

ACADEMIC POLICIES

Revision of College Policies

Any policy adopted by the college administration shall supersede any ruling on the same subject that appears in this catalog or in other official publications once the revised regulation is posted on official college channels or included in the online class schedule.

Academic Freedom

Academic freedom encompasses the freedom to study, teach and express ideas and viewpoints, including unpopular and controversial ones, without censorship, political restraint or retribution. Academic freedom allows for the free exchange of ideas in the conscientious pursuit of truth. This freedom exists in all service areas, including but not limited to teaching, librarianship, counseling, coordinating and all faculty-student interactions. Academic freedom is the bedrock principle of all institutions of learning and must be extended to all faculty regardless of their status as full-time, part-time or probationary.

Faculty members have the principal right and responsibility to determine the content, pedagogy, methods of instruction, selection, planning and presentation of course materials, and the fair and equitable methods of assessment in their assignment in accordance with the approved curriculum and course outline and the educational mission of the Foothill-De Anza Community College District¹, and in accordance with state laws and regulations. These rights and responsibilities include, but are not limited to, the faculty member's choice of textbooks and other course materials, assignments and assessment methods, teaching practices, grading and evaluation of student work, and teaching methods and practices.

¹ Source: Foothill-De Anza Community College District Board Policy 4190 (fhda.edu). Approved April 20, 1960; amended Nov. 18, 1996; approved by Foothill College Academic Senate June 1, 2009; approved by De Anza College Academic Senate June 8, 2009; approved by Foothill-De Anza Community College District Board of Trustees Jan. 5, 2010. For more information on Foothill-De Anza policies, visit fhda.edu.

Admission & Enrollment Policies

Academic Prerequisites, Credit & Placement

Many courses require that you complete prerequisites in order to enroll. These prerequisites are listed under each course description in this catalog and the online class schedule.

All courses listed with a prerequisite have a registration block. To clear a prerequisite, fill out the *Prerequisite Clearance Form*. Allow approximately three to five business days for processing.

If you submit written or performance evidence showing you have sufficient competence in the area of study due to previous training or experience, you may be able to enroll in a course without completing the listed prerequisites. You can only do this, however, if the division dean provides authorization.

The college has the authority to drop you from any course if you have not met the necessary prerequisites. For refund policies, visit the [Cashier's Office website](#).

Admission Guidelines

An admissions application is required for students new to Foothill College as well as students who are not in a continuing status due to skipping fall, winter or spring quarter. Foothill has an open-door admission policy for all high school graduates and non-graduates who are 18 years of age or older. Students currently enrolled in high school (freshman, sophomore, junior or senior) may enroll in up to 11.5 units per fall, winter and spring quarters, as well as a maximum of six units during summer session with high school transcripts, and written parental and school permission. Permission forms are available in the Admissions & Records Office and at foothill.edu/reg/forms.html.

Special admission procedures, such as additional testing, application forms and counseling sessions, are required for admission to a number of career programs. Some of these programs begin only in the fall quarter. You must complete all special admission requirements by the preceding spring quarter. Programs in this category include dental assisting, dental hygiene, radiologic technology, respiratory therapy and veterinary technology.

Prerequisites, Corequisites & Advisories

Prerequisites, corequisites and advisories are intended to guide the student into courses in which they will have the greatest chance for academic success.

- Prerequisite means a condition of enrollment that a student is required to meet in order to demonstrate current readiness for enrollment in a course or educational program.
- Corequisite means a condition of enrollment consisting of a course that a student is required to simultaneously take in order to enroll in a course or educational program.
- Advisory of recommended preparation means a condition of enrollment that a student is advised, but not required, to meet before or in conjunction with enrollment in a course or educational program.

Clearing Prerequisites

To challenge a prerequisite or corequisite, complete the *Prerequisite Clearance Form*, available online on the [Students Form page](#). Fill out the form and attach the required documentation as stated.

- Proof of coursework taken at another regionally accredited U.S. college or institution,
- AP test score of 3 or higher,
- Proof of coursework taken at a college outside the U.S. (must provide foreign transcript evaluation service report and detailed course information), or
- Other/Challenge: if you do not meet any of the above, a prerequisite clearance requires dean or director approval.

Allow three to five business days for the form to be processed before attempting to register. You will only be notified by email if the petition is denied.

Foothill College
Admissions & Records, Bldg. 8101
12345 El Monte Road, Los Altos Hills, CA 94022
650.949.7325 (fax: 650.949.7048)
prereqclearfh@fhda.edu

Open Course Policy

It is the policy of the Foothill-De Anza Community College District that, unless specifically exempted by statute or regulation, every

course, course section or class reported for state aid, wherever offered and maintained by the district, shall be fully open to enrollment and participation by any person who has been admitted to the college and who meets such prerequisites as may be established pursuant to regulations contained in California Code of Regulations Title 5 commencing with Section 55000.

Exceptions to Admissions & Registration Policies

To request an exception to a published policy, you must file an exception petition. Forms are available in the Admissions & Records Office in Room 8101 and online at foothill.edu/reg/forms.html.

General Program Requirements

All beginning freshmen are strongly encouraged to enroll in the CNSL 5 course. If you are eligible for ENGL 1A, you should complete this course by the end of the third quarter of enrollment; you may take a communication course first. You may receive up to 10 quarter units of credit for each score of 5, 4 or 3 on College Entrance Board Advanced Placement Tests. Your Foothill transcript will show units but will not indicate grades. The Evaluation Office, located in the Admissions & Records Office, Room 8101, provides information that explains how advanced placement scores are marked on transcripts and the equivalencies for the University of California and California State University systems.

Foothill College will accept a score of 60 or better on the college algebra CLEP examination as equivalent to MATH 105. The college is currently reviewing additional CLEP examinations to determine if they, too, may be used for course credit for other Foothill College courses.

If you want to transfer credit from an armed services school or other special institution, you may apply through a counselor. It's possible these credits will be accepted toward the associate in arts or associate in science degree once you have successfully completed a minimum of 15 units at Foothill.

General Registration Information

If you are a new or former student, you must submit the *Application for Admission* by the quarterly deadline posted at foothill.edu. We encourage you to complete the application, complete the placement testing process and submit necessary transcripts as early as possible.

Students planning to transfer to Foothill are advised to submit transcripts from high schools and colleges previously attended.

If you plan to receive veterans benefits, apply for financial aid or earn a degree or certificate, you must submit official transcripts. Request previous institutions to send your transcripts directly to:

Foothill College Admissions & Records Office
12345 El Monte Road
Los Altos Hills, CA 94022-4599

International students on F-1 visas must follow specific admissions requirements. For more information, review foothill.edu/international.

To register for Foothill College classes, follow the online registration instructions published in the online class schedule and on the college website. The class schedule for the current academic term is posted online. Online information is subject to change. We encourage you to review the website frequently. For more information, call the Admissions & Records Office at 650.949.7325.

Residency Requirements

Foothill College generally serves the communities of Palo Alto, Mountain View, Los Altos and Los Altos Hills, and our sister school, De Anza College, generally serves the cities of Cupertino and Sunnyvale. Both colleges, however, accept students from outside these cities.

If you are an out-of-state student, you may be considered a non-resident for tuition purposes until you have satisfied current California tuition residency requirements. This rule also applies to visa-holding non-citizens eligible to establish residency. Not all visa types are eligible to be considered a resident for tuition purposes; please check with Admissions & Records for detailed information. Non-resident tuition fees are required of all students in this category.

Unit Limitation

An average class load is 15 units per quarter. The maximum number of allowable units per quarter without a counselor's approval is 21.5 units. If you intend to enroll in more than 21.5 units, you must obtain a counselor's approval and submit a petition to the Academic Council (no exceptions). The maximum number of allowable units for summer session is 15 units. To complete the petition process, schedule a consultation with a counselor by calling 650.949.7423.

Probation & Dismissal

In accordance with California Code of Regulations, Title 5, the following probation and dismissal policy has been established. The purpose of this policy is to support students in identifying barriers to academic success, employing strategies for improvement, and helping them make progress toward their educational objectives. There are five levels of probation: basic, moderate, severe, pre-dismissal, and dismissal. The college shall make a reasonable effort to notify students who have been placed on academic and/or progress probation with clear instructions on how to clear their probation status. Students on dismissal status are notified via e-mail and certified mail of their status. For more information, call or visit the Counseling Center at 650.949.7423 or Room 8302.

Placement on Probation

- **Academic Probation:** A student who has attempted at least 18 quarter units as shown by the official academic record shall be placed on academic probation if the student has earned a grade-point average below 2.0 in all units which were taken at the college.
- **Progress Probation:** A student who has enrolled in a total of at least 18 quarter units as shown by the official academic record shall be placed on progress probation when the percentage of all units in which a student has enrolled and for which entries of **F, I, NC, NP and W** are recorded reaches or exceeds 50 percent.

Removal from Probation

- A student on academic probation for a grade-point deficiency shall be removed from probation when the student's cumulative grade point average is 2.0 or higher.
- A student on progress probation because of an excess of units for which entries of **F, I, NC, NP and W** recorded shall be removed from probation when the percentage of units in this category drops below 50 percent.

Probation at Foothill & De Anza Colleges

The Foothill College probation/dismissal reporting system might not accurately reflect the correct academic probation status for students who have enrolled at both Foothill and De Anza colleges. Students who are

enrolled within the current quarter at both colleges or have an academic history with both colleges should contact the [Counseling Center](#) at Foothill College for assistance regarding their probation/dismissal status at Foothill.

If at any time students attend both Foothill College and De Anza College in the Foothill-De Anza Community College District, it is the students' responsibility to keep track of their grades to ensure that they remain in good standing at each college. Although students may be in good standing at De Anza College, if at Foothill College they fall below the minimum required level of academic performance, the above probation and dismissal procedure will apply to them at Foothill College.

Standards for Dismissal

- A student who is on academic probation shall be subject to dismissal if the student earned a cumulative grade-point average of less than 2.0 in all units attempted in each of the five consecutive quarters which were graded on the basis of the grading system.
- A student who has been placed on progress probation shall be subject to dismissal if the percentage of units in which the student has been enrolled for which entries of **F, I, NC, NP and W** are recorded in at least five consecutive quarters, excluding summers, reaches or exceeds 50 percent.

Scholastic dismissal will be noted permanently on a student's transcript. Students dismissed from the college may not enroll in any courses for one regular quarter (excluding summer). The maximum number of times a student may be dismissed from Foothill College is three. A third dismissal will result in permanent expulsion from the college.

Re-Admission After Disqualification

A student who has been dismissed due to failure to make academic achievement and/or progress may be considered for re-admission on a conditional basis. The student must file an *Admission After Disqualification Petition* with a counselor. After the Academic Council reviews the petition, the student will be notified via email of the decision, and their next steps.

Registration & Attendance

If you have academic complaints, including treatment in a course or program, you should seek to resolve the problem by speaking with these people, in this order:

- Course instructor
- Division dean

Academic Regulations

The Academic Council is responsible for academic regulation evaluation, enforcement, interpretation and exceptions. You can obtain petitions in the Admissions & Records Office (Room 8101), Counseling Center (Room 8302) or visit foothill.edu/reg/forms.html.

Academic Renewal

The Academic Renewal process permits students the opportunity to petition to have substandard academic work completed at Foothill College disregarded from their cumulative grade point average when such work does not reflect their current demonstrated ability (section 55046 of the California Code of Regulations). Upon approval of the petition, the Academic Council may disregard up to three uninterrupted sequential quarters, plus a summer session, for a maximum of 45 quarter units, of selected coursework completed at Foothill College.

Coursework to be disregarded must be substandard, i.e. D+, D, D-, F, NC, and/or NP.

- Once a degree has been awarded at either Foothill or De Anza College, courses taken prior to the awarding of the degree cannot be excluded via Academic Renewal.
- Academic Renewal actions are irreversible once granted.
- Academic Renewal at Foothill College does not guarantee that other colleges will accept this action.

Approval of Academic Renewal requests is subject to the following conditions:

- A substandard grade(s) in any course(s) that has/have been deactivated may be disregarded from the student's cumulative GPA and may be granted an exception to the minimum requirements for academic renewal.
- At least three quarters must have elapsed since the last quarter to be disregarded.
- Since the last quarter, the student must have completed at least:
 - 15 units with a 3.0 GPA, or
 - 30 units with a 2.5 GPA, or
 - 45 units with a 2.0 GPA
- The college will disregard courses selected by the student per the Academic Renewal request, with respect to unit requirements and GPA, provided they fall under the guidelines governing Academic Renewal.
- A student may petition only once for academic renewal.
- The student transcript shall be annotated in such a manner that all work remains legible, ensuring a true and complete academic history.

Work completed at other accredited institutions may be considered by the Academic Council. Official transcripts must be on file in Admissions & Records.

Students must consult with a counselor before petitioning for Academic Renewal. After obtaining the counselor's signature, the completed *Petition for Academic Renewal* form is submitted to the Admissions & Records Office. See Board Policy 4240 Academic Renewal.

Courses & Grades

Add/Drop Dates

The deadline to add and drop classes may vary per course. Generally, the deadline to add or drop a course without a **W**-mark is prior to 20 percent of class meetings or prior to the end of the second week of instruction for a 12-week course. To determine the exact drop date for your course, consult [MyPortal](#).

You are responsible for initiating the official add/drop process and for notifying both the instructor and Admissions & Records Office (Room 8101). Do not rely on an instructor to add you to a course or to drop you if you stop attending. To ensure that you are properly registered or dropped from a class and do not receive a substandard grade, you are responsible for dropping the class by the appropriate deadline. Verify your current enrollment status by accessing [MyPortal](#).

The maximum number of withdrawals (**W**-marks) from the same course is three, which are counted toward the overall enrollment limit of three. If you have questions or concerns about **W**-marks, schedule a meeting with a Foothill counselor at 650.949.7423 or foothill.edu/counseling. You cannot drop after the eighth week for a 12-week course. You can receive

no more than three **W**-marks in any one course. For summer session class drop dates, consult the current class schedule or online college calendar at foothill.edu.

Academic Integrity at Foothill College

Academic integrity means honesty and responsibility in scholarship. Unless collaboration is explicitly authorized, all academic work should result from an individual's own efforts. Intellectual contributions from others must be consistently and responsibly acknowledged. Students accused of violating Foothill's academic integrity policy will face judicial action, up to the possibility of suspension from the college. For more information about Foothill's academic integrity policy, visit foothill.edu/handbook or stop by the Dean of Student Affairs Office in Room 2002.

Attendance

Regular and punctual attendance is an integral part of the learning process. As a Foothill student, you are expected to attend all scheduled classes in which you are enrolled. An instructor has the authority to drop a student who violates written attendance policies. Instructors are not obligated to hold seats for students who are enrolled but do not attend the first class meeting.

Audit Request Procedures

A number of Foothill classes are available for audit. To be eligible, you must have already taken and completed the class at Foothill the number of times permitted, and received a grade of **C** or better. Audit requests must have the signature of the instructor before you submit the request to the Admissions & Records Office. Auditors are admitted on a space-available basis.

Cancellation of Classes

Classes may be canceled when enrollments are lower than planned. Foothill College has the authority to change or cancel courses and programs as circumstances require.

Class Preparation/Progress

After prior notification, an instructor may drop a student who demonstrates insufficient preparation/prerequisites.

Class Size & Frequency

Minimum class-size guidelines apply to all lecture, lecture/lab and laboratory classes at Foothill. While a minimum class size is generally required, special circumstances may necessitate continuing a class that does not meet these guidelines.

Exceptions are based on program needs such as second-quarter, third-quarter or second-year sequential courses; courses required for an identified major or career; combined courses meeting at the same hour with the same instructor; and one-of-a-kind offerings needed for graduation or transfer. Exceptions may also be based on the following:

- Limited classroom or laboratory facilities; or
- Statutory and state regulations mandating class size, independent study, and special projects;
- Other circumstances that warrant exception are made by the Finance & Administrative Services Office.

Transfer Credit from Another Institution

Foothill College accepts credit for lower-division coursework previously completed at a college accredited by one of the six regional accrediting associations in the U.S. Students must have official transcripts sent

to the Foothill College Admissions & Records Office. To be official, transcripts must be sent from college to college or hand-delivered in a sealed, unopened college envelope.

- **Foreign Colleges:** Students who want to use coursework completed at foreign institution must have their transcripts evaluated by a foreign evaluation service. Students should meet with their counselors to petition to use any of this coursework toward an associate degree. Coursework from a foreign institution cannot be used for certification to a four-year institution. Students should contact the school to which they want to transfer to determine if any credit will be awarded from the foreign institution.
- **Non-Regionally Accredited Colleges:** Students may petition for individual courses taken at a non-regionally accredited college to be accepted for major requirements. The credit is non-transferable toward a bachelor's degree and is only applicable toward Foothill College programs. Students must have official transcripts sent to the Foothill College Admissions & Records Office. To be official, transcripts must be sent from college to college or hand-delivered in a sealed, unopened college envelope.

Final Examinations

Foothill gives final examinations in all courses. Final examinations will not normally be given in advance of the scheduled time. At Foothill, we strive to minimize student activities during the week before final exams. However, classes and instruction continue as usual. During this period, instructors may assign coursework or have students complete part of the final examination.

Grading Scale

Grade definitions are as follows:

Evaluative Symbols	Grade Points
A+ ¹	Excellent 4.0; see note below
A	Excellent 4.0
A-	Excellent 3.7
B+	Good 3.3
B	Good 3.0
B-	Good 2.7
C+	Satisfactory 2.3
C	Satisfactory 2.0
C- ²	See note below
D+	Passing, less than satisfactory 1.3
D	Passing, less than satisfactory 1.0
D-	Passing, less than satisfactory 0.7
F	Failing 0.0
FW	Failing. A student has stopped participating in a course after the last day to officially withdraw, without achieving a final passing grade, and the student has not received college authorization to withdraw under extenuating circumstances.
P	Pass (at least satisfactory; units awarded not counted in GPA).

NP	No Pass (less than satisfactory, or failing; units not counted in GPA). Not attaining course objectives.
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¹ In the plus/minus grading system, the **A+** grade is calculated the same as the **A** grade.

² In the plus/minus grading system, the **C-** grade is not permitted under Title 5 law.

P and **NP** are assigned to those courses in which student achievement is evaluated on a pass/no pass basis rather than a letter grade (**A, B, C**, etc.). Pass/No Pass courses are so designated in the announcement of courses section of the catalog.

Non-Evaluative Symbols (Not to Be Used in Calculating GPA)

- **I – Incomplete.** This indicates incomplete academic work for unforeseeable, emergency and justifiable reasons at the end of the term. At least 75% of the class must have been completed to qualify for Incomplete status.
- **IP – In Progress.** The IP symbol denotes that the student is registered for this course, and the grading period is not complete. In Progress work will not appear on a student's transcript until the term has officially begun. It will remain on the transcript until the student has either officially withdrawn (**W**) or a grade has been assigned.
- **RD – Report Delayed.** The RD symbol may be assigned by the Office of Admissions and Records only. It is to be used when there is a delay in reporting the grade of a student due to circumstances beyond the control of the student. It is a temporary notation to be replaced by a permanent symbol as soon as possible.
- **W – Withdrawal.** A W is assigned when a student drops a class after the first two weeks of a regular 12-week term or, if the term is shorter, after 20% of the course duration has passed. While a W will not be used in calculating GPA, it will be used as a factor in probation and dismissal procedures. A W is also used to calculate enrollment limits. Students may not enroll in the same course more than three times, including times when W or substandard grades are received.
- **EW – Excused Withdrawal.** An EW is assigned when a student is permitted to withdraw from a course due to specific events beyond the student's control, which affect their ability to complete the course. An EW can only be awarded if a student files a petition form providing documentation to prove a "verifiable reason." A list of examples is included on the petition form and on the Admissions and Records website. In the absence of the petition and documentation, a grade will be assigned to the student record. The EW symbol may be assigned at any time after the deadline to drop a course without receiving a W. An EW is not counted in progress probation and dismissal calculations. It is not counted toward the permitted number of withdrawals or as an enrollment attempt.
- **FW – Failure to Withdraw.** A failing grade indicating that a student has stopped participating in a course after the withdrawal period with no communication with the faculty and no petition with Admissions and Records.
- **MW – Military Withdrawal.** An MW is assigned when a student who is a member of an active or reserve U.S. military service receives orders compelling them to withdraw from classes. An MW is not counted in progress probation and dismissal calculations. It is not counted toward the permitted number of withdrawals or as an enrollment attempt.

Transcripts

The Admissions & Records Office forwards transcripts at your request. Transcripts to educational institutions will be sent directly to those institutions. Transcripts given directly to you may be classified as unofficial. Transcript costs and procedures for requesting transcripts are published at foothill.edu.

Transcript/Grade Changes

Section 76224 of the *California State Education Code* states, "The determination of the student's grade by the instructor shall be final in the absence of mistake, fraud, bad faith or incompetency." By law, instructors are the only people who can change grades.

If you believe corrections should be made within the above restriction, you should first talk to your instructor. Corrections must be initiated within two years after the grade was earned. If an error has been made, and a correction is necessary prior to the two-year period, you may request a review of the records at the Admissions & Records Office.

Grades received prior to 1983 may not be changed. Exceptions to this policy include a bona fide error in grading, and a course in which an unsatisfactory grade was given is repeated for a satisfactory grade.

Petition to Replace Substandard Grade for Foothill College GPA Calculation

When a substandard grade (**D+**, **D**, **D-**, **F**, **NC** or **NP**) was recorded at Foothill, an equivalent course may subsequently be completed at another accredited college or university. The student's academic transcript shall then be annotated to reflect exclusion of the previously recorded coursework with the substandard grade for purposes of grade-point calculation and for all considerations associated with the awarding of certificates and degrees. Replacement with a grade of **Pass/No Pass** is not permitted, as it does not improve the student's grade-point average (GPA). It is important to note that all grades remain on the academic transcript, and that some transfer institutions may require recalculation of the GPA to include both the substandard grade and the subsequent grade.

When submitting this petition, the student must attach:

- a copy of their transcript, and
- either the course outline of record or the course catalog description to confirm course equivalency. (It is strongly recommended that the student consult with the appropriate Foothill division dean to confirm equivalency with discipline faculty before repeating the course.)
- Be aware that official (sealed) transcripts from other regionally accredited institutions must be submitted to Foothill College Admissions & Records Office before submitting this petition.

The complete petition form must include campuswide identification number (CWID), name, date, Foothill College course identifier, the date that the Foothill course was completed and initial grade, equivalent course identifier, date repeated and grade earned upon repetition, as well as the valid signatures of the student, discipline faculty member and division dean.

High School Credits at Foothill

All credit courses taken at Foothill count as college credit, whether or not they count toward high school requirements. Although Foothill College cannot grant a high school diploma, many local high schools recommend that students who are age 19 or older complete high school requirements by taking college courses. If you choose to earn a high school diploma

this way, you should obtain a statement from your high school principal or counselor indicating:

- The subjects necessary to complete graduation requirements, and the number of quarter credits in each;
- Suggestions for Foothill courses to satisfy these requirements;
- The total number of quarter credits required, including electives; and
- Acceptance of credit for courses taken at Foothill.

When you complete the college courses, request that Foothill College send a college transcript to your high school. The diploma will be issued in accordance with your school's procedures.

Off-Campus Trips & Activities

Some programs require off-campus field trips and activities. Transportation is usually the responsibility of the individual student or a travel agency. The district is not liable for occurrences when participants are not under a faculty or staff member's direct, scheduled supervision.

Open-Entry/Open-Exit Classes

Foothill offers several open-entry/open-exit courses, allowing you to work at your own pace. You may generally enroll in these courses at any time, through the end of the seventh week of the quarter. Many of these courses are offered in off-campus centers, fine arts and language arts laboratories and STEM Center. Lists of courses with unusual start times are available in these facilities and in the class schedule.

Independent/flexible study classes are not open-entry/open-exit classes. You must enroll in these classes by the end of the second week of instruction.

Scholastic Honors

Foothill commends students who earn the associate degree, complete a minimum of 18 quarter units in residence at Foothill and meet the following criteria by awarding:

- Highest Honors: 4.0 GPA in all Foothill College coursework.
- High Honors: at least 3.5 GPA in all Foothill College coursework.
- Honors: at least 3.3 GPA in all Foothill College coursework.

Additional scholastic honors are awarded to eligible students on the following basis:

- Dean's List: Awarded on a quarterly basis to full-time students completing 12 or more Foothill units in one quarter with at least a 3.5 GPA; and part-time students completing a minimum of 12 cumulative units at Foothill College with an overall and quarter Foothill GPA of at least 3.5.
- President's Medal: Awarded at the annual commencement ceremony to first-time degree recipients with a 4.0 GPA in all college coursework, including 60 resident units at Foothill College. To qualify for this award students must petition for graduation by June 1.

Course Repetition

Unless exceptions are specifically indicated in course descriptions in this catalog, you cannot repeat a course that you completed with a grade of **C** or better. State law allows you to repeat a class no more than twice to remove a substandard grade (**D**, **F**, **NP** or **W**). There is no limit on the number of times you may enroll in courses designed to meet a legally mandated training requirement as a condition of continued paid or volunteer employment.

If you successfully repeat and pass a course at Foothill College in which a substandard grade had previously been recorded, the substandard grade(s) will be excluded for the purposes of calculating GPA and for all considerations associated with the awarding of certificates and degrees. It is important to note that all grade notations (including withdrawals) remain on your academic transcript, and that some transfer institutions may require recalculation of the GPA to include both the substandard grade and the subsequent grade. You may petition to replace a substandard grade earned at Foothill College with a passing grade subsequently earned at another accredited college or university. See "Petition to Replace Substandard Grade for Foothill College GPA Calculation."

Active Participation Course Limitation (Course Families)

Pursuant to the California Community College Board of Governors, a student may not have more than six enrollments in any active participatory courses that are related in content. This limitation also applies to the student who receives a substandard grade (**D**, **F**, or **NP**) or withdrew from a course with a W-mark for one or more of the enrollments (CCR § 55000).

Active participatory courses included in this restriction are courses in physical education, visual arts and performing arts offered within the Foothill-De Anza Community College District. Foothill College and De Anza College have created course families within the district to address this limitation. These families include courses from Foothill and De Anza that contain related or similar content, and therefore, can only be taken in any combination for no more than six enrollments.

Prior to Fall 2013, the student was able to repeat active participatory courses. However, as of Fall 2013, all active participatory courses are non-repeatable and can only be taken one time subject to the limitation set forth in Title 5 [CCR §55040(c)].

This limitation does not contain a grandfather clause. Therefore, if the student has reached the maximum times of enrollment within a family, then they cannot enroll in any course within the family again within the Foothill-De Anza Community College District.

Additionally, if the student enrolls in a Foothill course that is equivalent to a De Anza course, within a course family, they may not take the De Anza course at any time and vice versa. For example: ART 4B at Foothill is equivalent to ARTS 4B at De Anza. If you have completed or plan to enroll in ART 4B at Foothill, then you cannot have completed or plan to enroll in ARTS 4B at De Anza.

College Level Examination Program (CLEP)

The College Level Examination Program (CLEP) is a credit-by-examination program that measures a student's level of comprehension of introductory college-level material for which students may earn college credit by receiving a satisfactory test score. Foothill students who are planning to satisfy graduation or transfer requirements by completing the CSU General Education-Breadth certification pattern may apply credit obtained through CLEP per the California State University approved policy AS-2492-10/AA, which requires a passing score of at least 50 on the CLEP exams as outlined on the [CSU CLEP website](#). Students should be aware that CLEP credit is currently not awarded for satisfaction of particular major course equivalency at Foothill College; moreover, for transfers, each campus in the CSU system determines how it will apply external examinations toward credit in the major.

Credit by Examination (Challenge)

As an enrolled Foothill student, you may be able to obtain credit by examination in subject matters or fields for which you are especially qualified through training or experience, but for which you have not already received college course credit or advanced placement credit. You must complete this process during the first two weeks of the term. If approved, credit will be posted at the end of the term. Foothill College does not guarantee course will be transferable. Here are the currently approved courses in which a student can obtain credit by examination.

- SPAN 1 to 6
- KINS 16A

Student Access to Education Records

The Family Education Rights & Privacy Act, also called FERPA (Section 438, Public Law 93380), requires educational institutions to provide student access to official education records directly related to the student. The act also says you have the right to challenge such records on the grounds that they are inaccurate, misleading or otherwise inappropriate.

Your written consent is required before the college will release personal information from your records to other than a specified list of persons and agencies. These rights extend to present and former Foothill students.

- Education records generally include documents related to admissions, enrollment in classes, grades and related academic information. These records are filed in the Admissions & Records Office.
- The Dean of Enrollment Services is the college’s designated records officer.
- Personal education records will be made available for inspection and review during normal business hours to currently and formerly enrolled students, within 45 days following completion and filing of a written request with the records officer.
- The college may release certain types of directory information unless you notify the records officer that certain or all information cannot

be released without personal consent. Directory information may include:

1. student name and city of residence,
2. date and place of birth,
3. participation in recognized activities and sports,
4. dates of attendance,
5. degrees and awards received,
6. the most recent previous educational agency or institution attended, and
7. height and weight of members of athletic teams, which may be released only by the appropriate athletic staff member or athletic director.

Objection to the release of this information must be made in writing to the Admissions & Records Office prior to the first day of instruction of any quarter or summer session.

College Credit for Advanced Placement (AP) Tests ¹

Unless otherwise noted, students may earn credit for AP Tests with a score of 3, 4, or 5. AP credit can count toward satisfaction of IGETC, CSU GE and A.A./A.S. general education (GE) and/or major requirements as outlined below. **Students planning to transfer should check with the receiving institution regarding AP credit policies.**

Students must submit official College Board AP exam results to the Evaluations Office in order for credit to be awarded or certified.

Note: Course credit and units granted at Foothill College may differ from course credit and units granted by a transfer institution. Students who plan to transfer to four-year college or university should see a counselor for specific details regarding how AP credit will be applied to their major. DegreeWorks and units may not accurately reflect a student’s specific situation.

¹ AP policies are under review. For the most current information, visit foothill.edu.

AP Exam	Foothill AA/AS Credit (GE and/or course)	Minimum Units Awarded	CSU GE	CSU - Units Earned Toward Transfer	IGETC	UC - Units Earned Toward Transfer
Art History	Satisfies AA/AS Humanities Requirement Course credit: ART 2A	4.5 quarter/3 semester units	Area C1 or C2 4.5 quarter/3 semester units	9 quarter/6 semester unit	Area 3A or 3B 4 quarter/3 semester units	8 quarter/5.3 semester units
Art (Studio-2D Design)	No AA/AS GE credit awarded	4.5 quarter/3 semester units (elective)	N/A	4.5 quarter/3 semester units	N/A	4.5 quarter/3 semester units
Art (Studio-3D Design)	No AA/AS GE credit awarded	4.5 quarter/3 semester units (elective)	N/A	4.5 quarter/3 semester units	N/A	8 quarter/5.3 semester units
Art (StudioDrawing)	No AA/AS GE credit awarded	4.5 quarter/3 semester units (elective)	N/A	4.5 quarter/3 semester units	N/A	8 quarter/5.3 semester units
Biology	Satisfies AA/AS Natural Sciences Requirement	6 quarter/4 semester units	Area B2 and B3 6 quarter/4 semester units	9 quarter/6 semester units	Area 5B and 5C 4 quarter/3 semester units	8 quarter/5.3 semester units

Calculus AB	Satisfies AA/AS Communication & Analytical Thinking Requirement Course credit: MATH 1A	4.5 quarter/3 semester units	Area B4 4.5 quarter/3 semester units	4.5 quarter/3 semester units ¹	Area 2A 4 quarter/3 semester units	4 quarter/2.7 semester units ²
Calculus BC	Satisfies AA/AS Communication & Analytical Thinking Requirement Course credit: MATH 1A & MATH 1B	4.5 quarter/3 semester units	Area B4 4.5 quarter/3 semester units	9 quarter/6 semester units ¹	Area 2A 3 semester units	8 quarter/5.3 semester units ²
Calculus BC/AB Subscore	Satisfies AA/AS Communication & Analytical Thinking Requirement	4.5 quarter/3 semester units	Area B4 4.5 quarter/3 semester units	4.5 quarter/3 semester units ¹	Area 2A 3 semester units	4 quarter/2.7 semester units ²
Chemistry	Satisfies AA/AS Natural Sciences Requirement Course Credit Score of 3- CHEM 25 Score of 4 or 5- CHEM 1A	6 quarter/4 semester units	Areas B1 and B3 6 quarter/4 semester units	9 quarter/6 semester units	Area 5A and 5C 4 quarter/3 semester units	8 quarter/5.3 semester units
Chinese Language & Culture	Satisfies AA/AS Humanities Requirement	4.5 quarter/3 semester units	Area C2 4.5 quarter/3 semester units	9 quarter/6 semester units	9 quarter/6 semester units	8 quarter/5.3 semester units
Computer Science A	No AA/AS GE credit awarded	4.5 quarter/3 semester units (elective)	N/A	4.5 quarter/3 semester units ³	N/A	2 quarter/1.3 semester units ⁴
Computer Science AB4	No AA/AS GE credit awarded	4.5 quarter/3 semester units (elective)	N/A	9 quarter/6 semester units ³	N/A	4 quarter/2.7 semester units ⁴
Economics: Macroeconomics	Satisfies AA/AS Social & Behavioral Sciences Requirement	4.5 quarter/3 semester units	Area D2 4.5 quarter/3 semester units	4.5 quarter/3 semester units	Area 4B 4 quarter/3 semester units	4 quarter/2.7 semester units
Economics: Microeconomics	Satisfies AA/AS Social & Behavioral Sciences Requirement	4.5 quarter/3 semester units	Area D2 4.5 quarter/3 semester units	4.5 quarter/3 semester units	Area 4B 4 quarter/3 semester units	4 quarter/2.7 semester units
English: Language & Composition	Satisfies AA/AS English Requirement Course credit: ENGL 1A	4.5 quarter/3 semester units	Area A2 4.5 quarter/3 semester units	9 quarter/6 semester units	Area 1A 4 quarter/3 semester units	8 quarter/5.3 semester units ⁵
English: Literature & Composition	Satisfies either AA/AS English or Humanities Requirement Course credit: ENGL 1A	4.5 quarter/3 semester units	Area A2 and C2 9 quarter/6 semester units	9 quarter/6 semester units	Area 1A or 3B 4 quarter/3 semester units	8 quarter units/5.3 semester units ⁵
Environmental Science	Satisfies AA/AS Natural Sciences Requirement Course credit: BIOL 9	6 quarter/4 semester units	Area B2 and B3 (if taken prior to Fall 2009) or Area B1 and B3 (regardless of when taken)	6 quarter/4 semester units	Area 5A and 5C 4 quarter/3 semester units	4 quarter/2.7 semester units
French Language and Culture	Satisfies AA/AS Humanities Requirement	4.5 quarter/3 semester units	Area C2 4.5 quarter/3 semester units	9 quarter/6 semester units	Area 3B and 6A 4 quarter/3 semester units	8 quarter/5.3 semester units
German Language and Culture	Satisfies AA/AS Humanities Requirement	4.5 quarter/3 semester units	Area C2 4.5 quarter/3 semester units	9 quarter/6 semester units	Area 3B and 6A 4 quarter/3 semester units	8 quarter/5.3 semester units

Government & Politics: Comparative	Satisfies AA/AS Social & Behavioral Sciences Requirement	4.5 quarter/3 semester	Area D8 4.5 quarter/3 semester units	4.5 quarter/3 semester units	Area 4H 4 quarter/3 semester units	4 quarter/2.7 semester units
Government & Politics: U.S.	Satisfies AA/AS Social & Behavioral Sciences Requirement	4.5 quarter/3 semester units	Area D8 and US 2 4.5 quarter/3 semester units	4.5 quarter/3 semester units	Area 4H 4 quarter/3 semester units	4 quarter/2.7 semester units
History: European	Satisfies either AA/AS Social & Behavioral Science or Humanities Requirement Course credit: HIST 4A	4.5 quarter/3 semester units	Area C2 or D6 4.5 quarter/3 semester units	9 quarter/6 semester units	Area 3B or 4F 4 quarter/3 semester units	8 quarter/5.3 semester units
History: U.S.	Satisfies either AA/AS Social & Behavioral Science or Humanities Requirement Course credit: HIST 17A	4.5 quarter/3 semester units	Area C2 or D6 and US 1 4.5 quarter/3 semester units	9 quarter/6 semester units	Area 3B or 4F 4 quarter/3 semester units	8 quarter/5.3 semester units
History: World	Satisfies either AA/AS Social & Behavioral Science or Humanities Requirement	4.5 quarter/3 semester units	Area C2 or D6 4.5 quarter/3 semester units	9 quarter/6 semester units	Area 3B or 4F 4 quarter/3 semester units	8 quarter/5.3 semester units
Human Geography	Satisfies AA/AS Social & Behavioral Sciences Requirement	4.5 quarter/3 semester units	Area D5 4.5 quarter/3 semester units	4.5 quarter/3 semester units	Area 4E 4 quarter/3 semester units	4 quarter/2.7 semester units
Italian Language & Culture	Satisfies AA/AS Humanities Requirement	4.5 quarter/3 semester units	Area C2 4.5 quarter/3 semester units	9 quarter/6 semester units	Area 3B and 6A 4 quarter/3 semester units	8 quarter/5.3 semester units
Japanese Language & Culture	Satisfies AA/AS Humanities Requirement	4.5 quarter/3 semester units	Area C2 4.5 quarter/3 semester units	9 quarter/6 semester units	Area 3B and 6A 4 quarter/3 semester units	8 quarter/5.3 semester units
Latin	Satisfies AA/AS Humanities Requirement	4.5 quarter/3 semester units	Area C2 4.5 quarter/3 semester units	9 quarter/6 semester units	Area 3B and 6A 4 quarter/3 semester units	4 quarter/2.7 semester units
Music	Satisfies AA/AS Humanities Requirement Course credit: MUS 3A	4.5 quarter/3 semester units	Area C1 (if taken prior to Fall 2009) 4.5 quarter/3 semester units no GE credit after 2009	9 quarter/6 semester units	N/A	8 quarter/5.3 semester units
Physics 1	Satisfies AA/AS Natural Science Requirement	6 quarter/3 semester units	B1 and B3 6 quarter/4 semester units	6 quarter/4 semester units	Area 5A and 5C 4 quarter/3 semester units	8 quarter/5.3 semester units
Physics 2	Satisfies AA/AS Natural Sciences Requirement	6 quarter/3 semester units	B1 and B3 6 quarter/4 semester units	6 quarter/4 semester units ⁶	Area 5A and 5C 4 quarter/3 semester units	8 quarter/5.3 semester units ⁷
Physics C: Mechanics	Satisfies AA/AS Natural Sciences Requirement Course credit: Score of 3: PHYS 2A Score of 4 or 5: PHYS 4A	6 quarter/3 semester units	Area B1 and B3 6 quarter/4 semester units	6 quarter/4 semester units ⁶	Area 5A and 5C 4 quarter/3 semester units	4 quarter/2.7 semester units ⁷

Physics C: Electricity/Magnetism	Satisfies AA/AS Natural Sciences Requirement Course credit: Score of 3: PHYS 2B Score of 4 or 5: PHYS 4B	6 quarter/3 semester units	Area B1 and B3 6 quarter/4 semester units	6 quarter/4 semester units ⁶	Area 5A and 5C 4 quarter/3 semester units	4 quarter/2.7 semester units ⁷
Psychology	Satisfies AA/AS Social & Behavioral Sciences Requirement Course credit: PSYC 1	4.5 quarter/3 semester units	Area D9 4.5 quarter/3 semester units	4.5 quarter/3 semester units	Area 4I 4 quarter/3 semester units	4 quarter/2.7 semester units
AP Seminar	No GE credit or units	N/A	N/A	4.5 quarter/3 semester units	N/A	No credit awarded
Spanish Language and Culture	Satisfies AA/AS Humanities Requirement	4.5 quarter/3 semester units	Area C2 4.5 quarter/3 semester units	9 quarter/6 semester units	Area 3B and 6A 4 quarter/3 semester units	8 quarter/5.3 semester units
Spanish Literature and Culture	Satisfies AA/AS Humanities Requirement	4.5 quarter/3 semester units	Area C2 4.5 quarter/3 semester units	9 quarter/6 semester units	Area 3B and 6A 3 semester units	8 quarter/5.3 semester units
Statistics	Satisfies AA/AS Communication & Analytical Thinking Requirement Course credit: MATH 10	4.5 quarter/3 semester units	Area B4 4.5 quarter/3 semester units	4.5 quarter/3 semester units	Area 2 4 quarter/3 semester units	4 quarter/2.7 semester units

- 1 Only one MATH exam may be used toward transfer
- 2 Maximum credit: 8 quarter/5.3 semester units for both AP MATH AB and BC exams
- 3 Maximum one exam toward transfer
- 4 Maximum credit: 4 quarter/2.7 semester units for both AP Computer Science A and AB4
- 5 8 quarter/5.3 semester units maximum for both English exams
- 6 Maximum 4 semester units toward GE and 6 semester units toward transfer for all Physics
- 7 Maximum credit: 8 quarter/5.3 semester units for all Physics exams

AA: Students may not receive credit for both an AP exam and the equivalent course. A student who receives AP credit and then takes the equivalent Foothill course will have the unit credit for such duplication deducted prior to being awarded the A.A./A.S. degree. Credit by Advanced Placement exam is noted and listed first on a student's transcript, with units assigned and no grade given.

CSU GE: The Advanced Placement examinations may be incorporated into the certification of CSU General Education-Breadth requirements by any certifying institution. All CSU campuses will accept the minimum units shown and apply them toward fulfillment of the designated General Education-Breadth area if the examination is included as part of a full or subject-area certification. Please note that individual CSU campuses may choose to grant more units than those specified toward completion of General Education-Breadth requirements.

IGETC: AP exams must be used in area indicated regardless of where the certifying CCC's discipline is located.

International Baccalaureate Exam Policy

A student may earn credit for successful completion of International Baccalaureate (IB) higher-level subject exams with scores of 5, 6 or 7. IB credit can be used to meet IGETC, CSU GE and Foothill College A.A. or A.S. general education (GE) and/or major requirements as specified in the tables below. The student is responsible for formally requesting that the International Baccalaureate organization send exam results to the

Foothill College Evaluations Office

12345 El Monte Road
Los Altos Hills, CA 94022-4599 USA.

Course units and credits granted at Foothill College may differ from course credit and units granted by a transfer institution.

General Education IB Exam Score Equivalency List

To earn credit for Foothill GE, the student must earn a score of 5, 6 or 7 on a higher-level IB exam:

IB Subject Area	Foothill College General Education Area	Minimum Quarter Units
Anthropology HL	Social/Behavioral Sciences	4
History (any region) HL	Social/Behavioral Sciences	4
Geography HL	Social/Behavioral Sciences	4
Language A1 (any language) HL	Humanities	4
Language A2 (any language) HL	Humanities	4
Mathematics HL	Communication & Analytical Thinking	4
Theatre HL	Humanities	4

In addition to a score of 5, 6 or 7 on the higher-level IB exam, the student must have completed the IB diploma program to earn Foothill GE credit in these areas:

IB Subject Area	Foothill College General Education Area	Minimum Quarter Units
Biology HL	Natural Science	4
Chemistry HL	Natural Science	4

In addition, a score of 5, 6 or 7 on a higher-level IB exam will result in credit for the following Foothill courses:

IB Subject Area	Foothill College General Education Area	Minimum Quarter Units
Chemistry HL	CHEM 25 or CHEM 30A	4
Physics HL	PHYS 6	4

College & District Policies

Academic Honor Code

As a student at Foothill College, you join a community of scholars who are committed to excellence in the teaching and learning process.

We expect that students will pursue their studies with integrity and honesty and all students should know that incidents of academic dishonesty are taken very seriously.

What is Academic Dishonesty?

The two most common kinds of academic dishonesty are cheating and plagiarism.

- Cheating is the act of obtaining or attempting to obtain credit for academic work through the use of dishonest, deceptive or fraudulent means.
- Plagiarism is representing the work of someone else as your own and submitting it for any purpose.

It is your responsibility to know what constitutes academic dishonesty. Interpretations of academic dishonesty may differ among individuals and groups. However, as a student at Foothill, you are expected to refrain from the behavior outlined herein. If you are unclear about a specific situation, speak to your instructor.

The following list exemplifies some of the activities defined as academic dishonesty:

Cheating

- Copying, in part or in whole, from someone else's test;
- Submitting work presented previously in another course, if contrary to the rules of either course;
- Altering or interfering with grading;
- Using or consulting, during an examination, any sources, consulting others, use of electronic equipment, including cell phones and PDAs, or use of materials not authorized by the instructor; or
- Committing other acts that defraud or misrepresent.

Plagiarism

- Incorporating the ideas, words, sentences, paragraphs or parts of another person's writings, without giving appropriate credit, and representing the product as your own;

- Representing another's artistic or scholarly works such as musical compositions, computer programs, photographs, paintings, drawings or sculptures as your own;
- Submitting a paper purchased from a research or term paper service, including the internet; or
- Undocumented web source usage.

Other Specific Examples of Academic Dishonesty

- Purposely allowing another student to copy from your paper during a test;
- Giving your homework, term paper or other academic work to another student to plagiarize;
- Having another person submit any work in your name;
- Lying to an instructor or college official to improve your grade;
- Altering a graded work after it has been returned, then submitting the work for re-grading;
- Stealing tests;
- Forging signatures on drop/add cards or other college documents; or
- Collaboration without permission of instructor.

Consequences of Academic Dishonesty

Academic and/or administrative sanctions may be applied when students are found responsible for violating our academic integrity process.

Academic consequences of a failure of academic integrity may include receiving a lowered or failing grade on a particular piece of academic work, which may lead to a lowered or failing grade for the course. Administrative consequences may include being placed on disciplinary probation, suspension, or expulsion.

The Student Affairs & Activities Office maintains a record of students who have engaged in academic dishonesty. This information is used to identify and discipline students reported for academic dishonesty more than once. A copy of the *Foothill College Student Conduct, Discipline & Due Process Procedure* is printed in the handbook for each of these groups, and copies are available in the Student Affairs & Activities Office in Room 2002.

Americans with Disabilities Act (ADA)

The Foothill-De Anza Community College District Board of Trustees upholds that, for persons with disabilities, improving the access to educational and employment opportunities must be a priority. The board directs the Foothill College administration to take the necessary actions to implement the requirements of the *Americans with Disabilities Act (ADA)* and *Section 504 of the Rehabilitation Act*.

The Foothill-De Anza Community College District shall not discriminate against a qualified individual with a disability because of the disability with regard to employment or with regard to the provision of district programs, services and activities.

A person who is otherwise qualified may request accommodation related to his/her disability, provided that accommodation does not impose an undue hardship on the district.

To receive a copy of Foothill College disability access information and procedures for requesting accommodations, call Foothill College Disability Resource Center (DRC) at 650.949.7017 or email drc@fhda.edu. Disability access information is also available in the DRC (Room 5400).

To appeal a DRC accommodation decision, or to report any difficulties with accommodations or receiving accommodations, schedule a meeting with the Dean of Student Affairs & Activities, who is the institution's

designated ADA/504 coordinator, by visiting Room 2002, calling 650.949.7241 or emailing deanofstudents@foothill.edu. For more information, visit foothill.edu/drc.

Nondiscrimination Policy

Foothill does not discriminate against any person in the provision of any program or service based on age, ancestry, color, gender, gender identity, marital status, medical condition, mental disability, national origin, physical disability, race, religious creed, sexual orientation or veteran status.

Complaints of discrimination filed by an employee of the district against another employee or student, or a student against an employee of the district shall be referred and handled pursuant to the district, *Procedures to Resolve Complaints Regarding Harassment and Discrimination (AP 4640)*. Such complaints should be directed to Foothill's Dean of Student Affairs & Activities, located in Room 2002; or call 650.949.7241 to schedule an appointment. Complaints of discrimination filed by a student against another student, or student against the criteria of a program, shall also be referred and handled pursuant to the district *Procedures to Resolve Complaints Regarding Harassment and Discrimination (AP 4640)*. Such complaints should be directed to Foothill's Dean of Student Affairs & Activities, located in Room 2002; or call 650.949.7241 to schedule an appointment.

To report discrimination on the basis of disability, schedule a meeting with Student Affairs & Activities Dean, the institution's ADA/504 coordinator, by visiting Room 2002 or calling 650.949.7241.

Limited English Skills Policy

Prospective students are advised that a lack of English language skills will not be a barrier to admission to, or participation in vocational education programs at Foothill College as long as other, if any, program admission standards are met.

This notice is a requirement of the *Guidelines for Eliminating Discrimination & Denial of Services on the Basis of Race, Color, National Origin, Sex & Handicap (Federal Register; Vol. 44, No 56)*.

Reglamento Sobre Limitaciones en el Idioma Inglés

Se les aconseja a posibles estudiantes que la carencia del idioma Inglés no será una barrera para la admisión, o participación en programas de educación vocacional en Foothill College, siempre y cuando todos los otros, si existieran, criterios de admisión del programa sean completados.

Esta nota es un requisito de la *Guía para la Eliminación de la Discriminación y Rechazo de Servicios en Base a la Raza, Color, Nacionalidad de Origen, Sexo e Impedimento (Registro Federal; Vol. 44, No. 56)*.

Reglamento de la No-Discriminación

Foothill College no discrimina en contra de ninguna persona en la prohibición de algún programa o servicio basado en la raza, color, nacionalidad u origen étnico, edad, sexo, religión, orientación sexual, estado civil, o impedimento físico o mental.

Sexual Harassment Protection Policy

Members of a college community—students, faculty, staff and visitors—must be able to study and work in an atmosphere of mutual respect and trust. It is the policy of the Foothill-De Anza Community College District to provide an educational, employment and business environment free of unwelcome sexual advances, requests for sexual favors, and other verbal

or physical conduct or communications constituting sexual harassment, as defined and otherwise prohibited by federal and state law.

Sexual harassment may include, but is not limited to:

- Conduct of a sexual nature that is explicitly or implicitly made a term or condition of an individual's employment or education;
- A decision based on the submission to or rejection of a sexual advance; or
- Verbal or physical conduct of a sexual nature that interferes with an individual's performance or creates an intimidating work or educational environment.

Immediate action shall be taken against individuals determined to be in violation of this policy. Any individual who believes that they have been a victim of sexual harassment may file a complaint within one year of the date on which the complainant knew or should have known of the facts of the sexual harassment incident.

Complaints of sexual harassment filed by a student against another student, or student against the criteria of a program, shall be referred and handled pursuant to the district administrative procedures: *Foothill-De Anza Community College District Sexual Assault, Including Rape: Procedures (AP 4630A) and Foothill College's Sexual Assault, including Rape, Educational Program(s) (AP 4630B)*. Such complaints should be directed to the Dean of Student Affairs & Activities or the Dean of Enrollment Services by emailing fhtitleix@foothill.edu.

Title IX Procedural Requirements

Title IX is a comprehensive federal law that prohibits discrimination on the basis of sex in any federally funded education program or activity. In addition to traditional educational institutions, Title IX also applies to any education or training program operated by a recipient of federal financial assistance. Many of these education programs became subject to Title IX regulations in 2000. Foothill College has responsibilities to ensure that students and employees comply with the nondiscrimination mandate of Title IX and its procedural requirements. Foothill College has established a method for receiving and resolving sex-based discrimination complaints. At Foothill College, the Dean of Student Affairs & Activities and the Dean of Enrollment Services are the institution's designated Title IX coordinators. For information or to report an incident, email fhtitleix@foothill.edu.

Mutual Respect Policy

Foothill College takes all steps necessary to provide a positive educational and employment environment that encourages equal educational opportunities. The college actively seeks to educate staff and students on the deleterious effects of expressions of hatred or contempt based on age, ancestry, color, gender, gender identity, marital status, medical condition, mental disability, national origin, physical disability, race, religious creed, sexual orientation or veteran status; and promotes equality and mutual respect among all groups and individuals. Standards of conduct for students and the applicable sanctions for violating the standards of student conduct are contained in the *Academic Policies* section in the Course Catalog and online at foothill.edu.

Decisions regarding discipline of employees will be made in accordance with applicable legal and contractual provisions and procedures, and may range from reprimand to dismissal.

Drug-Free Campus Policy

The unlawful manufacturing, distribution, dispensing, possession or use of any illicit drug or alcohol by students on district property or at district activities or events is prohibited. The use of drugs and alcohol may pose significant health risks. The Psychological Services and Health Services offices at Foothill College offer additional information on the risks associated with the use of drugs and alcohol. You can also receive referral information for drug or alcohol counseling, treatment and rehabilitation programs. For more information, call 650.949.7910.

Employees and students may be suspended or expelled for the unlawful possession, use or distribution of illicit drugs or alcohol. Appropriate disciplinary action may also include requiring the completion of a rehabilitation program. The standards of conduct for students and the applicable sanctions for violating the standards are published in *Administrative Procedures 5510* and *5520*.

No-Smoking Areas & Enforcement

In order to provide a safe learning and working environment for students and employees, smoking is prohibited in all indoor and outdoor campus locations, with the exception of designated smoking areas as defined by each campus. Smoking is prohibited in district vehicles. "No Smoking" placards are conspicuously posted on campus. In addition, designated smoking areas are clearly marked. No tobacco-related advertising or marketing shall be permitted at FHDA or in publications produced by FHDA. The sale of tobacco products on campus is prohibited. This policy relies on the consideration and cooperation of smokers and nonsmokers. It is the responsibility of all employees, students and visitors to observe and follow the guidelines. This policy shall be communicated and published in the colleges' catalogs, handbooks, websites and other appropriate locations. Smoking violations shall be subject to issuance of citations by the District Police Department as provided for by state law. See *Administrative Procedures 3217, 5510, 5520* at fhda.edu/about-us/_board/.

Enforcement: Smoking violations shall be subject to issuance of citations by the FHDA District Police Department as provided for by state law. An appeal process will ensure the due process of any person cited in accordance with district policy. *California Government Code Sections, 7597-7598; Health & Safety Code Sections, 118875-118915; Labor Code, 6404.5*; FHDA, Approved 4/13/12.

Parking Citations & Traffic Violations

Parking tickets and traffic violations issued at Foothill or De Anza College by Foothill-De Anza Police are legal citations that cannot be canceled by the college administration.

To contest a parking citation, you can complete an online form at ParkingTicketPayment.com/fhda, or you may pick up and complete a *Foothill-De Anza College District Parking Citation Administrative Review* request form (at the Foothill Police Station). Mail it to:

Citation Services Center
PO Box 63246
Irvine, CA 92602-6108

An automated system is available 24 hours a day, seven days a week to check the status of your parking citation, or pay by calling 888.913.3711, or online at ParkingTicketPayment.com/fhda. Customer service representatives are available on weekdays from 9 a.m. to 4 p.m. (except holidays) at 888.913.3711.

To contest or make a payment for a traffic violation, call 650.324.0373 or write to:

Palo Alto Superior Court
270 Grant Avenue
Palo Alto, CA 94306-1911

Police Conduct

Any misconduct or complaints should be referred to the on-duty police supervisor, located in Room 2103 or call 650.949.7313. Citizen complaint forms may be downloaded at police.fhda.edu/forms/index.

Complaints & Grievance Process

Foothill College has an established procedure for grievances and complaints in order to provide a means for resolving alleged unfair or improper action by any member of the academic community. Procedures and forms are available on campus in the Student Affairs & Activities Office, located in Room 2002. A copy of the *Foothill-De Anza Community College District (FHDA) Board Policy & Administrative Procedures* is available for review from the FHDA District Human Resources Office as well as online at fhda.edu/about-us/_board. For more information, visit the Student Affairs & Activities Office, call 650.949.7241 or email studentaffairs@foothill.edu.

Student Conduct & Due Process

I. Overview

In developing responsible student conduct, disciplinary proceedings play a role substantially secondary to example, counseling, guidance and admonition. At the same time, educational institutions have a duty and the corollary disciplinary powers to protect their educational purpose through the settings of standards of scholarship and conduct for the students who attend them and through the regulation of the use of institutional facilities. The purpose of these procedures is to provide a prompt and equitable means to address violations of the *Student Code of Conduct*, as set forth in *FHDA Administrative Procedures (AP) 5510* and *5520*, which guarantees the student or students involved the due process rights entitled to them by state and federal constitutional protections. These procedures will be used in a fair and equitable manner and not for purposes of retaliation. They are not intended to substitute for criminal or civil proceeds that may be initiated by other agencies.

Foothill and De Anza colleges consider the following principles essential to their educational missions and community life:

- Mutual respect between students, faculty and staff;
- Pursuit of studies with honesty and integrity;
- Respect for college and personal property; and
- Compliance with all rules and regulations.
- These standards are intended to promote responsible student conduct and fair play.

II. Definitions

- College: Foothill College and its respective programs.
- Day: Day(s) during which the district is in session and regular classes are held, excluding Saturdays and Sundays.
- District: The Foothill-De Anza (FHDA) Community College District.
- Instructor: Any academic employee of the district in whose class a student subject to discipline is enrolled, or counselor who is providing or has provided services to the student, or other academic employee who has responsibility for the student's educational program.

- President: The college president or a designated representative of the college president.
- Student: Any person currently enrolled as a student at any college or in any program offered by the district.
- Student Discipline Officer: The official designated by the college to be responsible for reviewing and processing student discipline matters.

III. Student Code of Conduct & Grounds for Disciplinary Action

Students shall be subject to college discipline as outlined in *AP 5520* for any of the following misconduct that occurs at any time on campus or at any off-campus facility, including Internet-based courses or college-approved or college-sponsored functions:

1. Academic dishonesty, such as cheating, plagiarism (including plagiarism included in student publications), or knowingly furnishing false information to the colleges, or district;
2. Unauthorized preparation, giving, selling, transfer, distribution or publication, for any commercial purpose, of any contemporaneous recording of an academic presentation in a classroom or equivalent site of instruction, including but not limited to handwritten or typewritten class notes, except as permitted by any district policy or administrative procedure;
3. Dishonesty, forgery, alteration or misuse of college or district documents, records or identification;
4. Obstruction or disruption of teaching, research, administration, disciplinary procedures, or other college or district activities, including its public service functions, or of other authorized activities;
5. Physical or verbal abuse of any person or conduct which threatens or endangers the health or safety of any such person;
6. Committing or attempting to commit robbery or extortion;
7. Causing or attempting to cause damage to college or district property or to private property on campus;
8. Stealing or attempting to steal college or district property or private property on campus, or knowingly receiving stolen college or district property or private property on campus;
9. Willful misconduct that results in injury or death to a student or to college or district personnel or which results in cutting, defacing, or other injury to any real or personal property owned by the college or district or on the campus;
10. Unauthorized entry to or use of college or district facilities;
11. Violation of college or district policies or of campus regulations, including those concerning registration of student organizations, use of college or district facilities, or the time, place and manner of public expression;
12. Unlawful possession, use, sale, offer to sell, or furnishing or being under the influence of, any controlled substance as listed in *California Health & Safety Code Section 11053 et seq.*, an alcoholic beverage, or an intoxicant of any kind; or unlawful possession of, or offering, arranging or negotiating the sale of any drug paraphernalia, as defined in *California Health & Safety Code Section 11014.5*;
13. Use, possession, or sale of any firearm, knife, explosive, or other object that could be classified as a weapon (unless the student has specific authorization from a college or district official);
14. Disruptive behavior, willful disobedience, habitual profanity or vulgarity, or the open and persistent defiance of authority, or persistent abuse of college or district personnel;
15. Gambling on college or district property;
16. Hazing or any act that injures, degrades, or disgraces or tends to injure, degrade, or disgrace any fellow student or other persons;
17. Disorderly conduct or lewd, indecent or obscene behavior, conduct or expression on district-owned or district-controlled property, or at district-sponsored or district-supervised functions;
18. Willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of the college or district;
19. Theft or abuse of computer time, including but not limited to:
 - unauthorized entry into a file, to use, read or change the contents or for any other purpose;
 - unauthorized transfer of a file;
 - unauthorized use of another person's identification and password;
 - use of computing facilities to interfere with the work of another student, faculty member or college official;
 - use of computing facilities to send obscene or abusive messages, or to defame or intentionally harm other persons;
 - use of computing facilities to interfere with normal operation of the college computing system;
 - use of computing facilities for student's personal benefit;
20. Committing sexual harassment as defined by law or as set forth in *Board Policy (BP) 4640*;
21. Engaging in harassing or discriminatory behavior based on race, gender, religion, age, national origin, disability, or any other status protected by law;
22. Engaging in expression which is obscene, libelous or slanderous, or which so incites students as to create a clear and present danger of the commission of unlawful acts on college or district premises, or the violation of lawful college or district regulations, or the substantial disruption of the orderly operation of the college or district;
23. Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.

IV. Types of Disciplinary Action

The following are the usual types of discipline the college imposes for violations of its rules or California laws. The following topics are listed in alphabetical order.

- Admonition: An administrative, verbal warning to the student to cease and desist from conduct determined to violate the *Student Code of Conduct*.
- Disciplinary Probation: Exclusion from participation in privileges or extracurricular activities set forth in the notice of disciplinary probation for a specified period of time.
- Expulsion: Exclusion of the student by action of the FHDA Community College District Board of Trustees from all colleges in the district for one or more terms, or permanently.
- Removal from Class: Exclusion of the student by an instructor for the day of the removal and the next class meeting.
- Restitution: Financial liability for damage to or misappropriation of property. Restitution may take the form of appropriate service to repair or otherwise compensate for damages.
- Summary Suspension: Any student who has willfully disrupted the orderly operation of the campus may be promptly suspended pending a hearing, where such immediate suspension is required in order to protect lives or property and to ensure the maintenance of order, provided, however, that a reasonable opportunity must be afforded the suspended person for hearing within 10 days. In all other

cases, where disciplinary action is to be taken in response to willful disruption of the orderly operation of the campus, discipline shall be imposed only after a prompt hearing by a campus body resulting in a finding that the student willfully disrupted the orderly operation of the campus.

- Suspension: Exclusion of the student for good cause from one or more classes for a period of up to 10 days of instruction, or the remainder of the school term, or from all classes and activities for one or more terms. The suspended student is prohibited from being enrolled in any other college in the district for the period of suspension.
- Withdrawal of Consent to Remain on Campus: Withdrawal of consent by the student discipline officer for any person to remain on campus in accordance with *California Penal Code Section 626.4* where the student discipline officer has reasonable cause to believe that such person has willfully disrupted the orderly operation of the campus.
- Written Warning: Written notice to the student that continuation or repetition of specific conduct found wrongful within a period of time stated in the warning, may be cause for more severe disciplinary action. Written reprimands may become part of a student's permanent record at the college.

V. Discipline & Due Process Procedures at Foothill College

Except in cases where immediate discipline pending a hearing is authorized, the following procedures will apply before disciplinary action is taken to suspend or expel a student. The student discipline officer will determine if there are sufficient grounds to warrant discipline. If the student discipline officer determines sufficient grounds exist to warrant discipline, the student will be provided with written notice of that determination. The written notice will include the following:

- The specific section of the *Student Code of Conduct* that the student is charged with violating;
- A short statement of the facts supporting the accusation; and
- The nature of the discipline that is being considered.

The following topics are listed in chronological order.

- Time Limits: The notice must be provided to the student within 10 days of the date on which the conduct took place; in the case of continuous, repeated or ongoing conduct, the notice must be provided within 10 days of the date on which conduct occurred which led to the decision to take disciplinary action.
- Pre-Hearing Meeting: If the student chooses to meet with the student discipline officer, the meeting must occur no sooner than 10 days after the notice is provided. At the meeting, the student must again be told the facts leading to the accusation, and must be given an opportunity to respond verbally or in writing to the accusation.
- Schedule of Hearing: The formal hearing shall be scheduled within 10 days after the pre-hearing meeting with the student discipline officer.
- Campus Disciplinary Hearing Board: This board shall be comprised of members of the faculty and administration. The student discipline officer and the president of the Academic Senate shall each, at the beginning of the academic year, establish a list of persons who will serve on student disciplinary hearing panels. The student discipline officer shall appoint the hearing panel from the names on these lists. The administrator on the hearing panel shall serve as chair. However, no administrator or faculty member who has any personal involvement in the matter to be decided, who is a necessary witness,

or who could not otherwise act in a neutral manner shall serve on a hearing panel.

- Conduct of the Hearing: The members of the hearing panel shall be provided with a copy of the accusation against the student and any written response provided by the student before the hearing begins. The student discipline officer shall present the facts supporting the accusation. The student discipline officer and the student may call witnesses and introduce oral and written testimony relevant to the issues of the matter. Formal rules of evidence shall not apply. Any relevant evidence shall be admitted. Unless the hearing panel determines to proceed otherwise, the student discipline officer and the student shall each be permitted to make an opening statement. Thereafter, the student discipline officer shall make the first presentation, followed by the student. The student discipline officer may present rebuttal evidence after the student completes their evidence. The burden shall be on the student discipline officer to prove by substantial evidence that the facts alleged are true. The student may represent themselves, and may also have the right to be represented by a person of their choice. An attorney shall not represent the student unless, in the judgment of the hearing panel, complex legal issues are involved. If the student wishes to be represented by an attorney, a request must be presented not less than five days prior to the date of the hearing. If the student is permitted to be represented by an attorney, the student discipline officer may request legal assistance. The hearing panel may also request legal assistance; any legal advisor provided to the panel may sit with it in an advisory capacity to provide legal counsel but shall not be a member of the panel nor vote with it. Hearings shall be closed and confidential unless the student requests that it be open to the public. Any such request must be made no less than five days prior to the date of the hearing. In a closed hearing, witnesses shall not be present when not testifying, unless all parties and the panel agree to the contrary. The district shall record the hearing either by tape recording or stenographic recording, and shall be the only recording made. No witness who refuses to be recorded may be permitted to give testimony. In the event the recording is by tape recording, the hearing panel chair shall, at the beginning of the hearing, ask people present to identify themselves by name, and thereafter shall ask witnesses to identify themselves by name. Tape recordings shall remain in the custody of the district at all times, unless released to a professional transcribing service. The student may request a copy of the tape recording. All testimony shall be taken under oath; the hearing panel chair shall administer the oath. Written statements of witnesses under penalty of perjury shall not be used unless the witness is unavailable to testify. A witness who refuses to be tape-recorded is considered unavailable. Within 10 days following the close of the hearing, the hearing panel shall prepare and forward to the student discipline officer a written recommendation. The recommendation shall include specific factual findings regarding the accusation, and shall include specific conclusions regarding whether any specific section of the standards of student conduct were violated. The decision shall also include a specific recommendation regarding the disciplinary action to be imposed, if any. The decision shall be based only on the record of the hearing, and not on matter outside of that record. The record consists of the original accusation, the written response, if any, of the student, and the oral and written evidence produced at the hearing. The student discipline officer will forward the recommendation to the president.
- Immediate Summary Suspension: The president may order immediate interim suspension pending a hearing of a student where they conclude that immediate suspension is required to protect lives

or property and to ensure the maintenance of order, provided that a reasonable opportunity is afforded the suspended person for a hearing within 10 days. This procedure complies with *Education Code Section 66017*.

- **Removal from Class:** Any instructor may order a student removed from their class for the day of the removal and the next class meeting. The instructor shall immediately report the removal to the student discipline officer. The student discipline officer shall arrange for a conference between the student and the instructor regarding the removal. If the instructor or the student requests, the student discipline officer shall attend the conference. The student shall not be returned to the class during the period of the removal without the concurrence of the instructor. Nothing herein will prevent the student discipline officer from recommending further disciplinary procedures in accordance with these procedures based on the facts that led to the removal. This procedure complies with *Education Code Section 76032*.
- **Withdrawal of Consent to Remain on Campus:** Also review *Penal Code Section 626.4*. The student discipline officer may notify any person for whom there is a reasonable belief that the person has willfully disrupted the orderly operation of the campus and that consent to remain on campus has been withdrawn. If the person is on campus at the time, they must promptly leave or be escorted off campus. If the student discipline officer withdraws consent, a written report must be promptly made to the college president and the district police. The person from whom consent has been withdrawn may submit a written request for a hearing on the withdrawal within the period of the withdrawal. The request shall be granted not later than 10 days from the date of receipt of the request. The hearing will be conducted in accordance with the provisions of this procedure relating to interim suspensions. In no case shall consent be withdrawn for longer than 10 days from the date upon which consent was initially withdrawn. Any person as to whom consent to remain on campus has been withdrawn who knowingly re-enters the campus during the period in which consent has been withdrawn, except to come for a meeting or hearing, is subject to arrest.
- **President's Decision for Suspension:** Within 10 days following receipt of the hearing panel's recommended decision, the college president shall render a written decision. The college president may accept, modify or reject the findings, decisions and recommendations of the hearing panel. If the president modifies or rejects the hearing panel's decision, the college president shall review the record of the hearing, and shall prepare a new written decision that contains specific factual findings and conclusions. Written notice of the college president's decision shall be provided to the student. The notice will include the right of the student to request an appeal of the decision within 30 days of receipt of the decision. The college president will review the appeal and any additional information provided by the student, and render a decision on the appeal. The decision of the college president shall be final. The college president shall notify the district chancellor of the decision to suspend a student.
- **President's Decision for Expulsion:** Within 10 days following receipt of the hearing panel's recommended decision, the college president shall render a written recommended decision to the FHDA board of trustees. The college president may accept, modify or reject the findings, decisions and recommendations of the hearing panel. If the college president modifies or rejects the hearing panel's decision, the college president shall review the record of the hearing, and shall prepare a new written decision that contains specific factual findings and conclusions. The college president's recommendation shall be forwarded to the FHDA board of trustees.
- **Board of Trustees' Decision:** Once received, the college president's recommendation will be placed on the agenda of the next regularly scheduled district board meeting. The district board of trustees shall determine whether to expel a student for cause following hearing before the board. The board shall consider an expulsion recommendation in closed session, unless the student has requested that the matter be considered in a public meeting in accordance with these procedures (*Education Code Section 72122*). The student shall be notified in writing, by registered or certified mail or by personal service, at least three days prior to the meeting, of the date, time and place of the board's meeting. The student may, within 48 hours after receipt of the notice, request that the hearing be held as a public meeting. Even if a student has requested that the board consider an expulsion recommendation in a public meeting, the board will hold any discussion that might be in conflict with the right to privacy of any student other than the student requesting the public meeting in closed session. The board may accept, modify or reject the findings, decisions and recommendations of the college president and/or the hearing panel. If the board modifies or rejects the decision, the board shall review the record of the hearing, and shall prepare a new written decision that contains specific factual findings and conclusions. The decision of the board shall be final. The final action of the board on the expulsion shall be taken at a public meeting, and the result of the action shall be a public record of the district.

For More Information

The Foothill College Student Affairs Office manages liability issues that arise on the Foothill College campus. The Dean of Student Affairs & Activities is the Foothill College grievance officer who oversees discipline and due process. To schedule an appointment, get answers to your questions, obtain reference material or discuss an issue, call 650.949.7241 or email studentaffairs@foothill.edu.

Various policies and college groups work to assure students' due process. Such groups and policies include:

- ASFC Student Rights Advocate: For more information, e-mail or call the Associated Students of Foothill College president at asfcpresident@foothill.edu or 650.949.7062.
- Obtaining Copies of Policies: All board and administrative policies are available for review during business hours in the Foothill-De Anza Community College District Chancellor's Office located on the Foothill College campus. These policies are also available online at fhda.edu.
- In addition, reference resources are available online at foothill.edu/handbook and in print in the *Foothill College Student Grievance Procedures* brochure that is available at the Student Affairs & Activities Office (Room 2002). For more information, call 650.949.7241 or email studentaffairs@foothill.edu.

For Further Reference

- *Foothill-De Anza Community College District Board of Trustees Administrative Procedure 5510—Student Code of Conduct*;
- *Foothill-De Anza Community College District Board of Trustees Administrative Procedure —Student Due Process & Discipline 5520*;
- *Foothill-De Anza Community College District Board of Trustees Administrative Procedure 5530—Student Grievances*;
- *Foothill-De Anza Community College District Board of Trustees Policy and Administrative Procedure 5500—Student Rights & Responsibilities*; and

- *14th Amendment of the U.S. Constitution as interpreted by Tinker v. Des Moines Independent School District, U. S. Supreme Court, 1969, 21 LIED 2d 731.*

Student Grievance Procedures

So that you are fully aware of student rights and responsibilities, you should also review the Foothill College Student Conduct & Due Process Booklet. The administrative procedures and board policies referred to in this section are also available online at fhda.edu. Printed versions of both booklets are available in the Student Affairs & Activities Office in Room 2002 and the Foothill–De Anza Community College District Chancellor's Office located on the Foothill College campus.

Purpose

The purpose of this procedure is to provide a prompt and equitable means of resolving student grievances. This procedure is for student grievances only. Faculty and staff with complaints regarding students should refer to *Administrative Procedure 5510: Student Code of Conduct* and *Administrative Procedure 5520: Student Due Process & Discipline*. The student grievance procedures shall be available to any student who reasonably believes a college decision or action has adversely affected their status, rights or privileges as a student. The procedures shall include grievances regarding:

- Course grades, to the extent permitted by *Education Code Section 76224(a)*, which provides: "When grades are given for any course of instruction taught in a community college district, the grade given to each student shall be the grade determined by the instructor of the course and the determination of the student's grade by the instructor, in the absence of mistake, fraud, bad faith, or incompetence, shall be final."
- Act or threat of intimidation or harassment. These procedures do not apply to sexual harassment or illegal discrimination. Sexual harassment or complaints on the basis of race, color, national or ethnic origin, age, gender, sexual orientation, marital status, or physical or mental disability should be directed to the dean of Student Affairs & Activities at Foothill College, the dean of Student Development & EOPS at De Anza College or the Foothill-De Anza Community College District Human Resources Office.
- Act or threat of physical aggression.
- Arbitrary action or imposition of sanctions without proper regard to academic due process specified in the college procedures, unrelated to disciplinary actions.
- The exercise of rights of free expression protected by state and federal constitutions and *Education Code Section 76120*.

This procedure does not apply to:

- Student disciplinary actions, which are covered under separate board policies and administrative procedures. (See *Administrative Procedure 5520: Student Due Process & Discipline*.)
- Police citations (i.e. "tickets"). Complaints about citations must be directed to the Santa Clara County Superior Court Parking Violations Office in the same way as any traffic violation.
- Sexual harassment. Complaints of sexual harassment should be directed to the dean of Student Affairs & Activities at Foothill College or the dean of Student Development & EOPS at De Anza College.
- Illegal discrimination. Complaints of discrimination on the basis of race, color, national or ethnic origin, age, gender, sexual orientation, marital status, or physical or mental disability filed against an employee of the district should be directed to the dean of Student

Affairs & Activities at Foothill College or the dean of Student Development & EOPS at De Anza College.

- Residence determination. Students should contact the Admissions & Records Office at Foothill or De Anza College.
- Dismissal from college for academic reasons. Student should consult a Foothill counselor. If there are extenuating circumstances, the student may appeal the dismissal to the Academic Council after consulting a Foothill counselor.

Definitions

- Grievant: A student alleging that a college decision or action has adversely affected their status, rights or privileges as a student, or alleges that another student has violated the student's rights.
- Party: The student, or any persons claimed to have been responsible for the student's alleged grievance, together with their representatives. "Party" shall not include the grievance hearing committee or the college grievance officer.
- President: The college president or a designated representative of the college president.
- Student: A currently enrolled student, a person who has filed an *Application for Admission* to the college, or a former student. A grievance by an applicant shall be limited to a complaint regarding denial of admission.
- Respondent: Any person claimed by a grievant to be responsible for the alleged grievance.
- Work Day: A work day shall mean days during which the district is in session and regular classes are held, excluding Saturdays and Sundays. All time deadlines shall be measured by work day, unless otherwise specified as calendar days.

Informal Resolution of Grievances

Each student who has a grievance shall make a reasonable effort to resolve the matter on an informal basis prior to requesting a grievance hearing, and shall attempt to solve the problem with the person with whom the student has the grievance, that person's immediate supervisor, or the vice president who oversees that division.

- The college president has appointed an employee who shall assist students in seeking resolution by informal means. This person shall be called the grievance officer.
- Informal meetings and discussion between persons directly involved in a grievance are essential at the outset of a dispute and should be encouraged at all stages. An equitable solution should be sought before persons directly involved in the case have stated official or public positions that might tend to polarize the dispute and render a solution more difficult. At no time shall any of the persons directly or indirectly involved in the case use the fact of such informal discussion, the fact that a grievance has been filed, or the character of the informal discussion for the purpose of strengthening the case for or against persons directly involved in the dispute or for any purpose other than the settlement of the grievance.
- Any student who believes they have a grievance shall file a *Statement of Grievance Form* with the grievance officer within 30 calendar days of the incident on which the grievance is based, or 30 calendar days after the student could have reasonably discovered the basis for the grievance, whichever is later. The *Statement of Grievance Form* must be filed within the above time frame whether or not the student has already initiated efforts at informal resolution, if the student wishes the grievance to become official. Within two work days following receipt of the *Statement of Grievance Form*, the grievance officer

shall advise the student of their rights and responsibilities under these procedures, and assist the student, if necessary, in the final preparation of the *Statement of Grievance Form*.

- If at the end of 10 work days following the student's first meeting with the grievance officer, there is no informal resolution of the complaint which is satisfactory to the student, the student shall have the right to request a grievance hearing.

Steps in the Informal Process Involving College Employees

- The student shall confer with the faculty member, administrator or classified staff person directly involved in the facts giving rise to the grievance.
- If unresolved after Step 1, the student shall confer with the faculty member's division dean, or the supervisor of the administrator or classified staff person.
- If unresolved after Step 2, the student shall confer with the vice president of that dean's or supervisor's division.
- Within the 30-calendar-day time limit as previously outlined, if the student does not feel that the matter can be resolved after completing Steps 1, 2 and 3, an official *Statement of Grievance Form* may be filed with the grievance officer. The grievance officer will advise the student of his/her rights and assist the student, if necessary, in the final preparation of the *Statement of Grievance Form*.
- If after 10 work days from the first meeting with the grievance officer there is no informal resolution, the student may request a grievance hearing.
- If the complaint involves a grievance against another student, grievant shall confer directly with the grievance officer, who will advise the grievant of his/her rights and assist the grievant in preparing the *Statement of Grievance Form*.

Formal Grievance Process

Grievance Hearing Committee

- The college president or his/her designee shall at the beginning of each quarter, including any summer session, establish a standing panel of members of the college community, including faculty members and administrators, from which one or more grievance hearing committees may be appointed. The panel will be established with the advice and assistance of the Academic Senate, who shall submit names to the president or his/her designee for inclusion on the panel. A grievance hearing committee shall include three members from the panel described above. The administrator on the hearing panel shall serve as chair.
- No person shall serve as a member of a grievance hearing committee if that person has been personally involved in any matter giving rise to the grievance, has made any statement on the matters at issue, or could otherwise not act in a neutral manner.
- The grievance officer shall sit with the grievance hearing committee but shall not serve as a member nor vote. The grievance officer shall coordinate all scheduling of hearings, shall serve to assist all parties and the hearing committee to facilitate a full, fair and efficient resolution of the grievance, and shall avoid an adversary role.

Request for Grievance Hearing

Any request for a grievance hearing shall be filed on a *Request for a Grievance Hearing Form* in writing within 30 calendar days after discovery

of the grievable action and after completing steps 1–3 of the informal process previously outlined.

- Within 10 work days following receipt of the *Request for Grievance Hearing Form*, the grievance officer shall convene a grievance hearing committee as described above, and the grievance hearing committee shall meet in private and without the parties present to determine on the basis of the *Statement of Grievance* whether it presents sufficient grounds for a hearing.
- The determination that the *Statement of Grievance* presents sufficient grounds for a hearing shall be made if the following are found to be true:
 - The statement contains facts, which, if true, would constitute a grievance under these procedures;
 - The grievant is a student as defined in these procedures, which include applicants and former students;
 - The grievant is personally and directly affected by the alleged grievance;
 - The grievance was filed in a timely manner; and
 - The grievance is not clearly frivolous, clearly without foundation, or clearly filed for purposes of harassment.
- If the grievance does not meet each of the requirements, the hearing committee chair shall notify the student in writing of the rejection of the *Request for a Grievance Hearing*, together with the specific reasons for the rejection and the procedures for appeal. This notice will be provided within seven work days of the date the decision is made by the grievance hearing committee.
- If the *Request for Grievance Hearing* satisfies each of the requirements, the college grievance officer shall schedule a grievance hearing. The hearing will begin within 30 calendar days following the decision to grant a grievance hearing. All parties to the grievance shall be given not less than 10 work days notice of the date, time and place of the hearing.

Hearing Procedure

The grievance hearing committee chair is responsible for ensuring that administrative procedures are followed and for maintaining decorum at the hearing.

- The members of the grievance hearing committee shall be provided with a copy of the grievance and any written response provided by the respondent before the hearing begins.
- Each party to the grievance may call witnesses and introduce oral and written testimony relevant to the issues of the matter.
- Formal rules of evidence shall not apply. Any relevant evidence shall be admitted.
- Unless the grievance hearing committee determines to proceed otherwise, each party to the grievance shall be permitted to make an opening statement. Thereafter, the grievant or grievants shall make the first presentation, followed by the respondent or respondents. The grievant(s) may present rebuttal evidence after the respondent(s)' evidence. The burden shall be on the grievant or grievants to prove by substantial evidence that the facts alleged are true and that a grievance has been established as specified above.
- Each party to the grievance may represent themselves, and may also have the right to be represented by a person of their choice; except that a party shall not be represented by an attorney unless, in the judgment of the grievance hearing committee, complex legal issues are involved. If a party wishes to be represented by an attorney, a request must be presented not less than 10 work days prior to the

date of the hearing. If one party is permitted to be represented by an attorney, any other party shall have the right to be represented by an attorney. The hearing committee may also request legal assistance; any legal advisor provided to the hearing committee may sit with it in an advisory capacity to provide legal counsel but shall not be a member of the panel nor vote with it.

- Hearings shall be closed and confidential unless all parties request that it be open to the public. Any such request must be made no less than five work days prior to the date of the hearing. In a closed hearing, witnesses shall not be present at the hearing when not testifying, unless all parties and the committee agree to the contrary.
- The hearing shall be recorded by the grievance officer either by tape recording or stenographic recording, and shall be the only recording made. No witness who refuses to be recorded may be permitted to give testimony. In the event the recording is by tape recording, the grievance hearing committee chair shall, at the beginning of the hearing, ask each person present to identify themselves by name, and thereafter shall ask witnesses to identify themselves by name. The tape recording shall remain in the custody of the district, either at the college or the district office, at all times, unless released to a professional transcribing service. Any party may request a copy of the tape recording.
- All testimony shall be taken under oath; the oath shall be administered by the grievance hearing committee chair. Written statements of witnesses under penalty of perjury shall not be used unless the witness is unavailable to testify. A witness who refuses to be tape-recorded shall be considered to be unavailable.
- The grievance hearing committee shall prepare and send a decision to the grievance officer. The decision will be forwarded by the grievance officer to the grievant within 14 work days. The decision shall include specific factual findings regarding the grievance, and shall include specific conclusions regarding whether a grievance has been established as defined. The decision shall also include a specific recommendation regarding the relief to be afforded the grievant, if any. The decision shall be based only on the record of the hearing, and not on matter outside of that record. The record consists of the original grievance, any written response, and the oral and written evidence produced at the hearing.

Appeal & President's Decision

A student prejudiced by a decision of the grievance hearing committee shall be entitled to appeal that decision to the college president. The appeal shall be made in writing to the college president within 30 calendar days of receipt of the grievance hearing committee's decision. The college president shall review the appeal and the grievance hearing committee's findings and conclusions, and will render a decision. Within seven work days following the receipt of the request for appeal, the college president shall prepare and send a decision to the grievant. The decision of the college president shall be final.

Time Limits

Any times specified in these procedures may be shortened or lengthened if there is mutual concurrence by all parties.

Illegal Distribution of Copyrighted Materials

Foothill College students are prohibited from using the Foothill-De Anza (FHDA) Community College District computer network to illegally download or share music, video and all other copyrighted intellectual property. Foothill College supports the Higher Education Opportunity

Act and Digital Millennium Copyright Act, including efforts to eliminate the illegal distribution of copyrighted material. Under the law, college administrators may be obligated to provide copyright holders with information about users of the FHDA information network who have violated the law.

Be aware that illegal forms of downloading and file sharing, as well as the unauthorized distribution of copyrighted materials, are violations of the law and may subject you to academic sanctions from the college as well as criminal and civil penalties, including a lawsuit against you by the Recording Industry Association of America (RIAA). Learn more at www.riaa.com/resources-learning/for-students-educators.

In addition to being illegal, file sharing negatively impacts the FHDA network's performance, which slows computer connections for students and employees who are using the network for legitimate academic purposes and ultimately costs the college money.

The college has developed policies and consequences to ensure that students respect music and other forms of intellectual property, as well as conduct responsible use of the Internet. Review these policies at foothill.edu/handbook/pdf/student-conduct.pdf.

There are numerous ways to download music online legally. To protect their intellectual property, companies have licensed hundreds of digital partners that offer a range of legal downloading options, including download and subscription services, legitimate peer-to-peer services, video-on-demand and podcasts. For a list of sources that offer legal downloading sites, visit whymusicmatters.com.

Summary of Civil & Criminal Penalties for Violation of Federal Copyright Laws

Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under the Copyright Act. These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading and/or uploading substantial parts of a copyrighted work without authority constitutes an infringement. For details, review U.S. Code Title 17; Section 106.

Civil and criminal penalties are applicable for copyright infringement. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or statutory damages affixed at not less than \$750 and not more than \$30,000 **per work infringed**. For willful infringement, a court may award up to \$150,000 per work infringed. A court can also assess related costs and attorneys' fees. Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offense. For details, review U.S. Code Title 17; Sections 504–505.

For more information, review the U.S. Copyright Office website at copyright.gov, especially the FAQ at copyright.gov/help/faq.

Misuse of Computer Information & Resources Policy

This administrative procedure implements *FHDA Board Policy 3250: Computer and Network Use - Rights and Responsibilities*.

Abuse of computing, networking or information resources contained in or part of the district network may result in the loss of computing privileges. Additionally, abuse can be prosecuted under applicable statutes. Users may be held accountable for their conduct under any applicable district or college policies, procedures, or collective bargaining agreements. Complaints alleging abuse of the district network will be directed to those

responsible for taking appropriate disciplinary action. Illegal reproduction of material protected by U.S. Copyright Law is subject to civil damages and criminal penalties, including fines and imprisonment.

Examples of behaviors constituting abuse which violate *District Board Policy 3250* include, but are not limited to, the following activities:

System Abuse

- Using a computer account that one is not authorized to use.
- Obtaining a password for a computer account that one is not authorized to have.
- Using the district network to gain unauthorized access to any computer systems.
- Knowingly performing an act which will interfere with the normal operation of computers, terminals, peripherals or networks.
- Knowingly running or installing on any computer system or network, or giving to another user, a program intended to damage or to place excessive load on a computer system or network. This includes but is not limited to programs known as computer viruses, Trojan horses and worms.
- Knowingly or carelessly allowing someone else to use your account who engages in any misuse in violation of *District Board Policy 3250*.
- Forging e-mail messages.
- Attempting to circumvent data-protection schemes or uncover or exploit security loopholes.
- Masking the identity of an account or machine.
- Deliberately wasting computing resources.
- Downloading, displaying, uploading or transmitting obscenity or pornography, as legally defined.
- Attempting without district authorization to monitor or tamper with another user's electronic communications, or changing, or deleting another user's files or software without the explicit agreement of the owner, or any activity which is illegal under California computer crime laws.
- Personal use which is excessive or interferes with the user's or others' performance of job duties, or otherwise burdens the intended use of the district network.
- Illegal downloading and/or distribution of copyright-protected materials, including but not limited to music and videos.

Harassment

- Using the telephone, e-mail or voice mail to harass or threaten others.
- Knowingly downloading, displaying or transmitting by use of the district network, communications, pictures, drawings or depictions that contain ethnic slurs, racial epithets, or anything that may be construed as harassment or disparagement of others based on their race, national origin, gender, sexual orientation, age, disability, or religious or political belief.
- Knowingly downloading, displaying or transmitting by use of the district network sexually explicit images, messages, pictures, or cartoons when done to harass or for the purposes of harassment.
- Knowingly downloading, displaying or transmitting by use of the district network sexually harassing images or text in a public computer facility, or location that can potentially be in view of other individuals.
- Posting on electronic bulletin boards material that violates existing laws or the colleges' codes of conduct.

- Using the district network to publish false or defamatory information about another person.

Commercial Use

Using the district network or computing resources owned or controlled by the district for any commercial activity without written authorization from the district. "Commercial activity" means for financial remuneration or designed to lead to financial remuneration.

Copyright

- Violating terms of applicable software licensing agreements or copyright laws.
- Publishing copyrighted material without the consent of the owner on district websites in violation of copyright laws.

Exceptions

Activities by technical staff, as authorized by appropriate district or college officials, to take action for security, enforcement, technical support, troubleshooting or performance testing purposes will not be considered abuse of the network.

Although personal use is not an intended use, the district recognizes that the network will be used for incidental personal activities and will take no disciplinary action provided that such use is within reason and provided that such usage is ordinarily on an employee's own time; is occasional; and does not interfere with or burden the district's operation. Likewise, the district will not purposefully monitor or punish reasonable use of the network for union business-related communication between employees and their unions. *Administrative Procedure 3250. Approved 11/17/97; Reviewed by FHDA Board 8/16/99, 7/7/03; revised 10/28/05, 2/6/09.*

Use of Photography

Foothill College, a public California community college, reserves the right to use photographs, videos, motion pictures, and electronic images of students and visitors, age 18 and older, taken on college property and at college-sponsored events for marketing and promotional purposes.

Occasionally, the college will conduct media production activities for marketing purposes. The results of such photography and recording may be broadcast throughout the world. If you do not want to be identified, photographed or recorded, avoid areas where camera technicians and photographers are working.