

## San Diego Community College District



### COLLEGE POLICIES AND PROCEDURES

#### **ACADEMIC ACCOMMODATIONS AND DISABILITY DISCRIMINATION FOR STUDENTS WITH DISABILITIES (BOARD OF TRUSTEES POLICY - BP 3105)**

The San Diego Community College District (SDCCD) is committed to all provisions of Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Amendments Act of 2008 and Section 508 of the Rehabilitation Act of 1973[1]. The intent of this policy is to insure compliance with state and federal laws to provide academic accommodation to students with disabilities.

For information about Nondiscrimination Policy (Board of Trustees Policy - BP 3410) please visit <http://www.sdccd.edu/public/district/policies/>

#### **ACADEMIC FREEDOM & FREEDOM OF EXPRESSION (BOARD OF TRUSTEES POLICY - BP 4030)**

The San Diego Community College District is committed to an academic environment that embraces the principles of academic freedom and freedom of expression. This policy articulates this commitment based upon the value that free expression is essential to excellence in teaching, learning, critical inquiry and service to the community.

#### **CRIME AWARENESS AND CAMPUS SECURITY**

The San Diego Community College District is committed to ensuring the safety of students, faculty and staff. For important information about campus safety reference "Safe and Sound, A Guide to Safety and Security in the San Diego Community College District" by accessing the following website: <http://police.sdccd.edu/crimestats.htm>

#### **DRUG AND ALCOHOL USE**

The San Diego Community College District is committed to providing a drug free environment. Board District Policy 3100 - containing the students Code of Conduct - states that use, possession, or distribution of narcotics or other controlled substances is prohibited while on the college premises or at college sponsored events. A student may be suspended or expelled for violation of this policy. Contact Student Health Services or the Vice President, Student Services Office for additional information. For important information about drug abuse and prevention go to <http://www.sdccd.edu/daapp/> for complete details.

#### **ELDER AND DEPENDENT ADULT ABUSE**

An elder is defined as a resident of the State of California who is 65 years of age or older; or a dependent adult, defined as a resident of the State of California between the ages of 18 and 64 years, who has a physical or mental limitation that restricts his or her ability to carry out normal activities or to protect his/her rights. Post-secondary educational institutions serving dependent adults are designated as mandated reporters with an individual, personal responsibility to comply with the reporting requirements. Any mandated reporter, who, in his or her professional capacity, or within the scope of his or her employment, has observed or had knowledge of an incident that reasonably appears to be physical abuse, abandonment, isolation, financial abuse, or neglect, or is told by an elder or dependent adult that he or she has experienced behavior constituting physical abuse, abandonment, isolation, financial abuse, or neglect, or reasonably suspects abuse shall report the known or suspected instance of abuse immediately to Adult Protective Services at 1-800-510-2020.

#### **PROHIBITION OF HARASSMENT (BOARD OF TRUSTEES POLICY - BP 3430)**

The District is committed to equal opportunity in educational programs, employment and all access to institutional programs and activities.

No person shall be unlawfully subjected to discrimination or denied full and equal access to, or the benefits of, district programs or activities on the basis of ethnicity, national origin, religion, age, sex, gender, race, color, medical condition, ancestry, sexual orientation, marital status, physical or mental disability, or because he or she is perceived to have one or more of the foregoing characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.

#### **SERVICE ANIMALS (ADMINISTRATIVE PROCEDURE – AP 3105.2)**

The San Diego Community College District will permit qualified students with disabilities to use service animals in district facilities and on district campuses (Policy 3105) in accordance with state and federal law.

#### **SMOKING REGULATION**

##### **(Board of Trustees Policy – BP 0505)**

All campuses and facilities of the San Diego Community College District, City College, Mesa

College, Miramar College, and Continuing Education operate in compliance with the provisions of Government Code 7597 and San Diego Municipal Code section 43.1003(a) regulating smoking in a public place or place of employment. In accordance with Board Policy (BP 0505) *Smoke and Tobacco Free District Property* smoking and the use of any tobacco product are **prohibited** on all properties owned or controlled by the District.

City College, Mesa College, Miramar College, and Continuing Education are committed to creating a clean, healthy working and learning environment for students, faculty, staff and visitors. All students, employees and visitors on the City College, Mesa College, Miramar College, and Continuing Education property are subject to BP 0505 regulations, which will be strictly enforced at all times. Student Health Services at the campuses offer Cessation Program Referrals to educate the college community about the risks of tobacco and the availability of Smoking Control Programs. Visit or call the Student Health Services on campus.

Additional information is available in the Campus Police Office. For complete SDCCD Policy 0505 and Procedure 0505.2 information, please visit <http://www.sdccd.edu/public/district/policies/>

### **STUDENT RECORDS, RELEASE, CORRECTION AND CHALLENGE (ADMINISTRATIVE PROCEDURE - AP 3001.1)**

San Diego Community College District strictly adheres to the Family Education Rights and Privacy Act (FERPA). This procedure specifies limitations on federal and state law, and ensures that appropriate record maintenance and destruction systems are in place. FERPA specifies that students' educational records cannot be released without written consent of the student or a court order. In addition, it defines the term "educational records" and specifies who can access such records.

Current information can be found at [https://studentweb.sdccd.edu/docs/FERPA\\_AD\\_SWS.pdf](https://studentweb.sdccd.edu/docs/FERPA_AD_SWS.pdf).

### **STUDENTS RIGHTS, & RESPONSIBILITIES, CAMPUS SAFETY AND ADMINISTRATIVE DUE PROCESS (BOARD OF TRUSTEES POLICY BP 3100)**

Specifies that students are subject to adhering to the policies and procedures of the San Diego Community College District, as well as all federal, state, and local laws. Students are subject to charges of misconduct concerning acts committed on District-owned or controlled property or the District-sponsored activities as specified in the policy.

### **STUDENT RIGHT TO KNOW**

In compliance with the Federal Student-Right-to-Know and Campus Security Act of 1990, it is the policy of the college district to make available completion and transfer rates for all certificate, degree and transfer seeking first-time, full-time students who began in Fall 2012, a three year tracking period.

The completion and transfer rates are listed below:

	Completion Rates	Transfer-Out Rates
City	15.13%	9.71%
Mesa	25.78%	15.86%
Miramar	36.01%	11.94%

These rates do not represent the success rates of the entire student population at the college. Our statewide completion indicators for student success include a six-year tracking period for all first-time students. Current information can be found at <http://scorecard.cccco.edu/scorecard.aspx>

### **COMPLAINT PROCESSES**

San Diego City, Mesa, and Miramar Colleges are committed to an educational environment that is free from interference and disruption, and that fosters equity and mutual respect.

Students may file a complaint when they believe that a College faculty or staff member has violated the following Board Policies and Administrative Procedures:

1. Student Rights, Responsibilities, Campus Safety and Administrative Due Process: Policy 3100
2. Student Grievance: Procedure 3100.1
3. Student Discipline: Procedure 3100.2
4. Honest Academic Conduct: Procedure 3100.3
5. Academic Accommodations and Disability Discrimination for Students with Disabilities: policy 3105 and Procedure 3105.1
6. Prohibition of Harassment: Policy 3430
7. Nondiscrimination: Policy 3410
8. Sexual and Other Assaults on Campus 3540
9. Fraud/Whistle Blower: Policy 6125
10. Grade Challenge: Procedure 3001.2

Board Policies and Administrative Procedures are available to individuals online at <http://www.sdccd.edu/public/district/policies/>

Most complaints, grievances or disciplinary matters should be resolved at the campus level. Individuals are strongly encouraged to make every attempt to resolve matters through the appropriate administrative processes.

More information on the complaint processes can be found online at

<https://studentweb.sdccd.edu/index.cfm?action=complaint&tab=1>

### Academic Complaint

An academic complaint may be filed with the department chair or instructional 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\*.

Students may directly contact the department chair or instructional dean or submit their complaint online at: <https://studentweb.sdccd.edu/index.cfm?action=complaint&tab=1>

\*Please note: All grades awarded by the instructor of record shall be final. The California Code of Regulations, Title 5 §55025, states “the determination of the student’s grade by the instructor shall be final in the absence of mistake, fraud, bad faith, or incompetency.”

### Academic Accommodation Due to Disability Complaint (Section 504/ADA)

Students who have a complaint regarding access to, or quality of, their academic accommodations should go through the informal resolution process with the DSPS counselor. If there is no agreement with the informal resolution, students may submit a complaint online at <https://studentweb.sdccd.edu/index.cfm?action=complaint&tab=1> or contact the campus 504 Officer.

Students with disabilities who want to file a formal complaint under Section 504 of the 1973 Federal Rehabilitation Act and Americans with Disabilities Act (ADA) may do so online at <https://studentweb.sdccd.edu/index.cfm?action=complaint&tab=1> or contact the campus 504 Officer:

Campus 504 Officer
<b>San Diego City College</b>
Beverly Warren
<a href="mailto:bwarreno@sdccd.edu">bwarreno@sdccd.edu</a>
(619) 388-3246
<b>San Diego Mesa College</b>
Claudia Perkins
<a href="mailto:cperkins@sdccd.edu">cperkins@sdccd.edu</a>
(619) 388-2699
<b>San Diego Miramar College</b>
Gerald Ramsey
<a href="mailto:gramsey@sdccd.edu">gramsey@sdccd.edu</a>
(619) 388-7810
<b>San Diego Continuing Education</b>
Star Rivera-Lacey
<a href="mailto:srivera@sdccd.edu">srivera@sdccd.edu</a>
(619) 388-4845

### General 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 gender discrimination or sexual assault or harassment is not included in this category; please see Title IX complaint below.

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 faculty/staff member or specific group with whom the student has a complaint. The student must notify the faculty/staff person or representative of a group that he or she wishes to make an appointment for an informal meeting to review an action. In the absence of the instructor or staff person and after a good faith effort to make contact, the student may directly contact the instructional dean or appropriate administrator or submit their complaint online at: <https://studentweb.sdccd.edu/index.cfm?action=complaint&tab=1>

### Unlawful Harassment or Discrimination Complaint Other than Title IX

San Diego City, Mesa and Miramar Colleges are committed to providing an academic environment free of unlawful harassment and unlawful discrimination. Board Policy 3100 defines verbal, physical, visual or written, environmental and harassment and other forms of harassment on campus, and sets forth a procedure for the investigation and resolution of complaints of harassment by or against any staff, or faculty member, or student within the District.

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; Executive Orders 11246 and 11375; the Vietnam Era Veterans Readjustment Act of 1974; the Age Discrimination and Employment Act of 1967; Section 504 of the 1973 Federal Rehabilitation Act and Americans with Disabilities Act (ADA); and the nondiscrimination laws of the State of California.

Students who wish to file a complaint may do so online at: <https://studentweb.sdccd.edu/index.cfm?action=complaint&tab=1> or contact your college Site Compliance Officer (SCO):

<b>College Site Compliance Officer</b>
<b>San Diego City College</b>
Edwin Hiel
<a href="mailto:ehiel@sdccd.edu">ehiel@sdccd.edu</a> (619) 388-3036
<b>San Diego Mesa College</b>
Claudia Perkins
<a href="mailto:cperkins@sdccd.edu">cperkins@sdccd.edu</a> (619) 388-2699
<b>San Diego Miramar College</b>
George Beitey
<a href="mailto:gbeitey@sdccd.edu">gbeitey@sdccd.edu</a> (619) 388-7860
<b>San Diego Continuing Education</b>
Lynda Reeves
<a href="mailto:lreeves@sdccd.edu">lreeves@sdccd.edu</a> (619) 388-1827

Students wishing to pursue a civil rights complaint beyond the college/district level should direct their inquiries to the Office of Civil Rights, United States Department of Education, 50 Beale Street, Suite 7200, San Francisco, CA 94105-1813.

### Other Complaint Process

If your complaint is associated with the institution's compliance with academic program quality and accrediting standards, you may contact the Accrediting Commission for Community and Junior Colleges (ACCJC) at <http://www.accjc.org/complaint-process>. ACCJC is the agency that accredits the academic programs of the California Community Colleges.

If your complaint does not concern the California Community College's compliance with academic program quality and accrediting standards, you may contact the California Community College Chancellor's Office by completing the web form found at: <http://californiacommunitycolleges.cccco.edu/ComplaintsForm.aspx>

### HONEST ACADEMIC CONDUCT

Honesty and integrity are integral components of the academic process. Students are expected to be honest and ethical at all times in their pursuit of academic goals in accordance with Policy 3100, Student Rights, Responsibilities, Campus Safety and Administrative Due Process.

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 defined as the act of

obtaining or attempting to obtain credit for academic work by the use of any dishonest, deceptive, or fraudulent means. Plagiarism is defined as the act of incorporating ideas, words, or specific substance of another, whether purchased, borrowed or otherwise obtained, and submitting the same as one's own work to fulfill academic requirements without giving credit to the appropriate source.

Students who engage in practices of cheating or plagiarism may warrant two separate and distinct courses of disciplinary action which may be applied concurrently in response to a violation of this policy. Students are responsible for knowing what constitutes academic dishonesty and for consulting with instructors about questions or concerns. Procedure 3100.3 describes the Academic and Administrative Sanctions for Students who are found to be cheating or Plagiarizing. Copies of the procedures can be obtained in the Office of the Vice President of Student Services and online at <http://www.sdccd.edu/public/district/policies/>

### TITLE IX: PROHIBITING SEX OR GENDER BASED DISCRIMINATION AND MISCONDUCT

San Diego City, Mesa and Miramar College are committed to support all regulations under Title IX. Title IX states: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance." – 20 USC 1681.

San Diego City, Mesa and Miramar Colleges do not discriminate on the basis of sex, gender, or sexual orientation in their education programs or activities. Title IX of the Education Amendments of 1972, and certain other federal and state laws, prohibit discrimination on the basis of sex, gender, gender identity, or sexual orientation in employment, as well as all education programs and activities, including prohibitions of sexual harassment and sexual violence. District Policies and Procedures 3100.2 and 3435 govern the District's complaints concerning discrimination on the basis of sex or gender.

Sexual violence, as that term is used in this section, refers to physical sexual acts perpetrated without a person's consent or where a person is incapable of giving consent due to the victim's use of drugs or alcohol.

An individual also may be unable to give consent due to an intellectual or other disability. A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, and sexual coercion. All such acts of sexual violence are forms of sexual harassment covered under Title IX.

Further information and procedures for filing a complaint of discrimination on the basis of sex or gender are found online at <http://www.sdccd.edu/titleix>

You may also file a complaint directly with the District's Title IX Coordinator:

Christopher May      619-388-6805

If you have any questions regarding these policies, please contact the Title IX Coordinator or contact your campus Title IX Deputy.

<b>College Title IX Deputy</b>
<b>San Diego City College</b>
<b>Marciano Perez</b>
<b><a href="mailto:mperez@sdccd.edu">mperez@sdccd.edu</a></b> <b>(619) 388-3498</b>
<b>San Diego Mesa College</b>
<b>Ashanti Hands</b>
<b><a href="mailto:ahands@sdccd.edu">ahands@sdccd.edu</a></b> <b>(619) 388-2678</b>
<b>San Diego Miramar College</b>
<b>Gerald Ramsey</b>
<b><a href="mailto:gramsey@sdccd.edu">gramsey@sdccd.edu</a></b> <b>(619) 388-7810</b>
<b>San Diego Continuing Education</b>
<b>Star Rivera-Lacey</b>
<b><a href="mailto:srivera@sdccd.edu">srivera@sdccd.edu</a></b> <b>(619) 388-4850</b>