

Board Policies

Chapter 5

Student Services

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BP 5010 Admissions and Concurrent Enrollment

Reference: *Education Code Section 76000, 76001, 76002; Labor Code Section 3077*

Admission

Admissions to Ohlone is open to anyone who is a high school graduate, has a high school equivalency certificate or GED, or is 18 years of age or older and shows evidence of being able to profit from instruction. Students under 18 years of age qualify for admission by meeting one of the following requirements:

- Graduating from high school
- Passing the California High School Proficiency Examination (CHSPE) or General Education Development (GED) Examination
- Meeting the high school sophomore, junior, and senior admission requirements described in the Special Student Admissions section below

Special Student Admissions (K-12 Students)

K-12 students may take classes at Ohlone College with K-12 school permission and as space is available. Application information and forms are available on the College's website (www.ohlone.edu) and at local schools.

Special admission students shall conform to the College's academic rules and regulations and the code of conduct expected of all college students. Special status students must resubmit an application each term. PE classes are not open to K-12 students.

- Any student enrolled in K-12 may attend summer session. Special admission students shall conform to the College's academic rules, regulations and the code of conduct expected of all college students. Special status students must resubmit an application each term. PE classes are not open to K-12 students.
- High School Students Grade 10, 11, and 12: Ohlone College may admit high school students who – in the opinion of the Associate Vice President for Student Services or designee – can benefit from instruction. Approval of the student's parent or guardian and principal are required. Home school students may substitute a district office administrator's signature for the principal's signature.
- Exceptional Students K-9: Admission for exceptional students who have not yet completed 10th grade requires signatures of a student's parent or guardian, principal, a teacher, a letter of recommendation, and a written statement from the student.
- Any student whose age or class level is equal to grades K-12 is eligible to attend as a special full-time student. Full time enrollment demand additional processing through the office of Admissions and Records.

The President/Superintendent shall establish procedures regarding ability to benefit and admission of high school and younger students.

The President/Superintendent shall establish procedures regarding evaluation of requests for special full time or part time enrollment by a pupil who is identified as highly gifted.

Denial of Requests for Admission

- If the Board denies a request for special full time or part time enrollment by a pupil who is identified as highly gifted, the board will record its findings and the reason for denying the request in writing within 60 days.
- The written recommendation and denial shall be issued at the next regularly scheduled board meeting that occurs at least 30 days after the pupil submits the request to the district.

Claims for State Apportionment for Concurrent Enrollment

Claims for state apportionment submitted by the District based on enrollment of high school pupils shall satisfy the criteria established by statute and any applicable regulations of the Board of Governors.

The President/Superintendent shall establish procedures regarding compliance with statutory and regulatory criteria for concurrent enrollment.

See Administrative Procedures #5010.

BP 5015 Residence Determination

Reference: *Education Code Sections 68040; 76140; Title 5, Sections 54000, et seq.*

Students shall be classified at the time of each application for admission or registration as a resident or nonresident student.

A resident is any person who has been a bona fide resident of California for at least one year on the residence determination date. The residence determination date shall be the day immediately preceding the first day of a semester or summer session for which the student applies to attend.

Residence classification shall be made for each student at the time applications for admission are accepted or registration occurs and whenever a student has not been in attendance for more than one semester. A student previously classified as a nonresident may be reclassified as of any residence determination date.

The President/Superintendent shall enact procedures to assure that residence determinations are made in accordance with Education Code and Title 5 regulations.

See Administrative Procedures #5015.

BP 5020 Nonresident Tuition

Reference: *Education Code Sections 68050, 68051, 68052, 68130, 76141*

Nonresident students shall be charged nonresident tuition for all units enrolled.

Not later than January 1 of each year, the President/Superintendent shall bring to the Board for approval an action to establish nonresident tuition for the following fiscal year. The fee shall be calculated in accordance with guidelines contained in applicable state regulations and/or the California Community College Attendance Accounting Manual.

The President/Superintendent shall establish procedures regarding collection, waiver, and refunds of nonresident tuition.

See Administrative Procedures #5020.

BP 5030 Fees

Reference: *Education Code Sections 76300, et seq.*

The Board authorizes the following fees. The President/Superintendent shall establish procedures for the collection, deposit, waiver, refund, and accounting for fees as required by law. The procedures shall also assure those who are exempt from or for whom the fee is waived are properly enrolled and accounted for. Fee amounts shall be published in the college catalogs.

Enrollment fee: *Education Code Section 76300*

Each student shall be charged a fee for enrolling in credit courses as required by law.

Auditing fees: *Education Code 76370*

Persons auditing a course shall be charged a fee of \$15 per unit per semester. Students enrolled in classes to receive credit for 10 or more semester credit units shall not be charged this fee to audit three or fewer units per semester.

Health fee: *Education Code Section 76355*

The District shall charge each full time student a fee of \$13 for health supervision and services for both Fall and Spring semesters and \$10 for Summer Session.

Parking fee: *Education Code 76360*

Students shall be required to pay a fee, in an amount not to exceed \$26 per semester for parking services.

Instructional materials: *Education Code Section 76365; Title 5, Sections 59400, et seq.*

Students may be required to provide required instructional and other materials for a credit or non-credit course, provided such materials are of continuing value to the student outside the classroom and provided that such materials are not solely or exclusively available from the District.

Physical education facilities: *Education Code 76395*

Where the District incurs additional expenses because a physical education course is required to use non-district facilities, students enrolled in the course shall be charged a fee for participating in the course. Such fee shall not exceed the student's calculated share of the additional expenses incurred by the District.

Transcript Fees: *Education Code 76223*

The District shall charge a reasonable amount for furnishing copies of any student record to a student or former student. The President/Superintendent is authorized to establish the fee, which shall not to exceed the actual cost of furnishing copies of any student record. No charge shall be made for furnishing up to two transcripts of students' records, or for two verifications of various records. There shall be no charge for searching for or retrieving any student record.

International Students Application Processing Fee: *Education Code Section 76142*

The District shall charge students who are both citizens and residents of a foreign country a fee to process his or her application for admission. This processing fee and regulations for determining economic hardship may be established by the President/Superintendent. The fee shall not exceed the lesser of 1) the actual cost of processing an application and other documentation required by the U.S. government; or 2) one hundred dollars (\$100), which shall be deducted from the tuition fee at the time of enrollment.

See Administrative Procedures #5030.

BP 5035 Withholding of Student Records

Reference: *Title 5, Section 59410*

Students or former students who have been provided with written notice that they have failed to pay a proper financial obligation shall have grades, transcripts, diplomas, and registration privileges withheld.

BP 5040 Student Records and Directory Information

Reference: *Education Code Sections 76200, et seq.; Title 5, Sections 54600, et seq.*

The President/Superintendent shall assure that student records are maintained in compliance with applicable federal and state laws relating to the privacy of student records.

Any currently enrolled or former student of the District has a right of access to any and all student records relating to him or her maintained by the District.

No District representative shall release the contents of a student record to any member of the public without the prior written consent of the student, other than directory information as defined in this policy and information sought pursuant to a court order or lawfully issued subpoena, or as otherwise authorized by applicable federal and state laws.

Students shall be notified of their rights with respect to student records, including the definition of directory information contained here, and that they may limit the information.

Directory information shall include:

- Student's name, address, telephone number, date of birth, level of education, major, degrees received, and other educational institutions in which a student was previously enrolled.

Student participation in officially recognized activities and sports including weight, height and high school of graduation of athletic team members.

Degrees and awards received by students, including honors, scholarship awards, athletic awards and Dean's List recognition.

Any student who does not wish such information to be released about his or her status or participation must notify the Director, Admissions and Records in writing at the beginning of each semester or session of attendance.

See Administrative Procedures #5040.

BP 5050 Matriculation

Reference: *Education Code Sections 78210, et seq.; Title 5, Section 55500*

The District shall provide matriculation services to students for the purpose of furthering equality of educational opportunity and academic success. The purpose of matriculation is to bring the student and the District into agreement regarding the student's educational goal through the District's established programs, policies and requirements.

The President/Superintendent shall establish procedures to assure implementation of matriculation services that comply with the Title 5 regulations.

See Administrative Procedures #5050.

BP 5052 Open Enrollment

Reference: *Title 5 Section 51006*

All courses, course sections, and classes of the District shall be open for enrollment to any person who has been admitted to the college. Enrollment may be subject to any priority system that has been established. Enrollment may also be limited to students meeting properly validated prerequisites and co-requisites, or due to other practical considerations such as exemptions set out in statute or regulation.

The President/Superintendent shall assure that this policy is published in the catalog(s) and schedule(s) of classes.

See Administrative Procedures #5052.

BP 5055 Enrollment Priorities

Reference: *Title 5, Sections 51006, 58106, 58108*

The President/Superintendent shall establish procedures defining enrollment priorities, limitations, and processes for student challenge, which shall comply with Title 5 regulations.

See Administrative Procedures #5055.

BP 5110 Counseling

Reference: Education Code Section 72620; Title 5, Section 51018

Counseling services are an essential part of the educational mission of the District. The President/Superintendent shall assure the provision of counseling services including academic, career, and personal counseling that is related to the student's education.

Counseling shall be required for all first time students enrolled for more than six units, students enrolled provisionally, and students on academic or progress probation.

See Administrative Procedure #5110.

BP 5120 Transfer Center

Reference: *Title 5, Section 51027*

The District incorporates as part of its mission the transfer of its students to baccalaureate level institutions. The District further recognizes that students who have historically been underrepresented in transfer to baccalaureate level institutions are a special responsibility.

The President/Superintendent shall assure that a transfer center plan is implemented that identifies appropriate target student populations, is designed to increase the transfer applications of underrepresented students and complies with law and regulations.

See Administrative Procedures #5120.

BP 5130 Financial Aid

Reference: *20 U.S.C. Sections 1070, et seq.; 34 CFR Section 668;*
Education Code Section 76300

A program of financial aid to students will be provided, which may include, but is not limited to, scholarships, grants, loans, and work and employment programs.

All financial aid programs will adhere to guidelines, procedures and standards issued by the funding agency, and will incorporate federal, state and other applicable regulatory requirements.

The President/Superintendent shall establish, publicize, and apply satisfactory academic progress standards for participants in Title IV student aid programs.

See Administrative Procedures #5130.

BP 5140 Disabled Student Services and Programs

Reference: *Education Code Sections 67310, 84850; Title 5, Sections 56000 et seq.*

Students with disabilities shall be assisted to participate whenever possible in the regular educational programs in the District.

The Disabled Students Programs and Services (DSPS) program shall be the primary provider for support programs and services that facilitate equal educational opportunities for disabled students who can profit from instruction as required by federal and state laws.

DSPS services shall be available to students with verified disabilities. The services to be provided include, but are not limited to, reasonable accommodations, academic adjustments, accessible facilities, equipment, instructional programs, rehabilitation counseling and academic counseling.

No student with disabilities is required to participate in the Disabled Students Programs and Services program.

The President/Superintendent shall assure that the DSPS program conforms to all requirements established by the relevant law and regulations.

BP 5150 Extended Opportunity Programs and Services

Reference: *Education Code 69640 – 69656; Title 5 Sections 56200 et seq.*

Support services and programs that are in addition to the traditional student services programs shall be provided in order to assist students who have language, social, and economic disadvantages to succeed academically in the District.

The Extended Opportunity Programs and Services (EOPS) is established to provide services that may include, but are not limited to, outreach, recruitment, orientation, assessment, tutorial services, counseling and advising, and financial aid.

The President/Superintendent shall assure that the EOPS program conforms to all requirements established by the relevant law and regulations.

BP 5200 Student Health Services

Reference: *Education Code Section 76401*

Student health services shall be provided in order to contribute to the education aims of students by promoting physical and emotional well being through health oriented programs and services.

BP 5205 Student Accident Insurance

Reference: *Education Code Section 72506*

The District shall assure that students are covered by accident insurance in those instances required by law or contract.

BP 5210 Communicable Disease

Reference: Education Code Section 76403

The President/Superintendent shall establish procedures necessary to assure cooperation with local public health officials in measures necessary for the prevention and control of communicable diseases in students.

See Administrative Procedures #5210.

BP 5300 Student Equity

Reference: *Education Code Sections 66030; 66250, et seq.; 72010 et seq.;*
Title 5, Section 54220

The Board is committed to assuring student equity in educational programs and college services. The President/Superintendent shall establish and implement a student equity plan that meets the Title 5 standards for such a plan.

See Administrative Procedures #5300.

BP 5400 Associated Students Organization

Reference: *Education Code Section 76060*

The students of the District are authorized to organize a student body association. The Board hereby recognizes that association as the Associated Students of Ohlone College.

The Associated Students organization is recognized as the official voice for the students in District decision-making processes. It may conduct other activities as approved by the President/Superintendent. The Associated Students activities shall not conflict with the authority or responsibility of the Board or its officers or employees.

The Associated Students shall conduct itself in accordance with state laws and regulations and administrative procedures established by the President/Superintendent.

The Association Students shall be granted the use of District premises subject to such administrative procedures as may be established by the President/Superintendent. Such use shall not be construed as transferring ownership or control of the premises.

See Administrative Procedures #5400.

BP 5410 Associated Students Elections

Reference: *Education Code Section 76061*

The Associated Students shall conduct annual elections to elect officers. The elections shall be conducted in accordance with procedures established by the President/Superintendent.

Any student elected as an officer in the Associated Students shall meet both of the following requirements:

- The student shall be enrolled in the District at the time of election and throughout his or her term of office, with a minimum of five semester units or the equivalent.
- The student shall meet and maintain the minimum standards of scholarship (see Board Policy 4220 and related administrative procedures).

See Administrative Procedures #5410.

BP 5420 Associated Students Finance

Reference: *Education Code Sections 76063–76065*

Associated Student funds shall be deposited with and disbursed by the President/Superintendent.

The funds shall be deposited, loaned or invested in one or more of the ways authorized by law.

All funds shall be expended according to procedures established by the Associated Students, subject to the approval of each of the following three persons, which shall be obtained each time before any funds may be expended:

The President/Superintendent or designee;

The employee who is the designated adviser of the particular student body organization; and

A representative of the student body organization.

The funds of the Associated Students shall be subject to an annual audit.

BP 5500 Standards of Conduct

Reference: *Education Code Section 66300; Accreditation Standard II.A.7.b*

The President/Superintendent shall establish procedures for the imposition of discipline on students in accordance with the requirements for due process of the federal and state law and regulations.

The procedures shall clearly define the conduct that is subject to discipline, and shall identify potential disciplinary actions, including but not limited to the removal, suspension or expulsion of a student.

The Board shall consider any recommendation from the President/Superintendent for expulsion. The Board shall consider an expulsion recommendation in closed session unless the student requests that the matter be considered in a public meeting. Final action by the Board on the expulsion shall be taken at a public meeting.

The procedures shall be made widely available to students through the college catalog and other means.

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 Section 76033; authority for adoption of rules and regulations is noted in Education Code 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 or any part of the campus or 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 officials(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 defined 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 suspected (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 the 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.

See Administrative Procedures #5500.

BP 5550 Speech: Time, Place and Manner

Reference: *Education Code Section 76120*

The college(s) of the District is/are non-public forums, except for those areas, that are generally available for use by students or the community, which are limited public forums. The President/Superintendent shall enact such administrative procedures as are necessary to reasonably regulate the time, place and manner of the exercise of free expression in the limited public forums.

The administrative procedures promulgated by the President/Superintendent shall not prohibit the right of students to exercise free expression, including but not limited to the use of bulletin boards designated for such use, the distribution of printed materials or petitions in those parts of the college designated as areas generally available to students and the community, and the wearing of buttons, badges, or other insignia.

Students shall be free to exercise their rights of free expression, subject to the requirements of this policy.

Speech shall be prohibited that is defamatory, obscene according to current legal standards, or which so incites others as to create a clear and present danger of the commission of unlawful acts on District property or the violation of District policies or procedures, or the substantial disruption of the orderly operation of the District.

Nothing in this policy shall prohibit the regulation of hate violence, so long as the regulation conforms to the requirements of the First Amendment to the United States Constitution, and of Section 2 of Article 1 of the California Constitution. Students may be disciplined for harassment, threats, intimidation, or hate violence unless such speech is constitutionally protected.

See Administrative Procedures #5550.

BP 5570 Student Credit Card Solicitations

Reference: *Title 5 Section 54400; Civil Code Section 1747.02(m); Education Code Section 99030.*

The President/Superintendent shall establish procedures that regulate the solicitation of student credit cards on campus.

See Administrative Procedure #5570.

BP 5700 Athletics

Reference: *Education Code Section 78223, 66271.6, 66271.8*

The District shall maintain an organized program for men and women in intercollegiate athletics. The program shall not discriminate on the basis of gender in the availability of athletic opportunities.

The President/Superintendent shall assure that the athletics program complies with the California Community Colleges Commission on Athletics Constitution and Sports Guides, and appropriate Conference Constitution regarding student athlete participation.

See Administrative Procedure #5700.