

# STUDENT RIGHTS & RESPONSIBILITIES

**ACADEMIC FREEDOM** – Refer to Section II Free Speech Area

## **ACADEMIC FRESH START**

## **ACCD POLICY-FBA LEGAL**

Texas law entitles residents to seek admission public institutions of higher education without consideration of courses taken 10 or more years prior to enrollment. This legislation has been called the “right to an academic fresh start,” and it gives students the option of having course work taken 10 or more years prior to the starting date of the semester in which the applicant seeks to enroll either included or ignored for admission purposes. To apply for admission under this program, a student must notify the Office of Admissions and Records and complete the appropriate documents. A student admitted under this provision **may not receive any course credit for courses undertaken ten or more years prior to enrollment.**

## **ACADEMIC AND NON-ACADEMIC GRIEVANCE PROCEDURE**

### **ACCD Policy-FLD (Local)**

At academic institutions, conflicts may develop within the educational process. If this process is to function smoothly, a serious effort must be made to resolve such conflicts expeditiously. In the educational process, faculty members are responsible for classroom management, teaching strategies, testing, and evaluation of student performance. Students are encouraged to use the academic grievance procedure **only where there is clear and convincing evidence that an instructor has treated the student unfairly, arbitrarily, or capriciously.** The student may ask his or her instructor to review the grievance and may appeal the instructor’s finding to the department Chairperson. If necessary, a final appeal may be made to the appropriate instructional Dean. A copy of this policy may be obtained from a Department Chairperson, a Dean, or the Office of the Vice President of Academic Affairs.

### **A. Definition of Terms**

In these procedures, unless the context clearly requires a different meaning, the following words and phrase shall have the meaning given below:

1. **“Student”** means a person enrolled at a college of the Alamo Community College District.
2. **“Instructor”** means the person primarily responsible for teaching the class, and may include full-or part-time faculty, as well as members of the classified, professional and administrative staffs of the District.
3. **“Chairperson”** means the direct instructional supervisor of the instructor in whose department or area the student grievance arose.
4. **“Dean”** means the direct instructional supervisor of the chairperson in whose department or area the student grievance arose.
5. **“Days”** means workdays during which the college is in session.
6. **“Adequate Cause”** means clear and convincing evidence that the instructor acted unfairly, arbitrarily, or capriciously in classroom management, teaching methods, testing, or the evaluation of student performance.

# STUDENT RIGHTS & RESPONSIBILITIES

## ACADEMIC GRIEVANCE PROCEDURE (cont'd)

### B. Procedures

1. If a situation occurs in which a student believes that he or she has been treated unfairly by an instructor, the student should schedule a conference with the instructor in an attempt to resolve the problem.
2. A student grievance should be initiated as soon as possible after the incident upon which the grievance is based. Therefore, the student must seek a conference with the instructor within ten (10) days of the incident.
3. If after a conference with the instructor the student believes that the matter is unresolved, he or she may consult with the department Chairperson. Such consultation shall take place within five (5) days of the student's conference with the instructor.
4. A Student Academic Grievance Form must be filed with the department Chairperson. The student and the instructor will retain copies of the form.
5. The Chairperson will individually and separately hear the grievance from the student and the instructor. After hearing both sides, the Chairperson may request that the student and the instructor meet with the Chairperson in order to reach an acceptable conclusion.
6. If an agreement is not reached in the hearing or conference, the Chairperson will affirm or deny the grievance within five (5) days. If the decision is to affirm the instructor's position, the student may appeal to the appropriate Dean. If the decision is to affirm the student grievance and to recommend the instructor reverse his or her decision, the Chairperson must meet with the instructor and provide a written explanation. To affirm a student grievance, the Chairperson must have adequate cause.
7. If either the student or instructor is not satisfied with the Chairperson's decision, he or she may appeal to the appropriate Dean within five (5) days of the date of the Chairperson's decision. A complete record of the grievance will be forwarded to the Dean by the Chairperson. The Dean and the Chairperson will meet with the student and the instructor. After hearing both sides and reviewing the record, the Dean will render a decision, in writing, affirming or denying the grievance within five (5) days. The decision of the Dean is final.

**A copy of this policy may be obtained from the Academic Deans' Offices.**

### NON-ACADEMIC GRIEVANCES

### ACCD POLICY-FLD LOCAL

Students at Palo Alto College have the right to grieve any form of abusive treatment by college officials. If such conflicts arise between a student and college official, a serious effort must be made to resolve such issues. College officials will not condone or support "any form" of student abuse at Palo Alto College. Therefore, students are encouraged to use the Non-Academic Grievance Procedure only where there is clear and convincing evidence that an employee has treated the student unfairly through forms of discrimination, abuse and/or harassment.

# STUDENT RIGHTS & RESPONSIBILITIES

## NON-ACADEMIC GRIEVANCES (cont'd)

### A. Definition of Terms

1. **“College Official”** is a faculty member, staff member or administrator employed by the Alamo Community College District.
2. **“Direct Supervisor”** is the person to whom the college official reports.
3. **“Convincing Evidence”** means undisputed proof of such alleged behaviors.
4. **“Adequate Cause”** means clear and objective evidence in support of the student’s position.

### B. Procedures

1. If a student feels that he or she has received discriminatory or abusive treatment, unrelated to academic matters, from a college official, he or she may file written grievance with the direct supervisor of the college official. The direct supervisor will have five (5) days to affirm or deny the grievance.
2. If the student or the college official is dissatisfied with the decision of the direct supervisor, he or she may appeal to the second level supervisor of the college official. The second level supervisor will review all documentation and meet with all parties involved. The second level supervisor will affirm or deny the grievance.
3. Any further dispositions beyond this level will follow the same protocol as stated above.
4. All grievances beyond the level of deans and directors will be channeled to the next higher-level administrator. A complete record of the grievance will be forwarded to the next higher-level administrator. After hearing both sides and the record is reviewed, a decision will be rendered affirming or denying the grievance. To affirm a student grievance there must be adequate cause.
5. In grievances alleging sexual harassment, students are to follow the procedure outlined under Sexual Harassment in this Handbook.

**A copy of this policy is available at the Vice President of Student Affairs Office.**

# PALO ALTO COLLEGE

## STUDENT ACADEMIC GRIEVANCE

NOTE: A student wishing to file a "STUDENT ACADEMIC GRIEVANCE" should use this form and follow the ACCD "STUDENT ACADEMIC GRIEVANCE PROCEDURE," FLD LOCAL. These procedures, including the timelines, should be strictly followed.

Student Name \_\_\_\_\_ SSN \_\_\_\_\_

Date \_\_\_\_\_ Phone \_\_\_\_\_ Major \_\_\_\_\_

Course Name and Number \_\_\_\_\_ Section \_\_\_\_\_

Instructor's Name \_\_\_\_\_

Date(s) of incident being grieved \_\_\_\_\_

Brief description of grievance \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Use another sheet if more space is needed.)

Student's Signature \_\_\_\_\_

Date of Chairperson's conference with instructor \_\_\_\_\_

Instructor's response to grievance \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Grievance: \_\_\_\_\_ Resolved \_\_\_\_\_ Unresolved

Instructor's Signature \_\_\_\_\_

(over)

**PALO ALTO COLLEGE**

**STUDENT ACADEMIC GRIEVANCE**

(page 2)

Date of conference with Department Chairperson, Faculty and Student \_\_\_\_\_

Grievance: \_\_\_\_\_ Resolved \_\_\_\_\_ Unresolved

Result of meeting of Chairperson with faculty and student.

ACTION BY CHAIRPERSON:

Grievance is: \_\_\_\_\_ Resolved \_\_\_\_\_ Unresolved

Department Chairperson Signature \_\_\_\_\_

STUDENT: I accept/reject (circle) the decision of the Chairperson.

Signed \_\_\_\_\_ Date \_\_\_\_\_

INSTRUCTOR: I accept/reject (circle) the decision of the Chairperson.

Signed \_\_\_\_\_ Date \_\_\_\_\_

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If either the student or the instructor is not satisfied with the Chairperson's decision, he or she may appeal to the Dean within five (5) days of the Chairperson's decision. A complete record of the grievance will be forwarded to the Dean by the Chairperson. The Dean and the Chairperson will meet with the student and the instructor. After hearing both sides and reviewing the record, the Dean will render a decision, in writing, affirming or denying the grievance within five (5) days. The decision of the Dean is final.

ACTION BY DEAN:

Signed \_\_\_\_\_ Date \_\_\_\_\_

# PALO ALTO COLLEGE

## NON-ACADEMIC GRIEVANCE

NOTE: A student wishing to file a "NON-ACADEMIC GRIEVANCE" should use this form and follow the ACCD "STUDENT NON-ACADEMIC GRIEVANCE PROCEDURE," FLD LOCAL. These procedures, including the timelines, should be strictly followed.

Student Name \_\_\_\_\_ SSN \_\_\_\_\_

Date \_\_\_\_\_ Phone \_\_\_\_\_ Major \_\_\_\_\_

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College Official's Name \_\_\_\_\_

Date(s) of incident being grieved \_\_\_\_\_

Brief description of grievance \_\_\_\_\_

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(Use another sheet if more space is needed.)

Student's Signature \_\_\_\_\_

Date of supervisor's conference with college official \_\_\_\_\_

College official's response to grievance \_\_\_\_\_

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Grievance: \_\_\_\_\_ Resolved \_\_\_\_\_ Unresolved

College Official's Signature \_\_\_\_\_

(over)

**PALO ALTO COLLEGE**

**Non-Academic Grievance**

(page 2)

Date of conference with Supervisor, College Official, and Student \_\_\_\_\_

Grievance: \_\_\_\_\_ Resolved \_\_\_\_\_ Unresolved

Result of meeting of Supervisor with College Official and Student.

ACTION BY SUPERVISOR:

Grievance is: \_\_\_\_\_ Resolved \_\_\_\_\_ Unresolved

Direct Supervisor's Signature \_\_\_\_\_

STUDENT: I accept/reject (circle) the decision of the supervisor.

Signed \_\_\_\_\_ Date \_\_\_\_\_

COLLEGE OFFICIAL: I accept/reject (circle) the decision of the supervisor.

Signed \_\_\_\_\_ Date \_\_\_\_\_

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If the student or the college official is not satisfied with the supervisor's decision, he or she may appeal to the second level supervisor of the college official. A complete record of the grievance will be forwarded to the second level supervisor. The second level supervisor will meet with the student and the college official and review the record. The second level supervisor will affirm or deny the grievance. Any further dispositions beyond this level will follow the same protocol.

ACTION BY THE ADMINISTRATOR:

Signed \_\_\_\_\_ Date \_\_\_\_\_

# **STUDENT RIGHTS & RESPONSIBILITIES**

## **AMERICANS WITH DISABILITIES ACT**

Refer to the Rehabilitation Act in this handbook. (See page 23)

### **ADA COORDINATOR**

**ACCD-DAA LOCAL**

The Alamo Community College District designates the following person to coordinate its efforts to comply with Title II of the American with Disabilities Act of 1990, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973:

Position: College Human Resources Generalist  
Office: Palomino Center, Room 125  
Office Telephone: 921-5448

## **AMERICANS WITH DISABILITIES ACT STUDENT GRIEVANCE PROCEDURE**

If a situation occurs in which a student believes that he or she was treated unfairly by a staff or faculty member or a college administrator, the student should schedule a conference with that individual in an attempt to resolve the problem.

A student grievance should be initiated as soon as possible after the incident upon which the grievance is based. Therefore, the student should not wait longer than thirty (30) days after the occasion for which the grievance arose before seeking a conference with the individual involved. The student may seek assistance from the campus ombudsperson or ADA coordinator in resolving the complaint. Students can contact these individuals through the Student Affairs Office.

If, after the conference with the individual staff, faculty member or administrator involved, the student believes that a problem still exists, the student must consult with the individual's supervisor within five (5) working days subsequent to the initial conference.

The student must file a written grievance containing a full description of the problem and the remedy requested with the supervisor. Copies of this grievance will be retained by the student, the individual accused, and the supervisor.

The supervisor may individually and separately hear the grievance from the student and staff, faculty member or administrator involved, or may have a joint meeting to hear the grievance. After hearing both sides of the problem, the supervisor may request that the student and individual meet with the supervisor again in order to reach an acceptable resolution. The supervisor may involve a higher-level administrator at any point in the process for assisting in resolution of the complaint.

If an agreement is not reached in the above described conferences, the supervisor and/or higher-level administrator will affirm or deny the grievance within five (5) working days subsequent to the conference.

# STUDENT RIGHTS & RESPONSIBILITIES

## AMERICANS WITH DISABILITIES ACT STUDENT GRIEVANCE PROCEDURE (cont'd)

- (A) If the decision is to affirm the individual staff, faculty member or administrator's position, the student may appeal to the next higher administrative level.
- (B) If the decision is to affirm the student grievance and to recommend that the individual accused reverse his/her decision, the supervisor must meet with the individual and provide him/her a written explanation. To affirm a student grievance, the supervisor must have adequate cause.

If either the student or individual involved is dissatisfied with the higher administrator's decision, he or she may appeal to the President within five (5) working days of the date of the decision. A complete record of the grievance will be forwarded to the President. The President and the appropriate administrator will meet with the student and the individual accused. After hearing both sides and reviewing the record, the President will render a decision affirming or denying the grievance. If the decision is to affirm the student grievance and recommend that the individual reverse his/her previous decisions, the President must meet with the appropriate administrator and individual and provide a written explanation of his/her decision. To affirm a student grievance, the President must have adequate cause. The decision of the President is final.

**This procedure does not apply to matters more appropriately considered under the Academic or Non-Academic Grievance Procedures or as an appeal of the Student Code of Conduct disciplinary procedures.**

## COMPLAINT AGAINST PEACE OFFICER

ACCD – CHA LEGAL

In order for a complaint against an Alamo Community College District/Palo Alto College peace officer to be considered by the head of the Alamo Community College District's Department of Public Safety, the complaint must be in writing and signed by the person making the complaint. A copy of the complaint shall be given to the officer within a reasonable time after it is filed, and no disciplinary action shall be taken against the officer as a result of the complaint unless a copy is given to the officer. *Govt. Code Ch. 614, Subch. B*

## CONCEALED WEAPONS

ACCD POLICY GFA LOCAL

Penal Code 46.03 prohibits the carrying of firearms ". . . on the physical premises of a school or educational institution, any grounds or building on which an activity sponsored by a school or educational institution is being conducted or a passenger transportation vehicle of a school or educational institution, whether the school or educational institution is public or private, unless pursuant to written regulations or written authorization of the institution."

It is not a defense to prosecution under 46.03 that the actor possessed a handgun and was licensed to carry a concealed handgun under Article 4413 (29ee) revised statutes.

# STUDENT RIGHTS & RESPONSIBILITIES

## DRUG-FREE SCHOOLS AND COMMUNITIES ACT AMENDMENTS OF 1989 ACCD Policy FLBE

In accordance with the Drug-Free Schools and Communities Act Amendment of 1989, the ACCD has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs or any part of any of its activities. The ACCD recognizes the importance of awareness about alcohol and other drug abuse. Therefore, for the benefit of each student and employee, the following are the standards of conduct and legal and disciplinary sanctions for unlawful possession or distribution of illicit drugs and alcohol abuse.

Contact the Counseling Center or the Student Support Services advisor in the Welcome Advising Center for more information and referrals to area resources for alcohol and other drug abuse counseling, rehabilitation and re-entry.

### Legal Sanctions

Students or employees found violating any local, state or federal law regarding the use, possession, or distribution of alcohol or other drugs (as defined by the Texas Health and Safety Code, Subtitle C. Substance Abuse Regulations and crimes) will receive the full legal penalty in addition to any appropriate ACCD disciplinary action. Information about the District disciplinary process is available in the ACCD Administrative Policy Manual. The most common legal violations and their consequences are as follows:

<u>Alcohol</u>		<u>Penalty</u>
Minor in Possession (Sec. 106.05)	Class C Misdemeanor Class B Misdemeanor	Up to \$200 fine Up to \$1, 000 fine and 6 months in jail
Contributing to the Delinquency of a Minor (Sec.106.06)	same as above	same as above
Public Intoxication (Sec. 42.08)	Class C Misdemeanor	Up to \$200 fine
<u>Other Drugs</u> Drug Possession	Varies according to placement of the drug on schedules and amount in possession	Up to \$50,000 fine and 5-99 years in jail

Penalties for drug possession are governed by the Texas Health and Safety Code, Subtitle C. Specific penalties may vary depending on the type of drug and amount.

# STUDENT RIGHTS & RESPONSIBILITIES

## DRUG-FREE SCHOOLS AND COMMUNITIES ACT AMENDMENTS OF 1989 (cont'd)

### Disciplinary Sanctions

All students and employees are expected and required to obey the law, to comply with the institutional rules and with directives issued by an administrative official. Students are expected also to observe standards of conduct appropriate for an academic institution.

Any student who engages in conduct prohibited by the ACCD rules or by federal, state, or local law is subject to discipline whether such conduct takes place on or off campus or whether civil or criminal penalties are also imposed for such conduct.

After due process, any student or employee guilty of illegal use, possession and/or sale of a drug or narcotic on the campus of a component institution is subject to discipline, up to and including termination for employees. If, after due process, a student or employee is guilty of illegal use, possession, and/or sale of a drug or narcotic on campus, the minimum penalty shall be suspension from the institution for a specified period and/or suspension of rights and privileges.

A student is subject to discipline for prohibited conduct that occurs while participating in off-campus activities sponsored by a component institution including field trips, internships, rotations or clinical assignments.

A student who receives suspension as a disciplinary measure is subject to further disciplinary action for prohibited conduct that takes place on campus during the period of suspension.

### Health Risks

Drug and alcohol use, misuse, and abuse are complex behaviors with many determinants at both the cultural and the individual levels. Awareness of the deleterious effects of any drug/alcohol is imperative for an individual's well being or survival.

**NEGATIVE CONSEQUENCES** may be exhibited through:

**Physical dependence** (the body's learned requirement of a drug for functioning)

Abuse of alcohol or any other drug, whether licit or illicit, may result in marginal to marked and temporary to permanent physical and/or psychological damage, even death. Since many illicit drugs are manufactured and sold illegally, their content varies and may contain especially harmful ingredients or amounts.

**Psychological dependence** (the experience of persistent craving for a drug and/or a feeling that alcohol or other drugs is a requirement for functioning)

# STUDENT RIGHTS & RESPONSIBILITIES

## DRUG-FREE SCHOOLS AND COMMUNITIES ACT AMENDMENTS OF 1989 (cont'd)

Despite the type of drug or alcohol used, a perceived need for the continued use is likely to follow, resulting in dependence. Dependence on alcohol and/or other drugs alters the user's psychological functioning. The acquisition of these substances becomes the primary focus of the drug dependent individual and often results in reduced job performance and jeopardizes family and other interpersonal relationships. Criminal behavior is frequently the means for financing a drug habit. Behavior patterns often include violence and assault, as the individual becomes increasingly drug/alcohol dependent. Social and psychological alienation and medical problems increase as the abuser becomes entrapped in drug/alcohol dependence.

Drug and alcohol abuse counseling and referral are available to employees, students and their families. Additional information both on the effects of specific drugs and alcohol and drug counseling resources in San Antonio and surrounding areas are available at the Counseling Center.

A biennial review of this program will be conducted by ACCD, and Student/Employee Assistance Program (SEAP) committee members to determine its effectiveness to implement changes to the program if they are needed and to ensure that its disciplinary sanctions are consistently enforced.

## FOOD SALES

Food items may be sold on campus by registered student organizations or staff groups only if the group agrees to abide by the following conditions:

1. The primary purpose of such sales should be to raise money for the benefit of the registered student organizations or staff groups.
2. All sales should only be conducted by members of the group.
3. Food items such as bakery items, coffee, soft drinks, etc., may be sold with approval of food service manager.
4. Food items that are considered "meals" such as sandwiches, tacos, or any food item that is prepared on site, may not be sold without acquiring health permit.
5. **Food sales must be approved by the Student Activities Office.**

## FREE SPEECH AREA

Freedom of inquiry and discussion are basic and essential to intellectual development. These freedoms must be exercised in a manner that does not intrude upon or interfere with instructional programs and operational processes of the college. The free speech area is located within the confines of the concrete area at the north end of the courtyard and on the concrete area directly in front of the archway between the Administration Building and the Fine Arts Building. The Vice President of Student Affairs reserves the right to recommend and designate alternate locations.

# STUDENT RIGHTS & RESPONSIBILITIES

## IMMUNIZATION RECOMMENDATION

IMMUNIZATION IS AN INTEGRAL PART OF YOUR HEALTH CARE.

THIS PART IS CALLED PREVENTION –IT MEANS THAT YOU MUST DO SOMETHING BEFORE YOU BECOME ILL TO STAY HEALTHY!

DON'T BE PART OF THE PROBLEM – BE PART OF THE SOLUTION:

MAKE SURE THAT YOUR IMMUNIZATIONS ARE CURRENT NOW!!

For more information on immunizations, contact your physician, or contact:

PALO ALTO COLLEGE HEALTH CENTER – 921-5222  
SAN ANTONIO METROPOLITAN HEALTH DISTRICT –924-9031

STUDENT CLASSIFICATION	IMMUNIZATION REQUIRED	SCHEDULE FOR IMMUNIZATION
Medical interns and Residents. Fellows and students enrolled in health-related courses that have any direct patient contact.	Tetanus/Diphtheria	Must have had one dose within the past ten years.
	Measles	Those born since Jan. 1, 1957, must have 2 doses since 12 months of age. The 2 doses must be at least 30 days apart.
	Mumps	Those born since Jan. 1, 1957, must have at least 1 dose since 12 months of age.
	Rubella	At least one dose since 12 months of age is required.
	PPD (TB)	A negative PPD or chest x-ray at least within the last 12 months
Dental students and medical students, interns, residents and fellows.	Hepatitis B	Primary series must be begun or, preferably, completed prior to beginning direct patient care (if not already immune).
	PPD (TB)	A negative PPD or chest x-ray at least within the last 12 months
All students enrolled in health-related courses which have or will have direct patient contact, especially contact with patients' blood.	Hepatitis B	Complete series or proof of immunity is encouraged prior to beginning direct patient care.
	PPD (TB)	A negative PPD or chest x-ray at least within the last 12 months
Students enrolled in schools of veterinary medicine	Rabies	Primary series is required prior to contact with animals or their remains. A booster dose is needed every 2 years (or documentation of protective antibodies).

## INTERROGATIONS AND SEARCHES

## ACCD BOARD POLICY-FLC

The colleges of the ACCD respect the right of students to privacy and security and against arbitrary invasion of their person or property. However, school officials have a limited right to search students or their property when in the interest of overall welfare of other students or when necessary to preserve good order and discipline of the school. If no search warrant is obtained, any prohibited item within "plain view" is subject to seizure.

Areas such as lockers and desks, which are owned and controlled by the ACCD or its colleges, may be searched by school officials when they have reason to believe that stolen items or items prohibited by law or by Board policy are contained in the area to be searched. Indiscriminate searches in the nature of "fishing expeditions" shall be prohibited.

# **STUDENT RIGHTS & RESPONSIBILITIES**

## **INTERROGATIONS AND SEARCHES (cont'd)**

Stolen items and items which are forbidden by ACCD Board policy or law may be confiscated and may be used as evidence in internal school disciplinary proceedings against the student. The preceding policies shall not apply in the event that law enforcement authorities are involved in the search. School searches conducted with assistance from law enforcement authorities are governed by the Fourth Amendment of the U.S. Constitution.

## **INVOLVEMENT IN DECISION-MAKING**

Palo Alto College recognizes the importance of shared governance. Thus, students, faculty and staff members are provided opportunities to share in College governance through participation in committees and councils. The College President appoints committee or council members, based upon recommendations from the Faculty Senate, Staff Council and administrative personnel.

Student involvement in College governance begins by including members of the Palo Alto College Student Government Association, other student organization leaders, as well as students at-large. Student involvement is solicited through the Student Activities Office or other appropriate college offices.

In general, most of these committees or councils are provided a charge by the administration and serve in an advisory capacity. Others are working committees or councils, which implement policies or events. The Strategic Planning Council; Student Affairs Council; Technology Council; Marketing, Recruitment & Extended Services Council; Facilities Council; Program Review Council; and Intercollegiate Athletics Committee are some of the Councils and Committees with student representation.

## **RAFFLES**

## **ACCD POLICY – FI (LEGAL)**

The College is not a “qualified nonprofit organization” for purposes of the Charitable Raffle Enabling Act and shall not sponsor or conduct raffles, i.e., award one or more prizes by chance at a single occasion among a pool or group of persons who have paid or promised a thing of value for a ticket that represents a chance to win a prize. Registered student organizations should contact the Student Activities Office for more information.

## **REHABILITATION ACT**

## **GL (LEGAL)**

No qualified student with a disability shall, on the basis of the disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any academic, research, occupational training, housing, health insurance, counseling, financial aid, physical education, athletics, recreation, transportation, or any other extracurricular or post-secondary educational program or activity, in accordance with the Rehabilitation Act.

# **STUDENT RIGHTS & RESPONSIBILITIES**

## **REHABILITATION ACT (cont'd)**

### **Academic Adjustments**

Accordingly, the College shall make modifications to its academic requirements that are necessary to ensure that such requirements do not discriminate or have the effect of discriminating on the basis of disability against a qualified student or applicant with a disability. Academic requirements that a college can demonstrate are essential to the program of instruction being pursued by the student or to any directly related licensing requirement will not be regarded as discriminatory within the meaning of this policy.

Modifications may include changes in the length of time permitted for the completion of degree requirements, substitution of specific course required for the completion of degree requirements, and the adaptation of the manner in which specific courses are conducted.

### **Student Activities**

Furthermore, the College shall not discriminate on the basis of a disability in providing physical education courses and athletics and similar programs and activities to the students. The college shall provide qualified students with a disability an equal opportunity to participate in physical education courses or enter collegiate clubs or intramural athletics.

**The College does not provide personal attendants for students with a disability. Students assume responsibility for this.**

### **REGISTERED STUDENT ORGANIZATIONS**

### **ACCD Policy FKC**

Recognition of student groups shall not be denied on the basis of the views expressed by the group. Recognition of student groups may be denied if they violate reasonable campus rules, interrupt classes, substantially interfere with the opportunity of other students to obtain an education, or it is reasonable to believe that the group poses a substantial threat of material disruption to the campus. Recognition may be withdrawn if the organization refuses to comply with any valid campus rules.

If the College provides significant assistance to a student organization, it shall ensure that the membership practices of such organizations do not permit discrimination that is a violation of rehabilitation and disability laws and provisions.

### **RELIGIOUS CEREMONIES/MEETINGS**

### **ACCD Policy EJD**

The College is committed to the constitutional principle of the separation of church and state. The District will neither advance nor inhibit religion.

Religious groups shall be permitted to use school facilities under the same rules and regulations applicable to other registered student groups. The College shall not appoint a faculty sponsor for these groups.

# STUDENT RIGHTS & RESPONSIBILITIES

## RELIGIOUS HOLY DAYS

## ACCD Policy FBC

A student absent from classes for the observance of a religious holy day will be allowed to take an examination or complete the assignment scheduled for that day within a reasonable time after the absence. A “religious holy day” means a day observed by a religion where a day of worship is exempt from property taxation under Section 11.20, Tax Code.

The notice must be in writing and should be delivered by the student personally to each class instructor with receipt of the notice acknowledged and dated by the instructor or by certified mail, return receipt requested, and addressed to the instructor of each class. Each instructor should be notified of the classes that will be missed no later than the fifteenth day after the start of the semester.

A student excused under this section may not be penalized for the absence, but the instructor may appropriately respond if the student fails to satisfactorily complete the assignment or examination.

## SCHOLASTIC DISHONESTY

It is in the best interest of our students and of Palo Alto College that such scholastic dishonesty not be tolerated and that college policies and procedures be followed so as to provide consistent college-wide enforcement.

### I. Definition of Terms

“**Scholastic Dishonesty**” includes, but is not limited to, cheating on a test, plagiarism and collusion.

A. “**Cheating on a test**” includes, but is not limited to:

- (1) Copying from another student’s test paper;
- (2) Using materials during a test which are not authorized by the person giving the test;
- (3) Collaborating with another student during a test without authority;
- (4) Knowingly using, buying, selling, stealing, transporting or soliciting, in whole or in part, the contents of a test, without the consent of the instructor;
- (5) Substituting for another student, or permitting another student to substitute for one’s self, to take a test;
- (6) Bribing or otherwise influencing another person to obtain a test not authorized for distribution by the instructor;
- (7) Reporting fraudulent research results.

B. “**Plagiarism**” means the appropriation of another’s work and the unacknowledged incorporation of that work in one’s own coursework/assignment.

C. “**Collusion**” means the unauthorized collaboration with another person in preparing any coursework/assignment.

# STUDENT RIGHTS & RESPONSIBILITIES

## SCHOLASTIC DISHONESTY (cont'd)

### II. Procedures

- A. Typically, the charge of scholastic dishonesty originates from an allegation by a faculty member.
- B. The instructor prepares the PUNITIVE ACTION Form in advance for the student to sign. The form describes specifically the act of scholastic dishonesty involved and should indicate clearly the sanction to be imposed. The maximum penalty that a faculty member may impose is an "F" for the course.
- C. The instructor contacts the student and sets up an appointment to discuss the matter.
- D. If the incident of scholastic dishonesty occurs at the end of the semester and the matter has not been resolved, the instructor will request that Admissions & Records assign a grade of "NR" and will immediately submit all documents to the Department Chair or supervisor of the instructor.
- E. When and if the instructor meets with the student, he or she will present the evidence of scholastic dishonesty to the student. If the student does admit to the charge, he or she will be asked to sign the punitive form. The instructor will submit the completed form and all documentation to the Department Chair. Records of scholastic dishonesty are retained in the office of the appropriate Dean and are kept separate from the student's academic record. The disciplinary record, including scholastic dishonesty, may be released to persons outside the college only with the consent of the students or in response to a court order.
- F. If the student does not admit to the charge and/or does not wish to sign the Punitive Action Form, the instructor will inform the student that he/she will refer the matter to the Department Chair.
- G. The Department Chair in turn will forward the matter to the appropriate Dean, providing his/her recommendation for action.
- H. When necessary, the matter will be referred to the Vice President of Student Affairs whereby the Student Code of Conduct procedures will be initiated.

# STUDENT RIGHTS & RESPONSIBILITIES

## PALO ALTO COLLEGE

### PUNITIVE ACTION FORM FOR ACADEMIC DISHONESTY

#### To be completed by the Faculty Member

Date: \_\_\_\_\_

Faculty Member: \_\_\_\_\_ Department: \_\_\_\_\_

Student Name: \_\_\_\_\_ Student SSN: \_\_\_\_\_

Course Name: \_\_\_\_\_ Course and Section No. \_\_\_\_\_

Semester and Year: \_\_\_\_\_

Concise description of the act of academic dishonesty:

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Attach all documentation, such as tests, etc.

\_\_\_\_\_  
Signature – Faculty Member

#### TO BE COMPLETED BY THE STUDENT:

I hereby acknowledge that I have committed the act of academic dishonesty above. I do not wish to dispute the facts upon which the charges of academic dishonesty are based. I understand that a grade of \_\_\_\_\_ will be recorded for this \_\_\_\_\_.  
(assignment, report, examination, or course.)

No further punitive action will be taken against me by this instructor or account of **this one incident**. I have been informed, however, that this form will be forwarded in all cases to the College administration that will retain this form. My instructor has not in any way forced or coerced me to sign this statement.

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

# **STUDENT RIGHTS & RESPONSIBILITIES**

## **SEXUAL HARASSMENT**

## **ACCD Policy-DHA (Local)**

Sexual harassment is prohibited against all persons seeking benefits from the ACCD including all employees, students, applicants for enrollment or employment, or others who might receive the benefits of college activities.

Trustees, administrators, faculty, staff, and other agents of the ACCD shall not engage in conduct constituting sexual harassment. The ACCD shall promptly investigate all allegations of sexual harassment and take appropriate disciplinary action including dismissal against employees who engage in sexual harassment subject to appropriate procedural and due process requirements. Allegations of harassment do not have to be repetitious in nature in order to constitute sexual harassment as defined in this policy. Engaging in sexual conduct with students or other employees where there is a professional responsibility to the student or employee may lead to allegations of sexual harassment and is, therefore, discouraged.

### **A. DEFINITIONS**

Sexual harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an employee, student, or group of employees or students because of his or her gender that:

1. Has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment; or
2. Has the effect of unreasonably interfering with an individual's performance of duties or studies; or
3. Otherwise adversely affects an individual's employment or academic opportunities.

### **B. APPOINTMENT OF CAMPUS AUTHORITIES**

1. Each College President, in consultation with the Faculty Senate and the Staff Council shall appoint one or more trained campus Ombudspersons to process allegations of sexual harassment.
2. The College President, with the advice and consent of the Faculty Senate and Staff Council, shall appoint individuals to serve on investigative teams to be trained by the Department of Human Resources in the procedures of sexual harassment investigation. The Chancellor may also appoint individuals to serve on investigative teams.

### **C. PROCEDURE**

1. A student or employee wishing to complain of sexual harassment should consult the ACCD Department of Human Resources for assistance and may ask for an informal resolution of the matter with the supervisor or the person accused. Any employee, agent, or Trustee of the ACCD informed of an alleged sexual harassment incident should contact the Director of the Department of Human Resources or designee for assistance.

# STUDENT RIGHTS & RESPONSIBILITIES

## SEXUAL HARASSMENT (cont'd)

2. If within three working days an informal resolution satisfactory to the complainant is not reached, the complainant shall bring a formal complaint to the College Ombudsperson or the Department of Human Resources. The period for informal resolution may be extended by agreement of the complainant and the accused.
3. The College Ombudsperson, District Ombudsperson, or the Department of Human Resources will be available to assist the complainant in preparing a formal written complaint that shall include the date, time, place, and a specific description of the harassment complaint. Within three (3) working days from the date of the request to file a formal complaint, the Ombudsperson shall inform the accused person's supervisor and the College President, Chancellor, or designee.
4. Upon receipt of the complaint, the College President, the Chancellor, or the designee, shall immediately appoint two (2) members to the investigative team from the available trained team members and order an expeditious investigation of the complaint. If the complaint is against a faculty member, the investigative team shall include at least one faculty member. In the event the accused is a staff member, the investigative team shall include at least one staff member. For all other complaints, the Chancellor will appoint two (2) investigative team members. In all instances, the Director of Human Resources shall appoint a member of the Human Resources Department to serve as the chair of the team. All teams shall consist of at least one male and one female investigator. The appropriate investigative team will investigate the complaint according to investigative guidelines as promulgated by the Chancellor.
5. The investigative team shall have the authority to interview witnesses, gather documentation, and within thirty (30) days of receiving their charge, shall complete their investigation and submit a written decision of findings to the College President or, under extraordinary circumstances, the Chancellor. The investigation shall be conducted as expeditiously as possible and, where necessary, the administration will provide team members with substitutes for pre-assigned responsibilities.
6. During the investigation of a complaint or pending corrective action, the Chancellor may, when circumstances warrant and are consistent with the Academic Freedom and Tenure Policy and the Grievance Procedure, place an employee on suspension with pay pending the results of the investigation or the finality of the corrective action.
7. The complainant or the party charged may appeal the disposition of the complaint. Where no adverse employment action is involved, the process of appeal is that process which the grievant would follow under the grievance provisions of the ACCD Administrative Hearings and Grievance Procedure for employee complaints commencing with the appropriate Dean. Where the disposition recommends an adverse action against an employee, the protections and requirements of the ACCD Academic Freedom and Tenure Policy and Grievance Policy shall apply. Should both parties wish to appeal the dispositions, the proceedings may be consolidated at the discretion of the District so long as this consolidation does not contravene then-existing policy or law.

# STUDENT RIGHTS & RESPONSIBILITIES

## SEXUAL HARASSMENT (cont'd)

8. The Ombudsperson or the Department of Human Resources may, upon request, represent the complainant, but only through a decision at the first formal recorded hearing in the appeals/grievance procedure if the decision is adverse to the complainant. The Ombudsperson shall have all authority necessary and proper to prepare the complainant's case.
9. The District is committed to ensuring that students, applicants, and employees are not adversely affected for having brought forward a charge of sexual harassment, testified, assisted, or participated in any manner in an investigation proceeding or hearing. In the event such retaliation is determined, appropriate disciplinary penalties shall be initiated.

**Contact the Office the Vice President of Student Affairs for referrals to sexual harassment ombudsperson on campus.**

## D. INVESTIGATION BY LEGAL COUNSEL

Investigation of sexual harassment claims by legal counsel may occur in conjunction with or as an alternative to procedures outlined in paragraphs 1-5 of the described investigation process, when recommended by legal counsel and approved by the Chancellor or designee. The investigation will be conducted as expeditiously as possible, and the provisions of Paragraph 6-9 shall apply in all cases.

## SOLICITATION

### ACCD Policy FI

Solicitation on campus is not permitted except for those activities approved by the Student Activities Office for fund raising by student organizations. Solicitation is defined as requesting money, taking subscriptions and selling merchandise or tickets. Raffles are prohibited. Advertisements, sales displays or distribution of publications are not permitted. Solicitation activities by external agencies or organizations must be approved by the Student Activities Office.

## STUDENT CODE OF CONDUCT

### ACCD Policy FLB

### I. PROVISIONS

- A. Students of Palo Alto College are protected by all laws that provide rights of citizenship to every individual. Students must, however, assume the responsibilities of citizenship. They are expected to obey both the penal and civil statutes of the State of Texas and Federal government, and the policies of the Board of Trustees, College policies, and regulations and administrative rules.
- B. This Code contains regulations for dealing with alleged student violations of the College standards of conduct in a manner consistent with the requirements of procedural due process. It also contains descriptions of the standards of conduct to which students must adhere and the penalties that may be imposed for the violation of those standards.

# STUDENT RIGHTS & RESPONSIBILITIES

## STUDENT CODE OF CONDUCT (cont'd)

### II. APPLICATION

- A. This code applies to individual students and states the role of students, faculty, and administrative staff members of the College in disciplinary procedures.
- B. The College has jurisdiction for disciplinary purposes over a person who was a student at the time he/she allegedly violated a Board rule, College policy or regulation, or administrative rule on the College campus and/or attendance at official ACCD functions.

### III. DEFINITION/VIOLATIONS

- A. **Definitions** - Unless the context requires a different meaning, the following definition applies in the Student Code of Conduct.

1. **ADMINISTRATION** - any administrative position, from the level of Director through College President.
2. **BOARD** - the Board of Trustees of the Alamo Community College District.
3. **CAMPUS** - the "campus" of the College is defined as all real property over which the College has possession and control.
4. **CHIEF OF CAMPUS POLICE** - the Chief of Campus Police or a designated representative on campus.
5. **CLASS DAY** - a day or evening on which classes are scheduled or final examinations are given.
6. **COMMITTEE** - the Student Disciplinary Hearing Committee at the College.
7. **DISTRICT** - the Alamo Community College District.
8. **FORMAL COMPLAINT** - a written summary of the essential facts constituting a violation of Board rules, College policies and regulations or administrative rules.
9. **PRESIDENT** - the President of the College or designated representative.
10. **STUDENT** - a person who is currently enrolled or has been accepted for admission or readmission to the College.
11. **VICE-PRESIDENT** - the Vice President of Student Affairs or designated representative.

- B. **Student Conduct** – Each student shall be charged with notice and knowledge of the contents and provisions of the District rules and regulations concerning student conduct. All students shall obey the law, show respect for properly constituted authority, and observe correct standards of conduct. In addition to any and all activities prohibited by law, the following is a non-exclusive list of expressly prohibited behavior.

1. **Gambling** – gambling as described by the Texas Penal Code is forbidden.
2. **Alcohol and Narcotics**

# STUDENT RIGHTS & RESPONSIBILITIES

## STUDENT CODE OF CONDUCT (cont'd)

- a. The use of intoxicating beverages shall be prohibited in classroom buildings, laboratories, auditoriums, library buildings, museum, faculty and administrative offices, intercollegiate and intramural athletic facilities, and all other public campus areas, provided, however, that with the prior consent of the Board, the provisions herein may be waived with respect to any specific affair that is sponsored by the College. State law shall be strictly enforced at all times on all property controlled by the District in regard to the possession and consumption of alcoholic beverages.
  - b. No student shall possess, use, transmit, or attempt to possess, use or transmit or be under the influence of (legal intoxication not required) any of the following substances on campus or off campus premises at a District-sponsored activity, function or at all times:
    - (1) Any controlled substance or dangerous drug as defined by law, including, but not limited to, marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine or barbiturate.
    - (2) Alcohol or any alcoholic beverage.
    - (3) Any glue, aerosol paint, or any other chemical substance or inhalant that can be abused.
    - (4) Any other intoxicant, or mood-changing, mind-altering, or behavior-altering drugs.
  - c. The transmittal, sale, or attempted sale of what is represented to be any of the above-listed substances is also prohibited under this policy.
  - d. A student who uses a drug authorized by a licensed physician through a prescription specifically for that student's use shall not be considered to have violated this rule.
  - e. Lockers and cars parked on College campus or on premises leased or used for District or College functions may be inspected by College personnel if there is reasonable cause to believe they may contain alcohol and/or narcotics.
- 3. Disorderly Conduct** – disorderly conduct shall include, but is not limited to, any of the following activities occurring at any time on property owned or controlled by the College or College-sponsored functions:
- a. ***Behavior of a boisterous and tumultuous character*** such that there is a clear and present danger of alarming persons where no legitimate reason for alarm exists.
  - b. ***Interference with the peaceful and lawful conduct*** of persons under circumstances in which there is reason to believe that such conduct will cause or provoke a disturbance.
  - c. ***Violent and forceful behavior***, such that there is a clear and present danger to others or that free movement or other persons will be impaired.
  - d. ***Behavior involving personal abuse or assault*** when such behavior creates a clear and present danger of causing assaults or fights.

# STUDENT RIGHTS & RESPONSIBILITIES

## STUDENT CODE OF CONDUCT (cont'd)

- e. ***Violent, abusive, indecent, profane, boisterous, unreasonably loud, or otherwise disorderly conduct*** under circumstances in which there are reason to believe that such conduct will cause or provoke a disturbance.
  - f. ***Willful and malicious behavior that interrupts the speaker of any lawful assembly*** or impairs the lawful right of others to participate effectively in such assembly or meeting when there is reason to believe that such conduct will cause or provoke a disturbance.
  - g. ***Willful and malicious behavior that obstructs or causes obstruction on any doorway, hall, or any other passageway*** in a District building or an off-campus premise at any District-sponsored activity, function, event, to such an extent that students, employees, officers, or other persons, including visitors, having business with the District are denied entrance, exit, or free passage in such building.
4. **Disruptive Activities and Disruption of Lawful Assembly** – No student or group of students acting in concert may willfully engage in disruptive activity or disrupt lawful assembly on campus or property of any College in the ACCD or off-campus at any ACCD-sponsored activity, function, or event. Disruptive activity means:
- a. ***Obstructing or restraining the passage of persons in an exit, entrance, or hallway*** of any building without the authorization of the administration of the College.
  - b. ***Seizing control of any building or portion of a building*** for the purpose of interfering with any administrative educational, research, or other authorized activity.
  - c. ***Preventing or attempting to prevent by force or violence or the threat of violence any lawful assembly*** authorized by the school administration.
  - d. ***Disrupting by force or violence or the threat of force or violence while a lawful assembly*** is in progress.
  - e. ***Obstructing or restraining the passage of any person at an exit or entrance*** to said campus or property or preventing or attempting to prevent by force or violence by the threats thereof the ingress or regress of any person to or from said property campus without the authorization of the administration of the College.

A lawful assembly is disrupted when any person in attendance is rendered incapable of participating in the assembly due to the use of force or violence or due to a reasonable fear that force or violence is likely to occur.

5. **Demonstrations** – Student demonstrations and similar activities may be prohibited when there is evidence that the activity may reasonably lead College authorities to forecast substantial disruption of or material interference with normal College operations or approved College activities.

# STUDENT RIGHTS & RESPONSIBILITIES

## STUDENT CODE OF CONDUCT (cont'd)

Students, who once informed of the prohibition of a demonstrative activity continue to participate in such activity, are subject to disciplinary action. All student demonstrations and similar activities shall be approved through the Office of the Vice-President of Student Affairs.

**6. Falsification of Records or Information** – Intentionally falsifying any official College record or giving false information in response to requests by the College or College officials is a violation of this policy.

### **7. Financial Transactions with the College**

- a. Refusing to pay or failure to pay a debt, such as loans, fines or other charges owed to the College.
- b. Giving the College an “insufficient funds” check or draft or stopping payment on a check or draft.
- c. Failure to pay the College the amount due on a check, draft or order on or before the fifth class day after the Bursar’s Office sends written notice that the drawee has rightfully refused payment of the check, draft, or order institutes prima facie evidence that the student intended to defraud the College.
- d. Acting as representative of the College in an attempt to legally bind the College without authorization.
- e. Making or attempting to make personal use of the College or ACCD property.
- f. As a student employee, knowingly accepting overpayment or refusing to return an overpayment once notified of it within the subsequent pay period.
- g. Students who default on student direct loans shall be subject to those additional requirements and may avail themselves of those defenses relevant to Federal and State law and regulations governing such loans.

**8. Weapons** – Entering ACCD premises or any off-campus premises at an ACCD-sponsored activity, function or event, with a prohibited weapon, unless pursuant to written regulations or written authorization of the College.

- a. This prohibition shall not normally apply to instructional supplies such as pencils, compasses, and the like, unless those instruments are used in a menacing or threatening manner.
- b. Weapons shall include, but are not limited to, the following:
  - (1) Explosive weapons,
  - (2) Firearms,
  - (3) Firearm ammunition,
  - (4) Switchblades or other illegal knives,
  - (5) Martial arts weapons,
  - (6) Chemical Dispensing devices,

# STUDENT RIGHTS & RESPONSIBILITIES

## STUDENT CODE OF CONDUCT (cont'd)

- (7) Fireworks,
  - (8) Straight razors, and
  - (9) Clubs and other weapons as more specifically defined in the Penal Code of the State of Texas and the City Code of the City of San Antonio.
- c. Lockers and cars parked on College campuses or on premises leased or used for official ACCD or College functions may be inspected by College personnel if there is reasonable cause to believe they contain weapons.
- 9. Hazing** – Any kind of hazing is forbidden. “Hazing” is defined as any intentional, knowing, reckless act, occurring on or off the College campus, by one person alone or acting with others, directed against a student that endangers the mental or physical health or safety of a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization whose members are, or include students at the College. The term includes, but is not limited to the following:
- a. any type of physical brutality such as whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on the body, or similar activity.
  - b. any type of physical activity such as sleep deprivation, exposure to the elements, confinement in a small place, calisthenics or other activity that subjects the students to an unreasonable risk of harm or that adversely affects mental or physical health or safety of the student.
  - c. any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance which subjects the student to an unreasonable risk of harm or which adversely affects the mental or physical health or safety of the student.
  - d. any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, shame, humiliation or that adversely affects the mental health or dignity of the student or discourages the student from entering or remaining registered at the College, or that may reasonably be expected to cause a student to leave the organization or the College rather than be subject to acts described in this subsection;
  - e. any activity that induces, causes, or requires the student to perform a duty or task that involves a violation of the Penal Code.
- 10. Scholastic dishonesty** – College personnel with administrative authority may initiate disciplinary proceedings against a student accused of scholastic dishonesty. “Scholastic Dishonesty” includes, but is not limited to, cheating on a test, plagiarism and collusion.
- a. ***Cheating on a test*** includes, but is not limited to:

# STUDENT RIGHTS & RESPONSIBILITIES

## STUDENT CODE OF CONDUCT (cont'd)

- (1) Copying from another student's test paper;
- (2) Using materials during a test that are not authorized by the person giving the test;
- (3) Collaborating with another student during a test without authority;
- (4) Knowingly using, buying, selling, stealing, transporting or soliciting, in whole or in part, the contents of a test, without the consent of the instructor;
- (5) Substituting for another student, or permitting another student to substitute for one's self, to take a test;
- (6) Bribing or otherwise influencing another person to obtain a test not authorized for distribution by the instructor;
- (7) Reporting fraudulent research results.

b. **Plagiarism** means the appropriation of another person's work and the unacknowledged incorporation of that work in one's own coursework/ assignments.

c. **Collusion** means the unauthorized collaboration with another person in preparing any course work/assignments.

### 11. **Assault** – includes:

- a. Intentionally, knowingly, or recklessly causing bodily injury to another;
- b. Intentionally or knowingly threatening another with imminent bodily injury; or
- c. Intentionally or knowingly causing physical contact with another when the student knows or should reasonably believe that the other person will regard contact as offensive or provocative.

12. Intentionally, knowingly, or recklessly endangering the health or safety of members of the ACCD community or visitors to the campus.

13. Intentionally, knowingly, or recklessly damaging, defacing or destroying College property.

14. Forging, altering, or misusing College documents, records, or ID cards.

15. Violating College policies or regulations concerning traffic, parking, and use of College facilities.

16. Failing to comply with lawful directions of College officials acting in performance of their duties.

17. Failing to comply with the College attendance policy or classroom academic requirements of the faculty.

# STUDENT RIGHTS & RESPONSIBILITIES

## STUDENT CODE OF CONDUCT (cont'd)

18. Failing to comply with the rules and regulations of the ACCD Board, College, and Administration.
19. Committing an act that violates State or Federal law while on campus.

**C. Any student violating the foregoing shall be subject to discipline, including suspension.**

## IV. SUSPENSION

- A. When the Vice-President of Student Affairs receives information that a student has allegedly violated a law, Board policy or College regulation, the Vice President or a designated representative shall investigate the alleged violation. After completing the preliminary investigation, the Vice-President may:
  1. Dismiss the allegation as unfounded; or
  2. Summon the student for a conference for further evaluation of the severity of the allegation, and, if the alleged allegation or the facts of the alleged violation or the administrative decision are not disputed by the student, proceed administratively; or
  3. Summon the student for a conference for further evaluation of the severity of the allegation, and, if the alleged allegations and/or the administrative decision are disputed by the student, prepare a formal complaint based on the allegation for use in disciplinary hearings, along with a list of witnesses and documentary evidence supporting the allegations.
- B. The President of the College or designee may take immediate interim disciplinary actions including suspending the rights of a student to be present on the campus if it is determined that an emergency exists which requires immediate action to preserve the educational environment.

## V. SUMMONING A STUDENT

- A. In connection with an alleged violation, a student may be summoned by certified letter to appear. The letter must be addressed to the student at his/her address as it appears in the records in the Office of Admissions and Records or by other such means as are available and appropriate.
- B. The summons shall direct the student to appear at a specified time and place not less than five class days after the date reflected on the letter. The letter shall contain a brief description of the alleged violation.
- C. The Vice-President may place on disciplinary probation a student who fails, without good cause, to comply with a certified letter of summons, or the Dean may proceed against the student as specified under Paragraphs VI and VII which follow.

# **STUDENT RIGHTS & RESPONSIBILITIES**

## **STUDENT CODE OF CONDUCT (cont'd)**

### **VI. ADMINISTRATIVE DISPOSITION OF A VIOLATION**

- A. When the facts are undisputed by the student, the Vice-President of Student Affairs may administratively dispose of the violation if:
  - 1. It is in the best interest of the College and the student concerned; and
  - 2. The student concerned consents in writing to administrative disposition and signs a statement that he/she understands the violation charges, the right to a hearing, the penalty imposed, and the waiver of the right to appeal.
- B. At a conference with a student in connection with an alleged violation, the Vice President shall advise the student of his/her rights and explain disciplinary procedures to be followed in the disposition of the matter.
- C. In administratively disposing of a violation, the Vice-President of Student Affairs may impose any disciplinary action authorized under this code.
- D. A student may refuse administrative disposition of the alleged violation and, on refusal, is entitled to due process and hearing under Paragraph VII below.
- E. The Vice-President shall prepare an accurate, written summary of each administrative disposition of a major violation and forward a copy to the student and to the parents or guardian of an unmarried student who is under 18 years of age (with the exception of emancipated minors) and to appropriate administrative personnel.

### **VII. DISCIPLINARY HEARING COMMITTEE**

- A. When a student refuses administrative disposition of a violation, he/she is entitled to due process and hearing before the Disciplinary Hearing Committee. This request must be made in writing and must be in the office of the Vice-President of Student Affairs on or before the fifth class day following the administrative disposition.
- B. The Disciplinary Hearing Committee shall be selected by the College President or designee and shall consist of five (5) members as follows:
  - 1. Two students chosen from the student representative commission or campus organization's officers
  - 2. A faculty member
  - 3. A staff member
  - 4. An administrative officer
- C. The College President shall appoint one of the Disciplinary Hearing Committee members to chair the Disciplinary Hearing Committee.

# STUDENT RIGHTS & RESPONSIBILITIES

## STUDENT CODE OF CONDUCT (cont'd)

- D. The Vice-President of Student Affairs shall present evidence to support any allegations of violations of Board rules, College regulations, and/or administrative rules. The Vice-President may be assisted by legal counsel when, in the opinion of the Vice-President, the best interests of the student or the College would be served by such assistance.

## VIII. NOTICE

- A. The Vice-President of Student Affairs shall notify the student concerned by letter with date, time and place for the hearing, which shall take place not fewer than (10) class days after the date of this letter. The ten-day notice requirement may be altered by mutual agreement of the Vice-President and the student. An opportunity for a hearing shall precede suspension or expulsion of a student unless a student's presence on campus poses a danger to persons, property or the academic process.

If interim suspension is necessary before a hearing can be provided, the President, Vice-President of Student Affairs or their designee must make a reasonable attempt to meet with the student, discuss the charges and evidence, and allow the student the opportunity to respond and to correct any mistakes in the factual records. A hearing before the Disciplinary Hearing Committee, in compliance with the requisites of this Code, shall then be held as soon as practicable thereafter, which in no event shall take place later than five (5) class days after the date of the suspension or expulsion.

- B. The notice under A above shall:
1. Be in sufficient detail to apprise the student of what he/she is charged with and the potential punishment for that charge and to enable the student to prepare a defense.
  2. Direct the student to appear on the date and at the time and place specified.
  3. Advise the student of his/her rights as outlined below:
    - a. To a private hearing.
    - b. To appear in person and with a representative or legal counsel at the hearing.
    - c. To know the identity of each witness who will testify for the College.
    - d. To call witnesses and ask for copies of evidence in the College's possession in advance of the hearing and to offer evidence and argue in his/her own behalf of the hearing.
    - e. To have the hearing recorded verbatim and have stenographic digest made of the recording and/or make a transcript of the hearing at the student's expense.
    - f. To cross-examine each witness who testifies against the student.
    - g. The right to appeal.
    - h. To have his/her parents or legal guardian present at the hearing if he/she is a minor.

# STUDENT RIGHTS & RESPONSIBILITIES

## STUDENT CODE OF CONDUCT (cont'd)

4. Contain the names of witnesses who will testify against the student and a description of documentary and other evidence that will be offered against the student.
  5. Contain a copy of the complaint.
  6. Notify the student that the Vice-President of Student Affairs may be represented by counsel and that the Vice-President or counsel may cross-examine a student witness testifying on the student defendant's behalf or the student defendant if the student testifies in his/her own behalf.
- C. Failure to Comply with Notice – the Vice-President may, on behalf of the College and at his/her discretion, elect to proceed with the hearing in the student's absence.

## IX. PROCEDURE

- A. The College may be represented by staff members of the Vice-President of Student Affairs Office, legal counsel, or other persons designated by the Vice-President of Student Affairs. The Chairperson shall provide reasonable opportunities of witnesses to be heard.
- B. The Disciplinary Hearing Committee shall proceed generally as follows during the hearing:
  1. The Vice-President of Student Affairs (VPSA) reads the complaint.
  2. The VPSA presents the College's case.
  3. The student presents his/her defense.
  4. The VPSA and the student present rebuttal evidence and argument.
  5. The Disciplinary Hearing Committee shall make its decision strictly upon the evidence presented as part of the hearing record.
  6. All evidence shall be offered to the Disciplinary Hearing Committee during the hearing and made part of the hearing record.
  7. A student may not be compelled to testify against himself/herself.
  8. Disciplinary Hearing Committee members may, if necessary, question witnesses, but are encouraged to allow the participants to conduct the examinations.
  9. The Disciplinary Hearing Committee will vote on the issue of whether or not there has been a violation of Board rule, College regulation, or administrative rule; if the Disciplinary Hearing Committee finds the student has violated a Board rule, College regulation or administrative rule, the Disciplinary Hearing Committee will recommend an appropriate penalty, as stated herein.
  10. The Disciplinary Hearing Committee shall state in writing each finding of a violation of Board rule, College regulation or administrative rule, and the penalty recommended. Each Disciplinary Hearing Committee member concurring in the finding and recommendation shall sign the statement. The Disciplinary Hearing Committee shall include in the statement its reasons for the finding and recommendation.

# STUDENT RIGHTS & RESPONSIBILITIES

## STUDENT CODE OF CONDUCT (cont'd)

11. The VPSA, acting on behalf of the Disciplinary Hearing Committee, informs the student of the decision and penalty, if any.

### X. EVIDENCE

- A. Legal rules of documentary evidence do not apply to hearings before the Disciplinary Hearing Committee. The Disciplinary Hearing Committee will admit evidence that possesses prohibitive value with respect to alleged violation. The Disciplinary Hearing Committee shall exclude irrelevant, immaterial, and unduly repetitious evidence.
- B. The Disciplinary Hearing Committee shall recognize as privileged communications between a student and a member of professional counseling staff, where such communications were made in the course of performance of official duties and when the matters discussed were understood by the staff member and the student to be confidential.
- C. The administration has the burden of proving its case by a preponderance of the evidence. Preponderance of the evidence means proof that leads a reasonable person to find that the facts in issue are more likely to have occurred than not.
- D. A student may not be compelled to testify on his/her own behalf. If the student chooses not to testify, no inference may be drawn from the failure to testify. If the student does testify, he/she may be fully cross-examined.

### XI. HEARING RECORD

- A. The hearing record shall include:
  - 1. A copy of the notice required herein;
  - 2. All documentary and other evidence offered or admitted in evidence;
  - 3. Written motions, pleas, and any other materials considered by the Disciplinary Hearing Committee.
  - 4. The Disciplinary Hearing Committee's findings and conclusions;
  - 5. The Disciplinary Hearing Committee's decision;
  - 6. A transcript or electronic record of the hearing (at the student's expense), if any.
- B. The Disciplinary records and proceedings shall be kept separate from the student's academic record.

### XII. PETITION FOR ADMINISTRATIVE REVIEW

- A. A student is entitled to appeal to the President of the College.
- B. The President of the College shall automatically review every expulsion.

# STUDENT RIGHTS & RESPONSIBILITIES

## STUDENT CODE OF CONDUCT (cont'd)

- C. In order to reverse the decision of the Disciplinary Hearing Committee, the President must find the following:
1. Procedural error
  2. Arbitrary or capricious treatment towards the student, or
  3. Substantial evidence supporting reversal.
- D. The petition on appeal shall contain the record required by Paragraph XI. A student shall file the petition for appeal in the office of the President of the College within ten (10) calendar days of the date the Disciplinary Hearing Committee announces the decision. The petition shall specifically point to the procedural error, arbitrary or capricious treatment of the alleged, or the substantial evidence supporting a reversal of the Disciplinary Hearing Committee below.
- E. In the appeal or review process, the President may take any action that the Dean is authorized to take under Paragraph XIII below. The President may receive written briefs and hear oral arguments during the review of request of additional evidence. The decision of the President shall be issued within thirty (30) days of the date of the appeal, or, in the case of expulsion, thirty (30) days from the date of the Disciplinary Hearing Committee's decision, whichever is later.

## XIII. AUTHORIZED DISCIPLINARY PENALTIES

- A. The President, Vice-President of Student Affairs (VPSA), or the Disciplinary Hearing Committee may impose one or more of the following penalties for violation of a law, Board police, or College regulation or rule. The following are not listed in priority or sequential order.
1. **ADMONITION:** a written reprimand from the VPSA to the student on whom it is imposed.
  2. **WARNING PROBATION:** indicates that further violations of regulations will result in more severe disciplinary action. Warning probation may be imposed for any length of time, up to one calendar year, and the student shall be automatically removed from probation when the imposed period expires.
  3. **DISCIPLINARY PROBATION:** indicates further violations may result in suspension. Disciplinary probation may not be imposed for longer than one (1) academic year.
  4. **WITHHOLDING OF TRANSCRIPTS OR CERTIFICATE/DEGREE:** imposed upon a student who fails to pay a debt owed the College or who has a disciplinary case pending final disposition. The penalty terminates on payment of debt or final disposition of the case.
  5. **BAR AGAINST READMISSION:** imposed on a student who has left the College on enforced withdrawal for disciplinary reasons.

# STUDENT RIGHTS & RESPONSIBILITIES

## STUDENT CODE OF CONDUCT (cont'd)

6. **RESTITUTION:** reimbursement for damage to or misappropriation of funds or property. Reimbursement may take the form of appropriate service to repair or otherwise compensate for damages.
7. **SUSPENSION OF PRIVILEGES:** a penalty which may impose limitations or restrictions to fit the particular case.
8. **SUSPENSION OF ELIGIBILITY FOR OFFICIAL CO-CURRICULAR ACTIVITIES:** prohibits, during the period of suspension, the student on whom it is imposed from joining a registered student organization, taking part in a registered student organization's activities, attending its meetings or functions, and from participating in an official co-curricular activity. Such suspension may be for any length of time, up to one calendar year.
9. **DENIAL OF CERTIFICATE OR DEGREE:** may be imposed on a student found guilty of scholastic dishonesty and may be imposed for any length of time up to and including permanent denial.
10. **SUSPENSION FROM THE COLLEGE:** prohibits during the period of suspension the student on whom it is imposed from being recognized, honored, or initiated into an honorary or service organization, from entering the College campus except in response to an official summons, and from registering either for credit or non-credit courses or other scholastic work through the College.
11. **DISTRICT-WIDE EFFECT OF SUSPENSIONS AND EXPULSIONS:** The terms of any suspension or expulsion imposed on a student by one ACCD campus are effective for the duration of the suspension or expulsion at all ACCD campuses. A student at an ACCD campus who under the terms of a suspension or expulsion is barred from registering in course, denied entry to campus property, or otherwise restricted, is thereby subject to these same disabilities at all other ACCD campuses.
12. **EXPULSION OF CERTAIN FOREIGN STUDENTS:** The Board may expel from the District any student who is citizen of a country other than the United States attending the District under a nonimmigrant visa issued by the Immigration and Naturalization Service and who is finally convicted of certain offenses defined by state law.

## XIV. MAINTAINING CAMPUS ORDER DURING DECLARED PERIODS OF DISRUPTION

Contact the Office of the Vice President of Student Affairs.

## STUDENT GRADE APPEALS

### I. Definition of Terms

In these procedures, unless the context clearly requires a different meaning, the following words and phrases shall have the meaning given below:

- A. **"Student"** means a person currently or formerly enrolled at Palo Alto College.

# STUDENT RIGHTS & RESPONSIBILITIES

## STUDENT GRADE APPEALS (cont'd)

- B. “**Instructor**” means the person primarily responsible for teaching the class, and may include full or part-time faculty, as well as members of the classified, professional, and administrative staffs at Palo Alto College.
- C. “**Chairperson**” means the direct instructional supervisor of the instructor in whose department or area the grade appeal arose.
- D. “**Dean**” means the direct instructional supervisor of the Chairperson in whose department or area the grade appeal arose.
- E. “**Days**” mean workdays during which the college is in session.
- F. “**Adequate Cause**” means clear and convincing evidence that the instructor acted unfairly or arbitrarily or capriciously in the evaluation of student grade performance.
- G. “**Scholastic Dishonesty**” includes but is not limited to cheating on a test, plagiarism, or collusion.

## II. Guidelines For Grade Appeals

- A. The responsibility for determining all grades and for judging the quality of academic performance in a course rests with the instructor assigned to the course.
- B. When the instructor cannot be located in a timely manner by the student and Chairperson, the student grade appeal can be initiated with the Chairperson.
- C. A student has a maximum of two years from the end of the semester when the final grade was issued to request the review of the grade or petition for change of grade.
- D. A grade appeal may result in review of any or all aspects of the student’s performance in the course.
- E. When a student is suspected of “scholastic dishonesty” and by the end of the semester the resolution of the matter has not been finalized, a grade of NR should be submitted to Admissions & Records. The procedures listed in Faculty Guidance for the processing of Scholastic Dishonesty Incidents should be followed.

## III. Formal Procedure

- A. A student who believes that the grade received is incorrect should schedule a conference with the instructor to resolve the problem. Grade appeals can be made up to a maximum of two years from the semester when the final grade was issued.

# STUDENT RIGHTS & RESPONSIBILITIES

## STUDENT GRADE APPEALS (cont'd)

- B. If the instructor concurs that an error in calculating the final grade occurred, the error is corrected by completing a "Change of Grade" form.
  - 1. If the change of grade occurs within 10 days after grades are due, the instructor submits the grade change directly to the Office of Admissions & Records.
  - 2. If the change of grade occurs after the first 10 days after submitting final grades, the instructor submits the "Change of Grade" form to the Chairperson. It then goes to the appropriate Dean for final approval. The grade change must be accompanied by accurate, detailed verification of the justification for change.
- C. If the instructor is not willing to change the grade, then the student must initiate an Academic Grievance within five (5) days of the instructor's decision. Copies of the Academic Grievance are to be provided by the appropriate Dean to the student and instructor.
- D. The Chairperson will individually and separately hear the grievance from the student and the instructor. After hearing both sides, the Chairperson may request that the student and the instructor meet with the Chairperson in order to reach an acceptable conclusion.
- E. If an agreement is not reached, the Chairperson will affirm or deny the grade appeal within five (5) days. If the decision is to affirm the instructor's position, the student may appeal to the appropriate Dean. If the decision is to affirm the student's grade appeal, and to recommend that the instructor reverse his or her course grade, the Chairperson must meet with the instructor and provide a written explanation. To affirm a student grade appeal, the Chairperson must have adequate cause.
- F. If either the student or instructor is not satisfied with the Chairperson's decision, he or she may appeal to the appropriate Dean within five (5) days of the date of the Chairperson's decision. A complete record of the grade appeal will be forwarded to the Dean by the Chairperson. The Dean and the Chairperson will meet with the student and the instructor. After hearing both sides and reviewing the record, the Dean will render a decision in writing, affirming or denying the grade appeal within five (5) days. The decision of the Dean is final.

## STUDENT INFORMATION RELEASE POLICY

## ACCD Policy-FJ

Under provisions of state and federal laws, educational institutions receiving state and/or federal funds are obligated to release or restrict access to students' records in a manner established by those laws. Palo Alto College proposes to fulfill its responsibility regarding release of student information.

# STUDENT RIGHTS & RESPONSIBILITIES

## STUDENT INFORMATION RELEASE POLICY (cont'd)

Students are protected by the Family Educational Rights and Privacy Act (FERPA) which permits students to withhold student directory information. To withhold information from being released, students must notify the Office of Admissions and Records in writing. Failure to make such a written request will indicate approval for disclosure by the College for any purpose at its discretion.

The kind of information which may be released includes the student's name, address, telephone number, major, attendance record, degrees received, semester credit hours, and student parking information. Contact the Admissions and Records Office for more details.

## STUDENT PUBLICATIONS

## ACCD Policy-FKA

Distribution of written materials may be restricted, subject to the following guidelines.

1. **FORECAST OF DISRUPTION:** Distribution may be limited in order to prevent material and substantial interference with normal school operations in circumstances where there is evidence that reasonably supports a forecast that disruption will likely result directly from distribution. "Bare allegations" of disruption or unsubstantiated speculation as to what "might" happen or "could result" are not sufficient to support a reasonable forecast of disruption of the normal operations of the school. Moreover, material that is merely offensive or unpopular, or that stimulates controversy, shall not be restricted or forbidden.
2. **TIME, PLACE, AND MANNER OF DISTRIBUTION:** Reasonable administrative regulations as to the time, place, and manner of distribution may be prescribed. Regulations shall be narrowly drawn to promote orderly administration of school activities by preventing disruption and may be designed to stifle expression.
3. **PRIOR REVIEW:** The administration promulgates regulations governing review of the content of publications. Regulations shall be narrowly drawn and shall:
  - a. Contain precise criteria that sufficiently spell out what is forbidden in terms clear enough that a reasonable, intelligent student will know what may or may not be written.
  - b. State clearly the means by which students are to submit proposed materials to the Vice-President of Student Affairs.
  - c. State a brief and reasonable period of time during which the administration must make their decisions.
  - d. State clearly a reasonable procedure of appeal.
  - e. State a brief and reasonable time during which the appeal must be decided upon.
4. **LIMITATIONS ON CONTENT:** Content of the materials to be distributed must conform to the following standards:

# STUDENT RIGHTS & RESPONSIBILITIES

## STUDENT PUBLICATIONS (cont'd)

- a. **"OBSCENITY"**: Administrative regulations shall limit the distribution of material that is obscene. They shall be narrowly drawn, shall specifically define what may not be depicted or described, and shall be premised on rational findings of harmfulness to the particular group.
- b. **"INCONSISTENCY DOCTRINE"**: Material may not be forbidden if the portions or specific language objected to may also be found in material that is made available to students through school facilities, i.e., the school library or readings assigned by teachers for homework.
- c. **"LIBEL"**: Libelous material may be prohibited from distribution. Libelous materials shall be defined to include defamatory falsehoods about public figures or governmental officials, which are made with knowledge of their falsity or reckless disregard for the truth.
- d. **"CRITICISM OF SCHOOL AND ADVOCACY OF VIOLATION OF SCHOOL RULES"**: Publications that criticize board members or school officials or advocate violation of school rules may be prohibited when there is evidence that reasonably supports a forecast that material and substantial disruption of normal school operations will result from the publication. Regulations must distinguish between mere advocacy and advocacy that is directed toward inciting or producing imminent lawless or disruptive action and that is likely to incite or produce such action.
- e. **"INSULTING OR FIGHTING WORDS"**: Hate literature that scurrilously attacks ethnic, religious or racial groups, and similar irresponsible publications aimed at creating hostility and violence may be banned.

Regulations controlling such material shall be narrowly drawn to ensure that only material that could reasonably support a forecast of material and substantial disruption of normal school operations is affected.

## Sale Of Newspapers On Campus

The sale and distribution of newspapers shall be permitted at designated places under the supervision of the Vice President of Student Affairs.

## Petitions, Handbills And Literature

Each petition, handbill or piece of literature shall identify the person or organization distributing it.

No person or organization may publicly distribute on ACCD property one or more petitions, handbills, or pieces of literature that are obscene or libelous, or that contain non-permissible solicitation. Distribution must be conducted so as not to interfere with free and unimpeded flow of pedestrian and vehicular traffic or to disturb or interfere with academic or institutional activities.

No person or organization may distribute literature by accosting individuals or by hawking and shouting. The distributor must clean the area around which the literature was distributed.

# **STUDENT RIGHTS & RESPONSIBILITIES**

## **STUDENT PUBLICATIONS (cont'd)**

### **Nonpermissible Signs**

For the purposes of this policy, “sign” shall be defined as billboard, decal, notice, placard, poster, banner, or any kind of hand-held sign; and “posting” shall be defined as any means used for displaying a sign.

A student or registered student organization may publicly post a sign on college or ACCD property in accordance with college guidelines. Each college is responsible for developing and communicating guidelines.

No student or registered student organization may post or carry a sign that:

1. Involves non-permissible solicitation.
2. Contains material that is obscene or libelous.
3. Is larger than twenty-two inches by twenty-eight inches, unless authorized by the Vice President of Student Affairs.

## **STUDENT RIGHT-TO-KNOW & CAMPUS SECURITY ACT**

## **ACCD Policy GAB**

The Student Right-to-Know and Campus Security Act, as amended, requires that an institution collect information regarding crime awareness and campus security. The Alamo Community College District's Department of Public Safety is responsible for campus security. Under the provisions of the federal law, colleges of the Alamo Community College District must publish statistics about criminal acts occurring on campus property.

The number of occurrences by year for each of the reportable offenses can be found in the College Bulletin.

## **TRAFFIC AND PARKING**

### **I. TRAFFIC AND PARKING CONTROLS**

### **CHC (Local)**

The operation of a motor vehicle or bicycle on the property of the ACCD is a privilege granted by the ACCD and is not an inherent right of any employee or student. All employees and students who operate vehicles or who park on the property of the ACCD shall purchase a vehicle registration permit. Purchase of vehicle registration permit does not guarantee a place to park on campus. Permits are available in the Bursar's Office.

Continuing Education students enrolling in non-credit courses of less than 40 clock hours of continuing instruction are allowed to park in designated “student parking” free of charge by properly displaying a temporary parking permit obtained from the ACCD Department of Public Safety located in the Student Center. The student must show receipt information indicating payment of tuition.

# STUDENT RIGHTS & RESPONSIBILITIES

## TRAFFIC AND PARKING (cont'd)

Continuing Education students enrolling in non-credit courses of more than 40 clock hours of instruction must purchase the ACCD parking permit from the Bursar's Office.

## II. PARKING/TRAFFIC APPEAL PROCEDURES

Palo Alto College of the Alamo Community College District has established a Parking/Traffic Appeals Procedure to afford due process for any person receiving a parking/traffic citation. The following process shall be followed in the appeals procedure.

- A. Citation is issued and recipient has ten (10) school/working days to pay the fine or seek an appeal.
  1. If the recipient decides to appeal, he/she contacts the campus of the issue date.
  2. If recipient decides to appeal, he/she contacts the Campus Department of Public Safety and completes the Parking/Traffic Citation Appeals Form within ten (10) school/working days of the issue date.
  3. Applicant is informed that a decision will be rendered in ten (10) school/working days.
  
- B. The Chief of the Department of Public Safety or his/her designated representative shall review all appeals within ten (10) school/working days to determine the validity of the citation. The appellant will be notified in writing of the decision.
  1. If valid, no further action is necessary.
  2. If denied, the appellant has ten (10) school/working days from the date of the decision to either pay the fine or to appeal to the College Traffic/Parking Appeals Committee.
  3. The Department of Public Safety forwards appeals to the Traffic/Parking Appeals Committee.
  
- C. The Traffic/Parking Appeals Committee is designated by the President of the College or designee and includes a chairperson, two students, one staff, and one faculty representative. The committee will meet twice during the long semesters and once during each summer session. All dates will be duly posted by the chair at the beginning of each semester.
  1. The appellant will be notified by the chair of the committee of his/her right to appear in person to state his/her case.
  2. If the appellant does not appear before the committee, the written appeal submitted earlier will suffice.
  3. The committee meets and renders a decision. The appellant is informed in writing of that decision.

# **STUDENT RIGHTS & RESPONSIBILITIES**

## **TRAFFIC AND PARKING (cont'd)**

- a. If the appeal is denied, the appellant has ten (10) school/working days to pay the fine. A hold is placed on the appellant's record until the fine is paid.
- b. If the appeal is upheld, no further action is required.
- c. This is the last step and all decisions by the committee are final.
- d. During the entire appeals process, the student's record is clear and appellant is entitled to all college privileges; however, once the appeal is denied, or if the appellant does not follow the process as established, a hold on the record is established immediately, and the individual is denied access to the registration process at any of the ACCD colleges until such time as the fine and penalty is paid.

## **USE OF COLLEGE BUILDINGS AND FACILITIES**

## **ACCD Policy GF(Local)**

The use of college buildings and facilities cannot interfere with regular college programs and activities. Student groups requesting to use the college facilities must submit the request for approval to the Student Activities Office.