

CHAPTER 9 — THE STUDENT'S RIGHT TO KNOW!

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ACADEMIC FREEDOM

INSTRUCTORS

Instructors have the right to study and investigate, interpret their findings and express resulting conclusions to students. Instructors have the responsibility to be thorough in their investigations and to draw conclusions supported by the findings. Because human knowledge is limited and changeable, the instructor may present views which are controversial and evaluate opinions held by others while simultaneously respecting the right of their free expression. (Board Policy 4030)

STUDENTS

The students have the freedom to express and defend their views and to question or differ without suffering repression or scholastic penalty. Students have the same responsibilities as instructors to seek and weigh evidence, express supportable conclusions, identify bias and evaluate opinions held by others while respecting the right of their own free expression. (Board Policy 4030)

ACADEMIC RENEWAL BY REPETITION

Students may repeat any course, two times, in which they have received a "D" or "F" grade at this or another institution. The lower of the first two grades shall not be used in calculating the student's GPA.

No student may repeat a course in which a final grade of "C" or "CR" or better has been received unless the catalog entry with the course title indicates that credit may be earned more than once. Students' transcripts will show the grades for all courses taken.

ACTION GATHERING

Action gatherings on campus shall be confined to places, times and manner consistent with the orderly conduct of the college and the free flow of traffic. Requests for approval of such gatherings shall be made to the Director of Campus Life. Costs may be assessed to the sponsoring group for any additional services needed.

AUDITING

Auditing of classes is not permitted. All students must be registered, and all fees paid prior to attending any class.



CRIME POLICY

The Student Right-to-Know and Campus Security Act of 1990 requires all colleges to publish an annual Campus Crime and Security Report and to make this report available by September 1st of each year to all current students, employees and to prospective students and employees. The reports will report/disclose information on campus-based crimes and campus safety policies and procedures.

Methods of Disclosing to Current Students and Employees:

A direct mailing of the report via U.S. Postal Service or placing the report in campus mailboxes.

Methods of Disclosing to Prospective Students and Employees:

The report will be available at the Campus Police Office and various other offices on campus. Prospective students and employees may request a copy by contacting Campus Police at (408) 288-3735, 1st floor, Student Center. Access to the report is also available online at www.sjeccd.org/srtk/security.pdf.

DISABLED STUDENTS PROGRAM

BACKGROUND

The Americans with Disabilities Act (ADA) is a civil rights statute that prohibits discrimination against people with disabilities. This protection is similar to that given to women, minorities, and others through the Civil Rights Act of 1964. Protected are an estimated 43 million Americans with disabilities that substantially limit activities such as working, walking, talking, seeing, hearing, or caring for oneself. People who have a record of such an impairment and those regarded as having an impairment are also protected. This federal legislation prohibits discrimination based on disability, with the intent that our nation benefit from the skills and abilities of all individuals and increase their opportunities for self-sufficiency.

STUDENT RIGHTS

Students have the following rights under Section 504 of the 1973 Rehabilitation Act, as revised (29 U.S.C. 794), The American Disabilities Act 28 CFR 35.102-35.104, CA Assembly Bill 803 Government Code Section 11135 et. seq., and Title V, section 56008 of CA Education Code.

- Right to voluntary participation in the Disabled Students Program & Services (DSP&S).
- Right to confidentiality and protected disclosure of student records.
- Right to access to college classes, programs, activities, services and facilities to facilitate learning. The college will make every reasonable effort to provide access.
- Right to access information in the student's preferred mode, i.e. Braille, verbal transcription, sign language, etc.
- Deaf students have the right to an interpreter with whom they have clear communication.

- Right to an integrated setting to be with other students who are not disabled.
- A right to request an appropriate accommodation to facilitate participation in class and campus activities.
- Right to protection against discrimination based on association with a person with a disability. As a friend or companion of a student with a disability, a student should not be treated differently from other students who are non-disabled.
- Right to safety requirements based on actual risks, not speculation or stereotype.
- A right to participate in campus activities, class demonstrations, or laboratory experiments to the extent that a disability does not pose a risk to the student or to other students.
- Right to request academic adjustments to facilitate student participation in class work and campus activities.
- Right to modification in policies unless the modification fundamentally alters the nature of the services or activities. The student has the right to request changes in class or campus policies to facilitate the student participation in class and campus activities. Request will be evaluated in terms of how the modification might affect course standards.
- Right to protection against discrimination and harassment. Students have the right to participate in class and campus activities without being harassed or discriminated against.

If a student feels that he/she is the target of discriminatory treatment, the student can file a complaint with the section 504/Americans with Disabilities Act Coordinator.

Contact Person: Dr. Jim Williams, Vice President of Administrative Services
 Phone: (408) 223-3723
 Location: Business Services Office, B101
 Hours: Monday – Friday, 8 a.m. – 5 p.m.

STUDENT RESPONSIBILITIES

- To provide DSP&S documentation of disability.
- To request accommodations and access to college classes, programs, activities, services, and facilities in timely manner.
- To use accommodations appropriately.
- To notify DSP&S approximately 24 hours in advance for planned absences from classes where services are being provided, i.e. interpreters, readers. Failure to notify DSP&S may result in discontinued services.

DETERMINING NEED

Students who need academic adjustments must meet with Disabled Students Program and Services staff members to complete an application form, determine educational limitations and services needed, and complete a student educational contract. The DSP&S Student Handbook names the accommodations the college can arrange and specifies the process for requesting them.

CONTACT THE DSP&S OFFICE

The faculty and staff of the Disabled Students Program and Services Office are available for consultation on any questions you



standard of confidentiality is maintained. The ADA coordinator is also available to answer questions about the Americans with Disabilities Act.

TTY Phone Numbers

ADA Coordinator (Human Resources).....	531-1508
Adjunct ASL Instructors.....	292-0988
Associated Students/Office of	
Student Life.....	286-9025
Child Development Center.....	287-7240
Counselor for the Deaf.....	294-3447
Disabled Student Program.....	294-3447
District Police	238-7613
Interpreter Coordinator.....	995-5594
Library.....	993-0534
Pay Phone - Student Center	947-9317
TTY Relay Operator (outside line)	711

Questions about TTY numbers, please contact the Disabled Students Program, 288-3746.

DISTRIBUTION OF NON-COLLEGE PUBLICATIONS

No bulletin, circular, advertisement, film or publication of any character shall be distributed, sold or displayed on the San José/Evergreen Community College District campuses by any person, group or organization not directly under the jurisdiction of the college administration, unless prior written approval has been granted by the Office of Student Life. Approval will be contingent upon availability of bulletin board space and/or adequate facilities and compliance with applicable educational codes and civil statutes.

Student organizations wishing to engage in the above listed activities must have the consent of a faculty advisor and the Office of Student Life.

DRUG FREE WORK PLACE

San José/Evergreen Community College District (SJ/ECCD) maintains standards of conduct that clearly prohibit the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees at the District or at any District activity. The standards of conduct are more fully set forth in the following:

- Board Policy 1530, Drug Free Work Place
- Board Policy 5040.3, Standards of Student Conduct
- Education Code Sections 87732, 87735 and 87736

San José/Evergreen Community College District will seek sanctions on students and employees, up to and including recommendations for expulsion or dismissal from employment and referral for prosecution, for violations of the standards of conduct. Criminal sanctions for the unlawful possession or distribution of illicit drugs and alcohol include the following:

- Imprisonment in a State prison for possession of specified controlled substances, including opium derivatives and cocaine (Health and Safety Code Section 11350).
- Imprisonment in a State prison for two to four years for possession for sale of specified controlled substances, including opium derivatives and cocaine (Health and Safety Code Section 11351).
- Imprisonment in a state prison for three to five years for possession for sale of cocaine base (Health and Safety Code Section 11351.5).
- A fine of not more than \$100 for possession of less than 28.5 grams of marijuana; imprisonment in a county jail and/or fine of \$500 for possession of more than 28.5 grams of marijuana; imprisonment in a county jail and/or fine of not more than \$500 or imprisonment in a state prison for possession of concentrated cannabis (Health and Safety Code Section 11359).
- Imprisonment in a state prison for possession for sale of marijuana (Health and Safety Code Section 11359).
- Misdemeanor penalties for possession, sale or distribution of alcoholic beverages on school property (Business and Professions Code Section 25608).
- Misdemeanor penalties for sale or furnishing alcoholic beverages to minors (Business and Professions Code Section 25658).
- Fines for attempt to purchase alcoholic beverages by persons under the age of 21 (Business and Professions Code Section 25658.5).

MATRICULATION

DEFINITION

Matriculation is a state-mandated program designed to assist students in accomplishing their educational goals. It is an agreement between the college and the student.

San José City College agrees to provide an organized process of admission, orientation, assessment, counseling and student progress follow-up. The students agree to declare a specific educational objective, attend class regularly, complete assigned course work and maintain satisfactory progress toward the achievement of their educational plans.

GOAL

The primary goal of matriculation is to increase student success through institutional effectiveness. Success is measured by the attainment of student educational objectives. Matriculation is a coordinated process:

1. Assisting students to make wise educational choices concerning the programs and courses to pursue based upon



- clear and sensitive appraisals of their skills, interest and aptitudes in relation to the programs and courses offered.
2. Enabling students to complete with satisfactory grades the units they attempt and to persist from semester to semester.
 3. Identifying the support services that students need to succeed and referring students to college and community resources to meet those needs.
 4. Strengthening student motivation to succeed through the above and providing frequent feedback and encouragement.

ACTIVITIES

Admission: Students utilize online, mail-in, telephone, walk-in or in-class registration to expedite the entry process.

Orientation: Students obtain current materials on SJCC's programs, policies, procedures, locations and facilities through information sessions, orientations, schedules, career and transfer planning guides, catalogs, mailings, brochures, Web sites, and newsletters.

Assessment: Students are evaluated for current skill levels in reading, writing and math. District-approved, no-cost assessment instruments are used, and feedback is provided. Various assessment times and locations are available for accessibility. Career interest inventories and other specialized testing tools are available in the Career/Transfer Center.

Counseling: Students meet with educational counselors through walk-in and personalized appointments. Students learn about educational options including associate degrees, certificate programs, enrichment courses and weekend offerings. Counselors assist students in identifying their educational goals and in developing individualized plans to achieve them.

Student Progress follow-up: Students excelling in their course work are notified of honor lists and scholarships. Students encountering academic difficulties are referred to appropriate college services by counselors, instructors and staff members. Students having special needs are directed to additional follow-up resources within the college and community.

SUMMARY

Students who participate in matriculation have an increased potential for success. They are more motivated, knowledgeable and prepared to achieve their educational goals. For further information on matriculation, please call the Counseling Office at (408) 288-3750.

EXEMPTION CRITERIA

All students entering San José City College are expected to participate fully in matriculation services. They are also expected to meet course skill level requirements and prerequisites. Students may be exempted from assessment, orientation and/or counseling on the basis of the following criteria:

- Students who have earned an associate degree or higher from an accredited institution.
- New students transferring from a community college or a four-year institution.
- Students who, in the opinion of the Dean, or designee, would not directly benefit from participating in orientation, assessment and/or counseling.

PROCESS

Students who have earned an associate degree or higher from an accredited institution or are transferring from another community college or a four-year institution will need to provide the Office of Admissions and Records with written documentation.

Students who believe that they would not directly benefit from participating in orientation, assessment and/or counseling and have never attended a previous accredited institution must file a Matriculation Waiver form available in the Office of Admissions and Records.

ASSESSMENT FOR ENTRY PLACEMENT

Assessment for entry placement in reading, writing and mathematics is expected of all first-time matriculating students, except for those students who have completed required English and mathematics skill courses. New matriculating students who have earned an associate degree or higher from an accredited institution are not required to take the assessment.

Students are strongly encouraged to complete the no-cost assessment as the scores are used for advisory purposes during counseling sessions. Scheduled dates and times are available through the Office of Admissions and Records. The results are available immediately or shortly after completing the assessment. Assessed students are directed to speak with a counselor to determine course placements which are based upon multiple measures. Multiple assessment measures for entry placement decisions may include, but are not limited to, the following factors: assessment results, prior coursework or experience, goal definition, motivation, academic status, self-assessment and study skills.

PREREQUISITES, COREQUISITES AND OTHER LIMITATIONS ON ENROLLMENT

All prerequisites or corequisites identified in San José City College's catalog and class schedule were established according to state laws as outlined in the District's Model Plan. The following information is provided in compliance with those laws.

Except for district priority registration procedures for continuing students and courses or programs with prerequisites or corequisites, all San José City College classes are open to enrollment on a "first come first served" basis until they are filled to maximum capacity.

DEFINITIONS:

- "Prerequisite" means a condition of enrollment that a student is required to meet in order to demonstrate cur-



student is required to meet in order to demonstrate current readiness for enrollment in a course or educational program.

- “Corequisite” means a condition of enrollment consisting of a course that a student is required to simultaneously take in order to enroll in another course.
- “Advisory” means a condition of enrollment that is advised, but not required, to meet before or in conjunction with enrollment in a course or educational program.

PREREQUISITES, COREQUISITES, AND ADVISORIES ON RECOMMENDED PREPARATION CHALLENGE

The San José/Evergreen Community College District adopts the following in order to provide for the establishing, reviewing, and challenging of prerequisites, corequisites, advisories on recommended preparation and certain limitations on enrollment in a manner consistent with law and good practice.

A student may challenge any prerequisite or corequisite on one or more of the grounds listed below. The student shall bear the initial burden of showing that grounds exist for the challenge. Challenges shall be resolved in a timely manner and, if the challenge is upheld, the student shall be permitted to enroll in the course or program in question. Grounds for challenge are:

- The prerequisite or corequisite has not been established in accordance with the district’s process for establishing prerequisites and corequisites;
- The prerequisite or corequisite is in violation of Title 5;
- The prerequisite or corequisite is either unlawfully discriminatory or is being applied in an unlawfully discriminatory manner;
- The student has the knowledge or ability to succeed in the course or program despite not meeting the prerequisite or corequisite;
- The student will be subject to undue delay in attaining the goal of his or her educational plan because the prerequisite or corequisite course has not been made reasonably available.

PROCESS:

Students who believe that they have completed the prerequisite(s) or corequisite(s) for a course listed in the schedule of classes or catalog for any of the reasons should do the following:

- Complete a Prerequisite Challenge form available at the Counseling Office;
- Make an appointment to see a counselor to help you review your experience and guide you in the challenge process. If the counselor cannot make a determination about your experience, he or she will refer you to the instructional dean who supervises the area in which you wish to take the course;

- If there are any unresolved issues after you meet with the instructional dean, you may present your case to the Vice President of Academic Affairs.
- When space is available in a course when a student files a challenge to the prerequisite or corequisite, the college shall reserve a seat for the student and allow the student to enroll in the course if the challenge is successful.

NONDISCRIMINATION STATEMENT

It is the policy of this District that, unless specifically exempted by statute, every course, course section or class, the Full Time Equivalent Students (FTES) of which is to be reported for state aid, wherever offered and maintained by the District, shall be fully open to enrollment and participation by any person who has been admitted to the College(s) and who meets such prerequisites as may be established pursuant to Title 5 of the California Administrative Code, commencing with section 58100.

San José/Evergreen Community College District does not discriminate on the basis of race, religion, color, ethnic group identification, gender, national origin, age, marital status, sexual orientation, organizational affiliation, political beliefs, veteran status, language, accent, immigration status, ancestry, transgender, or physical or mental disability. The lack of English language skills will not be a barrier to admission to or participation in vocational education programs. SJ/ECCD is subject to Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964 as amended, Sections 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. For further information, please contact the Equal Employment Opportunity Officer at either San José City College or Evergreen Valley College.

Students who believe that they have been discriminated against should contact one of the following offices for specific information:

Campus Diversity and Americans with Disabilities Act Coordinator:

Dr. Romero Jalomo, Dean of Retention & Support Programs
Student Center
Telephone: (408) 288-3129

Title IX and Gender Equity Coordinator:

Dr. Elaine Burns, Vice President of Student Services
Student Center
Telephone: (408) 288-3146

Disabled Students Program:

Karen Pullen
Coordinator, Disabled Students Program
Student Center
Telephone: (408) 288-3747



substances in all District buildings, facilities and District vehicles.

RELEASE OF STUDENT INFORMATION

All records of the College are held as confidential, and no information regarding a student will be released without prior written authorization from the student. Parents and legal guardians of unmarried minors must also obtain written consent from the student. Federal and State laws do make exceptions, giving certain persons the right of access to records without prior written consent, provided there is sufficient reason to see those records. The exceptions are:

1. College officials, including teachers, counselors, and counseling interns, if that person has a legitimate educational interest to inspect a record.
2. Authorized representatives of the Comptroller General of the United States, the Secretary of the Department of Education, the administrative head of an education agency, State Education officials or their respective designees or the U.S. Office of Civil Rights.
3. Officials authorized to review records in conjunction with a student's application for, or receipt of, Financial Aid.
4. Officials of schools in which the student may plan to enroll, provided that the student receives a copy of this record if desired.
5. Officials of government authorized to subpoena records, provided that there is a reasonable attempt to notify the student when such records are subpoenaed.

A record of access of all persons in categories 2, 3, 4 and 5 is maintained in the student's file folder. No other person may obtain information about a student without the student's written consent.

Statistical information concerning the student body which contains no personally identifiable data is made available to the public in various forms. The College also makes available to the public the names of students who are graduating, the names of students who are placed on the "Honor's List," and participants in athletic events unless students request, in writing to the Director of Admissions and Records, that their names be withheld from any such list. Such requests must be submitted prior to the opening day of each semester.

Students who wish copies of documents in their files must request this service in writing through the Office of Admissions and Records. A cost of \$1 per page copied (exclusive of the San José City College transcript for which there is a separate charge) is assessed the student for this service. Copies of transcripts from other colleges will not be supplied. No copies of any kind will be made if the student has any indebtedness to the College or District.

SEXUAL HARASSMENT/DISCRIMINATION

The San José/Evergreen Community College District is committed to maintaining an environment free of sexual harassment and all forms of sexual intimidation and exploitation. All students, staff, and faculty should be aware both that the district is concerned and prepared to take action to prevent and correct such behavior, and that individuals who engage in such behavior are subject to discipline. The district is committed to following the provisions of federal and state laws prohibiting sexual harassment or discrimination in employment and educational programs and services, without regard to race, religious creed, color, national origin, ancestry, disability, medical condition, marital status, political beliefs, organizational affiliation, sexual orientation, gender, or age.

DEFINITION

Unwelcome sexual advances, requests for sexual favors, and other verbal comments or conduct of a sexual nature shall constitute sexual harassment when:

- Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that student or employee, including, but not limited to, the individual's academic or work evaluation; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance by creating an intimidating, hostile, or offensive academic or work environment. (Title IX of the Education Amendments of 1972).

Sexual harassment and discrimination may consist of verbal, written or physical contact of a sexual nature which:

- Is conditioned upon an employment benefit or an educational outcome
- Unreasonably interferes with an individual's work performance, educational objectives, academic or other educational performance
- Unreasonably interferes with employment practices including but not limited to hiring or any other term, condition, or privilege of employment or academic performance; is used as a basis for educational decisions affecting the individual's submitting to or rejecting the harassment or discrimination
- Creates an intimidating, hostile, or offensive working or learning environment (EEOC, 1990, Guidelines on Discrimination Because of Sex, CA Education Code 212.5, Title IX)

Forms of Harassment include the following:

- Derogatory posters, notices, or other forms of written materials, such as letters, photographs, or drawings
- Repeated leering or sexually aggressive gestures which the alleged perpetrator knows are unwanted by the person(s) at whom they are directed
- Unwelcome sexual advances (CA Education Code, 212.5, Title IX)



- Requests for sexual favors (CA Education Code, 212.5 Title IX)
- Any behavior, standards, criteria, or methods that limit, segregate, or classify any individual because of gender, sexual orientation, or physical appearance (CA Education Code, 230)
- Barriers that impede accessibility to programs, services, or facilities (CA Education Code, 230)

The District recognizes that confidentiality is important to all parties involved in a sexual harassment/discrimination investigation. To the extent possible, the confidentiality of the complainant, respondent and witnesses shall be protected. Individuals interviewed in accordance with these policies are directed to assist in maintaining such confidentiality.

The District shall not tolerate retaliation against any individual for initiation, pursuit or assistance with a complaint of sexual harassment/discrimination. Any individual who retaliates against any District employee and/or student in violation of the policy may be subject to disciplinary action. Any individual who believes that she/he has been a victim of sexual harassment/discrimination may file a complaint under the District's Procedure for Resolution of Discrimination/Harassment Complaints within one year of the alleged unlawful discrimination or within one year of the date on which the complainant knew or should have known of the facts of the sexual harassment/discrimination incident.

Each campus is responsible for identifying a Title IX officer. An individual may file a sexual harassment or sexual discrimination complaint with the campus Title IX officer, who will notify the District Affirmative Action Officer of all claims of sexual harassment or discrimination at the time the complaint is received. An individual may also file a complaint of illegal harassment or discrimination with the Office of Civil Rights, United States Department of Education, 1275 Market Street, 14th Floor, San Francisco, CA 94103, at the time of filing a complaint with the campus Title IX officer, during, or after use of the campus sexual harassment or discrimination complaint process, or without using the campus sexual harassment or discrimination complaint process at all. A complaint filed with the Office for Civil Rights must be put in writing no later than 180 days after the occurrence of the possible harassment or discrimination.

The District shall notify employees, students and the public of this sexual harassment and sexual discrimination policy and of the procedure for investigation of complaints.

SOLICITING FUNDS OR BUSINESS ON CAMPUS

Requests by on-campus student groups to solicit funds shall be approved by the student government, as well as by the Director of Student Life. Representatives of colleges, representatives of the armed forces and representatives of business firms or governmental agencies offering employment or opportunity for services may be granted time and appropriate space for recruitment of students upon approval of the Director of Student Life.

Regardless of affiliation, any group selling items or services on campus will be considered a vendor and will be required to follow vendor policy.

Nothing in this policy shall be interpreted as restricting normal business transactions with the bookstore, cafeteria, school newspaper, or District business office or with book company representatives.

STANDARDS OF STUDENT CONDUCT

Students and visitors to San José City College and Evergreen Community College are expected to adhere to academic and behavioral Standards of Student Conduct.

Academic standards include honesty, satisfactory academic performance, and regular attendance.

Behavioral standards include showing mutual respect to students and college staff and adherence to District/College rules and regulations and State/Federal laws.

By following these standards, students will conduct themselves in a manner that fosters a positive learning and working environment for students and staff, maintains order on the campus, and protects the rights of the individual and the interests of the District. Violation of these standards on District-owned or controlled property, or at a District-sponsored activity, could result in the consequences outlined in this section. Decisions will be made based on factual information in accordance with due process procedures as outlined by the College and the California Education Code.

ACADEMIC STANDARDS

Violations

- Altering grades
- Altering or forging college documents, records, or identification
- Copying from someone's test or allowing someone to copy your test
- Copying from an author's work without giving credit (plagiarism)
- Doing an assignment (e.g., a term paper or essay) for another student or asking, paying, bribing, or black mailing someone to do an assignment for you
- Sitting in for someone in class or on a test or having someone sit in class for you if not authorized by the instructor
- Submitting work previously presented in another class if not authorized by the instructor
- During an exam, using or consulting other test or course material not authorized by the instructor
- Possession of an examination or materials not authorized by the instructor.

Consequences may include one or more of the following actions by appropriate college officials as shown parentheses:

- Receiving a failing grade on the test, paper, or exam
- Course grade lowered, possibly resulting in course failure



- Verbal or written reprimand/warning
- Suspension for a longer specified time
- Expulsion from college

ACADEMIC PERFORMANCE

Standards and Consequences

- Cumulative GPA below 2.0 after attempting at least 12 semester units of letter grades
Consequence: Academic Probation
- 50% or more of 12 or more semester units attempted recorded as "I", "W", or "NC"
Consequence: Progress Probation
- Cumulative GPA of less than 2.0 in the next terms of enrollment after being placed on Probation.
Consequence: Academic Dismissal
- 50% or more of units attempted recorded as "I", "W", "NC" and/or "NP" in the next two subsequent terms of enrollment after being placed on Probation.
Consequence: Progress Dismissal
- Consistent failure to submit or perform assigned work
Consequence: Dismissal from the class or college

ATTENDANCE

Standards and Consequences

- At the discretion of the instructor, a student may be dropped from a class if the number of times absent exceeds the number of times the class meets in a week during 16-week semester.
- Students should also be aware, they may be dropped from a class if they do not attend the first class meeting.

BEHAVIORAL STANDARDS

Violations

Behavior on district property or at district-sponsored functions which is in violation of district/college rules/regulations or state/federal laws/regulations, including but not limited to:

1. Behavior that interferes with the normal operations of the college, including obstruction or disruption of the teaching, learning, and administrative process.
2. Applying undue pressure on an instructor to alter a grade.
3. Threat or act of physical harm directed against a student, visitor or college employee.
4. Willful damage to or theft of district property.
5. Threat or act of stalking, sexual assault, or rape.
6. Possession of an object used as a weapon to threaten bodily harm.
7. Use of fraudulent identification.
8. Unauthorized possession, duplication, or use of keys to any district premises, or unauthorized entry to or use of college or district premises.
9. Unauthorized copying or an attempt to copy computer software; an unauthorized entry or attempt to enter a system; or intentionally introducing a virus.

10. Unlawful possession, sale, use of or under the apparent influence of illegal drugs or alcohol.
11. Willful defiance of college officials, faculty, staff, or police officers who are giving lawful direction.
12. Disorderly, lewd, indecent, or obscene conduct or expressions (including willful profanity and/or vulgarity with intention to threaten, intimidate, or offend).
13. Gambling (money or its equivalent exchanged and not part of an approved campus activity/event).
14. Harassment or discrimination based on gender, race, religion, culture, disability, sexual orientation or age.
15. Failure to comply with the terms of any disciplinary sanction imposed in accordance with the Code of Student Conduct.

Consequences may include one or more of the following actions:

1. **Verbal Reprimand/Warning:** Verbally reprimanding students for inappropriate behavior and warning the continuation of the conduct will cause disciplinary action.
2. **Written Reprimand/Warning:** Written notification of inappropriate behavior and written warning that continuation of the conduct will cause disciplinary action, noted in student's file.
3. **Suspension:** Exclusion from classes, privileges, activities, or the college for a specified period of time, noted in student's file (instructors may suspend a student for the remainder of a class period and the next class period; Administrators or President may suspend a student for a longer specified time).
4. **Expulsion:** Termination of student's right and privileges, noted in student's file.

PARKING OF VEHICLES

Any violation or violations of law, ordinance, regulation, or rule regulating or pertaining to the parking of vehicles in District parking lots shall not be cause for the suspension or expulsion of a student, excepting violations which are disruptive to the educational programs of the district.

DUE PROCESS PROCEDURES

Any district official who suspends a student for more than one entire class or day of instruction must provide his or her immediate supervisor and the College President a written report which includes:

- The name of violating student
- A statement of the alleged violation(s) with date, time and place
- Names of witnesses (if any)
- Sanction(s) to be imposed

Within three working days of receiving the report, the President must notify the student by certified mail, whenever possible, of the following:

- Reason or reasons for suspension or dismissal
- Length of suspension or dismissal



- Conditions for removal of suspension or dismissal
- The right to appeal the suspension or dismissal through the college grievance process

When it appears likely that the grievance process will proceed for a period beyond that of the suspension, the student may request immediate reinstatement from the instructor or District official who imposed the suspension. If agreement cannot be reached to reinstate the student during the review process, the student may petition the President for reinstatement. The President may reinstate the student until the review process is completed by informing all involved parties in writing of the reason for reinstatement.

If the grievance process finds in the student's favor, the student shall be held harmless and will be allowed to make up missed work.

The President shall report all suspension of students to the District Chancellor.

Instructors shall be encouraged to clearly establish and uniformly enforce rules for proper classroom demeanor.

STUDENT GRIEVANCE

The San José/Evergreen Community College District is committed to fostering a safe, positive learning environment where students can pursue their educational goals and participate in college-sponsored activities that promote intellectual growth and personal development. To this end, students are provided protection and due process of their individual rights against unfair and improper action by any member of the district community.

If a student believes that he/she has been subjected to unjust action or denial of his/her rights under District/College rules and State/Federal laws, he/she will be given an opportunity to seek resolution through use of the Student Grievance Complaint Procedure. A grievance may be initiated by a student against: a) another student, b) a faculty member, c) an administrator, d) a member of the classified staff or e) board member, for the following reasons:

1. Imposition of a sanction (violation of academic standards, academic performance, and behavior standards along with the consequences outlined) without due process.
2. Violation of student's rights according to the "Student and College Rights and Responsibilities," (included in District policy pending board approval).
3. Violation of "Standards of Student Conduct."
4. Violations of rights as enumerated in State/Federal laws, including but not limited to:
 - Federal and State Constitution
 - California Education Code
 - Title V - Calif. Code of Regulations
 - Title VII of the Civil Rights Act of 1964, and Section 12940 Et. Seq. of California Government Code, which prohibits discrimination on the basis of sex, race, color, or national origin

- Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex
- Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of disability
- Title II of the Americans with Disabilities Act of 1990, which prohibits discrimination on the basis of disability
- The Age Discrimination Act of 1975, which prohibits discrimination on the basis of age
- California Labor Code, Section 1102.1, which prohibits discrimination based on actual or perceived sexual orientation

STUDENT GRIEVANCE REVIEW BOARD

A Student Grievance Review Board shall be established to allow a hearing for those students who believe that they have been unjustifiably penalized or suffered grievous personal abuse by actions of any member of the certificated or classified staff of San José/Evergreen Community College District.

STUDENT ORGANIZATIONS

Student organizations shall comply with the Constitution/Bylaws of the Associated Students, chartering policies of the Governing Board, and the Education Code and are subject to revocation of their charter or other disciplinary action for violation of such policies or regulations.

FINANCIAL RESPONSIBILITIES; STUDENT BODY ASSOCIATIONS AND STUDENT ORGANIZATIONS

In order to assure efficient operation and prudent expenditure of funds under student control, the following policies will govern:

- The student body association shall be responsible for student body association expenses and shall not be responsible for the financial obligations of student organizations not under its sponsorship and/or jurisdiction.
- Approved expenses of staff members assigned to supervise student body association activities may be borne within the college budget. The expenses of staff members assigned to supervise other student sponsored events may be borne by the appropriate student organization.
- The college shall be reimbursed by any student organization for all toll calls made on its behalf.

STUDENT-RIGHT-TO-KNOW COMPLETION AND TRANSFER RATES FOR FALL 2004 COHORT

Completion Rate: 19.60 %
Transfer Rate: 33.22 %

In compliance with the Student-Right-to-Know and Campus Security Act of 1990 (Public Law 101-542), it is the policy of our college district to make available its completion and transfer rates to all current and prospective students. Beginning in Fall 2004, a



cohort of all certificate-, degree-, and transfer-seeking first-time, full-time students were tracked over a three-year period. Their completion and transfer rates are listed above. These rates do not represent the success rates of the entire student population at the College nor do they account for student outcomes occurring after this three-year tracking period.

Based upon the cohort defined above, a Completer is a student who attained a certificate or degree or became 'transfer prepared' during a three year period, from Fall 2004 to Spring 2007. Students who have completed 60 transferable units with a GPA of 2.0 or better are considered 'transfer-prepared'. Students who transferred to another post-secondary institution, prior to attaining a degree, certificate, or becoming 'transfer-prepared' during a five semester period, from Spring 2005 to Spring 2007, are transfer students.

