

Catalog Addendum for 2020-21



BERKELEY CITY COLLEGE

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Catalog Addendum 2020-21

The Berkeley City College Catalog Addendum for 2020-21 is a summary of additions, reactivations, deactivations, and changes that have been made and approved by the California Community College Chancellor's Office. Changes to curriculum are made through the BCC Curriculum Committee process with an approval of the PCCD board and the CCC Chancellor's Office. Please use information contained here as the most accurate and up-to-date catalog information regarding courses and programs. All individual course additions and changes show the effective term at the end of each entry. All program additions and changes show the effective term after the program title.

Accuracy Statement

Berkeley City College endeavors to accurately and fairly present its programs and its policies to the public. Those responsible for the preparation of this catalog, the class schedule and all other public announcements make every effort to ensure that the information presented is correct and up to date. However, Berkeley City College reserves the right to add, amend or repeal any rules, regulations, policies and procedures. The college assumes no responsibility for program changes or publication errors beyond its control. For the most current information, please check our Web site at <http://www.berkeleycitycollege.edu> and our catalog addendum.

Course Additions

Dept/No.	Course Title/Information	Effective	Catalog page affected
EDUC 18	<p>Mathematical Concepts for Teachers 3 Units 3 hours lecture (GR or P/NP) Acceptable for credit: CSU Structure, properties, and operations of the real number system, including pedagogical techniques: Introduction to set theory, logic and deductive reasoning; introduction to probability, statistics and inductive reasoning; review of geometry in two and three dimensions (British and metric measure, perimeter, area, volume, characteristics of basic plane and solid figures). Survey course intended primarily for education majors planning to teach in the primary grades, including transitional kindergarten. Not open for credit to students who are enrolled in or have completed MATH 18. 1701.00</p>	Spring 2021	90
EDUC 510A	<p>Tutor Training I 0 Units 1 hour lecture, 3 hours lab (SP or P/NP) Basics of tutoring; Ethics and philosophy of tutoring; techniques for fostering independent learning; communicating effectively; addressing psychological and emotional barriers to effective learning; encouraging resilience. 0802.00</p>	Spring 2021	90
EDUC 510B	<p>Tutor Training II 0 Units 1 hour lecture, 3 hours lab (SP or P/NP) Prerequisite: EDUC 510A Intermediate tutoring skills: Review of Tutor Training I; strategies for tutoring in specific subject areas; identifying and using sources; cultural awareness; addressing diversity; use of probing questions. 0802.00</p>	Spring 2021	90

Course Modifications

Changes are underlined and italicized.

Dept/No. & Catalog Pg. Affected	Effective through Fall 2020	Effective Spring 2021
CHEM 1A Pg. 77	<p>General Chemistry 5 Units 6 hours lecture, 3 hours lab (GR) Prerequisite: MATH 203 or MATH 211A-D or satisfactory score on the math assessment and CHEM 30A or CHEM 50, or satisfactory score on the chemistry assessment. Acceptable for credit: UC/CSU AA/AS area 1; CSU area B1, B3; IGETC area 5A, 5C; (C-ID CHEM 110; CHEM 1A + 1B = C-ID CHEM 120S) General principles of chemistry: Kinetics, equilibrium, acid-base equilibria, buffers, solubility equilibria, entropy and free energy, electrochemistry, nuclear chemistry, coordination chemistry, and an introduction to organic chemistry. 1905.00</p>	<p>General Chemistry 5 Units <u>3 hours lecture, 6 hours lab</u> (GR) Prerequisite: MATH 203 or MATH 211A-D <u>and CHEM 30A or satisfactory score on the chemistry assessment or completion of ALEKS chemistry preparation course. Recommended Preparation: ESOL 52 or ESOL 52A or ESOL 52B or ENGL 1A or ENGL 1AS.</u> Acceptable for credit: UC/CSU AA/AS area 1; CSU area B1, B3; IGETC area 5A, 5C; (C-ID CHEM 110; CHEM 1A + 1B = C-ID CHEM 120S) General principles of chemistry: Kinetics, equilibrium, acid-base equilibria, buffers, solubility equilibria, entropy and free energy, electrochemistry, nuclear chemistry, coordination chemistry, and an introduction to organic chemistry. 1905.00</p>
CHEM 1B Pg. 77	<p>General Chemistry 5 Units 6 hours lecture, 3 hours lab (GR) Prerequisite: CHEM 1A Acceptable for credit: UC/CSU AA/AS area 1; CSU area B1, B3; IGETC area 5A, 5C; (CHEM 1A + 1B = C-ID CHEM 120S) General principles of chemistry: Kinetics, equilibrium, acid-base equilibria, buffers, solubility equilibria, entropy and free energy, electrochemistry, nuclear chemistry, coordination chemistry, and an introduction to organic chemistry. 1905.00</p>	<p>General Chemistry 5 Units <u>3 hours lecture, 6 hours lab</u> (GR) Prerequisite: CHEM 1A Acceptable for credit: UC/CSU AA/AS area 1; CSU area B1, B3; IGETC area 5A, 5C; (CHEM 1A + 1B = C-ID CHEM 120S) General principles of chemistry: Kinetics, equilibrium, acid-base equilibria, buffers, solubility equilibria, entropy and free energy, electrochemistry, nuclear chemistry, coordination chemistry, and an introduction to organic chemistry. 1905.00</p>
COUN 24 Pg. 86	<p>College Success 3 units 3 hours lecture (GR or P/NP) Recommended Preparation: ENGL 201B Acceptable for credit: UC/CSU CSU area E College success: Identification and development of resources (personal, institutional, and community-based) that facilitate successful adjustment to the college environment and productive pursuit of educational objectives. 4930.10</p>	<p>College Success 3 units 3 hours lecture (GR or P/NP) <u>Recommended Preparation: None</u> Acceptable for credit: UC/CSU CSU area E College success: Identification and development of resources (personal, institutional, and community-based) that facilitate successful adjustment to the college environment and productive pursuit of educational objectives. 4930.<u>13</u></p>

Dept/No. & Catalog Pg. Affected	Effective through Fall 2020	Effective Spring 2021
COUN 57 Pg. 86	<p>Career and Life Planning 3 units 3 hours lecture (GR or P/NP) Recommended Preparation: ENGL 201B Acceptable for credit: UC/CSU CSU area E In-depth career and life planning: Self-exploration, identifying values, interests, needs and goals, development of skills for assuming careers and lifestyles over the life span, influence of career choice on the quality of life and the development of a career action plan. Designed to assist those students considering the transition of a career change or undecided about the selection of a college transfer major. 4930.10</p>	<p>Career and Life Planning 3 units 3 hours lecture (GR or P/NP) <i>Recommended Preparation: None</i> Acceptable for credit: UC/CSU CSU area E In-depth career and life planning: Self-exploration, identifying values, interests, needs and goals, development of skills for assuming careers and lifestyles over the life span, influence of career choice on the quality of life and the development of a career action plan. Designed to assist those students considering the transition of a career change or undecided about the selection of a college transfer major. 4930.10</p>
ENGL 5 Pg. 93	<p>Critical Thinking in Reading and Writing 3 units 3 hours lecture (GR) Prerequisite: ENGL 1A Acceptable for credit: UC/CSU AA/AS area 4a; CSU area 3A; IGETC area 1B; (C-ID ENGL 105 & ENGL 115) Development of the ability to analyze, criticize and advocate ideas: Relationship of language to logic, induction and deduction, facts, inferences, judgments, and formal and informal fallacies of language and thought. Instructs in writing about issues of critical thinking to develop both thinking and writing skills. 1501.00</p>	<p>Critical Thinking in Reading and Writing 3 units 3 hours lecture (GR) <i>Prerequisite: ENGL 1A or ENGL 1AS</i> Acceptable for credit: UC/CSU AA/AS area 4A; CSU area 3A; IGETC area 1B; (C-ID ENGL 105 & ENGL 115) Development of the ability to analyze, criticize and advocate ideas: Relationship of language to logic, induction and deduction, facts, inferences, judgments, and formal and informal fallacies of language and thought. Instructs in writing about issues of critical thinking to develop both thinking and writing skills. 1501.00</p>
<u>ESOL 52</u> Formerly ESOL 52B Pg. 98	<p>Advanced Reading and Writing 6 units 6 hours lecture (GR or P/NP) Prerequisite: ESL 52A or ESOL 52A or placement by multiple measures assessment process. Acceptable for credit: UC/CSU AA/AS area 4a, 4d Continuation ESOL 52A: Critical thinking skills, critical and analytical reading of college level texts, and writing of research and other academic papers. Not open for credit to students who have completed or are currently enrolled in ESL 52B. 4930.87</p>	<p>Advanced Reading and Writing 6 units 6 hours lecture (GR or P/NP) <i>Prerequisite: ESOL 253 or ESOL 253A or ESOL 253B or ESOL 513 or ESOL 553 or Placement by multiple measures assessment process.</i> Acceptable for credit: UC/CSU AA/AS area 4a, 4d <i>Critical thinking skills, critical and analytical reading of college-level texts, and writing of research and other academic papers. Not open for credit to students who have completed or are currently enrolled in ESOL 52A or ESOL 52B.</i> 4930.87</p>

Dept/No. & Catalog Pg. Affected	Effective through Fall 2020	Effective Spring 2021
<p><u>ESOL 253</u> Formerly ESOL 253B Pg. 98</p>	<p>Reading and Writing 3 6 units 6 hours lecture (GR or P/NP) Prerequisite: ESL 223A or ESOL 253A Not degree applicable Continuation of ESOL 253A: Critical readings of essays, short academic texts, short stories, and/or a novel; writing well-developed essays and compositions. Not open for credit to students who have completed or are currently enrolled in ESL 223B. 4930.87</p>	<p>Reading and Writing 3 6 units 6 hours lecture (GR or P/NP) <u>Prerequisite: ESOL 252A or ESOL 252B or ESOL 512 or placement by multiple measures assessment process.</u> Not degree applicable <u>High Intermediate level of reading and writing: Critical readings of essays, short academic texts, short stories, and/or a book-length text. Writing well-developed essays and compositions. Not open for credit to students who have completed or are currently enrolled in ESOL 253A or ESOL 253B.</u> 4930.87</p>
<p>MATH 3A Pg. 113</p>	<p>Calculus I 5 units 5 hours lecture (GR) Prerequisite: MATH 2 or MATH 1 and MATH 50 Acceptable for credit: UC/CSU AA/AS area 4b; CSU area B4; IGETC area 2; (C-ID MATH 210) Theorems on limits and continuous functions, derivatives, differentials, and applications: Fundamental theorems of calculus, and applications, properties of exponential, logarithmic, and inverse trigonometric functions, hyperbolic functions. 1701.00</p>	<p>Calculus I 5 units 5 hours lecture (GR) <u>Prerequisite: MATH 1 and MATH 50 or MATH 2 or appropriate placement through multiple measures assessment process.</u> Acceptable for credit: UC/CSU AA/AS area 4B; CSU area B4; IGETC area 2; (C-ID MATH 210) Theorems on limits and continuous functions, derivatives, differentials, and applications: Fundamental theorems of calculus, and applications, properties of exponential, logarithmic, and inverse trigonometric functions, hyperbolic functions. 1701.00</p>
<p>MM/VI 15 Pg. 137</p>	<p>Documentary Production and Editing 3 units 2.5 hours lecture, 1.5 hours lab (GR or P/NP) Prerequisite: MMART 141A or MM/VI 009A; MMART 150A or MM/VI 020A Acceptable for credit: CSU AA/AS area 4c Theory and practice of documentary video production: Creating a non-fiction treatment and script, filming interviews and b-roll, editing a short non-fiction video program. Not open for credit to students who have completed MMART 156. 0612.20</p>	<p>Documentary Production and Editing 3 units 2.5 hours lecture, 1.5 hours lab (GR or P/NP) <u>Prerequisite: MM/VI 020A: Recommended Preparation: MM/VI 009A</u> Acceptable for credit: CSU AA/AS area 4c Theory and practice of documentary video production: Creating a non-fiction treatment and script, filming interviews and b-roll, editing a short non-fiction video program. Not open for credit to students who have completed MMART 156. 0612.20</p>

Dept/No. & Catalog Pg. Affected	Effective through Fall 2020	Effective Spring 2021
MM/VI 20C Pg. 138	<p>Editing III: Crafting a Story 2 units 1.5 hours lecture, 1.5 hours lab (GR or P/NP) Corequisite: MM/VI 020LC; Prerequisite: MM/VI 020B or MMART 150B Acceptable for credit: CSU AA/AS area 4c Theory and practice of storytelling in a video edit: Development of story arcs, smooth and polished transitions, pacing, sound sweetening, problem solving technical and narrative challenges, practice cutting material to fit a variety of film genres and organization of materials to support editorial goals. Not open for credit to students who have completed MMART 150C. 0612.20</p>	<p>Editing III: Crafting a Story 2 units 1.5 hours lecture, 1.5 hours lab (GR or P/NP) Corequisite: MM/VI 020LC; <i>Recommended Preparation: MM/VI 020B</i> Acceptable for credit: CSU AA/AS area 4c Theory and practice of storytelling in a video edit: Development of story arcs, smooth and polished transitions, pacing, sound sweetening, problem solving technical and narrative challenges, practice cutting material to fit a variety of film genres and organization of materials to support editorial goals. Not open for credit to students who have completed MMART 150C. 0612.20</p>
MM/VI 20D Pg. 138	<p>Editing IV: Editing for Distribution 2 units 1.5 hours lecture, 1.5 hours lab (GR or P/NP) Prerequisite: MMART 150C or MM/VI 020C; Corequisite: MM/VI 020LD Acceptable for credit: CSU AA/AS area 4c Finishing techniques and distribution planning for a broadcast-ready video: Refinement of editorial structure, pacing, visual style, sound design; advanced finishing techniques; developing a distribution plan; broadcast and related output considerations; legal and permissions issues and ethics; emerging technologies including new distribution methods and virtual reality projects. Not open for credit to students who have completed MMART 150D. 0612.20</p>	<p>Editing IV: Editing for Distribution 2 units 1.5 hours lecture, 1.5 hours lab (GR or P/NP) Corequisite: MM/VI 020LD; <i>Recommended Preparation: MM/VI 020C</i> Acceptable for credit: CSU AA/AS area 4c Finishing techniques and distribution planning for a broadcast-ready video: Refinement of editorial structure, pacing, visual style, sound design; advanced finishing techniques; developing a distribution plan; broadcast and related output considerations; legal and permissions issues and ethics; emerging technologies including new distribution methods and virtual reality projects. Not open for credit to students who have completed MMART 150D. 0612.20</p>

Course Deactivations

Dept/No.	Course Title	Effective	Catalog page affected
ESOL 52A	Advanced Reading and Writing	Spring 2021	98
ESOL 253A	Reading and Writing 3	Spring 2021	98

Program Additions

Tutor Training Certificate of Completion

Students who complete the Tutor Training Certificate of Completion qualify to receive International Tutor Training Program certificates, which show that they are able to tutor effectively in at least one specific discipline and empower fellow students to be independent, resilient, and self-confident learners.

This program meets College Reading and Learning Association (CRLA) guidelines for International Tutor Training Program Certifications (ITTPC), a nationally recognized program. The CRLA has certified the Berkeley City College Writing Center to award this certificate. Certified tutors are thus able to demonstrate that their training has met international standards, which enhances their ability to find employment in high schools, community colleges, and adult schools, as well as in private tutoring.

Required Courses	Course Name	Units
EDUC 510A	Tutor Training I	0
EDUC 510B	Tutor Training II	0

Career Opportunities

Students who complete this program qualify for the College Reading and Learning Association guidelines for International Tutor Training Program Certifications (ITTPC), a nationally recognized program. Certified tutors are able to demonstrate that their training has met national standards, which enhances their ability to find employment in community colleges and adult schools, as well as in private tutoring.

Program Learning Outcomes

1. Upon successful completion of this program, students will be able to:
demonstrate the ability to tutor effectively, fostering independent learning and resilience, teaching targeted skills and concepts, and addressing students' psychological barriers to learning
2. demonstrate the ability to tutor effectively in subject-specific and/or skill-specific areas, teaching targeted skills and concepts, demonstrating cultural awareness and sensitivity to diversity, and addressing students' special needs

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Catalog page affected: 88-89

Program Modifications

English for Speakers of Other Languages: Advanced Certificate of Proficiency

The Advanced Certificate of Proficiency in ESOL verifies that a student has successfully completed a minimum of 10 units and a maximum of 15 units in one of the following patterns: 1) three ESOL core classes (Reading and Writing, Listening and Speaking, and Grammar) at the advanced level; 2) two ESOL core classes at the advanced level, and either an ESOL elective or any college-credit class from any other discipline. Students interested in completing this certificate should consult with the ESOL program chair and a counselor.

Required Courses	Course Name	Units
Choose two or three of the following core courses:		8-14
ESOL 50A	Advanced Listening and Speaking	4
ESOL 52	Advanced Reading and Writing	6
ESOL 274A	Grammar 4	4

If you have only taken two of the above courses, you can fulfill the requirement with any course numbered 1-249 taught in English (2-5 units)

Total Units: 10-15

Career Opportunities

This certificate will help prepare students for vocational programs and job advancement.

Program Learning Outcomes

Upon successful completion of this program, students will be able to:

1. write clear and effective, well organized, well developed, well edited, and logically sound sentences, paragraphs, and essays, citing sources appropriately
2. apply active reading strategies in order to comprehend, critically analyze, and explain ideas in texts
3. express ideas fluently, accurately, and appropriately in spoken American English; demonstrate comprehension of and respond appropriately to spoken American English; and demonstrate knowledge of and use of American cultural conventions in oral communications
4. use grammatical structures to accurately and effectively express ideas in English

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English for Speakers of Other Languages: High Intermediate Certificate of Proficiency

The High Intermediate Certificate of Proficiency in ESOL verifies that a student has successfully completed a minimum of 10 units and a maximum of 15 units in one of the following patterns: 1) three ESOL core classes (Reading and Writing, Listening and Speaking, and Grammar) at the High Intermediate level; 2) two ESOL core classes at the High Intermediate level, and either an ESOL elective or any college-credit class from any other discipline. Students interested in completing this certificate should consult with the ESOL program chair and a counselor.

Required Courses	Course Name	Units
Choose two or three of the following core courses:		8-14
ESOL 253	Reading and Writing 3	4
ESOL 263A	Listening and Speaking 3	6
ESOL 273A	Grammar 3	4

If you have only taken two of the above courses, you can fulfill the requirement with: any course numbered 1-249 taught in English (2-5 units).

Total units: 10-15

Career Opportunities

This certificate will help prepare students for vocational programs and job advancement.

Program Learning Outcomes

Upon successful completion of this program, students will be able to:

1. write clear and effective, well organized, well developed, well edited, and logically sound sentences, paragraphs, and essays, citing sources appropriately
2. apply active reading strategies in order to comprehend, critically analyze, and explain ideas in texts
3. express ideas fluently, accurately, and appropriately in spoken American English; demonstrate comprehension of and respond appropriately to spoken American English; and demonstrate knowledge of and use of American cultural conventions in oral communications
4. use grammatical structures to accurately and effectively express ideas in English

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Spanish Associate in Arts for Transfer Degree (AA-T)

Students who successfully complete the AA-T in Spanish earn specific guarantees for transfer to the CSU system: admission to a CSU with junior status and priority admission to their local CSU campus and to a program or major in Spanish or a similar major. Students transferring to a CSU campus will be required to complete no more than 60 units after transfer to earn a bachelor's degree. Students are required to complete 60 semester units that are eligible for transfer to a California State University, including both of the following: (1) The Intersegmental General Education Transfer Curriculum (IGETC) or the California State University General Education–Breadth Requirements and (2) 19-23 semester units with a grade of C or P or better in the major and an overall minimum grade point average (GPA) of at least 2.0 in all CSU transferable coursework. See page 29 for a more detailed description of Associate Degrees for Transfer. Students are advised to consult with a Berkeley City College counselor for additional information and to verify transfer requirements.

Required Courses	Course Name	Units
SPAN 1A	Elementary Spanish I	5
SPAN 1B	Elementary Spanish II	5
SPAN 2A or 22A	Intermediate Spanish I or Spanish for Bilingual Speakers I	5
SPAN 2B or 22B	Intermediate Spanish II or Spanish for Bilingual Speakers II	5

Select 3 units from the following:

List A	Course Name	Units
SPAN 10A	Advanced Spanish Conversation	3
SPAN 10B	Advanced Spanish Conversation	3
SPAN 35A	Intermediate Conversational Spanish: Current Events	3
SPAN 35B	Intermediate Conversational Spanish: Film	3
SPAN 38	Latin American Literature	3
SPAN 39	Latin American Novel	3
SPAN 40	Hispanic Civilization and Culture	3

If a student places out of any core course(s) and is not awarded units for that course, the student will need to take additional units to compensate for the course/units. Suggested substitutions include courses in List A. Course substitutions are made at the discretion of the Modern Languages Department.

Major Requirements	23 units
General Education (CSU GE or IGETC) and Elective Units	37 units
Total	60 units

Program Learning Outcomes

Upon successful completion of this program, students will be able to:

1. Use grammar and vocabulary to demonstrate oral competence in the Spanish language.
2. Use grammar and vocabulary to demonstrate written competence in the Spanish language.
3. Describe the culture(s) of the Spanish-speaking world.
4. Interpret Spanish-language texts according to their cultural, literary and/or linguistic content.

Effective Spring 2021

Catalog page affected: 147-148

Catalog Corrections

Corrections are underlined and italicized.

Page Nbr	Section	Correction
112	Mathematics	Associate in Science for Transfer Degree (<u>A</u> -T)
117	Multimedia Arts Core	MMART 468: <u>1</u> A units
125	Multimedia Arts Digital Imaging	<u>Digital Imaging</u> : Digital Printmaking Certificate of Achievement
149	Spanish	SPAN 10B: <u>No requisite for this course</u>

District Policy and Procedure Updates

Administrative Procedure 3430 Prohibition of Unlawful Harassment

The District is committed to providing an academic and work environment free of unlawful harassment. This procedure defines sexual harassment and other forms of harassment on campus, and sets forth a procedure for the investigation and resolution of complaints of harassment by or against any staff or faculty member or student or unpaid interns and volunteers within the District.

I. Definitions

A. General Harassment

Harassment based on race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, or sexual orientation of any person, or military or veteran status, or the perception that a person has one or more of these characteristics is illegal and violates District policy. Harassment shall be found where, a reasonable person with the same characteristics as the victim of the harassing conduct would be adversely affected to a degree that interferes with his or her ability to participate in or to realize the intended benefits of an institutional activity, employment or resource.

For sexual harassment under Title IX, Complainants must proceed under BP 3433 Prohibition of Sexual Harassment under Title IX, AP 3433 Prohibition of Sexual Harassment under Title IX, and AP 3434 Responding to Harassment Based on Sex under Title IX. For other forms of sexual harassment or gender-based harassment, Complainants should use this procedure.

Gender-based harassment does not necessarily involve conduct that is sexual. Any hostile or offensive conduct based on gender can constitute prohibited harassment if it meets the definition above. For example, repeated derisive comments about a person's competency to do the job, when based on that person's gender, could constitute gender-based harassment. Harassment comes in many forms, including but not limited to the following conduct that could, depending on the circumstances, meet the definition above, or could contribute to a set of circumstances that meets the definition:

B. Verbal

Inappropriate or offensive remarks, slurs, jokes or innuendoes based on a person's race gender, sexual orientation, or other protected status. This may include, but is not limited to, inappropriate comments regarding an individual's body, physical appearance, attire, sexual prowess, marital status or sexual orientation; unwelcome flirting or propositions; demands for sexual favors; verbal abuse, threats or intimidation; or sexist, patronizing or ridiculing statements that convey derogatory attitudes based on gender, race nationality, sexual orientation or other protected status.

C. Physical

Inappropriate or offensive touching, assault, or physical interference with free movement. This may include, but is not limited to, kissing, patting, lingering or intimate touches, grabbing, pinching, leering, staring, unnecessarily brushing against or blocking another person, whistling or sexual gestures. It also includes any physical assault or intimidation directed at an individual due to that person's gender, race, national origin, sexual orientation or other protected status.

D. Visual or Written

The display or circulation of visual or written material that degrades an individual or group based on gender, race, nationality, sexual orientation or other protected status. This may include, but is not limited to, posters, cartoons, drawings, graffiti, reading materials, computer graphics or electronic media transmissions.

E. Environmental

A hostile academic or work environment may exist where it is permeated by sexual innuendo; insults or abusive comments directed at an individual or group based on gender, race, nationality, sexual orientation or other protected status; or gratuitous comments regarding gender, race, sexual orientation, or other protected status that are not relevant to the subject matter of the class or activities on the job. A hostile environment can arise from an unwarranted focus on sexual topics or sexually suggestive statements in the classroom or work

environment. It can also be created by an unwarranted focus on, or stereotyping of, particular racial or ethnic groups, sexual orientations, genders or other protected statuses. An environment may also be hostile toward anyone who merely witnesses unlawful harassment in his/her/their immediate surroundings, although the conduct is directed at others. The determination of whether an environment is hostile is based on the totality of the circumstances, including such factors as the frequency of the conduct, the severity of the conduct, whether the conduct is humiliating or physically threatening, and whether the conduct unreasonably interferes with an individual's learning or work.

F. Sexual Harassment

In addition to the above, sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature made by someone from, or in, the work or educational setting when:

1. submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status, progress, internship, or volunteer activity;
2. submission to, or rejection of, the conduct by the individual is used as a basis of employment or academic decisions affecting the individual;
3. the conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile or offensive work or educational environment (as more fully described below); or
4. submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the community college.
5. This definition encompasses two kinds of sexual harassment:
 - a. "Quid pro quo" sexual harassment occurs when a person in a position of authority makes educational or employment benefits conditional upon an individual's willingness to engage in or tolerate unwanted sexual conduct.
 - b. "Hostile environment" sexual harassment occurs when unwelcome conduct based on a person's gender alters the conditions of an individual's learning or work environment, unreasonably interfere with an individual's academic or work performance, or create an intimidating, hostile, or abusive learning or work environment. The victim must subjectively perceive the environment as hostile, and the harassment must be such that a reasonable person of the same gender would perceive the environment as hostile. A single isolated incident of sexual harassment may be sufficient to create a hostile environment if it unreasonably interfered with the person's academic or work performance or created an intimidating, hostile, or offensive learning or working environment.

Sexually harassing conduct can occur between people of the same or different genders. The standard for determining whether conduct constitutes sexual harassment is whether a reasonable person of the same gender as the victim would perceive the conduct as harassment based on sex.

II. Consensual Relationships

Romantic or sexual relationships between supervisors and employees, or between administrators, faculty members or staff members and students are discouraged. There is an inherent imbalance of power and potential for exploitation in such relationships. A conflict of interest may arise if the administrator, faculty members or staff member must evaluate the student's or employee's work or make decisions affecting the employee or student. The relationship may create an appearance of impropriety and lead to charges of favoritism by other students or employees. A consensual sexual relationship may change, with the result that sexual conduct that was once welcome becomes unwelcome and harassing. In the event that such relationships do occur, the District has the authority to transfer any involved employee to eliminate or attenuate the supervisory authority of one over the other, or of a teacher over a student. Such action by the District is a proactive and preventive measure to avoid possible charges of harassment and does not constitute discipline against any affected employee.

III. Academic Freedom

No provision of this Administrative Procedure shall be interpreted to prohibit conduct that is legitimately related to the course content, teaching methods, scholarship, or public commentary of an individual faculty member or the educational, political, artistic, or literary expression of students in classrooms and public forums. Freedom of

speech and academic freedom are, however, not limitless and this procedure will not protect speech or expressive conduct that violates federal or California anti-discrimination laws.

Reference:

Education Code Sections 212.5, 44100, and 66281.5;
Government Code sections 12940 and 12923
Civil Code Section 51.9
Title 2 Sections 10500 et seq.
Title 5, Sections 59320 et seq.;;
Title VII of the Civil Rights Act of 1964, 42 U.S.C.A. Section 2000e

Revised and approved by the Chancellor: October 6, 2020

Administrative Procedure 3435 Discrimination and Harassment Complaints and Investigations

For sexual harassment under Title IX, Complainants must proceed under BP 3433 Prohibition of Sexual Harassment under Title IX, AP 3433 Prohibition of Sexual Harassment under Title IX, and AP 3434 Responding to Harassment Based on Sex under Title IX. For other forms of sexual harassment or gender-based harassment, Complainants should use this procedure.

I. Complaints

Any person who has suffered harassment, discrimination, or retaliation may file a formal or informal complaint of harassment, discrimination, or retaliation or who has learned of harassment, discrimination, or retaliation.

A formal complaint is a written and signed statement filed with the District or the State Chancellor's office that alleges harassment, discrimination, or retaliation in violation of the District's Board Policies, Administrative Procedures or in violation of state or federal law. An informal complaint is any of the following:

- (1) An unwritten allegation of harassment, discrimination, or retaliation;
- (2) A written allegation of harassment, discrimination, or retaliation that falls outside the timelines for a formal complaint; or
- (3) A written complaint alleging harassment, discrimination, or retaliation filed by an individual who expressly indicates that he/she does not want to file a formal complaint.

II. Informal Complaints

Any person may submit an informal complaint to the college Vice President of Student Services (students) or the college Vice President of Instruction (employees) of or any other District or college administrator. Administrators receiving an informal complaint shall immediately notify the Vice Chancellor of Human Resources and Employee Relations in writing of all pertinent information and facts alleged in the informal complaint.

Upon receipt of an informal complaint, the Vice Chancellor of Human Resources and Employee Relations will notify the person bringing the informal complaint of his/her/their right to file a formal complaint, if the incident falls within the timeline for a formal complaint, and explain the procedure for doing so. The Complainant may later decide to file a formal complaint, if within the timelines to do so. If the individual chooses not to file a formal complaint, or if the alleged conduct falls outside the timeline to file a formal complaint, the Vice Chancellor of Human Resources and Employee Relations shall consider the allegations contained in the informal complaint and determine the appropriate course of action. This may include efforts to informally resolve the matter, or a fact-finding investigation.

Investigation of an informal complaint will be appropriate if the Vice Chancellor of Human Resources and Employee Relations determines that the allegation(s), if proven true, would constitute a violation of the District policy prohibiting harassment, discrimination, or retaliation. The Vice Chancellor of Human Resources and Employee Relations will explain to any individual bringing an informal complaint that the Vice Chancellor of Human Resources and Employee Relations may decide to initiate an investigation, even if the individual does not

wish the District to do so. The Vice Chancellor of Human Resources and Employee Relations shall not disregard any allegations of harassment, discrimination, or retaliation solely on the basis that the alleged conduct falls outside the deadline to file a formal complaint.

III. Formal Complaints

Formal Complaints must be filed with the State Chancellor or the Vice Chancellor of Human Resources and Employee Relations unless the Party submitting the Formal Complaint alleges discrimination, harassment, or retaliation against the responsible District Officer, in which case it should be submitted directly to the Chancellor or the State Chancellor.

Formal Complaints should be submitted on the form prescribed by the State Chancellor. A copy of the form will be available at the college Office of Student Services, District Office of Human Resources, and the District/college web sites.

If any Party submits a written allegation of harassment, discrimination, or retaliation not on the form described above, the District will seek to have the individual complete and submit the form. However, if the individual chooses not to do so, the District will attach the written allegation(s) to the form and treat it as a Formal Complaint. In no instance will the District reject a written allegation of harassment, discrimination, or retaliation on the basis that it was not submitted on the proper form.

A Formal Complaint must meet each of the following criteria:

- It must allege facts with enough specificity to show that the allegations, if true, would constitute a violation of District policies or procedures prohibiting discrimination, harassment, or retaliation;
- The Complainant must sign and date the Formal Complaint;
- The Complainant must file any Formal Complaint not involving employment within one year of the date of the alleged discriminatory, harassing, or retaliatory conduct or within one year of the date on which the Complainant knew or should have known of the facts underlying the allegation(s) of discrimination, harassment, or retaliation.
- The Complainant must file any Formal Complaint alleging discrimination, harassment, or retaliation in employment within 180 days of the date of the alleged discriminatory, harassing, or retaliatory conduct, except that this period shall be extended by no more than 90 days following the expiration of the 180 days if the Complainant first obtained knowledge of the facts of the alleged violation after the expiration of the 180 days.

If the Formal Complaint does not meet the requirements set forth above, the District Office of Employee Relations will promptly return it to the Complainant and specify the defect. If the sole defect is that the Formal Complaint was filed outside the applicable proscribed timeline, the Vice Chancellor of Human Resources and Employee Relations will handle the matter as an informal complaint.

IV. Oversight of Complaint Procedure

The Vice Chancellor of Human Resources and Employee Relations is the "responsible District Officer" charged with receiving complaints of discrimination or harassment, and coordinating their investigation.

The actual investigation of complaints may be assigned by the Vice Chancellor of Human Resources and Employee Relations to other staff or to outside persons or organizations under contract with the District. This shall occur whenever the Vice Chancellor of Human Resources and Employee Relations is named in the complaint or implicated by the allegations in the complaint.

Who May File a Complaint: Any student, employee, or third party who believes he/she/they has been discriminated against or harassed by a student, employee, or third party in violation of this procedure and the related policy.

Where to File a Complaint: A student, employee, or third party who believes he/she has been discriminated against or harassed in violation of these policy and procedures may make a complaint orally or in writing.

If a Complainant decides to file a formal written unlawful discrimination or harassment complaint against the District, he/she/they must file the complaint on a form prescribed by the State Chancellor's Office. These approved forms are available from the District Office of Employee Relations, the District's Human Resources website, and at the State Chancellor's website.

The completed form must be filed with any of the following:

- The Vice Chancellor of Human Resources and Employee Relations;
- College Vice President of Student Services (students), the College Vice President of Instruction (employees), or the College President; or
- the State Chancellor's Office.

V. Employment-Related Complaints

Complainants filing employment-related complaints shall be notified that they may file employment discrimination complaints with the U.S. Equal Employment Opportunity Commission (EEOC) or the Department of Fair Employment and Housing (DFEH).

Complaints filed with the EEOC or the DFEH should be forwarded to the State Chancellor's Office.

Any District employee who receives a harassment or discrimination complaint shall notify the Vice Chancellor of Human Resources and Employee Relations immediately.

VI. Filing a Timely Complaint

Since failure to report harassment and discrimination impedes the District's ability to stop the behavior, the District strongly encourages anyone who believes they are being harassed or discriminated against, to file a complaint. The District also strongly encourages the filing of such complaints within 30 days of the alleged incident. While all complaints are taken seriously and will be investigated promptly, delay in filing impedes the District's ability to investigate and remediate.

All supervisors and managers have a mandatory duty to report incidents of harassment and discrimination; the existence of a hostile, offensive or intimidating work environment, and acts of retaliation.

The District will investigate complaints involving acts that occur off campus if they are related to an academic or work activity.

VII. Communicating that the Conduct is Unwelcome

The District further encourages students and staff to let the offending person know immediately and firmly that the conduct or behavior is unwelcome, offensive, in poor taste or inappropriate.

VIII. Intake and Processing of the Complaint

Upon receiving notification of a harassment or discrimination complaint, the Vice Chancellor of Human Resources and Employee Relations shall:

- Undertake efforts to informally resolve the charges, including but not limited to mediation, rearrangement of work/academic schedules; obtaining apologies; providing informal counseling, training, etc.
- Advise all Parties that he/she/they need not participate in an informal resolution of the complaint, as described above, and they have the right to end the informal resolution process at any time.
- Advise a student Complainant that he/she/they may file a complaint with the Office for Civil Rights of the U.S. Department of Education and employee complainants may file a Complaint with the Department of Fair Employment and Housing. All Complainants should be advised that they have a right to file a complaint with local law enforcement, if the act complained of is also a criminal act. The District must investigate even if the Complainant files a complaint with local law enforcement. In addition, the District should ensure that Complainants are aware of any available resources, such as counseling, health, and mental health services. The Vice Chancellor of Human Resources and Employee Relations shall also notify the State Chancellor's Office of the complaint.
- Take interim steps to protect a Complainant from coming into contact with an accused individual, especially if the Complainant is a victim of sexual violence. The Vice Chancellor of Human Resources and Employee Relations should notify the Complainant of his/her/their options to avoid contact with the accused individual and allow students to change academic situations as appropriate. For instance, the District may prohibit the accused individual from having any contact with the Complainant pending the results of the investigation. When taking steps to separate the Complainant and accused individual, the District shall minimize the burden on the Complainant. For example, it is not appropriate to remove complainants from classes or housing while allowing accused individuals to remain.

IX. Investigation

The Vice Chancellor of Human Resources and Employee Relations shall:

- Authorize the investigation of the complaint, and supervise or conduct a thorough, prompt and impartial investigation of the complaint, as set forth below. Where the Parties opt for informal resolution, the designated officer will determine whether further investigation is necessary to ensure resolution of the matter and utilize the investigation process outlined below as appropriate. In the case of a formal complaint, the investigation will include interviews with the Complainant, the accused, and any other persons who may have relevant knowledge concerning the complaint. This may include victims of similar conduct.
- Review the factual information gathered through the investigation to determine whether the alleged conduct constitutes harassment, or other unlawful discriminatory conduct, giving consideration to all factual information and the totality of the circumstances, including the nature of the verbal, physical, visual or sexual conduct, and the context in which the alleged incidents occurred.

X. Investigation of the Complaint

The District shall promptly investigate every complaint of harassment or discrimination. No claim of workplace or academic harassment or discrimination shall remain unexamined. This includes complaints involving activities that occur off campus and in connection with all the academic, educational, extracurricular, athletic, and other programs of the District, whether those programs take place in the District's facilities, on a District bus, or at a class or training program sponsored by the District at another location.

As set forth above, where the Parties opt for an informal resolution, the Vice Chancellor of Human Resources and Employee Relations may limit the scope of the investigation, as appropriate. The District will keep the investigation confidential to the extent possible, but cannot guarantee absolute confidentiality because release of some information on a "need-to-know-basis" is essential to a thorough investigation. When determining whether to maintain confidentiality, the District may weigh the request for confidentiality against the following factors: the seriousness of the alleged harassment; the Complainant's age; whether there have been other harassment complaints about the same individual; and the accused individual's rights to receive information about the allegations if the information is maintained by the District as an "education record" under the Family Educational Rights and Privacy Act (FERPA), 20 U.S. Code Section 1232g; 34 Code Federal Regulations Part 99.15. The District will inform the Complainant if it cannot maintain confidentiality.

XI. Investigation Steps

The District will fairly and objectively investigate harassment and discrimination complaints. Employees designated to serve as investigators under this policy shall have adequate training on what constitutes sexual harassment, including sexual violence, and that they understand how the District's grievance procedures operate. The investigator may not have any real or perceived conflicts of interest and must be able to investigate the allegations impartially.

Investigators will use the following steps: interviewing the Complainant(s); interviewing the accused individual(s); identifying and interviewing witnesses and evidence identified by each Party; identifying and interviewing any other witnesses, if needed; reminding all individuals interviewed of the District's no-retaliation policy; considering whether any involved person should be removed from the campus pending completion of the investigation; reviewing personnel/academic files of all involved Parties; reach a conclusion as to the allegations and any appropriate disciplinary and remedial action; and see that all recommended action is carried out in a timely fashion. When the District evaluates the complaint, it shall do so using a preponderance of the evidence standard. Thus, after considering all the evidence it has gathered, the District will decide whether it is more likely than not that discrimination or harassment has occurred.

XII. Timeline for Completion

The District will undertake its investigation promptly and swiftly as possible. To that end, the investigator shall complete the above steps, and prepare a written report within 90 days of the District receiving the complaint.

XIII. Cooperation Encouraged

All employees are expected to cooperate with a District investigation into allegations of harassment or discrimination. Lack of cooperation impedes the ability of the District to investigate thoroughly and respond effectively. However, lack of cooperation by a Complainant or witnesses does not relieve the District of its obligation to investigate. The District will conduct an investigation if it is discovered that harassment is, or may be occurring, with or without the cooperation of the alleged victim(s) and regardless of whether a complaint is filed.

XIV. Written Report

The results of the investigation of a complaint shall be set forth in a written report that will include at least all of the following information:

- A description of the circumstances giving rise to the Formal Complaint;
- A description of the procedural steps taken during the investigation, including individuals contacted and interviewed;
- A summary of the testimony provided by each witness the investigator interviewed;
- An analysis of relevant evidence collected during the course of the investigation, including a list of relevant documents;
- A specific finding as to whether there is probable cause to believe that discrimination, harassment, or retaliation occurred with respect to each allegation in the complaint;
- A table of contents if the report exceeds ten pages and
- Any other information deemed appropriate by the District.

XV. Confidentiality of the Process

Investigations are best conducted within a confidential climate. Therefore, the District does not reveal information about ongoing investigations except as necessary to fulfill its legal obligations. The District will keep the investigation confidential to the extent possible, but it cannot guarantee absolute confidentiality because release of some information on a “need-to-know-basis” is essential to a thorough investigation and to protect the rights of Accused students and employees during the investigation process and any ensuing discipline.

XVI. Administrative Determination

1. In any case not involving employment discrimination, within 90 days of receiving a complaint, the District shall complete its investigation and forward a copy of the investigative report to the State Chancellor, a copy or summary of the report to both parties, and written notice setting forth all of the following to both the Complainant and the Chancellor:
 - (a) The determination of the Chancellor *or his/her/their designee* as to whether there is probable cause to believe discrimination occurred with respect to each allegation in the complaint;
 - (b) A description of actions taken, if any, to prevent similar problems from occurring in the future;
 - (c) The proposed resolution of the complaint; and
 - (d) The Complainant's right to appeal to the District governing board and the Chancellor.
2. In any case involving employment discrimination, within 90 days of receiving a complaint, the District shall complete its investigation and forward a copy or summary of the report to the complainant, [NOTE: For cases involving employment discrimination, Title 5 only requires that a copy or summary of the report be provided to the complainant. The District may, but is not required to provide the report to the respondent in order to have a consistent process for addressing employment and non-employment discrimination claims.] and written notice setting forth all the following to the Complainant:
 - (a) The determination of the Chancellor or his/her/their designee as to whether there is probable cause to believe discrimination occurred with respect to each allegation in the complaint;
 - (b) A description of actions taken, if any, to prevent similar problems from occurring in the future;
 - (c) The proposed resolution of the complaint; and
 - (d) The complainant's right to appeal to the District governing board and to file a complaint with Department of Fair Employment and Housing or the U.S Equal Employment Opportunity Commission.

XVII. Discipline and Corrective Action

If harassment, discrimination or retaliation occurred in violation of the policy or procedure, the District shall take disciplinary action against the accused and any other remedial action it determines to be appropriate consistent with state and federal law. The action will be prompt, effective, and commensurate with the severity of the offense. Remedies for the complainant might include, but are not limited to:

1. providing an escort to ensure that the Complainant can move safely between classes and activities;
2. ensuring that the complainant and alleged perpetrator do not attend the same classes or work in the same work area;

3. preventing offending third parties from entering campus;
4. providing counseling services or a referral to counseling services;
5. providing medical services or a referral to medical services;
6. providing academic support services, such as tutoring;
7. arranging for a student-Complainant to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the Complainant's academic record; and
8. reviewing any disciplinary actions taken against the Complainant to see if there is a causal connection between the harassment and the misconduct that may have resulted in the Complainant being disciplined.

If the District imposes discipline, the nature of the discipline will not be communicated to the Complainant. However, the District may disclose information about the sanction imposed on an individual who was found to have engaged in harassment when the sanction directly relates to the Complainant; for example, the District may inform the Complainant that the harasser must stay away from the Complainant.

Disciplinary actions against faculty, staff, and students will conform to all relevant statutes, regulations, personnel policies and procedures, including the provisions of any applicable collective bargaining agreement.

The District shall also take reasonable steps to protect the Complainant from further harassment, or discrimination, and to protect the Complainant and witnesses from retaliation as a result of communicating the complaint or assisting in the investigation.

The District will ensure that Complainants and witnesses know how to report any subsequent problems, and should follow-up with Complainants to determine whether any retaliation or new incidents of harassment have occurred. The District shall take reasonable steps to ensure the confidentiality of the investigation and to protect the privacy of all Parties to the extent possible without impeding the District's ability to investigate and respond effectively to the complaint.

If the District cannot take disciplinary action against the accused individual because the Complainant refuses to participate in the investigation, it should pursue other steps to limit the effects of the alleged harassment and prevent its recurrence.

XVIII. Appeals

If the District imposes discipline against a student or employee as a result of the findings in its investigation, the student or employee may appeal the decision using the procedure for appealing a disciplinary decision.

If the Complainant is not satisfied with the results of the administrative determination, he/she/they may, within fifteen days, submit a written appeal to the Board of Trustees. The Board shall review the original complaint, the investigative report, the administrative decision, and the appeal. The Board shall issue a final District decision in the matter within 45 days after receiving the appeal. A copy of the decision rendered by the Board shall be forwarded to the Complainant and to the State Chancellor's Office. The Complainant shall also be notified of his/her/their right to appeal this decision.

If the Board does not act within 45 days the administrative determination shall be deemed approved and shall become the final decision of the District in the matter.

In any case not involving workplace discrimination, harassment, or retaliation, the complainant shall have the right to file a written appeal with the State Chancellor's Office within thirty days after the Board issued the final District decision or permitted the administrative decision to become final. Such appeals shall be processed pursuant to the provision of Title 5 Section 59350.

In any case involving employment discrimination, including workplace harassment, the complainant may, at any time before or after the issuance of the final decision of the District, file a complaint with the Department of Fair Employment and Housing.

XIX. Extension of Time

Within 150 days of receiving a formal complaint that does not involve employment discrimination, the District shall forward to the State Chancellor's Office the original complaint, the investigative report, a copy of the written notice to the Complainant setting forth the results of the investigation, a copy of the final administrative decision rendered by the Board or indicating the date upon which the decision became final, and a copy of the notification to the Complainant of his/her/their appeal rights. If, due to circumstances beyond its control, the District is unable to

comply with the 150-day deadline for submission of materials, it may file a written request for an extension of time no later than ten days prior to the expiration of the deadline.

XX. File Retention

The District will retain on file for a period of at least three years after closing the case copies of:

1. the original complaint;
2. the investigatory report;
3. the summary of the report if one is prepared;
4. the notice provided to the Parties, of the District's administrative determination and the right to appeal;
5. any appeal; and
6. the District's final decision.

The District will make such documents available to the State Chancellor upon request.

XXI. Dissemination of Policy and Procedures

District Policy and Procedures related to harassment will include information that specifically addresses sexual violence.

1. The procedures shall be published in all student, faculty, and staff handbooks, each college's catalog and schedule of classes. And other printed material deemed appropriate by each college's Vice President of Student Services.
2. The procedures also will be disseminated to students at each college's new student orientation and at periodic workshops to be scheduled by each college's Vice President of Student Services.
3. The procedures also will be disseminated to each faculty member, all members of the administrative staff and all members of the support staff both at the time of hire and at the beginning of each school year.
4. The procedures also shall be displayed in a prominent location in each college along with the other notices regarding the college's procedures and standards of conduct. A copy of the procedures shall be made available to any person expressing a verbal complaint about such matters.

XXII. Training

By January 1, 2020, the District shall provide at least two hours of classroom or other effective interactive training and education regarding sexual harassment to all supervisory employees at least one hour of classroom or other effective interactive training and education regarding sexual harassment to all nonsupervisory employees and at least one hour of classroom or other effective interactive training and education regarding sexual harassment to all nonsupervisory employees. All new employees must be provided with the training and education within six months of their assumption of his/her/their position. After January 1, 2021, the District shall provide sexual harassment training and education to each employee once every two years. An employee who received this training and education in 2019 is not required to have a refresher until after two years thereafter.

The training and education required by this procedure shall include information and practical guidance regarding the federal and state statutory provisions concerning the prohibition against and the prevention and correction of sexual harassment and the remedies available to victims of sexual harassment in employment, a review of "abusive conduct," and harassment based on gender identity, gender expression, and sexual orientation. The training and education shall also include practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation, and shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation. Supervisor's harassment training also must address potential exposure and liability for employers and individuals, supervisor's obligation to report sexual harassment, discrimination, and retaliation when they become aware of it, appropriate remedial measures to correct harassing behavior.

The District will maintain appropriate records of the training provided, including the names of the supervisory employees trained, the date of training, sign-in sheets, copies of all certificates of attendance or completion issued, the type of training provided, a copy of all written or recorded training materials, and the name of the training provider. If the training is provided by webinar, the District will maintain a copy of the webinar, all written materials used by the training and all written questions submitted during the webinar, and document all written response or guidance the trainer provided during the webinar. The District will retain these records for at least two years.

The District will also provide training to students who lead student organizations. The District should provide copies of the sexual harassment policies and training to all District law enforcement unit employees regarding the grievance procedures and any other procedures used for investigating reports of sexual violence. Participation of faculty in such training is strongly encouraged, but is not mandatory, except when required by law.

In years in which a substantive policy or procedural change has occurred, all District employees will attend a training update or receive a copy of the revised policies and procedures.

Participants in training programs will be required to sign a statement that they have either understood the policies and procedures, their responsibilities, and their own and the District's potential liability, or that they did not understand the policy and desire further training.

XXIII. Education and Prevention for Students

In order to take proactive measures to prevent sexual harassment and violence toward students, the District will provide preventive education programs and make victim resources, including comprehensive victim services, available. The District will include such programs in their orientation programs for new students, and in training for student athletes and coaches. These programs will include discussion of what constitutes sexual harassment and sexual violence, the District's policies and disciplinary procedures, and the consequences of violating these policies. A training program or informational services will be made available to all students at least once annually.

The education programs will also include information aimed at encouraging students to report incidents of sexual violence to the appropriate District and law enforcement authorities. Since victims or third parties may be deterred from reporting incidents if alcohol, drugs, or other violations of District or campus rules were involved, the District will inform students that the primary concern is for student safety and that use of alcohol or drugs never makes the victim at fault for sexual violence. If other rules are violated, the District will address such violations separately from an allegation of sexual violence.

NOTE: DFEH Regulations require any employer whose workforce contains 10 percent or more of persons who speak a language other than English as their spoken language to translate its harassment, discrimination, and retaliation policies into every language that is spoken by at least 10 percent (10%) of the workforce. In order to comply with this requirement, Districts should translate BP 3410 Nondiscrimination, BP 3430 Prohibition of Harassment, AP 3410 Nondiscrimination, AP 3430 Prohibition on Harassment, and AP 3435 Discrimination and Harassment Complaints and Investigations into any applicable languages.

Reference:

Education Code Section 212.5, 66281.5 and 67386
Government Code Section 12950.1;
Title 5 Sections 59320, 59324, 59326, 59328, and 59300 et seq.;
Title 2 sections 11023 and 11024
20 U.S. Code Sections 1681 et seq.
34 Code of Federal Regulations Section 106.8(b)

Revised and approved by the Chancellor: October 6, 2020

Administrative Procedure 3540 Sexual and Other Assaults on Campus

- I. The District and the Colleges shall make available sexual assault awareness information to students and employees.
- II. Any sexual assault or physical abuse, including, but not limited to, rape, as defined by California law, whether committed by an employee, student, or member of the public, occurring on District property, in connection with all the academic, educational, extracurricular, athletic, and other programs of the District, whether those programs take place in the District's facilities or at another location, or on an off-campus site or facility maintained by the District, or on grounds or facilities maintained by a student organization, is a violation of District policies and regulations, and is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures (See also AP 5500 Standards of Student Conduct).
- III. It is the responsibility of each person involved in sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.
- IV. "Affirmative consent" means affirmative, conscious, and voluntary agreement to engage in sexual activity.
- V. These written procedures and protocols are designed to ensure victims of domestic violence, dating violence, sexual assault, or stalking receive treatment and information. (For physical assaults/violence, see also AP 3500, 3510, 3515).
- VI. All students, faculty members or staff members who allege they are the victims of domestic violence, dating violence, sexual assault, or stalking on District property shall be provided with information regarding options and assistance available to them. Information shall be available from the Peralta Safety & Security Services, which shall maintain the identity and other information about alleged sexual assault victims as confidential unless and until Peralta Safety & Security Services is authorized to release such information.
- VII. Safety & Security Services shall provide all alleged victims of domestic violence, dating violence, sexual assault, or stalking with a copy of the District's policy and administrative procedure regarding domestic violence, dating violence, sexual assault, or stalking upon request, and the importance of preserving evidence and the identification and location of witnesses.
- VIII. Victims will be provided the option to:
 - (1) notify proper law enforcement authorities, including on-campus and local police;
 - (2) be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses;
 - (3) decline to notify such authorities;
- IX. The victim will be provided a description of the following procedures:
 - (1) criminal prosecution;
 - (2) civil prosecution (i.e., lawsuit);
 - (3) District disciplinary procedures, both student and employee;
 - (4) modification of class schedules; and
 - (5) tutoring, if necessary.
- X. The District will investigate all complaints alleging sexual assault under the procedures for sexual harassment investigations described in AP 3434 Responding to Harassment Based on Sex under Title IX, regardless of whether a complaint is filed with local law enforcement. All alleged victims of domestic violence, dating violence, sexual assault, or stalking on District property shall be kept informed, through Safety & Security Services, of any ongoing investigation. Information shall include the status of any student or employee disciplinary proceedings or appeal; alleged victims of domestic violence, dating violence, sexual assault, or stalking are required to maintain any such information in confidence, unless the alleged assailant has waived rights of confidentiality consistent with state and federal law.
- XI. A Complainant or witness who participates in an investigation of sexual assault, domestic violence, dating violence, or stalking will not be subject to disciplinary sanctions for a violation of the District's student conduct policy at or near the time of the incident, unless the District determines that the violation was egregious, including but not limited to, an action that places the health or safety of any other person at risk or involves plagiarism, cheating, or academic honesty.
- XII. In the evaluation of complaints in any disciplinary process, it shall not be a valid excuse to allege lack of affirmative

consent that the accused believed that the complainant consented to the sexual activity under either of the following circumstances:

- (1) The accused's belief in affirmative consent arose from the intoxication or recklessness of the accused.
- (2) The accused did not take reasonable steps in the circumstances known to the accused at the time, to ascertain whether the Complainant affirmatively consented.

XIII. In the evaluation of the complaints in the disciplinary process, it shall not be a valid excuse that the accused believed that the Complainant affirmatively consented to the sexual activity if the accused knew or reasonably should have known that the Complainant was unable to consent to the sexual activity under any of the following circumstances:

- (1) The Complainant was asleep or unconscious.
- (2) The Complainant was incapacitated due to the influence of drugs, alcohol, or medication, so that the Complainant was unable to communicate due to a mental or physical condition.

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

XV. Additionally, the Annual Security Report will include a statement regarding the District's programs to prevent sexual assault, domestic violence, dating violence, and stalking and procedures that should be followed after an incident of domestic violence, dating violence, and stalking has been reported, including a statement of the standard of evidence (preponderance of evidence) that will be used during any district proceeding arising from such a report. The statement must include the following:

- (1) A description of educational programs to promote the awareness of rape, acquaintance rape, other forcible and non-forcible sex offenses, domestic violence, dating violence, or stalking;
- (2) Procedures to follow if a domestic violence, dating violence, sex offense or stalking occurs, including who should be contacted, the importance of preserving evidence to prove a criminal offense, and to whom the alleged offense should be reported.
- (3) Responses to stranger and non-stranger sexual assault;
- (4) The preliminary victim interview, including the development of a victim interview protocol, and a comprehensive follow-up victim interview, as appropriate;
- (5) Contacting and interviewing the accused;
- (6) Seeking the identification and location of witnesses;
- (7) Information on a student's right to notify appropriate law enforcement authorities, including on-campus and local police, and a statement that campus personnel will assist the student in notifying these authorities, if the student so requests, and the right to decline to notify these authorities;
- (8) Written information and notification for students about existing on- and off- campus counseling, mental health, victim advocacy, legal assistance, or other services for victims and contact information;
- (9) Participation of victim advocates and other supporting people;
- (10) Investigating allegations that alcohol or drugs were involved in the incident;
- (11) The role of the institutional staff supervision;
- (12) A comprehensive trauma-informed training program for campus officials involved in investigating and adjudicating sexual assault, domestic violence, dating violence, and stalking cases;
- (13) Written notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if requested and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to Peralta Police Services or local law enforcement.
- (14) Procedures for campus disciplinary action in cases of an alleged domestic violence, dating violence, sexual assault, or stalking, including a clear statement that:
 - a. Such proceedings shall provide a prompt, fair, and impartial resolution;

- b. Such proceedings shall be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability;
 - c. The accuser and the accused must be informed of the outcome of any institutional disciplinary proceeding resulting from an alleged domestic violence, dating violence, sexual assault or stalking, the procedures for the accused and victim to appeal the results of the disciplinary proceeding, of any changes to the results that occur prior to the time that such results become final, and when such results become final. Compliance with this paragraph does not violate the Family Educational Rights and Privacy Act. For the purposes of this paragraph, the outcome of a disciplinary proceeding means the final determination with respect to the alleged domestic violence, dating violence, sex offense, or stalking and any sanction that is imposed against the accused.
- (15) A description of the sanction the campus may impose following a final determination by a campus disciplinary proceeding regarding rape, date rape, or other forcible or non-forcible sex offenses, domestic violence, dating violence or stalking.

XVI. Education and Prevention Information

Safety & Security Services shall:

- A. Provide, as part of each campus' established on-campus orientation program, education and prevention information about domestic violence, dating violence, sexual assault, and stalking. The information shall be developed in collaboration with campus-based and community-based victim advocacy organizations, and shall include the District's sexual assault policy and prevention strategies including empowerment programming for victim prevention, awareness raising campaigns, primary prevention, bystander intervention, and risk reduction.
- B. Post sexual violence prevention and education information on the campus internet website regarding domestic violence, dating violence, sexual assault and stalking.

Please note:

For additional information and resources on sexual assault, domestic violence, dating violence, and stalking in the educational/campus environment, the Department of Justice has established a clearinghouse of resources geared towards colleges and universities, which can be accessed at the California Attorney General's website.

References:

Education Code Sections 67385, 67385.7 and 67386
20 U.S. Code Section 1092 (f)
34 Code of Federal Regulations Section 668.48 (b) (11)

Revised and approved by the Chancellor: October 6, 2020

Administrative Procedure 4100 Graduation Requirements for Degrees and Certificates

I. Statement of Philosophy

The Associate Degree signifies successful completion of a program of organized study and learning experiences designed to impart knowledge and to develop skills, appreciations, attitudes, and values which will be useful to its recipients and to the society in which they live.

A. General

1. Each Peralta College shall publish a list of courses meeting graduation requirements. These lists shall be maintained and approved at each college.
2. Degree requirements fulfilled by a student attending one Peralta College shall be accepted as fulfillment of requirements at another Peralta College.

B. Associate Degree Requirements (general)

To award an Associate Degree in any of the Peralta Colleges, the college must certify that the following requirements have been met:

1. Satisfactory completion of at least 60 semester units in a curriculum accepted by the college toward a degree, as shown in its catalogs.
2. Twelve (12) semester units successfully completed in residence at the college awarding the degree (also applies to the Associate Degrees for Transfer, section D but not to Certificates of Achievement, in section III or Certificates of Proficiency in section IV, below).
3. Completion of at least 18 semester units of study in a discipline or from related disciplines as per the requirements listed in the college catalogs.

C. Associate Degree Requirements (not AA-T or AS-T).

All courses fulfilling the foregoing requirements are to be indicated by the individual colleges in their catalogs. Some requirements may be met through credit by examination. The final transcript must show credit received in each of the first four categories listed in #3 below, and the credit received in these first four categories must add up to at least 19 semester units.

1. A minimum grade point average of 2.0 is required in each of the following.
 - a. Overall grade point average
 - b. General education requirements
2. A "C" grade or better is required in each course in the major and in Area 4.a., English Composition, and Area 4b, Mathematics.
3. Satisfaction of the following General Education distribution requirements:

A minimum of 3 semester units is required in all areas except computer literacy (Area 4.c) for which a minimum of 1 semester unit is required.

a. Natural Sciences	one (1) course	3 semester units
b. Social and Behavioral Sciences	one (1) course	3 semester units
c. Humanities	one (1) course	3 semester units
d. Language and Rationality	four (4) courses	
(1) English Composition*	one (1) course	3-4 semester units
(2) Mathematics*	one (1) course	3-4 semester units
(3) Computer Literacy	one (1) course	1 semester unit
(4) Oral or Written Communication or Literature	one (1) course	3 semester units
(5) Ethnic Studies	one (1) course	3 semester units

May simultaneously satisfy any one of the above four requirements if it is offered within that discipline, Ethnic Studies will be offered in at least one of the required areas

*English Composition and Mathematics require a grade of "C" or better.

D. Associate Degree Requirements (AA-T and AS-T)

The following is required for the AA-T or AS-T degrees:

1. A minimum of 60 CSU-transferable courses semester units.
2. A minimum grade point average (GPA) of at least 2.0 in all CSU-transferable coursework. While a minimum of 2.0 is required for admission, some majors require a higher GPA.
3. Completion of a minimum of 18 semester units in an “AA-T” or “AS-T” major. All course in the major must be completed with a grade of “C” or better of a “P” if the course is taken on a “pass-no-pass” basis (Title 5 Section 55063).
4. Certified completion of the California State University General Education-Breadth pattern (CSUGE Breadth); OR the Intersegmental General Education Transfer Curriculum (IGETC) pattern. Per Education Code there are no local general education requirements.
5. Double counting of courses is recommended by California Education Code.

The AA-T or AS-T is intended for students who plan to complete a bachelor’s degree in a similar major at a CSU campus. Students completing these degrees are guaranteed admission to the CSU system, but not to a particular CSU campus or to a university or college that is not part of the CSU system.

II. General Education Requirements for the Associate Degree (Peralta degrees)

A. Natural Sciences

Courses in the natural sciences are those which examine the physical universe, its life forms, and its natural phenomena. To satisfy the general education requirement in natural sciences, a course should help the student develop an appreciation and understanding of the scientific method, and encourage an understanding of the relationships between science and other human activities. This category would include introductory or integrative courses in astronomy, biology chemistry, general physical science, geology, meteorology, oceanography, physics, and other scientific disciplines.

B. Social and Behavioral Sciences

Courses in the social and behavioral sciences are those which focus on people as members of society. To satisfy the general education requirement in social and behavioral sciences, a course should help the student develop an awareness of the method of inquiry used by the social and behavioral science. It should stimulate critical thinking about the ways people act and have acted in response to their societies and should promote appreciation of how societies and social subgroups operate. This category would include introductory or integrative survey courses in anthropology, economics, history, political science, psychology, sociology, and related disciplines.

C. Humanities

Courses in the humanities are those which study the cultural activities and artistic expressions of human beings. To satisfy the general education requirement in the humanities, a course should help the student develop an awareness of the ways in which people throughout the ages and in different cultures have responded to themselves and the world around them in artistic and cultural creation and help the student develop aesthetic understanding and an ability to make value judgments. Such courses could include introductory or integrative courses in the arts, foreign languages, literature, philosophy, and religion, as well as courses in History or other appropriate disciplines that have been approved for the Humanities area for a specific PCCD college in either the CSU or IGETC general education patterns.

D. Language and Rationality

Courses in language and rationality are these which develop for the student the principles and applications of language toward logical thought, clear and precise expression, and critical evaluation of communication in whatever symbol system the student uses.

1. English Composition: Minimum level of English 1A, Freshman Composition, or an equivalent course.
2. Mathematics: Minimum level of intermediate algebra or an equivalent course.
3. Computer Literacy: A broad understanding of computer concepts
4. Oral or Written Communication, or Literature: Requirement shall include written communication, literature, or selected English for Speakers of Other Languages.

E. Ethnic Studies

Ethnic Studies is an intensive and scholarly study of African-American, Hispanic, Asian, and/or Native American experiences in the United States involving an examination of these cultures and the history, social, economic, and political influences on them.

III. Certificate of Achievement Requirements

To award a Certificate of Achievement (approved by the State Chancellor's Office) in any of the Peralta Colleges, the college shall certify that the following requirements have been met:

- A. Minimum of 16 semester units in the major; and completion of a specified program of courses with a "C" grade or better in each course.
- B. The Certificate of Achievement shall be designed to demonstrate that the student has completed coursework and developed capabilities relating to career and general education.

IV. Certificate of Proficiency Requirements:

To award a Certificate of Proficiency (approved locally) in any of the Peralta Colleges, the college shall certify that the following requirements have been met:

- A. Up to and including 15.5 semester units
- B. Completion of specified courses with a "C" grade

Certificates of Proficiency will **not** appear on student transcripts.

V. Certificate of Competency (Noncredit):

A Certificate of Competency is awarded when a student completes noncredit coursework in a prescribed pathway that prepares a student to take credit coursework, including basic skills and ESL and is approved by the State Chancellor's Office. A noncredit Certificate of Competency is a document certifying that a student enrolled in a noncredit educational program of noncredit courses and has attained a set of competencies that prepares the student to progress in a career path or to undertake degree-applicable or non-degree-applicable credit courses.

VI. Certificate of Completion (Noncredit):

A Certificate of Completion is awarded when a student has completed noncredit courses in a prescribed pathway leading to improved employability or job opportunities and approved by the State Chancellor's Office. A noncredit Certificate of Competency is a document certifying that a student has completed a noncredit educational program of noncredit courses that prepares the student to progress in a career path or to take degree-applicable credit courses.

VII. Use of Coursework from Another Accredited Institution

- A. Students may use both lower and upper division coursework from a regionally accredited institution to fulfill both subject and unit requirements of a comparable PCCD course upon approval by the appropriate department chair(s) and administrator(s).

Students may also use coursework from a nationally accredited institution for local (PCCD) associate degrees and certificates. However, these courses are not accepted by many four-year institutions and shall not be used to certify CSU General Education and/or IGETC (Intersegmental General Education Transfer Curriculum) requirements.

- B. Students may use coursework completed at another regionally or nationally accredited institution to fulfill program, general education, and/or elective unit requirements for the associate degree or certificate programs. Specifically, students may use coursework from another regionally or nationally accredited institution to fulfill any or all of the following:

1. Course or program requirements for a certificate or for the major in an associate degree;
2. General Education graduation requirements, including approved course(s) in the same or similar general education area(s) at another California Community College; and
3. Elective units to meet the 60 semester unit requirement for an associate degree.

Although PCCD may receive and apply coursework students earned at another regionally or nationally accredited institution towards specified program, general education, and/or elective unit requirements for the PCCD degree, PCCD cannot guarantee the same coursework will transfer and be used for the same requirements at another institution. However, students may not use coursework from a nationally accredited

institution to satisfy program, general education, or elective requirements for an AS-T or AA-T degree (see section I.C. above).

Note: Students may NOT use outside coursework to satisfy the 12 unit Residency requirement.

- C. Students who have already earned a Bachelor's degree from a regionally accredited institution will not be required to complete Peralta Community Colleges general education requirements. NOTE: Some Peralta Community College degrees require specific general education coursework that may not be waived even if a student has earned a Bachelor's degree.
- D. Students who have earned a degree(s) from a foreign institution(s) must have a foreign transcript evaluation service evaluate their degree(s). If the service certifies that the student's degree is the equivalent of a regionally accredited U.S. Bachelor's degree, the student will not be required to complete Peralta Community College District's associate degree general education requirements.

VIII. Credit for Military Experience

Completion of a minimum of one year's active duty with the Armed Forces of the United States, including completion of a basic or recruit training program and receipt of an honorable discharge, provides six semester units of elective credit toward the associate degree. The credit is given once 12 semester units have been completed at the Peralta Colleges.

To receive credit for military service, students must provide an original DD-214 or an official unopened JST (Joint Services Transcript) for scanning or photocopying by a Peralta staff or faculty member.

A DD-214 may also be used to satisfy the subject and unit requirements for CSU GE Area E, Lifelong Learning and Self-Development.

IX. Catalog Rights:

Students completing the requirements for the Associate degree (local), the Associate Degree for Transfer, Certificate of Achievement, Certificate of Proficiency, Certificate of Completion, and Certificate of Competency have catalog rights. A student's catalog rights are defined as maintaining enrollment in at least one semester per academic year, excluding summer session and intersessions (continuing enrollment, in any of the four Peralta Colleges. The "withdrawal" symbol (W) constitutes enrollment. A student's catalog rights include:

- A. The regulations in effect at the time the student entered the college, provided the student has been in continuing enrollment until the requirements for the Degree/Certificate are completed; or
- B. The regulations current at the time the student re-enters the major program and remains in continuing enrollment until the requirements for the Degree/Certificate are completed; or
- C. The regulations current at the time the student files and receives the degree/certificate.

References:

Education Code Sections 70902(b)(3), Sections 66745 et seq.;
Title 5 Sections 55060 et seq.;

Revised and approved by the Chancellor: June 17, 2019

Board Policy 5030 Fees

The Board authorizes the following fees. All fees must comply with Education Code and Title 5 regulations. The Chancellor shall establish procedures for the collection, deposit, waiver, refund, and accounting for fees as required by law. The procedures shall also assure those who are exempt from, or for whom the fee is waived, are properly enrolled and accounted for. Fee amounts shall be published in the college catalogs or class schedules (Schedule of Classes).

- Campus Center Use
- Capital Outlay
- Enrollment Fee (Education Code Section 76300)
- Health fee (Education Code Section 76370)
- Instructional Materials (Education Code Section 76465; Title 5 Sections 59400 et seq.)
- International Student Application Processing Fee (Education Code Section 76142)
- Non-Resident Tuition
- Refund Processing Fee
- Parking Fee (Education Code Section 76360)
- Student Representation Fee (Education Code Section 76060.5)**
- Transcript Fees (Education Code Section 76223)
- Other Fees as allowable by Law

** Note: Students will be charged a \$2 Student Representation Fee to be used to provide support for student governmental affairs representation. A student may refuse to pay the fee and shall submit such a refusal on a form provided by the District to collect fees

Reference:

Education Code Sections 76060.5, 76142, 76223, 76300 et seq.
California Code of Regulations Title 5 Section 58508, 59400
Administrative Procedure 5030
ACCJC Accreditation Standard I.C.6

Revised and approved by the Board of Trustees: November 10, 2020

Administrative Procedure 5030 Student Fees

- I. Campus Center Use
 - A. In accordance with California Education Code Section 76375, the Peralta Community College District may establish a Campus Center use fee to students for the purpose of operating a student body center.
 - B. The current fee is \$2 per semester per campus.
 - C. In accordance with Title 5, section 58510, the fee is subject to change only after a favorable vote of two-thirds of the students voting in a student election.
 - D. Students exempt from the Campus Center Use fee include:
 1. Student enrolled in non-credit courses
 2. Recipients of Temporary Assistance to Needy Families (TANF), SSI/SSP, or general assistance.
 3. Contract education students enrolled in non-apportionment courses.
 4. All special admit students (see AP 5011);
 - E. This fee is refundable if the student drops all units on or before the last day to drop regular session credit classes.
- II. Student Representation Fee (Education Code Section 76060.5)
 - A. A student representation fee of \$2 per College, per semester, for each enrolled student, shall be used to provide

support for student governmental affairs representation (\$1) and for the Student Senate of the California Community Colleges (\$1). A student may refuse to pay the fee for religious, political, financial, or moral reasons and shall submit such refusal in writing. The Chief Business Officer of the District shall have custody of the money collected pursuant to the Education Code, and the money shall be disbursed for the purposes described above upon the order of the Associated Student Government. The student representation fee authorized by Education Code may be terminated by a majority vote of the students voting in an election held for that purpose. The election shall be called and held in compliance with regulations of the Board of Governors of the California Community Colleges and shall be open to all regularly enrolled students of the community college.

- B. Students exempt from the Student Representation Fee include:
 - 1. Special admit students (see AP 5011).
 - 2. Students who are only enrolled in non-credit courses.
- C. This fee is refundable on or before the last day of the term for which the fee is charged.

III. Capital Outlay

- A. In accordance with California Education Code Section 76141, the Peralta Community College District may establish a Capital Outlay fee for students who are not California Residents. As of Fall 2018 the fee is \$7 per unit.
- B. This fee is refundable if the student drops all units on or before the last day to drop regular session credit classes. There will be no refunds after this date.

IV. Enrollment

- A. In accordance with California Education Code Section 76300 and 76300.5, students enrolling at the Peralta Community College District will be charged an enrollment fee as established periodically by the State of California.
- B. The current fee is \$46 per unit. The fee is subject to change by the state legislature and applies to credit courses only.
- C. Students exempt from the Enrollment fee include:
 - 1. Students who meet the criteria for the California College Promise Grant and Special admit-students (see AP 5011);
 - 2. Student enrolled in an approved apprenticeship program;
 - 3. Contract education students enrolled in non-apportionment courses; and
 - 4. Students who are only enrolled in non-credit courses.
- D. This fee is refundable if the student drops on or before the last day to drop regular session credit classes.
- E. Students who fail to pay the enrollment fee or non-resident tuition by two weeks before the semester start date shall be dropped from their classes for non-payment of fees. Students who enroll in classes subsequent to two weeks before the semester start date, but do not pay the enrollment fee, will be subject to the penalties described in Board Policy 5035 as of the first day of classes. The only possible exemptions from the mandatory drop and/or penalties for non-payment are listed in section IV.C above and section XII below.
- F. The Vice Chancellor of Finance and Administration is authorized to participate in the state Chancellor's Tax Offset Program (COTOP) in order to recover outstanding student debts.

V. Health Fee

- A. In accordance with California Education Code Section 76955, the Peralta Community College District may establish a student health fee.
- B. The current fee is \$18 per Fall and Spring semester and \$15 per Summer semester. The fee is subject to increase by the same percentage increase as the Implicit Price Deflator for State and Local Government Purchase of Goods and Services. Whenever the calculation produces an increase of \$1 above the existing fee, the fee may be increased by \$1.
- C. Students exempt from the Health fee include:
 - 1. Students who depend exclusively upon prayer for healing in accordance with the teachings of a bona fide religious sect, denomination, or organization (documentation required);
 - 2. Students who are attending college under an approved apprenticeship training program;

3. Contract education students enrolled in non-apportionment courses;
4. Special admit students enrolled in 11 to 15 units or less (see AP 5011); and
5. Students who are only enrolled in non-credit courses.

D. This fee is refundable if the student drops all units on or before the last day to drop regular session credit classes

VI. International Application Fee

- A. In accordance with California Education Code Section 76142, the Peralta Community College District may establish an International Application Fee.
- B. The application fee is due and payable with submission of an application for admission into one of the Peralta Community College District's Colleges by an international applicant.
- C. This \$50 fee is non-refundable.

VII. International Student Health Insurance Fee

- A. In accordance with California Education Code Section 70902(b)(9), the Peralta Community College District may establish a health insurance fee for nonresident students who are both citizens and residents of a foreign country.
- B. All international students with an F-1 Status will be automatically enrolled in the Peralta International Student Health Insurance Plan.
 1. Students engaged in Post-Completion Optional Practical Training (OPT) have the option to opt into the health insurance plan. These students are required to enroll directly with the health insurance provider for the months in which they are applying and approved for Post-Completion OPT.
 2. The Office of International Education will have this information and forms available on its website.
- C. The current fees are posted in the class schedule and on the Office of International Education's website. Fees are subject to change per contract renewal.
- D. This fee is only refundable if students have pre-existing health coverage through a governmental agency in their country of residency.
- E. Students must pay the International Student Health Insurance fee prior to enrollment in a payment plan. Students cannot include this fee in a payment plan.

VIII. Non-Resident Tuition (Out of State and/or International)

- A. In accordance with California Education Code Section 76140 and 7600.5, Title 5 Sections 58500 and 58509, the Peralta Community College District is required to charge Non-Resident Tuition for students classified as a non-residents.
- B. Non-Resident Tuition will be set by the Board of Trustees no later than February 1 for the succeeding fiscal year. The fee will be calculated by a formula in accordance with the Education Code and follow the guidelines of the California Community College Budget and Accounting Manual in determining the District's full expense of education. The non-resident tuition fee thus established will be published in the College catalog, Schedule of Classes, and online.
- C. As of Fall 2019, the fee is \$265. The fee is subject to change by the state legislature and applies to credit courses
- D. Students exempt from Non-Resident Tuition include:
 1. California State Residents.
 2. Students taking noncredit courses.
 3. Students who are members of the Armed Forces of the United States stationed in this state on active duty.
 4. A student who is a natural or adopted child, stepchild, or spouse, who is a dependent of a member of the armed forces.
 5. Students enrolled in an approved apprenticeship program.
 6. Contract education students enrolled in non-apportionment courses.
 7. Students who attended high school in California for three or more years and graduated from a California high school or attained the equivalent thereof. In the case of a person without lawful immigration status, the student must file an affidavit with the institution of higher education stating that the student has filed an application to legalize his or her immigration status, or will file an application as soon as he or she is eligible to do so. (Education Code 68130.5).

8. Any student who meets the following requirements:
 - a. demonstrates financial need;
 - b. has a parent who has been deported or was permitted to depart voluntarily;
 - c. moved abroad as a result of that deportation or voluntary departure;
 - d. lived in California immediately before moving abroad;
 - e. attended a public or private secondary school in the state for three or more years; and
 - f. upon enrollment, will be in his or her first academic year as a matriculated student in California public higher education, will be living in California, and will file an affidavit with the District stating that he or she intends to establish residency in California as soon as possible.
- E. This fee is refundable if the student drops on or before the last day to drop regular session credit classes.

IX. Parking Fee

- A. In accordance with California Education Code Section 76360, Peralta Community College District may establish a Parking fee.
- B. The fee schedule is as follows:
 1. \$2 per day (exact change only);
 2. A student decal for enrolled/registered students may be required;
 3. \$40 permit per Fall and Spring semester for students enrolled in less than 6 units;
 4. For students enrolled in 6 units or more, the parking fee is as follows:
Fall 2019 – Spring 2020: \$27.21
 5. \$20 permit per Fall and Spring semester for low-income students;
A low-income student is defined as a person who demonstrate(s) financial need under federal standards or income standards established by the Board of Governors and students receiving benefits under the Temporary Assistance to Needy Families Program (formerly Aid to Families with Dependent Children), the Supplemental Security Income/State Supplemental Payment Program or a general assistance program. \$20 permit per Summer semester for all students;
 6. \$10 permit per Fall and Spring semester for students with motorcycles; and
 7. \$5 for permit per Summer semester for students with motorcycles.

X. Refund Processing Fee

In accordance with Section 58508 of Title 5 of the California Code of Regulations, the Peralta Community College District may retain a maximum of \$10 from enrollment fees as a refund processing fee.

XI. Transcript Fee

- A. In accordance with California Education Code Section 76223, the Peralta Community College District is authorized to charge a Transcript Fee for furnishing copies of student records.
- B. Students must pay all outstanding debts to the college prior to release of transcripts, including fees owed for the current semester.
- C. Transcripts are ordered:
 1. In person at the campus Admissions & Records offices;
 2. In person at the District Admissions & Records office;
 3. Online via TranscriptsPlus®;
 4. By Mail. Students can fill out a transcript request form available on Admissions & Records website and mail the request with payment to any Admissions & Records Office.
- D. The transcript fee schedule is as follows:
 1. First 2 transcripts are free;
 2. Additional transcripts (3rd transcript and subsequent transcripts) are \$6 per transcript.
- E. Expediting fees are optional but will be charged in addition to the transcript fee if the student requests expedition. The following expediting fee schedule includes the \$6 transcript fee when applicable:
 1. Pick-Up in District Admissions Office

- a. First 2 transcripts, \$6 per transcript
 - b. Third transcript or subsequent, \$12 per transcript
2. Same Day Transcripts
- a. First 2 transcripts, \$19 per transcript
 - b. Third transcript or subsequent, \$25 per transcript.
- F. Once ordered, transcripts are mailed within 2-5-business days unless expedition is requested. Records prior to Fall 1970 may take up to 15 business days for processing.
Expedited orders are as follows:
- 1. Pick-Up in District Admissions Office orders are available for pick up within 2 business days.
 - 2. Same day orders are available within 2 hours.
 - 3. Same day orders can only be requested in person at the District Admissions and Records Office.
- G. Express shipping is optional and only available with online ordering via TranscriptsPlus®. The following fees will be charged in addition to the transcript fees if the student requests express delivery via Federal Express.
- 1. Federal Express domestic delivery to main 48 states: \$20.00 per order
 - 2. Federal Express domestic delivery to Alaska or Hawaii: \$23.00 per order
 - 3. Federal Express international delivery: \$43.00 per order

XII. Other Fees as allowable by Law. Material Fees are described in AP 5031.

XIII. Waiver of Fees

The District may waive enrollment fees which were not collected in a previous session where the enrollment fees were not collected as a result of the District's error in awarding a California College Promise Grant (formerly known as Board of Governors Fee Waiver) to an ineligible student and not through the fault of the student, and to collect the enrollment fee would cause the student undue hardship.

XIV. Installment Payment Plan

- A. Students in the Peralta Community College District may opt to pay their non-resident tuition or enrollment fee through an installment payment plan.
- B. Students who owe fees from the current or previous terms may opt to pay these fees through an installment payment plan. Students are required to pay at least \$25 of their owed fees and develop an installment payment plan prior to enrolling in classes. Students can only participate in one payment plan.
- C. New foreign students are required to pay at least the non-resident tuition for 12 units plus all other required fees for both the fall and spring semesters prior to enrollment in their first-year classes.
- D. The payment plan will be interest free.
- E. The payment plan will include the specific amount and due date for each installment. All of the payments will be completed within the term for which the enrollment is made.
- F. Failure to make timely payments will subject the student to the penalties described in Board Policy 5035.

References:

Title 5 Section 51012, 58520, 58629
 Education Code Section 70902(b)(9); 76300; 76300.5; 66025.3, 68120 and Education Code section 76004
 California Community College Chancellor's Office Student Fee Handbook
 ACCJC Accreditation Standard I.C.6

Revised and approved by the Chancellor: July 20, 2020