

AP 3530 Weapons on Campus

References:

Penal Code Sections 626.9 and 626.10

Firearms, knives, explosives or other dangerous objects, including but not limited to any facsimile firearm, knife or explosive, are prohibited on any District campus or at any District center, or in any facility of the District.

Activities involving firearms or other weapons conducted under the direction of District officials or as authorized by an official law enforcement agency shall be reported to Campus Police Services before taking place.

Any person who believes that he or she may properly possess a firearm or other weapon on campus or in a District center or other facility of the District must promptly notify Campus Police Services.

Bringing or possessing any ice pick, or knife having a fixed blade longer than 2 1/2 inches upon the grounds is prohibited, unless the person is authorized to possess such a weapon in the course of his or her employment, has been authorized by a District employee to have the knife, or is a duly appointed peace officer, who is engaged in the performance of his or her duties.

AP 3540 Sexual Assaults on Campus

Reference:

Education Code Section 67385; 20 U.S.C. § 1092(f); 34 C.F.R. § 668.46(b)(11)

Any sexual assault or physical abuse, including, but not limited to, rape, as defined by California law, whether committed by an employee, student, or member of the public, occurring on District property, or on an off-campus site or facility maintained by the District, or on grounds or facilities maintained by a student organization, is a violation of District policies and regulations, and is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures. (See also AP 5500, Standards of Student Conduct.)

“Sexual assault” includes but is not limited to, rape, forced sodomy, forced oral copulation, rape by a foreign object, sexual battery, or threat of sexual assault.

These written procedures and protocols are designed to ensure victims of sexual assault receive treatment and information. (For physical assaults/violence, see also AP 3500, 3510, and 3515)

All students, faculty members or staff members who allege they are the victims of a sexual assault on District property shall be provided with information regarding options and assistance available to them. Information shall be available from Campus Police Services, which shall maintain the identity and other information about alleged sexual assault victims as confidential unless and until the Chief of Campus Police Services is authorized to release such information.

The Chief of Campus Police Services shall provide all alleged victims of sexual assault with the following, upon request:

- A copy of the District's policy and procedure regarding sexual assault;
- A list of personnel on campus who should be notified of the assault, and procedures for such notification, if the alleged victim consents; Those that would be notified would be: President/Superintendent, Vice President of Student Services, and the Coordinator of Personal Counseling.
- A description of available services, and the persons on campus available to provide those services if requested. Services and those responsible for provided or arranging them include:
 - transportation to a hospital, if necessary; (Campus Police Services)
 - counseling by the Student Health Center, or referral to a counseling center; (Student Health Center)
 - notice to the police, if desired; (Campus Police Services)
 - a list of other available campus resources or appropriate off-campus resources. (Campus Police Services)
- A description of each of the following procedures:
 - criminal prosecution;
 - civil prosecution (i.e., lawsuit);
 - District disciplinary procedures, both student and employee;
 - modification of class schedules;

- tutoring, if necessary.

All alleged victims of sexual assault on District property shall be kept informed, through Campus Police Services of any ongoing investigation. Information shall include the status of any student or employee disciplinary proceedings or appeal; alleged victims of sexual assault are required to maintain any such information in confidence, unless the alleged assailant has waived rights to confidentiality.

The District shall maintain the identity of any alleged victim or witness of sexual assault on District property, as defined above, in confidence unless the alleged victim or witness specifically waives that right to confidentiality. All inquiries from reporters or other media representatives about alleged sexual assaults on District property shall be referred to the District's Public Information Office, which shall work with Campus Police Services to assure that all confidentiality rights are maintained.

Additionally, the Annual Security Report will include a statement regarding the District's programs to prevent sex offenses and procedures that should be followed after a sex offense occurs. The statement must include the following:

- A description of educational programs to promote the awareness of rape, acquaintance rape, and other forcible and nonforcible sex offenses;
- Procedures to follow if a sex offense occurs, including who should be contacted, the importance of preserving evidence to prove a criminal offense, and to whom the alleged offense should be reported;
- Information on a student's option to notify appropriate law enforcement authorities, including on-campus and local police, and a statement that campus personnel will assist the student in notifying these authorities, if the student so requests;
- Information for students about existing on- and off-campus counseling, mental health, or other student services for victims of sex offenses;
- Notice to students that the campus will change a victim's academic situation after an alleged sex offense and of the options for those changes, if those changes are requested by the victim and are reasonably available;
- Procedures for campus disciplinary action in cases of an alleged sex offense, including a clear statement that:
 - The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding; and
 - Both the accuser and the accused must be informed of the outcome of any institutional disciplinary proceeding resulting from an alleged sex offense. Compliance with this paragraph does not violate the Family Educational Rights and Privacy Act. For the purposes of this paragraph, the outcome of a disciplinary proceeding means the final determination with respect to the alleged sex offense and any sanction that is imposed against the accused.
- A description of the sanctions the campus may impose following a final determination by a campus disciplinary proceeding regarding rape, acquaintance rape, or other forcible or nonforcible sex offenses.

Education and Prevention Information

Campus Police Services shall:

- Provide, as part of each campus' established on-campus orientation program, education and prevention information about sexual assault. The information shall be developed in collaboration with campus-based and community-based victim advocacy organizations.
- Post sexual violence prevention and education information on the campus internet website.
- Provide, when requested by students, staff or faculty, information about registered sex offenders on campus. Students, staff or faculty may also check with the Fremont and Newark police departments regarding registered sex offenders in the community, pursuant to Megan's Law.

AP 3560 Alcoholic Beverages

References:

Business and Professions Code Sections 24045.4, 24045.6, and 25608, 25658 (a)(b)

Alcoholic beverages on campus are permitted if:

The alcoholic beverage is for use during a non-college event at a performing arts facility built on district property and leased to a nonprofit public benefit corporation.

The alcoholic beverage is for use during a fundraiser held to benefit [a nonprofit corporation] that has obtained a license under the Business and Professions Code to do so provided that no alcoholic beverage can be acquired, possessed or used at any athletic contest sponsored by the District.

Every person who sells, furnishes, gives, or causes to be sold, furnished, or given away, any alcoholic beverage must be at a minimum, 21 years of age.

Every person who consumes any alcoholic beverage must be at a minimum, 21 years of age.

AP 3570 Smoking on Campus

References:

Government Code Sections 7596, 7597, and 7598;

Labor Code Section 6404.5;

Title 8, Section 5148

Ohlone College is a designated **smoke-free college**. Smoking is prohibited in all college vehicles, buildings, indoor and outdoor facilities, disabled parking and all open areas except for general use parking lots. At the Newark Center for Health Sciences and Technology, smoking is also prohibited in parking lots, as the entire campus will be smoke-free.