
or  
Associate Vice President, Academic Affairs  
Newark Center for Health Sciences and Technology, Room NC1217  
39399 Cherry Street  
Newark, CA 94560  
(510) 742-2302

Spanish, Chinese, Vietnamese, and Farsi versions of the Equal Educational and Employment Opportunity Policy are available in the Class Schedule.

## **POLICIES AND PROCEDURES, STUDENT LIFE**

Copies of policies and procedures which relate specifically to student life are available from a the Office of the Vice President, Student Services in Building 7, first floor on the Fremont campus and online at <http://www.ohlone.edu/org/studentservices>.

Such policies and procedures include the following:

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

## **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 on the Fremont campus 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 Director, Admissions and Records or with the Vice President, Student Services. All such requests for review will be honored within fifteen working days.

### **Did you know???**

Ohlone won the 2010  
State Championship in Men's Baseball!

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

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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 Office of the Vice President, Student Services in Building 7, first floor on the Fremont campus; from the Vice President, Student Services, Fremont campus; and online at <http://www.ohlone.edu/org/studentservices/academic-dishonesty.html>.

## COMPLAINT PROCEDURES

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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 non-discrimination 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 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 the student wishes to make an appointment for an informal meeting to review an action within ten 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 Vice President, Student Services on the Fremont campus and from the Associate Vice President, Academic Affairs on the Newark campus.

### 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 7, first floor on the Fremont campus, and online at <http://www.ohlone.edu/org/studentservices/docs/titleixcomplaintprocedures.pdf>. The Vice President, Academic Affairs/Deputy Superintendent, 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 Office of the Vice President, Student Services in Building 7, first floor on the Fremont campus and online at <http://www.ohlone.edu/org/studentservices/docs/-complaintprocedures.pdf>. The Associate Vice President, Human Resources and Training 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 Office of the Vice President, Student Services in Building 7, first floor on the Fremont campus and online at <http://www.ohlone.edu/org/studentservices/-docs/complaintprocedures.pdf>. The Associate Vice President, Human Resources and Training serves as the compliance officer of all the above except ADA and Rehabilitation Act of 1973 complaints. The Associate Vice President, Human Resources and Training 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 off campus College sponsored activities is unacceptable and shall be a violation of this policy. Sanctions shall be taken against any student, employee, or non employee 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 Vice President, Student Services located in Building 7, first floor on the Fremont campus, (510) 659-6262 or from the office of the Associate Vice President, Academic Affairs, located in room NC1217 on the Newark campus, (510) 742-2302.



## 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

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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 at the Fremont campus. At the Newark Center for Health Sciences and Technology smoking is also prohibited in the parking lots, as the entire Newark campus is smoke free.

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

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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;
15. 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.
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 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 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 2002.

### Completion Rate

	2002	2003	2004	2005	2006
Ohlone College	39.0%	45.2%	25.6%	29.5%	27.7%
Statewide	36.0%	35.6%	24.8%	24.1%	24.8%

### Transfer Rate

	2002	2003	2004	2005	2006
Ohlone College	45.1%	13.8%	27.1%	20.4%	23.0%
Statewide	29.6%	17.0%	25.1%	17.9%	16.7%

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.

## JEANNE CLERY ACT

What is the Jeanne Clery Act?

The "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act" (formerly the Campus Security Act) is a federal law that requires institutions of higher education (colleges and universities) in the United States to disclose campus security information including crime statistics for the campus and surrounding areas. It was first enacted by Congress in 1990 and amended in 1992, 1998, and 2000.

Who is Jeanne Clery?

In 1986 Jeanne Clery, a freshman at Pennsylvania's Lehigh University, was murdered and sexually assaulted in her campus residence hall room by another student she didn't know. Her school hadn't informed students about 38 violent crimes on campus in the three years preceding her murder. Clery's parents, Connie and Howard, led the crusade to enact the original Campus Security Act. In 1998, Congress formally named the law in memory of Jeanne Clery.

Which schools must comply with the Clery Act?

All institutions of postsecondary education, both public and private, that participate in federal student aid programs must publish and disseminate an annual campus security report as well as make timely warnings of any criminal activities.

What does a school have to disclose under the Clery Act?

Schools must publish and disseminate an annual campus security report containing various security policies and three years worth of crime statistics. They must also issue timely warnings about crimes that pose an ongoing danger. Schools with a police or security department of any kind must also maintain a public crime log of all crimes reported to that department.

Who is entitled to receive information under the Clery Act?

Currently enrolled students and employees are to receive a school's annual campus security report automatically. Prospective students and employees are to be provided with information about the report and entitled to request a copy. The general public, including parents and the news media, have access to the public crime log as well.

Does a school have to submit their annual crime statistics to the Department of Education (DOE)?

Yes, they do. Schools have to report their crime statistics to the DOE through a specially designed Web site.

Do school officials other than law enforcement have reporting obligations under the Clery Act?

Yes, they do. All institutional officials with significant responsibility for campus and student activities have reporting obligations under the Clery Act. A school should have a policy for surveying these officials each year to determine if any of the covered crimes were reported to them. Only professional mental health and pastoral counselors are exempt from reporting.

Are schools required to include crimes reported to local police agencies?

Schools are required to "make a reasonable, good-faith effort to obtain statistics from outside" law enforcement agencies for inclusion in their annual report for all geographic areas including the main campus.

Does someone have to be convicted of a crime before it is reportable under the Clery Act?

Not necessarily. Convictions are not required under either the Clery Act or the FBI Uniform Crime Report (UCR) program for a crime to be reportable.

Who enforces the Jeanne Clery Act and what are the penalties for noncompliance?

The United States Department of Education is charged with enforcing the Jeanne Clery Act and may level civil penalties against institutions of higher education up to \$27,500 per violation or may suspend them from participating in federal student financial aid programs. Complaints of violations should be filed with DOE regional offices.

Do schools have to add arson and manslaughter, as well as a geographic breakdown to their annual crime statistics?

Yes, they do.

*(continued on next page)*

### Did you know???

Ohlone students who transfer to CSUs do so with entering grade point averages at or above the state average for all community colleges.

What is the difference between FBI's Uniform Crime Reporting (UCR) program and the Clery Act?

There are several key differences between how crime statistics are reported under the UCR program and the Clery Act. The UCR program is a voluntary program where law enforcement agencies submit monthly reports, while reporting under the Clery Act is mandatory and not limited to crimes reported to law enforcement. Additionally, some reporting categories are different, specifically simple theft is not included and the definition of sexual assault is broader under the Clery Act.

Does the Clery Act follow the guidelines established in the UCR program?

Where guidance from the UCR program does not conflict with Clery Act reporting requirements schools are expected to follow the classifying and scoring methods outlined in the FBI UCR Handbook.

If more than one crime occurs in the same incident, which offense is reported?

Under a UCR standard known as the "hierarchy rule" only the most serious (using the order found in the UCR Handbook) incident is to be reported in annual crime statistics. The crime log and timely warnings may reflect more than one crime.

## 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 college 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 Term and are available at various locations on campus. A rape awareness program is held at least once a year for both staff and students.

### Crime Statistics

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (commonly known as the Clery Act) is federal legislation designed to provide students, prospective students, and the public with uniform information from universities throughout the country on criminal problems and police and security issues. The following table meets all reporting requirements as set forth in the Clery Act. Criminal statistics are updated by October 1 of each year and include data from the three previous calendar years.

## Three Year Annual Crime Report

Crime Type	Fremont Campus			Newark Campus			College District Total		
	2007	2008	2009	2007	2008	2009	2007	2008	2009
<b>Homicide</b>	0	0	0	N/A	0	0	0	0	0
<b>Non-Negligent Manslaughter</b>	0	0	0	N/A	0	0	0	0	0
<b>Negligent Manslaughter</b>	0	0	0	N/A	0	0	0	0	0
<b>Forcible Sex Offenses/Rape ±</b>	4	0	0	N/A	0	0	4	0	0
<b>Non-Forcible Sex Offenses ‡</b>	0	0	0	N/A	0	0	0	0	0
<b>Robbery</b>	0	0	0	N/A	0	0	0	0	0
<b>Aggravated Assault</b>	1	2	0	N/A	0	0	1	2	0
<b>Burglary</b>	5	0	8	N/A	0	0	5	0	8
<b>Auto Theft</b>	6	2	1	N/A	0	0	6	2	1
<b>Arson</b>	0	0	0	N/A	0	0	0	0	0
<b>Theft/Larceny</b>	22	26	27	N/A	0	0	22	26	27
<b>Vandalism</b>	167	57	57	N/A	0	0	167	57	57
<b>Weapons Violations</b>	2	1	0	N/A	0	0	2	1	0
<b>Drug Violations</b>	2	2	0	N/A	0	0	2	2	0
<b>Alcohol Violations</b>	7	2	0	N/A	0	0	7	2	0
<b>Hate Crime (Assault)</b>	0	0	1	N/A	0	0	0	0	1

## REGISTERED SEX OFFENDERS: MEGAN'S LAW

### Notification

California Penal Code Section 290.01 requires every person who was convicted of a sex offense to register with the Campus Police Department of a college or university within five (5) days where he/she is:

1. Enrolled as a full-time student.
2. Enrolled as a part-time student.
3. Employed as a full-time staff, faculty, or instructor.
4. Employed as a part-time staff, faculty, or instructor.
5. Employed as a full-time or part-time classified employee.
6. Employed as a volunteer.
7. A contractor who is contracted by the College or University to work on campus.
8. A carrier driver who delivers to that College or University more than 14 consecutive days or 30 days in a calendar year (i.e. water delivery; mail; VTA drivers; Outreach drivers; armored car drivers; telephone, gas, and electricity technicians; computer technicians, office supply drivers, and others).

This section does not relieve the person to register as a Sex Offender with the jurisdiction where he/she is residing. The registrations as a Sex Offender with a College or University Police Departments are in addition to the registration with the local police and sheriff's departments.

## 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 and Newark Police Department – which includes records, patrol, investigative, communications, and incarceration support – is maintained at the Campus Police Services Office. Fremont Police or Newark 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 and the complaining party is transported to the hospital via ambulance.

## 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 (staff stalls only); Q, T, and W on the Fremont campus and those spaces designated as Administration or Police/Emergency Vehicle on the Newark campus. See the Ohlone College campus maps for disabled parking locations; these locations are indicated with an asterisk (\*).

Parking vending machines are available in each lot on the Newark campus and in lots C, D, H, M, and P on the Fremont campus for visitors, guests, and students to purchase daily parking permits. Lot N is restricted to carpool, Disabled parking, and coin operated meter parking. These parking stalls are used by visitors, guests, and students for up to one-hour parking. Daily and semester permits are not valid in metered parking.

Daily permits are valid at both campuses for the day purchased, regardless of which campus it was purchased at. Semester permits are valid on both campuses but are not valid in lots M, N, or O on the Fremont campus.

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 7, second floor on the Fremont campus.



## 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 (towing).
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 and Newark campuses are closed from 11:00pm-6:00am.

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. To report directly to the Newark campus, use extension 2311 on campus or (510) 742-2311 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 repaired.

On the Fremont campus 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.

On the Newark campus emergency phones are located in each parking lot, marked with a blue pole with a blue light on top. On the Fremont campus 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 Fremont campus payphones 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 contact Campus Police Services in Building 20 or call (510) 659-6111 or go to the Campus Police Services Web site at <http://www.ohlone.edu/org/security/>.