



District Technical Review Workgroup
Student Services – DTRW-SS
AGENDA

February 27, 2014 – DAC Lakin Boardroom
3:00 p.m. – 4:30 p.m.

➤ **Approval of January 23, 2014 Meeting Notes**

Old Business

- BP 3540 Sexual and Other Assaults on Campus (BP in BoardDocs – need to develop an administrative procedure)
- BP 3550 Drug Free Environment and Drug Prevention Program (BP in BoardDocs – need to develop an administrative procedure)
- BP/AP 4225 Course Repetition – Academic Senates to return to February meeting with feedback
- BP/AP 4227 Course Repetition Absent Substandard Academic Work – Academic Senates to return to February meeting with feedback
- BP/AP 5150 Extended Opportunity Programs and Services (EOPS) – no VCCCD AP/current BP in BoardDocs – require feedback from Oxnard College EOPS – this item has returned for further input on the AP (CCLC version was not modified to include all items required by law)
- BP/AP 5500 Standards of Conduct – new versions from 1.23.14 under review by Academic Senates – No AP in BoardDocs
- BP/AP 5520 Discipline Procedure – new versions from 1.23.14 under review by Academic Senates – No BP in BoardDocs
- BP/AP 5530 Student Rights and Grievances – new versions from 1.23.14 under review by Academic Senates – No BP in BoardDocs
- Drop Codes (Registrars)

New Business

- BP/AP 5030 – Student Activity Fee (Victoria Lugo/Student Activity Specialists)

Business on Hold or Under Review by Other Workgroups:

- BP/AP 4020 Program and Curriculum Development & BP/AP 4022 Course Approval – The AO's and EVP's return with suggested revisions for 4020 and 4022 to the February 27, 2014 DTRW-I meeting to allow more time for review and revisions.
- BP/AP 4050 Articulation (Articulation Officers) – *please note the old version of 4050 is under review by Academic Senates to return with feedback to February 27 DTRW-I meeting.*
- AP 4100 Graduation Requirements for Degrees and Certificates – under review by Academic Senates to return with feedback to February 27 meeting.



-
- BP/AP 5205 Student Accident Insurance – under review by DCAA/Academic Senates – moved to DOC for further review regarding student accident insurance/sent to Academic Senates on 4.01.13; awaiting further input from DOC as of 2.27.14
 - BP/AP 5300 Student Equity – under review by DCAA/Academic Senates (sent to Academic Senates 4.01.13) tabled by DCAA for further review in order to wait for new state information from the Student Equity Taskforce – was to return to DCAA in fall and is now at DTRW-SS

Next Meeting Date: March 27, 2014, 3 pm – DAC Lakin Boardroom
Submission deadline: March 21, 2014

Ventura County Community College District

District Technical Review Workgroup – DTRW-SS Meeting Notes

January 23, 2013 – DAC Lakin Boardroom

3:00 p.m. – 4:30 p.m.

DRAFT PRIOR TO APPROVAL OF MEETING NOTES AT 2.27.14 DTRW-SS MEETING

Members:

Chancellor’s Designee: Erika Endrijonas, Chair (OC)
 Co-Chair: Victoria Lugo, Co-chair (VC)
 Executive Vice Presidents: Lori Bennett (MC), Erika Endrijonas (OC), Daniel Seymour – Interim (VC)
 Academic Senate Presidents: Linda Kama’ila (OC), Mary Rees (MC), Art Sandford (VC)
 Deans of Student Services: Karen Engelsen (OC), Pat Ewins (MC), Victoria Lugo (VC)
 Registrars: Susan Bricker (VC), Joel Diaz (OC), Dave Anter (MC)
 Non-instructional designee: Graciela Casillas-Tortorelli (Counselor, OC), Pam Kennedy Luna (Counselor, MC), Marian Carrasco Nungaray (Counselor, VC)
 Associated Student Government: ASG Rep vacant (OC), vacant (MC), Robert Nunez (VC)
 Policy and Administrative Procedures: Clare Geisen (Policy/procedure, Chancellor’s Cabinet Liaison/guest)

Absent:

Graciela Casillas-Tortorelli, Robert Nunez

Recorder:

Laurie Nelson-Nusser

Notes:

Agenda Item	Summary of Discussion	Action (If Required)	Completion Timeline	Assigned to:
Welcome and Approval of December 5, 2013 Meeting Notes	Dr. Endrijonas welcomed everyone to DTRW-SS. The meeting commenced at 3:05 pm. The December 5, 2013 meeting notes were approved as presented.			
OLD BUSINESS				
AP 5130 Financial Aid	A revised version of AP 5130 Financial Aid was hand carried by the Deans of Student Services to this meeting, which was reviewed by the Financial Aid Officers prior to review by DTRW-SS. This item was recommended to move forward to Chancellor’s Cabinet/Administrative Council, Policy Committee,	Add to Administrative Council Agenda for February 3 meeting	February 3	Laurie Nusser

Agenda Item	Summary of Discussion	Action (If Required)	Completion Timeline	Assigned to:
	Consultation Council, and subsequently to the Board for full approval.			
BP/AP 5150 Extended Opportunity Programs and Services (EOPS) – no VCCCD AP/current BP in BoardDocs.	The Deans of Student Services will return with a VCCCD version of the Administrative Procedure derived from the CCLC version to the February meeting.	Deans of Students Services to draft an administrative procedure in conjunction with the EOPS Coordinators	Submit new draft to Laurie Nusser by 2.21.14	Karen Engelsen Pat Ewins Victoria Lugo
BP/AP 5500 Standards of Conduct – no AP in BoardDocs	New versions of BP/AP 5500 Standards of Conduct were hand carried to the January meeting by the Deans of Students Services and reviewed by the workgroup. Revisions were made during the meeting and these new versions will go to the Academic Senates for review. Ms. Nusser will distribute to the Senate Presidents. (sent 1.31.14)	Distribute new versions of BP/AP 5500 to Academic Senate Presidents	ASAP	Laurie Nusser
BP/AP 5520 Discipline Procedure – no BP in BoardDocs	New versions of BP/AP 5520 Discipline Procedure were hand carried to the January meeting by the Deans of Students Services and reviewed by the workgroup. Revisions were made during the meeting and these new versions will go to the Academic Senates for review. Ms. Nusser will distribute to the Senate Presidents. (sent 1.31.14)	Distribute new versions of BP/AP 5520 to Academic Senate Presidents	ASAP	Laurie Nusser
BP/AP 5530 Student Rights and Grievances – no BP in BoardDocs	New versions of BP/AP 5530 Student Rights and Grievances were hand carried to the January meeting by the Deans of Students Services and reviewed by the workgroup. Revisions were made during the meeting and these new versions will go to the Academic Senates for review. Ms. Nusser will distribute to the Senate Presidents. (sent 1.31.14)	Distribute new versions of BP/AP 5530 to Academic Senate Presidents	ASAP	Laurie Nusser
NEW BUSINESS				
New Drop Codes	The Registrars presented a list of 21 possible Drop Codes for review. While the committee was supportive of having students indicate a reason for dropping a course, it seemed as though 21 codes			

Agenda Item	Summary of Discussion	Action (If Required)	Completion Timeline	Assigned to:
	<p>would be overwhelming. Prior to the February meeting, the committee was asked to forward their "Top 5" and "Bottom 5" drop code reasons to the Registrars so that a more manageable number of options can be determined.</p> <p>The Registrars would like to test the new drop codes during the upcoming Banner testing phase. There was discussion regarding condensing the list to 5 or 6 categories. The Registrars will send the document out to the group and receive feedback electronically from the DTRW-SS members with the top five and bottom five, which will be brought back to the February meeting.</p>	Send drop code document to all DTRW-SS members	ASAP	Laurie Nusser/Registrars
Development of Repeatability Form (Mary Rees)	Ms. Rees inquired whether there should be a Districtwide form to be utilized between all colleges. Ms. Bricker indicated this is already in development by the Registrars.			
BP 3540 Sexual and Other Assaults on Campus (BP in BoardDocs – need to develop an administrative procedure)	Dr. Endrijonas requested the Deans of Student Services to obtain feedback from the Health Center Coordinators to develop an administrative procedure. Ms. Nusser will send to the Deans and they will work with the Health Center Coordinators. (sent 1.31.14)	Send to Deans of Student Services Obtain feedback from Health Center Coordinators	ASAP Submit to Laurie Nusser by 2.21.14	Laurie Nusser Karen Engelsen Pat Ewins Victoria Lugo
BP 3550 Drug Free Environment and Drug Prevention Program (BP in BoardDocs – need to develop an administrative procedure)	Dr. Endrijonas requested the Deans of Student Services to obtain feedback from the Health Center Coordinators to develop an administrative procedure. Ms. Nusser will send to the Deans and they will work with the Health Center Coordinators. (sent 1.31.14)	Send to Deans of Student Services Obtain feedback from Health Center Coordinators	ASAP Submit to Laurie Nusser by 2.21.14	Laurie Nusser Karen Engelsen Pat Ewins Victoria Lugo
BP/AP 4225 Course Repetition BP/AP 4227 Course	This will return to the February meeting. Handout copies were provided of revised 4225/4227 along with the CCLC versions of the administrative procedures with direction to the group to review			

Agenda Item	Summary of Discussion	Action (If Required)	Completion Timeline	Assigned to:
Repetition Absent Substandard Academic Work	<p>and return with feedback to the February meeting. The Academic Senates have not approved as of yet but will return to the February meeting with their comments. (sent 1.31.14)</p> <p>In December, the Registrars provided updated versions of AP 4225 Course Repetition and AP 4227 Course Repetition Absent Substandard Academic Work for the January 23, 2014 DTRW-SS group, which were reviewed in December by DTRW-I and the Academic Senates requested further review. Ms. Nusser sent those versions on January 14 to the Academic Senate Presidents; however, updated versions were hand carried into the 1.23.14 DTRW-SS meeting by the Registrars and further updates were sent after the meeting on 1.24.14. Ms. Nusser will send the latest updated versions to the Academic Senate Presidents (sent 1.31.14).</p>	<p>Send new versions to Academic Senate Presidents</p> <p>Return with feedback from Academic Senates</p>	<p>ASAP</p> <p>2.27.14</p>	<p>Laurie Nusser</p> <p>Mary Rees Art Sandford Linda Kama'ila</p>
Outstanding Business or Under Review by Other Workgroups	<ul style="list-style-type: none"> • DTRW-I – BP/AP 4020 Program and Curriculum Development & BP/AP 4022 Course Approval – The AO's and EVP's will return with suggested revisions for 4020 and 4022 to the January DTRW-I meeting to allow more time for review and revisions. • DTRW-I – BP/AP 4022 Course Approval – this is currently under review by DTRW-I and will come to DTRW-SS for student services issues. • BP/AP 5205 Student Accident Insurance – under review by DCAA/Academic Senates – moved to DOC from DCAS for further review regarding student accident insurance/sent to Academic Senates on 4.01.13 – Ms. Nusser has forwarded (11.13) to the BP/AP to Business Services for inclusion in the next DCAS agenda on 			

Agenda Item	Summary of Discussion	Action (If Required)	Completion Timeline	Assigned to:
	<p>November 21 and was then moved from DCAS to DOC by request of Brian Fahnestock.</p> <ul style="list-style-type: none"> BP/AP 5300 Student Equity – need to wait on further information from State Chancellor’s Office regarding finalizing guidelines for student equity plans. 			
NEXT MEETING	Thursday, March 27, 2014 – 3:00 p.m. – DAC Lakin Boardroom			

DRAFT

DTRW-SS

February 27, 2014

BP/AP 3540

Sexual Assaults on Campus

(BP in BoardDocs – need to develop an administrative procedure)



Book	VCCCD Board Policy Manual
Section	Chapter 3 General Institution
Title	BP 3540 SEXUAL AND OTHER ASSAULTS ON CAMPUS
Number	BP 3540
Status	Active
Legal	Education Code Section 67382, 67385; the Jeanne Clery Disclosure of Campus Security Policy and Campus Criminal Statistics Act; 20 U.S. Code Sec. 1092(f); 34 C.F.R. Sec. 668.46(b)(11)
Adopted	October 14, 2008

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, that occurs on District property, is a violation of District policies and procedures, and is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures. Students, faculty, and staff who may be victims of sexual and other assaults shall be treated with dignity and provided comprehensive assistance. The Chancellor shall establish administrative procedures that ensure that students, faculty, and staff who are victims of sexual and other assaults receive appropriate information and treatment and that educational information about preventing sexual violence is provide and publicized as required by law. The procedures for sexual assaults shall meet the criteria contained in Ed. Code 67385 and 34 C.F.R. Sec. 668.46.

See Administrative Procedures 3540.



COMMUNITY COLLEGE LEAGUE
OF CALIFORNIA

Book	Administrative Procedures
Section	Chap 3 General Institution
Title	Sexual Assaults on Campus
Number	AP 3540
Status	Active
Legal	Education Code Section 67385 20 U.S. Code Section 1092(f) 34 Code of Federal Regulations Section 668.46(b)(11)
Adopted	February 1, 2003
Last Revised	March 31, 2012
Last Reviewed	June 16, 2013

AP 3540 Sexual Assaults on Campus

References:

Education Code Section 67385;
20 U.S. Code Section 1092(f);
34 Code of Federal Regulations Section 668.46(b)(11)

Note: This procedure is legally required. Local practice may be inserted. The following are the minimum requirements contained in the Education Code and in the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“the Clery Act,” 20 U.S. Code Section 1092(f)).

The requirements of the Clery Act are broader than those found in California’s Education Code, and apply to all institutions of higher learning that receive federal aid. Districts may insert local procedures: the following example may be used as a guide.

In addition, the District may wish to include procedures on responding to domestic violence, dating violence, sexual assaults or stalking at District sponsored activities on non-District property.

This sample procedure addresses domestic violence, dating violence, sexual assaults and stalking. Board Policy 3540 addresses both sexual and physical assaults. Districts may wish to cross reference the administrative procedures related to other physical assaults, including AP 3500, 3510, and 3515 or *insert local numbers*].)

Any sexual assault or physical abuse, including, but not limited to, rape, domestic violence, dating violence, sexual assault, or stalking, 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 titled Standards of Student Conduct.)

“Sexual assault” includes but is not limited to, rape, forced sodomy, forced oral copulation, rape by a foreign object, sexual battery, or threat of sexual assault.

“Dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of a romantic or intimate relationship will be determined based on the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship.

“Domestic violence” includes felony or misdemeanor crimes of violence committed by:

- a current or former spouse of the victim;**
- by a person with whom the victim shares a child in common;**

- by a person who is cohabitating with or has cohabitated with the victim as a spouse;
- by a person similarly situated to a spouse of the victim under California law; or
- by any other person against an adult or youth victim who is protected from that person's acts under California law.

“Stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or to suffer substantial emotional distress.

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, and 3515 [*or insert local numbers*].)

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 designate office, which shall maintain the identity and other information about alleged sexual assault victims as confidential unless and until the designate position is authorized to release such information.

The designate position shall provide all alleged victims of domestic violence, dating violence, sexual assault or stalking with the following, upon request:

- A copy of the District's policy and procedure regarding domestic violence, dating violence, sexual assault or stalking;
- A list of personnel on campus who should be notified and procedures for such notification, if the alleged victim consents; [*List who should be notified*]
- A description of available services, and the persons on campus available to provide those services if requested. Services and those responsible for provided or arranging them include: [*list person or office responsible after each item*]
 - transportation to a hospital, if necessary;
 - counseling by [designate], or referral to a counseling center;
 - notice to the police, if desired;

- a list of other available campus resources or appropriate off-campus resources.

- A description of each of the following procedures:
 - criminal prosecution;
 - civil prosecution (i.e., lawsuit);
 - District disciplinary procedures, both student and employee;
 - modification of class schedules;
 - tutoring, if necessary.

The designate position should be available to provide assistance to District law enforcement unit employees regarding how to respond appropriately to reports of sexual violence.

The District will investigate all complaints alleging sexual assault under the procedures for sexual harassment investigations described in AP 3435, 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 the designate office 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 to confidentiality.

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 unless the alleged victim or witness specifically waives that 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 designate office, which shall work with the designate office to assure that all confidentiality rights are maintained.

Additionally, the Annual Security Report will include a statement regarding the District's programs to prevent sex offenses and procedures that should be followed after a sex offense occurs. The statement must include the following:

- **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;**
- **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;**
- **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;**
- **Information for students about existing on- and off-campus counseling, mental health, or other student services for victims of sex offenses;**
- **Notice to students that the campus will change a victim's academic situation after an alleged domestic violence, dating violence, sex offense, or stalking and of the options for those changes, if those changes are requested by the victim and are reasonably available;**
- **Procedures for campus disciplinary action in cases of an alleged domestic violence, dating violence, sex offense, or stalking including a clear statement that:**
 - **The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding; and**
 - **Both the accuser and the accused must be informed of the outcome of any institutional disciplinary proceeding resulting from an alleged sex offense. 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.**
- **A description of the sanctions the campus may impose following a final determination by a campus disciplinary proceeding regarding rape, acquaintance rape, or other forcible or non-forcible sex offenses, domestic violence, dating violence, or stalking.**

Education and Prevention Information

The *[designate position]* shall:

- Provide, as part of each campus' established on-campus orientation program, education and prevention information about domestic violence, dating violence, sexual assault, or stalking. The information shall be developed in collaboration with campus-based and community-based victim advocacy organizations.
- Post sexual violence prevention and education information on the campus internet website regarding domestic violence, dating violence, sexual assault and stalking.

Revised 2/03, 2/06, 8/06, 3/12, 6/13

 [AP 3540 Sexual Assaults on Campus Rev. 6-16-13.doc \(41 KB\)](#)

Last Modified by Jane Wright on July 26, 2013

DTRW-SS

February 27, 2014

BP/AP 3550

Drug Free Environment and Drug
Prevention Program

(BP in BoardDocs – need to develop an administrative procedure)



Book	VCCCD Board Policy Manual
Section	Chapter 3 General Institution
Title	BP 3550 DRUG FREE ENVIRONMENT AND DRUG PREVENTION PROGRAM
Number	BP 3550
Status	Active
Legal	Drug Free Schools and Communities Act, 20 U.S. Code Section 1145g ; 34 C.F.R. Sections 86.1 et seq.; Drug Free Workplace Act of 1988, 41 U.S. Code Section 702
Adopted	December 13, 2005
Last Revised	October 14, 2008

The District shall be free from all illegal drugs and from the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees.

The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in all facilities under the control and use of the District.

Any student or employee who violates this policy will be subject to disciplinary action, (consistent with local, state, or federal law), which may include referral to an appropriate rehabilitation program, suspension, demotion, expulsion or dismissal.

The Chancellor shall assure that the District distributes annually to each student the information required by the Drug-Free Schools and Communities Act Amendments of 1989 and complies with other requirements of the Act.

See Administrative Procedure 3550.



COMMUNITY COLLEGE LEAGUE
OF CALIFORNIA

Book	Administrative Procedures
Section	Chap 3 General Institution
Title	Drug Free Environment and Drug Prevention Program
Number	AP 3550
Status	Active
Legal	Drug Free Schools and Communities Act Amendment of 1989 20 U.S. Code Section 1145g 34 Code of Federal Regulations 86.1 et seq. Federal Drug-Free Workplace Act of 1988 41 U.S. Code Section 702
Adopted	February 1, 2000
Last Revised	February 1, 2008
Last Reviewed	April 1, 2009

AP 3550 Drug Free Environment and Drug Prevention Program

References:

Drug Free Schools and Communities Act Amendment of 1989;
 20 U.S. Code Section 1145g;
 34 Code of Federal Regulations 86.1 et seq.;
 Federal Drug-Free Workplace Act of 1988;
 41 U.S. Code Section 702

Note: *This procedure is **legally required**. Insert local practice here, including identification of the person or office with the authority and responsibility for implementing this procedure. Following are examples:*

The District is committed to providing its employees and students with a drug free workplace and campus environment. It emphasizes prevention and intervention through education.

Note: *Describe local educational and student services programs here, such as relevant courses, seminars, lectures, counseling, health services, and referral for those affected by alcohol or substance abuse.)*

Also describe the health risks associated with the use of illicit drugs and the abuse of alcohol.

Prohibition of Drugs

The unlawful manufacture, distribution, dispensing, possession or use of alcohol or any controlled substance is prohibited on District property, during District-sponsored field trips, activities or workshops, and in any facility or vehicle operated by the District.

Violation of this prohibition will result in appropriate action up to and including termination of employment, expulsion, and referral for prosecution, or, as permitted by law, may require satisfactory participation in an alcohol or drug abuse assistance or rehabilitation program.

As a condition of employment, employees must notify the District within five days of any conviction for violating a criminal drug statute while in the workplace. The District is required to inform any agencies that require this drug-free policy within ten days after receiving notice of a workplace drug conviction.

Revised 2/08, 4/09

 [AP_3550_Drug_Free_Environment_and_Drug_Prevention_Program.doc \(30 KB\)](#)

Last Modified by Jane Wright on March 1, 2013

DTRW-SS

February 27, 2014

BP/AP 4225

Course Repetition

(Academic Senates to return with feedback from 1.23.14 meeting)



Book VCCCD Board Policy Manual
Section Chapter 4 Academic Affairs
Title BP 4225 COURSE REPETITION FOR SUBSTANDARD GRADES
Number BP 4225
Status Active
Legal [Title 5, Section 55765](#)
[Title 5, Section 55764](#)
[Title 5, Section 55763](#)
[Title 5, Section 55762](#)
[Title 5, Section 55761](#)
Adopted February 16, 2006
Last Reviewed June 19, 2012

Students may repeat courses in which substandard grades, less than "C," were earned.

When course repetition occurs, the permanent academic record shall be annotated in such a manner that all work remains legible, insuring a true and complete academic history.

Under special circumstances, students may repeat courses in which a C or better grade was earned. The special circumstances are defined in administrative procedures.

See [Administrative Procedure 4225](#).

Last Modified by Laurie Nusser on June 21, 2012

Book	VCCCD Administrative Procedure Manual
Section	Chapter 4 Academic Affairs
Title	AP 4225 COURSE REPETITION
Number	AP 4225
Status	Active
Legal	California Education Code, Section 76224 Title 5, Section 58161 Title 5, Section 55253 Title 5, Section 55045 Title 5, Section 55044 Title 5, Section 55043 Title 5, Section 55042 Title 5, Section 55041 Title 5, Section 55040 Title 5, Section 55023 Title 5, Section 55030 Title 5, Section 56029
Adopted	June 16, 2010
Last Reviewed	June 19, 2012

General Guidelines for Repetition of Credit Courses

Pursuant to Title 5, students are permitted three enrollment attempts to achieve a standard (passing) grade. Students may be permitted, under special circumstances, to repeat non-repeatable credit courses in which standard (passing) grades have been awarded. Students may also repeat credit courses that are designated as repeatable in the colleges' catalogs providing the maximum number of allowed enrollments per course or set of courses is not exceeded.

All enrollment attempts that result in an evaluative or non-evaluative grade on a student's permanent record are counted for purposes of this administrative procedure and pursuant to Title 5, Section 55023. Evaluative symbols are defined as standard passing grades of A, B, C or P/CR; and substandard grades of D, F and NP/NC. Non-evaluative symbols are defined as W.

Courses that are repeated shall be recorded on the student's permanent academic record using an appropriate symbol.

Annotating the permanent academic record shall be done in a manner that all work remains legible, insuring a true and complete academic history.

Nothing herein can conflict with Education Code, Section 76224, pertaining to the finality of grades assigned by instructors, or with Title 5 or District procedures relating to retention and destruction of records.

Apportionment may be claimed for a maximum of three enrollment attempts to achieve a standard (passing) grade. The District may claim apportionment for one additional enrollment attempt under the following circumstances:

- Approved repetition due to significant lapse of time as defined in this section,

DTRW-SS review 1.23.14 (updated 1.24.14 by Registrars)

DTRW-SS review 2.27.14

- Approved repetition due to extenuating circumstances as defined in this section if the course is not designated as repeatable.

The District may claim apportionment for students' enrollments without limitation under the following circumstances and if all other requirements are met:

- Approved attendance for legally mandated training as defined in [AP 4227](#)
- Approved attendance of a student with a disability in credit special classes as a disability accommodation as defined in [AP 4227](#)
- The attendance of a student repeating cooperative work experience courses pursuant to Title 5, Section 55253
- The attendance of a student withdrawing as a result of extraordinary conditions pursuant to Title 5, Section 55024 (a)(10)
- The attendance of a student receiving a military withdrawal pursuant to Title 5, Section 55024 (d)(1)
- The attendance of a student repeating a course for significant change in industry or licensure standards pursuant to Title 5, Section 55040(b)(9)

The District may claim state apportionment for students' enrollments in credit courses that are designated as repeatable as provided by Title 5, Section 55041 for a maximum of four semesters. This limitation applies even if a student receives a substandard grade during one or more of the enrollments in such a course or petitions for repetition due to special circumstances as provided in VCCCD AP 4225 and [AP 4227](#).

The District may permit enrollment in credit courses beyond the limits set forth in [BP 4225](#), AP 4225 and [AP 4227](#) providing apportionment is not claimed for such additional enrollments.

The District will develop and implement a mechanism for the proper monitoring of course repetitions.

Course Repetition to Alleviate a Substandard Grade

A non-repeatable course in which a grade of C/P/CR or better is earned may not be repeated except as allowed under special circumstances (see [AP 4227](#)). Students are permitted a total of three enrollment attempts to achieve a standard (passing) grade. This rule applies to courses taken at any regionally accredited college, in which the student received a substandard grade as defined above. Once a passing grade of C/P/CR or better is received, he or she may not repeat the course again under this section. However, repetition may be allowable under special circumstances as defined below and in [AP 4227](#).

A student who has taken a class three times and received a substandard grade each time may petition to take the class again. The petition must state verifiable extenuating circumstances that affected the student's past performance in the class and/or additional steps the student has taken to prepare to succeed in the petitioned course. Approved repetitions beyond the third attempt may not be claimed for apportionment. For purposes of this section, extenuating circumstances are verifiable cases of illness, accident, or other circumstances beyond the control of the student.

In order to identify acceptable equivalencies in course and grading scale, course comparability shall be determined chiefly by content, as defined in the catalog course description, and not by course title or units.

The first two substandard grades will be excluded from the student's grade point average calculations if the student enrolls in and completes the class two or more times. The student's

permanent record shall be annotated in such a manner that all work remains legible, ensuring a true and complete academic history.

If a student repeats a repeatable course in which a substandard grade has been recorded, the substandard grade and credit may be disregarded provided that no additional repetitions are permitted beyond those limits specified in 55041(c)(6). No more than two substandard grades may be alleviated pursuant to this section.

A student who receives a substandard grade in a course that was approved for repetition due to a significant lapse of time will be permitted to utilize the grade alleviation process described in this section when the course in question is not designated as repeatable.

In determining the transfer of a student's credits, similar prior course repetition actions by other accredited colleges and universities shall be honored.

Apportionment may be claimed for a maximum of three enrollment attempts to achieve a standard (passing) grade.

COURSE REPETITION ALLOWED UNDER SPECIAL CIRCUMSTANCES

Course Repetition Due to Significant Lapse of Time

Students may petition only one time to repeat a course in which a standard (passing) grade has already been awarded providing that ~~one of~~ the following conditions has been met:

The course was successfully completed more than three years prior, and:

~~a) is required as a part of the student's designated educational goal and/~~ the district has established a recency prerequisite for the course or

~~b) is in a sequence of courses based on prerequisites, or another institution of higher education to which the student seeks to transfer has established a recency requirement which the student will not be able to satisfy without repeating the course in question. A student may petition to repeat a course where less than 3 years has elapsed if documents show that repetition is necessary for the student's transfer to the institution of higher education.~~

~~2. Another institution of higher education to which the student seeks to transfer has established a recency requirement which the student will not be able to satisfy without repeating the course in question.~~

~~If it is determined that an allowable course needs to be repeated pursuant to this section, the repetition shall count toward the maximum number of enrollments that are allowed, except that if the student has already exhausted the activity course limitation, one additional repetition can be permitted due to lapse of time.~~

~~If it is determined that a student needs to repeat a repeatable active participatory course in physical education/ kinesiology or visual or performing arts, or an active participatory experience course that is related in content (defined as a "family" of courses") due to a significant lapse of time, that repetition shall count toward the maximum number of enrollments that are allowed, except that if the student has already exhausted the allowable course limitation, one additional repetition can be permitted due to lapse of time.~~

~~An active participatory course is one in which "individual study or group assignments are the basic means by which learning objectives are obtained."(55000(a))~~

When a course is repeated pursuant to this section, both grades and credits will be included in the calculations of the grade point average.

The attendance of a student repeating a course due to lapse of time may be claimed only one time for apportionment funding.

Course Repetition Due to Extenuating Circumstances

Students may petition to repeat a course that is not designated as a repeatable course based on a finding that the student's previous grade (whether substandard or passing) was, at least in part, the result of extenuating circumstances. Extenuating circumstances are verified cases of accidents, illness, or other circumstances beyond the control of the student.

Petitions for course repetition under this section must be approved in writing by the appropriate designated administrator.

When a course is repeated pursuant to this section, the previous grade and credit will be excluded from the calculations of the grade point average, provided that no more than two substandard grades are excluded by course repetition.

The attendance of a student repeating a credit course by approved petition pursuant to this section may be claimed for apportionment funding for a maximum of one time.

Repetition of Variable Unit, Open Entry/Open Exit Courses

Students may enroll in a variable unit, open entry/open exit course as many times as necessary to complete one time the entire curriculum of the course as described in the course outline of record, but may not repeat any portion of the curriculum for the course unless:

1. the course is required for legally mandated training;
2. the course is a special class for students with disabilities which the student needs to repeat as a verified disability-related accommodated;
3. repetition of the course to retake a portion of the curriculum is justified by verified extenuating circumstances; or
4. the student wishes to repeat the course to alleviate substandard work recorded for a portion of the curriculum.

Students repeating a portion of a course pursuant to this section are subject to the repetition limitations applicable to repeatable courses.

When a course is repeated pursuant to this section, the previous grade and credit will be excluded from the calculations of grade point average.

~~Course Repetition Allowed Absent Substandard Academic Work~~

~~As defined and explained in [AP 4227](#), students may be allowed to repeat credit courses under the following special circumstances:~~

~~**Legally Mandated Training Requirement:** Students may, with certification, repeat a course when repetition is necessary to enable the student to meet a legally mandated training requirement as a condition of continued volunteer or paid employment.~~

~~**Significant Change in Industry or Licensure Standards:** Students may petition to repeat a course needed for employment or licensure because of a significant change in industry or licensure standards. Students may take these courses any number of times.~~

Courses Designated as Repeatable: ~~Students may repeat courses that have been designated as repeatable for a maximum of three times providing the course meets the required criteria.~~

Repetition of Special Classes: ~~Students with disabilities may petition to repeat a special class for students with disabilities any number of times based on an individualized determination verifies that such repetition is required as a disability-related accommodation.~~

Repetition of Special Classes for Students with Disabilities

Students with disabilities can repeat a special class for students with disabilities any number of times when an individualized determination verifies that such repetition is required as a disability-related accommodation. Such determination will generally be provided by a qualified instructor or academic counselor. The individualized determination must verify one of the following conditions:

- The success of the student in other general and/or special classes is dependent on additional repetitions of the specific special class in question;
- Additional repetitions of the special class in question are essential to completing the student's preparation for enrollment into other regular or special classes; or
- The student has a student educational contract which involves a goal other than completion of the special class in question and repetition of the course will further achievement of that goal.

The attendance of a student with a disability may be claimed for state apportionment each time the student repeats a special class as a disability-related accommodation which is justified by one of the circumstances noted above. When a grade is received pursuant to this section, the grade received each time will be included in the calculations of grade point average.

Repetition of Cooperative Work Experience Education Courses

Students are allowed to repeat a cooperative work experience course if a college only offers one course in cooperative work experience. Where only one work experience course is offered, students may be permitted to repeat this course any number of times as long as they do not exceed the limits on the number of units of cooperative work experience set forth in Title 5, Section 55253(a), 55252(a), and 55252 (b).

Occupational work experience and general work experience are types of cooperative work experience. (§ 55252.) Occupational work experience "is supervised employment extending classroom occupational learning at an on-the-job learning station relating to the students' educational or occupational goal." (§ 55252(b).) General work experience, on the other hand, does not have to be related to the students' education goals but is supervised employment that helps the student acquire "desirable work habits, attitudes and career awareness." (§ 55252(a).)

Significant Change in Industry or Licensure Standards: Students may petition to repeat a course needed for employment or licensure because of a significant change in industry or licensure standards. Students may take these courses any number of times.

Refer to AP 4227 for information on course repetition allowed absent substandard academic work.

DTRW-SS

February 27, 2014

BP/AP 4227

Course Repetition Absent Substandard
Academic Work

(Academic Senates to return with feedback from 1.23.14 meeting)



Book VCCCD Board Policy Manual
Section Chapter 4 Academic Affairs
Title BP 4227 COURSE REPETITION ABSENT SUBSTANDARD ACADEMIC WORK
Number BP 4227
Status Active
Legal [Title 5, Section 58161](#)
[Title 5, Section 56029](#)
[Title 5, Section 55253](#)
[Title 5, Section 55042](#)
[Title 5, Section 55041](#)
Adopted June 19, 2012
Last Reviewed June 19, 2012

Under special circumstances, students may repeat courses in which a C/P (C=Satisfactory/P=Pass) or better grade was earned, or regardless of whether substandard academic work has been recorded.

The Chancellor shall, in consultation with the Academic Senates, establish administrative procedures to implement this policy.

See [Administrative Procedure 4227](#).

Last Modified by Laurie Nusser on July 2, 2012

VCCCD Administrative Procedure Manual

Section

Chapter 4 Academic Affairs

Title

AP 4227 ~~COURSE REPETITION ABSENT SUBSTANDARD ACADEMIC WORK~~—Repeatable Courses

Number

AP 4227

Status

Active

Legal

[Title 5, Section 58161](#)

[Title 5, Section 56029](#)

[Title 5, Section 55253](#)

[Title 5, Section 55045](#)

[Title 5, Section 55042](#)

[Title 5, Section 55041](#) et seq.

[Title 5, Section 55000\(1\)](#)

[Title 5, Section 55040](#)

[Title 5, Section 55252](#)

~~[Title 5, Section 55252](#)~~

Adopted

June 16, 2010

Last Reviewed

June 19, 2012

Under special circumstances, students may repeat courses in which a C/P or better grade was earned, or regardless of whether substandard academic work has been recorded.

Legally Mandated Training Requirement

Students are allowed to repeat a course when repetition is necessary to enable that student to meet a legally mandated training requirement as a condition of continued volunteer or paid employment. Students may repeat such courses any number of times, even if they received a grade of C/P or better; however, the grade received by the student each time will be included in calculations of the student's grade point average. Students will be required to certify the legally mandated training requirement for their continued volunteer or paid employment status.

The term "legally mandated" is interpreted to mean "required by statute or regulation," and excludes administrative policy or practice.

Legally mandated training courses will conform to all attendance accounting, course approval, and other requirements imposed by applicable provisions of law.

The attendance of students in legally mandated training may be claimed for state apportionment without limitation.

Courses Designated as Repeatable

~~Repeatable courses will be so designated in the colleges' catalogs. Courses that are designated as repeatable include:~~

~~A course may be designated as repeatable if it meets the following criteria:~~

- ~~• The course content differs each time it is offered, or~~
- ~~• The course may qualify as an activity course where the student meets course objectives by repeating a similar primary educational activity and gains an expanded educational experience each time the course is repeated because:
 - ~~a) Skills or proficiencies are enhanced by supervised repetition and practice within class periods; or~~
 - ~~b) Active participatory experience in individual study or group assignments is the basic means by which learning objectives are obtained.~~~~
- ~~• Activity courses which may qualify as repeatable courses meeting the requirements of paragraph (2)(B) of this subdivision include, but are not limited to the following:
 - ~~a) Physical education courses; or~~
 - ~~b) Visual or performing arts courses in music, fine arts, theater or dance.~~~~

~~Courses designated as repeatable shall be identified in the college catalog. The District will devise and implement a mechanism for the proper monitoring of such repetitions, including the determination and certification that each identified course meets the criteria specified in Title 5, Section 55041c.~~

~~Students may enroll in courses that have been designated as repeatable for not more than four semesters. For purposes of this administrative procedure, summer or other intercessions count toward the maximum number of repetitions allowed. When a course is repeated pursuant to this section, the grade received each time will be included in the calculations of grade point average.~~

~~Where the colleges establish several levels of courses which consist of similar educational activities, repetition limitations applicable to this section apply to all levels of such courses. (Example: PE 1A, PE 1B and PE 1C may be taken in any combination a maximum of four times.) Visual and performing arts courses in music, fine arts, theater, or dance, which are part of a sequence of transfer courses are not subject to this limitation.~~

~~The attendance of students in credit activity courses may be claimed for apportionment for a maximum of four semester enrollments inclusive of summer and other intercessions. This limitation applies even if the student receives a substandard grade for one or more of the enrollments in such a course or petitions for repetition due to special circumstances as defined herein and by Title 5, Section 55045.~~

~~Courses that can be repeated will be so designated in the colleges' catalogs. A course may be designated as repeatable if it meets the following criteria:~~The three types of courses that may be designated as repeatable;

- ~~1) Repetition of a course is necessary to meet the major requirements of California State University (CSU) or University of California (UC) for completion of a bachelor's degree (supporting documentation required)~~

Certain CSU or UC campuses may require students to repeat a specified course as part of the requirements for a specific major. Once the course is properly designated as repeatable, then any student eligible to enroll in that course can enroll in that course multiple times. While the particular course may require the student to meet other eligibility requirements, such as an applicable prerequisite or corequisite, the student does not have to intend to transfer to UC or CSU to enroll in a course that has been properly designated as repeatable.

2) Intercollegiate Athletics course

Intercollegiate athletic courses are limited to the following:

- those courses in which student athletes are enrolled to participate in an organized competitive sport sponsored by the district, or
- a conditioning course which supports the organized competitive sport. (§ 55000(q).)

These types of courses are intended to be narrowly construed, meaning the course is either the one that the athlete must be enrolled in to participate in the sport that is sponsored by the district or the course that is devoted to conditioning the athlete to safely participate in the competitive sport.

3) Intercollegiate academic or vocational competition course

Intercollegiate academic or vocational competition courses are very narrowly defined as courses that meet the following criteria:

- the course must be designed **specifically** for participation in non-athletic competitive events,
- the competition must be between students from different colleges,
- the competition must be sanctioned by a **formal** collegiate or industry governing body, **AND**
- the participation in the event must be directly related to the course as specified in the course content and objectives pursuant to subdivisions (a) or (b) of section 55002.

Courses designated as repeatable shall be identified in the course descriptions in the college catalog. The district will devise and implement a mechanism for the proper monitoring of such repetitions, including the determination and certification that each identified course meets the criteria specified in Title 5 Section 55041c., 58161., 55041(a)(1), 55041(a)(2), 55041(a)(3).

Students may enroll in courses that have been designated as repeatable for not more than four semesters. For purposes of this administrative procedure, summer or other intersessions count toward the maximum number of repetitions allowed. For purposes of this administrative procedure, withdrawals count toward the maximum number of repetitions allowed. When a course is repeated pursuant to this section, the grade received each time will be included in the calculations of grade point average.

Where the colleges establish levels of courses that are related in content (e.g. families of courses that consist of similar primary educational activities in which skill levels or variations are separated into distinct courses with different student learning outcomes for each level or variation) enrollment is limited to a maximum of four times inclusive of "W" grades.

The attendance of students in credit activity courses may be claimed for apportionment for a maximum of four semester enrollments inclusive of summer and other intersessions. This limitation applies even if the student receives a substandard grade, or a "W" grade, for one or more of the enrollments in such a course or petitions for repetition due to special circumstances as defined herein and by Title 5 Section 55045.

Repetition of Special Classes for Students with Disabilities

~~Students with disabilities can repeat a special class for students with disabilities any number of times when an individualized determination verifies that such repetition is required as a disability-related accommodation. Such determination will generally be provided by a qualified instructor or academic counselor. The individualized determination must verify one of the following conditions:~~

- ~~• The success of the student in other general and/or special classes is dependent on additional repetitions of the specific special class in question;~~
- ~~• Additional repetitions of the special class in question are essential to completing the student's preparation for enrollment into other regular or special classes; or~~
- ~~• The student has a student educational contract which involves a goal other than completion of the special class in question and repetition of the course will further achievement of that goal.~~

~~The attendance of a student with a disability may be claimed for state apportionment each time the student repeats a special class as a disability-related accommodation which is justified by one of the circumstances noted above. When a grade is received pursuant to this section, the grade received each time will be included in the calculations of grade point average.~~

Repetition of Cooperative Work Experience Education Courses

~~Students are allowed to repeat a cooperative work experience course if a college only offers one course in cooperative work experience. Where only one work experience course is offered, students may be permitted to repeat this course any number of times as long as they do not exceed the limits on the number of units of cooperative work experience set forth in Title 5, Section 55253(a), 55252(a), and 55252 (b).~~

~~Occupational work experience and general work experience are types of cooperative work experience. (§ 55252.) Occupational work experience "is supervised employment extending classroom occupational learning at an on-the-job learning station relating to the students' educational or occupational goal." (§ 55252(b).) General work experience, on the other hand, does not have to be related to the students' education goals but is supervised employment that helps the student acquire "desirable work habits, attitudes and career awareness." (§ 55252(a).)~~

~~**Significant Change in Industry or Licensure Standards:** Students may petition to repeat a course needed for employment or licensure because of a significant change in industry or licensure standards. Students may take these courses any number of times.~~

~~See AP 4225 for information on course repetition to alleviate student coursework.~~

DTRW-SS

February 27, 2014

BP/AP 5150

EOPS

(CCLC version of administrative procedure
requires modification to include all items required by law)



Book	VCCCD Board Policy Manual
Section	Chapter 5 Student Services
Title	BP 5150 EXTENDED OPPORTUNITY PROGRAMS AND SERVICES
Number	BP 5150
Status	Active
Legal	Education Code 69640 – 69656; Title 5 Sections 56200 et seq.
Adopted	April 18, 2006

Categorical support services and programs that are in addition to the traditional student services programs shall be provided in order to assist students who have language, social, and economic disadvantages to succeed academically in the District.

The Extended Opportunity Programs and Services (EOPS) is established to provide services that may include, but are not limited to, outreach, recruitment, orientation, assessment, tutorial services, counseling and advising, and financial aid.

The Chancellor shall assure that the EOPS program conforms to all requirements established by the relevant law and regulations.



**COMMUNITY COLLEGE LEAGUE
OF CALIFORNIA**

Book Administrative Procedures
 Section Chap 5 Student Services
 Title Extended Opportunity Programs and Services
 Number AP 5150
 Status Active
 Legal Education Code Sections 69640-69656
Title 5 Sections 56200 et seq.
 Adopted November 1, 2000

REVIEW EOPS
 COORDINATOR

AP 5150 Extended Opportunity Programs and Services

References:

Education Code Sections 69640-69656;
 Title 5 Sections 56200 et seq.

Note: *This procedure is **legally required**. Local practice may be inserted. Insert local administrative procedures here and/or reference the EOPS Plan. At a minimum, the procedures, plan, or description of the program and services must address:*

- Staffing and program management
- Documentation and data collection system
- An EOPS advisory committee
- A full time director
- Eligibility criteria
- Student responsibility requirements
- Recruitment and outreach services
- Cognitive and non-cognitive assessment, advising, orientation services and registration assistance
- Basic skills instruction, seminars, and tutorial assistance
- Counseling and retention services
- Career employment services
- Transfer services
- Direct aid.
- Establishment of objectives to achieve the goals in implementing extended opportunity programs and services.
- Review and evaluation of the programs and services and submission of related reports.

DTRW-SS

February 27, 2014

BP/AP 5500

Standards of Conduct

(new versions from 1.23.14 under review by Academic Senates – No AP in BoardDocs)



Book VCCCD Board Policy Manual
Section Chapter 5 Student Services
Title BP 5500 STANDARDS OF CONDUCT
Number BP 5500
Status Active
Legal Education Code Section 66300; Accreditation Standard II.A.7.b
Adopted April 13, 2010
Last Reviewed ~~March 11, 2010~~January 2014

The Chancellor shall establish procedures for the imposition of discipline on students in accordance with the requirements for due process of the federal and state law and regulations.

The procedures shall clearly define the conduct that is subject to discipline, and shall identify potential disciplinary actions, including but not limited to the removal, suspension or expulsion of a student.

The Board shall consider any recommendation from the Chancellor for expulsion. The Board shall consider an expulsion recommendation in closed session unless the student requests that the matter be considered in a public meeting. Final action by the Board on the expulsion shall be taken at a public meeting.

The procedures shall be made widely available to students through the college catalog and other means. Students who violate any of the following standards for student conduct while at the District, on the college campus or ~~at on or during~~ off-campus college-sponsored activities are subject to the procedures outlined in Administrative Procedures 5520: Student Discipline Procedures:

1. Causing, attempting to cause, or threatening to cause physical injury to another person or to one's self.
2. Possession, sale or otherwise furnishing a weapon, including but not limited to, any actual or facsimile of a firearm, knife, explosive or other dangerous object, or any item used to threaten bodily harm without written permission from a district employee, with concurrence of the College President or designee.
3. Use, possession, distribution, or offer to sell alcoholic beverages, narcotics, hallucinogenic drugs, marijuana, other controlled substances or dangerous drugs while on campus or while participating in any college-sponsored event.
4. Presence on campus while under the influence of alcoholic beverages, narcotics, hallucinogenic drugs, marijuana, other controlled substances or dangerous drugs except as expressly permitted by law. (Use or possession of medical marijuana is not allowed on any college property.)
5. Committing or attempting to commit robbery or extortion.
6. Causing or attempting to cause damage to District property or to private property on campus.
7. Stealing or attempting to steal District property or private property on campus, or knowingly receiving stolen District property or private property on campus.
8. Willful or persistent smoking (including e-cigarettes or use of similar mechanisms) in any area where smoking has been prohibited by law or by regulation of the college or the District.

DTRW-SS review 1.23.14

DTRW-SS review 2.27.14

9. Engaging in intimidating conduct or bullying against another student through words or actions, including direct physical contact, verbal assaults, such as teasing or name-calling, social isolation or manipulation, and cyber-bullying.

10. Engaging in harassing or discriminatory behavior. The District's response to instances of sexual harassment will follow the processes identified in Board Policy and Administrative Procedures 3430.-

11. Obstruction or disruption of classes, administrative or disciplinary procedures, or authorized college activities.

12. Disruptive behavior, willful disobedience, profanity, vulgarity, lewd, or other offensive conduct, on campus or during campus sponsored activities.

13. The persistent defiance of authority or abuse of District/college personnel.

14. Academic dishonesty, cheating, or plagiarism.

15. Dishonesty, forgery, alteration or misuse of District/college documents, records or identification, or knowingly furnishing false information to the District/college or any related off-site agency or organization.

16. Unauthorized entry to or use of District/college facilities.

17. Engaging in expression which is obscene, libelous, or slanderous, or which so incites students as to create a clear and present danger of the commission of unlawful acts on college/District premises, or the violation of lawful District administrative procedures, or the substantial disruption of the orderly operation of the District

18. Violation of District/college rules and regulations including those concerning student organizations, the use of District/college facilities, or the time, place, and manner (see AP ????) of public expression or distribution of materials.

Comment [pe1]: Need to add the AP #

19. Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.

20. Unauthorized preparation, giving, selling, transfer, distribution, or publication of any recording or photography of an academic presentation in a classroom or equivalent site of instruction, including but not limited to written class materials, except as permitted by District policy, or administrative procedure.

21. Violation of professional ethical code of conduct in classroom or clinical settings as identified by state licensing agencies (Board of Registered Nursing, Emergency Medical Services Authority, Title 22, Peace Officers Standards & Training, California Department of Public Health). Students who engage in any of the above are subject to the procedures outlined in AP 5520.

~~1. Causing, attempting to cause, or threatening to cause physical injury to another person or to one's self.~~

~~2. Possession, sale or otherwise furnishing a weapon, including but not limited to, any actual or facsimile of a firearm, knife, explosive or other dangerous object, or any item used to threaten bodily harm without written permission from a district employee, with concurrence of the College President.~~

~~3. Use, possession (except as expressly permitted by law), distribution, or offer to sell alcoholic beverages, narcotics, hallucinogenic drugs, marijuana, other controlled substances or dangerous drugs while on campus or while participating in any college-sponsored event.~~

~~4. Presence on campus while under the influence of alcoholic beverages, narcotics, hallucinogenic drugs, marijuana, other controlled substances or dangerous drugs except as expressly permitted by law.~~

~~5. Committing or attempting to commit robbery or extortion.~~

~~6. Causing or attempting to cause damage to District property or to private property on campus.~~

~~7. Stealing or attempting to steal District property or private property on campus, or knowingly receiving stolen District property or private property on campus.~~

~~8. Willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of the~~

DTRW-SS review 1.23.14

DTRW-SS review 2.27.14

college or the District.

~~9. Engaging in harassing or discriminatory behavior. The District's response to instances of sexual harassment will follow the processes identified in Board Policy and Administrative Procedures 3430.~~

~~10. Obstruction or disruption of classes, administrative or disciplinary procedures, or authorized college activities.~~

~~11. Disruptive behavior, willful disobedience, profanity, vulgarity or other offensive conduct, or the open and persistent defiance of the authority of, or persistent abuse of, District/college personnel in performance of their duties.~~

~~12. Academic dishonesty, cheating, or plagiarism.~~

~~13. Forgery; alteration or misuse of District/college documents, records or identification; or knowingly furnishing false information to the District/college or any related off-site agency or organization.~~

~~14. Unauthorized entry to or use of District/college facilities.~~

~~15. Violation of district/college rules and regulations including those concerning student organizations, the use of District/college facilities, or the time, place, and manner of public expression or distribution of materials.~~

~~16. Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.~~

~~17. Unauthorized preparation, giving, selling, transfer, distribution, or publication of any recording of an academic presentation in a classroom or equivalent site of instruction, including but not limited to written class materials, except as permitted by District policy, or administrative procedure.~~

~~18. Violation of professional ethical code of conduct in classroom or clinical settings as identified by state licensing agencies (Board of Registered Nursing, Emergency Medical Services Authority, Title 22, Peace Officers Standards & Training, California Department of Public Health). Students who engage in any of the above are subject to the procedures outlined in AP 5520.~~

See Administrative Procedure 5500.

[DTRW-SS review 1.23.14](#)

[DTRW-SS review 2.27.14](#)



Book VCCCD Board Policy Manual
Section Chapter 5 Student Services
Title ABP 5500 STANDARDS OF CONDUCT Number
Status Active
Legal Education Code Section 66300; Accreditation Standard II.A.7.b
Adopted ~~April 13, 2010~~
Last Reviewed ~~March 11, 2010~~ January 2014

Comment [pe1]: Can this be called "Student Code of Conduct"?

AP 5500 Standards of Conduct

NOTE: The Code of Conduct as written below should match what is in BP 5500

References:

Education Code Sections

66300 and 66301;

Accreditation Standard II.A.7.b

Definitions: The following conduct shall constitute good cause for discipline, including but not limited to the removal, suspension or expulsion of a student.

~~The Chancellor shall establish procedures for the imposition of discipline on students in accordance with the requirements for due process of the federal and state law and regulations.~~

~~The procedures shall clearly define the conduct that is subject to discipline, and shall identify potential disciplinary actions, including but not limited to the removal, suspension or expulsion of a student.~~

~~The Board shall consider any recommendation from the Chancellor for expulsion. The Board shall consider an expulsion recommendation in closed session unless the student requests that the matter be considered in a public meeting. Final action by the Board on the expulsion shall be taken at a public meeting.~~

The procedures shall be made widely available to students through the college catalog and other means. Students who violate any of the following standards for student conduct while at the district office, on the college campus or during at on or off-campus college-sponsored activities are subject to the procedures outlined in Administrative Procedures 5520: Student

DTRW-SS review 1.23.14

DTRW-SS review 2.27.14

Discipline Procedures:

~~1.~~ Causing, attempting to cause, or threatening to cause physical injury to another person or to one's self.

~~1.~~

~~2.~~ Possession, sale or otherwise furnishing a weapon, including but not limited to, any actual or facsimile of a firearm, knife, explosive or other dangerous object, or any item used to threaten bodily harm without written permission from a district employee, with concurrence of the College President or designee.

~~2.~~

~~3.~~ Use, possession, ~~(except as expressly permitted by law)~~, distribution, or offer to sell alcoholic beverages, narcotics, hallucinogenic drugs, marijuana, other controlled substances or dangerous drugs while on campus or while participating in any college-sponsored event.

~~3.~~

~~4.~~ Presence on campus while under the influence of alcoholic beverages, narcotics, hallucinogenic drugs, marijuana, other controlled substances or dangerous drugs except as expressly permitted by law. (Use or possession of medical marijuana is not allowed on any college property.)

~~4.~~

~~5.~~ Committing or attempting to commit robbery or extortion.

~~5.~~

~~6.~~ Causing or attempting to cause damage to District property or to private property on campus.

~~6.~~

~~7.~~ Stealing or attempting to steal District property or private property on campus, or knowingly receiving stolen District property or private property on campus.

~~7.~~

~~8.~~ Willful or persistent smoking (including e-cigarettes or use of similar mechanisms) in any area where smoking has been prohibited by law or by regulation of the college or the

~~District.~~

~~8.~~ 9. Engaging District.

9. Engaging in intimidating conduct or bullying against another student through words or actions, including direct physical contact, verbal assaults, such as teasing or name-calling, social isolation or manipulation, and cyber-bullying.

10. Engaging in harassing or discriminatory behavior. The District's response to

[DTRW-SS review 1.23.14](#)

[DTRW-SS review 2.27.14](#)

instances of sexual harassment will follow the processes identified in Board Policy and Administrative Procedures 3430.

—

~~10.~~ Obstruction or disruption of classes, administrative or disciplinary procedures, or authorized college activities.

11.

—

~~12.~~ ~~11.~~ Disruptive behavior, willful disobedience, profanity, vulgarity, lewd, or other offensive conduct, or the open and persistent defiance of the authority on campus or during campus sponsored activities of, or

~~The persistent defiance of authority or persistent~~ abuse of, District/college personnel in performance of their duties.

13.

—

~~12.~~ Academic dishonesty, cheating, or plagiarism.

14.

—

~~13.~~ ~~Dishonesty, f~~Forgery, alteration or misuse of District/college documents, records or identification, or knowingly furnishing false information to the District/college or any related off-site agency or organization.

15.

—

~~16.~~ ~~14.~~ Unauthorized entry to or use of District/college facilities.

Engaging in expression which is obscene, libelous, or slanderous, or which so incites students as to create a clear and present danger of the commission of unlawful acts on college/District premises, or the violation of lawful District administrative procedures, or the substantial disruption of the orderly operation of the District

17.

~~18.~~ ~~15.~~ Violation of District/college rules and regulations including those concerning student organizations, the use of District/college facilities, or the time, place, and manner (see AP ????) of public expression or distribution of materials.

~~District/college facilities, or the time, place, and manner of public expression or distribution of materials.~~

Comment [pe2]: Need to add the AP #

~~19.~~ ~~16.~~ Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.

[DTRW-SS review 1.23.14](#)

[DTRW-SS review 2.27.14](#)

~~20.17.~~ Unauthorized preparation, giving, selling, transfer, distribution, or publication of any recording or photography of an academic presentation in a classroom or equivalent site of instruction, including but not limited to written class materials, except as permitted by District policy, or administrative procedure.

~~21.18.~~ Violation of professional ethical code of conduct in classroom or clinical settings as identified by state licensing agencies (Board of Registered Nursing, Emergency Medical Services Authority, Title 22, Peace Officers Standards & Training, California Department of Public Health). Students who engage in any of the above are subject to the procedures outlined in AP 5520.

See ~~Administrative Procedure~~Board Policy 5500.

[DTRW-SS review 1.23.14](#)

[DTRW-SS review 2.27.14](#)

DTRW-SS

February 27, 2014

BP/AP 5520

Discipline Procedure

(new versions from 1.23.14 under review by Academic Senates – No BP in BoardDocs)



Book VCCCD Board Policy Manual

Section Chapter 5

Title Student Services-Student Discipline Procedures

Number BP 5520

Status Active

Legal [Education Code Section 66300](#)
[Education Code Section 72122](#)
[Education Code Section 76030](#)

Adopted PROPOSED

Last Reviewed

The Chancellor shall establish Student Disciplinary Procedures.

See Administrative Procedure AP 5520.



Book	VCCCD Administrative Procedure Manual
Section	Chapter 5 Student Services
Title	AP 5520 STUDENT DISCIPLINE PROCEDURE
Number	AP 5520
Status	Active
Legal	Reference: Education Code Section 66300, 66301 , 72122, 76030, 76033 , 76232
Adopted	June 16, 2010
Last Reviewed	June 9, 2010 January 2014

The purpose of this procedure is to provide a prompt and equitable means to address violations of the Student Code of Conduct, which provides to the student or students involved appropriate due process rights. This procedure will be applied in a fair and equitable manner, and not for purposes of retaliation. It is not intended to substitute for criminal or civil proceedings that may be initiated by other agencies.

These Administrative Procedures are not intended to infringe in any way on the rights of students to engage in free expression as protected by the state and federal constitutions, and by Education Code Sections 66301 and 76120, and will not be used to punish expression that is protected.

Student conduct must conform to the Student Code of Conduct established by the Governing Board of the Ventura County Community College District in collaboration with college administrators and students. Violations of such rules are subject to disciplinary actions which are to be administered by appropriate college authorities. The Ventura County Community College District has established procedures for the administration of the penalties enumerated here. College authorities will determine the appropriate penalty(ies).

Definitions of key terms:

Chief Student Services Officer (CSSO). A college's Executive Vice President ~~or Vice President of Student Services~~, or designee.

Day. ~~Days during which the District is in session and primary term classes are in session, excluding Saturdays and Sundays.~~

~~A calendar day, unless otherwise specified in this procedure. If the final day to take any action required by this procedure falls on a Saturday, Sunday, or other day that the administrative office of the District are closed, the date for such action shall be extended to the next business day. Similarly, if the final day to take any action required by this policy occurs during summer session, or during an intersession, but the basis for discipline arose during an academic term prior to that summer or intersession, the final day to take any required action shall be extended to the first business day of the next academic term.~~

District. The Ventura County Community College District.

Good cause for disciplinary action. As used in this procedure, "good cause" for disciplinary action includes

~~DTRW-SS review 1.23.14-with revisions made in meeting – further revisions to paragraph for Short Term Suspension to be made by Pat Ewins highlighted in yellow~~

any violation of the VCCCD Student Code of Conduct as set forth in Board Policy 5500 and Education Code section 76033, when the conduct is related to college activity or college attendance, ~~including but not limited to:~~

- ~~1. Causing, attempting to cause, or threatening to cause physical injury to another person or to one's self.~~
- ~~2. Possession, sale or otherwise furnishing a weapon, including but not limited to, any actual or facsimile of a firearm, knife, explosive or other dangerous object, or any item used to threaten bodily harm without written permission from a District employee, with concurrence of the College President.~~
- ~~3. Use, possession (except as expressly permitted by law), distribution, or offer to sell alcoholic beverages, narcotics, hallucinogenic drugs, marijuana, other controlled substances or dangerous drugs while on campus or while participating in any college-sponsored event.~~
- ~~4. Presence on campus while under the influence of alcoholic beverages, narcotics, hallucinogenic drugs, marijuana, other controlled substances or dangerous drugs except as expressly permitted by law.~~
- ~~5. Committing or attempting to commit robbery or extortion.~~
- ~~6. Causing or attempting to cause damage to District property or to private property on campus.~~
- ~~7. Stealing or attempting to steal District property or private property on campus, or knowingly receiving stolen District property or private property on campus.~~
- ~~8. Willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of the college or the District.~~
- ~~9. Engaging in harassing or discriminatory behavior. The District's response to instances of sexual harassment will follow the processes identified in Board Policy and Administrative Procedures 3430.~~
- ~~10. Obstruction or disruption of classes, administrative or disciplinary procedures, or authorized college activities.~~
- ~~11. Disruptive behavior, willful disobedience, profanity, vulgarity or other offensive conduct, or the open and persistent defiance of the authority of, or persistent abuse of, District/college personnel in performance of their duties.~~
- ~~12. Academic dishonesty, cheating, or plagiarism.~~
- ~~13. Forgery; alteration or misuse of District/college documents, records or identification; or knowingly furnishing false information to the District/college or any related off-site agency or organization.~~
- ~~14. Unauthorized entry to or use of District/college facilities.~~
- ~~15. Violation of District/college rules and regulations including those concerning student organizations, the use of District/college facilities, or the time, place, and manner of public expression or distribution of materials.~~
- ~~16. Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.~~
- ~~17. Unauthorized preparation, giving, selling, transfer, distribution, or publication of any recording of an academic presentation in a classroom or equivalent site of instruction, including but not limited to written class materials, except as permitted by District policy, or administrative procedure.~~
- ~~18. Violation of professional ethical code of conduct in classroom or clinical settings as identified by state licensing agencies (Board of Registered Nursing, Emergency Medical Services Authority, Title 22, Peace Officers Standards & Training, California Department of Public Health).~~

~~For purposes of student discipline under this procedure, conduct is related to college activity or college attendance if it occurs during or in conjunction with any program, activity, or event connected with District coursework, sponsored or sanctioned by the District or a college of the District, or funded in whole or in part by the District or college, whether the activity or event occurs on or off campus or during or outside of instructional hours.~~

~~Instructor/Faculty. Any academic employee of the District in whose class a student subject to discipline is~~

~~DTRW-SS review 1.23.14-with revisions made in meeting – further revisions to paragraph for Short Term Suspension to be made by Pat Ewins highlighted in yellow~~

~~enrolled, or counselor who is providing or has provided services to the student, or other academic employee~~ who has responsibility for the student's educational program.

Student. Any person currently enrolled as a student at any college or in any program offered by the District.

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

Definitions of types of discipline listed in order of severity

The following sanctions may be imposed upon any student found to have violated the ~~standards of student conduct~~ Student Code of Conduct. The selection of the degree of severity of sanction to be imposed shall be commensurate with the severity of offense. The availability of a less severe sanction does not preclude imposition of a more severe sanction in any circumstance where the more severe sanction is deemed appropriate.

Warning. Documented written or verbal notice by the CSSO, or designee, to the student that continuation or repetition of specific conduct may be cause for other disciplinary action. A warning is retained in the college discipline files for two complete academic years.

Reprimand. Written notice to the student by the CSSO, or designee, that the student has violated the ~~Standards of Student Conduct~~ Student Code of Conduct. A reprimand serves as documentation that a student's conduct in a specific instance does not meet the standards expected at the college and ~~as a warning to the student~~ that further violations may result in further more severe disciplinary sanctions. A reprimand is permanently retained in the college discipline files.

Temporary Removal from Class. Exclusion of the student by ~~an instructor~~ Faculty for good cause for the day of the removal and the next class meeting or activity. [Education Code Section 76032.]

Short-term Suspension. Exclusion of the student by the CSSO, or designee, for good cause, from one or more classes or activities for a period of up to ten (10) consecutive school days. [Education Code Sections 76030 and 76031.]

~~Disciplinary Probation and/or Temporary Ineligibility to Participate in Extracurricular Activities and/or Temporary Denial of Other Privileges. Placement of the student on probation by the College President or designee, for good cause, for a specified period of time not to exceed one academic year during which a student's fitness to continue to attend school, in light of the student's disciplinary offenses, is tested; and/or temporary exclusion of the student by the College President or designee, for good cause, from extracurricular activities for a specified period of time; and/or temporary denial of other specified privileges, by the College President or designee for good cause.~~

Immediate Interim Suspension. The College President or designee may order immediate suspension of a student where he or she concludes that immediate suspension is required to protect lives or property and to ensure the maintenance of order. In cases where an interim suspension has been ordered, the time limits contained in these procedures shall not apply, and all hearing rights, including the right to a formal hearing where a long-term suspension or expulsion is recommended, will be afforded to the student within ten (10) days. A suspended student shall be prohibited from being enrolled in any community college within the District for the period of the suspension. [Education Code Sections 66017 and 76031; cf. Penal Code Section 626.2.]

Long-term Suspension. Exclusion of the student by the College President for good cause from one or more classes and/or activities/programs, or from all classes and/or activities/programs of the college for up to the remainder of the semester and the following semester. A student suspended from all classes, and/or activities, and/or programs shall be prohibited from being enrolled in any community college within the District for the period of the suspension. [Education Code Sections 76030 and 76031.]

[DTRW-SS review 1.23.14-with revisions made in meeting – further revisions to paragraph for Short Term Suspension to be made by Pat Ewins highlighted in yellow](#)

Expulsion. Exclusion of the student by the Board of Trustees from all colleges in the District for one or more terms when other means of correction fail to bring about proper conduct, or when the presence of the student causes a continuing danger to the physical safety of the student or others. [Education Code Section 76030.]

~~In addition to the above sanctions, the sanction of restitution may be imposed upon a student, where appropriate, to compensate for loss, damage, or injury. Furthermore, the sanction of administrative hold, to prevent a student from enrolling, may be placed on a student's records by the District if a long term suspension from all classes and/or activities, or expulsion has been imposed following the formal hearing described below, or the student has failed to meet with the CSSO, or designee, regarding a pending disciplinary matter.~~

Procedures for Disciplinary Actions (listed in order of severity)

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

Warning

The CSSO or designee, upon recommendation from an instructor/Faculty or other District or college employee, shall review the report of alleged misconduct. If it is determined that there has been a violation of the Student Code of Conduct or the Education Code, the CSSO or designee will notify the student that the continuation and/or repetition of misconduct may result in more serious disciplinary action. This notification may be delivered orally or in writing. Documentation of the misconduct and/or the notice given to the student shall be retained in the District discipline files for two complete academic years. Warnings may be appealed directly to the College President. Students may not request a student conduct hearing to appeal a warning. [Cf. Education Code Section 76232 - challenging content of student records.]

Reprimand

The CSSO or designee, upon recommendation from an instructor/Faculty or other District or college employee, shall review the report of alleged misconduct. If it is determined that there has been a serious violation of the Student Code of Conduct or the Education Code, the CSSO or designee will notify the student that the continuation and/or repetition of misconduct may result in even more serious disciplinary action. This notification will be delivered in writing. Documentation of the misconduct and the written notice given to the student shall be permanently retained in the District discipline files. Reprimands may be appealed directly to the College President. Students may not request a hearing to appeal a reprimand.

Temporary Removal from Class

Any instructor/Faculty may remove a student from his or her class for good cause for the day of the removal and the next class meeting or activity. The instructor/Faculty shall immediately report the removal to his/her supervising administrator and the CSSO or designee. A meeting shall be arranged between the student and the instructor/Faculty regarding the removal prior to the day that the student is eligible to return to class. If the instructor/Faculty or the student makes the request, the CSSO or designee shall attend the meeting. The student is not allowed to return to the class for the day of removal and the next class meeting or activity without the concurrence of the instructor/Faculty. Nothing herein will prevent the CSSO or designee from recommending further disciplinary action in accordance with these procedures based on the facts that led to the removal. [Education Code Section 76032.]

Suspensions and Expulsions

Before any disciplinary action to suspend or expel is taken against a student, the following procedures will apply:

Notice. The CSSO or designee will provide the student with written notice of the conduct warranting the discipline, stating the facts on which the proposed discipline is based, and providing any evidence on which the college may rely in the imposition of discipline. ~~Evidence which may identify other students or which would~~

DTRW-SS review 1.23.14-with revisions made in meeting – further revisions to paragraph for Short Term Suspension to be made by Pat Ewins highlighted in yellow

~~result in the revelation of test questions or answers need not be provided in advance, and if feasible may be presented under circumstances which maintain the anonymity of other students, or assures the security of test questions or answers. If the student is a minor, the college may contact the student's parent or guardian regarding any disciplinary referral. The~~ notice shall be deemed delivered if it is personally served on the student, or the student's

parent or guardian if the student is a minor, or deposited in U.S. mail to the student's most recent address on file with the college. The notice will include the following:

- ~~•~~ the specific section of the ~~Standards of Student Conduct~~Student Code of Conduct or Education Code that the student is accused of violating;
- ~~•~~ a specific statement of the facts supporting the proposed discipline;
- ~~•~~ any evidence on which the college may rely in the imposition of discipline. Evidence that may identify other students or which would result in the revelation of test questions or answers need not be provided in advance. Testimony relating to students not subject to discipline may be presented in a manner that protects the anonymity or safety of the third party student. If such testimony is needed, it may be presented under circumstances that protect the safety of such students or maintains the anonymity of other students, as the hearing officer may determine to be in the interests of justice. Similarly, evidence relating to test questions or answers may be presented, if possible, only in a manner that maintains the security of test questions or answers;
- ~~•~~ the right of the student to meet with the CSSO or designee to discuss the accusation, or to respond in writing, or both;
- ~~•~~ and the level of the discipline that is being proposed.

Time limits. The notice described above must be provided to the student as soon as possible and no later than 10 ~~14~~ days from the date on which the conduct took place or became known to the CSSO or designee;

Meeting. If the student chooses to meet with the CSSO or designee, the meeting must be requested within 7 ~~5~~ days and must occur within 10 ~~14~~ days after the notice is provided. At the meeting, the student must again be told the facts leading to the accusation, and must be given an opportunity to respond orally or in writing to the accusation, or both, in order to state why the proposed disciplinary action should not be taken.

Short-term Suspension. Within 10 days after the delivery of the notice, or ~~within 10 days of a meeting if the student requests a meeting, (if requested) or within 10 days of receiving the student's statement~~ as to why the proposed disciplinary action should not be implemented, the CSSO shall decide whether to impose a short-term suspension, ~~whether~~ to impose some lesser disciplinary action, or ~~whether~~ to end the matter. Written notice of the CSSO's decision shall be provided to the student, ~~and, if the student is a minor, to the student's parent or guardian.~~ The notice will include the length of time of the suspension, or the nature of the lesser disciplinary action, as well as any conditions or limitations placed on the student during the short-term suspension. The CSSO's decision regarding a short term suspension shall be final.

~~The notice will include the right of the student to request a meeting with the College President or designee within 7 days of notification of the recommended disciplinary action. The notice shall be deemed delivered if it is personally served on the student, or the student's parent or guardian if the student is a minor, or deposited in U.S. mail to the student's most recent address on file with the college. Such meeting shall be held within 14 days after receipt of the student's written request for a meeting. Failure of the student to appear at the meeting will constitute a waiver of the student's right to a meeting. The meeting shall be conducted in any manner deemed appropriate by the College President, provided that the student is offered the opportunity to provide his or her version of events, and any evidence that supports his or her version of the events. The CSSO, or designee, may also provide evidence contradicting the student's version of the facts. If either the student~~

~~or the CSSO, or designee, is offered the opportunity to present evidence or the testimony of witnesses, the other party must be given the opportunity to cross-examine such witnesses. The meeting shall be closed and~~ DTRW-SS review 1.23.14 with revisions made in meeting – further revisions to paragraph for Short Term Suspension to be made by Pat Ewins highlighted in yellow

~~confidential, and all witnesses shall be excluded from the meeting except when testifying. Neither the student nor the CSSO, or designee, shall be entitled to representation by an attorney in this proceeding; however if the student is a minor, the student may be accompanied by his/her parent or guardian. After the conclusion of the meeting, the College President or designee shall determine whether a preponderance of evidence supports the charges against the student, and shall provide the student with written notice of his/her decision, and the factual basis therefor, within 7 days of the conclusion of the hearing. The College President's decision on a short-term suspension shall be final and shall be reported to the District's Chancellor.~~

Long-term Suspension. Within 7-10 days after the delivery of the notice, or within 7-10 days of a meeting with the CSSO, or designee, if the student requested a meeting, the College President shall, based on the recommendation from the CSSO, or designee, decide whether to impose a long-term suspension. Written notice of the College President's decision shall be provided to the student ~~and, if the student is a minor, to the student's parent or guardian. The notice shall be deemed delivered if it is personally served on the student, or the student's parent or guardian if the student is a minor, or deposited in U.S. mail to the student's most recent address on file with the college.~~ The notice will include the length of time of the proposed suspension, as well as a statement that the student will be prohibited from being enrolled in any college within the District for the period of the suspension. The notice will include the factual allegations on which the proposed suspension is based, any evidence in the possession of the District on which it will rely in support of the recommended suspension, the right of the student to request a formal hearing before a long-term suspension is imposed, and a copy of the procedures for the hearing.

Expulsion. Within 7-10 days after the delivery of the notice, or within 7-10 days of a meeting if the student requests a meeting, the College President shall, pursuant to a recommendation from the CSSO, decide whether to recommend expulsion to the Chancellor and Board of Trustees. Written notice of the College President's decision shall be provided to the student ~~and, if the student is a minor, to the student's parent or guardian. The notice shall be deemed delivered if it is personally served on the student, or the student's parent or guardian if the student is a minor, or deposited in U.S. mail to the student's most recent address on file with the college.~~ The notice will include the right of the student to request a formal hearing before expulsion is imposed, the factual allegations on which the proposed expulsion is based, any evidence in the possession of the District on which it will rely in support of the recommended suspension, and a copy of the procedures for the hearing.

In addition to the above sanctions, the sanction of restitution may be imposed upon a student, where appropriate, to compensate for loss, damage, or injury. Furthermore, the sanction of administrative hold, to prevent a student from enrolling, may be placed on a student's records by the District if a long-term suspension from all classes and/or activities, or expulsion has been imposed following the formal hearing described below, or the student has failed to meet with the CSSO, or designee, regarding a pending disciplinary matter.

Hearing Procedures for Long-term Suspension and Expulsion

Request for Hearing. Within 7-5 days after receipt of the College President's decision regarding a long-term suspension or expulsion, the student may request a formal hearing before a hearing panel. The request must be made in writing to the College President and must include a date and the signature of the student or, if the student is a minor, the student's parent or guardian. The notice shall be deemed delivered if it is personally served on the student, or the student's parent or guardian if the student is a minor, or deposited in U.S. mail to the student's most recent address on file with the college. If the request for hearing is not received within 7-5 days after the student's receipt of the College President's decision or recommendation in the case of expulsion, the student's right to a hearing shall be deemed waived.

Schedule of Hearing. The formal hearing shall be held within 204 days after a formal request for hearing is

DTRW-SS review 1.23.14-with revisions made in meeting – further revisions to paragraph for Short Term Suspension to be made by Pat Ewins highlighted in yellow

received. The parties involved will be asked to attend the hearing and will be given sufficient notice in writing as to the time and place at least 10 days prior to the hearing date. ~~Notice of the date of the hearing shall be deemed delivered if it is personally served on the student, or the student's parent or guardian if the student is a minor, or deposited in U.S. mail to the student's most recent address on file with the college.~~

Hearing Panel. The hearing panel for any disciplinary action shall be composed of one administrator, one faculty member, and one student. At the beginning of the academic year, and no later than October 1st, the College President, the president of the Academic Senate, and the Associated Students president shall each provide the names of at least two persons willing to serve on Student Disciplinary Hearing Panels. The College President, or designee, shall appoint the Hearing Panel from the names in this pool; however, no administrator, faculty member or student who has any personal involvement in the matter to be decided, who is a necessary witness, who is a relative of any party or witness, or who could not otherwise act in a neutral manner shall serve on a Hearing Panel. Upon notification of the Hearing Panel's composition, the student and the District shall each be allowed one peremptory challenge. The College President shall substitute the challenged member or members and replace them with another member of the panel pool to achieve the appropriate Hearing Panel composition. In the event the pool names are exhausted in any one category, further designees shall be submitted by the College President (for administrators), the President of the Academic Senate (for faculty), or the Associated Student President (for students). The chairperson may, by giving written notice to both parties, reschedule the hearing as necessary pending the submission of alternate designees.

A quorum shall consist of all three members of the committee.

Hearing Panel Chair. The College President, or designee, shall appoint one member of the Hearing Panel to serve as the chair. The decision of the Hearing Panel Chair shall be final on all matters relating to the conduct of the hearing unless there is a vote by both other members of the Hearing Panel to the contrary.

Hearing Process. Prior to commencement of the hearing, the members of the hearing panel shall be provided with a copy of the accusation against the student and any written response provided by the student, and all applicable student due process policies and administrative procedures. The facts supporting the accusation shall be presented by a college representative who shall be the CSSO or designee.

After consultations with the parties, in the interests of justice, a time limit on the amount of time provided for each party to present its case, or any rebuttal, may be set by the hearing panel. Formal rules of evidence shall not apply. All members of the campus community shall be bound by the student code of conduct or code of professional ethics to provide only true testimony. Witnesses who are not members of the campus community will testify under oath subject to the penalty of perjury. Any relevant evidence may be admitted at the discretion of the Hearing Panel Chair, in consultation with the Hearing Panel. Hearsay evidence will be admissible, but will be insufficient, alone, to establish a charge against the student. The Hearing Panel Chair, in consultation with the Hearing Panel, shall be responsible for determining the relevancy of presented evidence and testimony, the number of witnesses permitted to testify, and the time allocated for testimony and questioning. The Hearing Panel Chair, in consultation with the Hearing Panel, shall further be responsible for instructing and questioning witnesses on behalf of the Hearing Panel, and for dismissing any persons who are disruptive or who fail to follow instructions. If either party refuses to adhere to the instructons of the Hearing Panel Chair the right to the hearing will be deemed waived. The Hearing Panel Chair shall have the final decision on all procedural questions concerning the hearing.

Unless the Hearing Panel determines to proceed otherwise, the college representative and the student shall each be permitted to make an opening statement. Thereafter, the college representative shall make the first presentation, followed by the student. The college representative may present rebuttal evidence after the student completes his or her evidence. The burden shall be on the college representative to establish by a

DTRW-SS review 1.23.14-with revisions made in meeting – further revisions to paragraph for Short Term Suspension to be made by Pat Ewins highlighted in yellow

preponderance of the evidence that the facts alleged are true. The Hearing Panel may request legal assistance for the Panel itself through the College President. Any legal advisor provided to the Hearing Panel may be present during the hearing and in any deliberations in an advisory capacity to provide legal counsel but shall not be a member of the panel or vote with it.

Both parties shall have the right to present statements, testimony, evidence, and witnesses. Each party shall have the right to be represented by a single advisor but not a licensed attorney. The student shall, in consultation with the Hearing Panel, have the right to be served by a translator or qualified interpreter to ensure the student's full participation in the proceedings.

Hearings shall be closed and confidential. No other persons except the student and, the college representative and their non-attorney representatives and/or translators/interpreters, if any, a court reporter, if any, individual witnesses, the Hearing Panel members, and the Hearing Panel's legal counsel, if any, shall be present. Witnesses shall not be present at the hearing when not testifying, unless all parties and the Hearing Panel agree to the contrary. The rule of confidentiality shall prevail at all stages of the hearing. Moreover, the Hearing Panel members shall ensure that all hearings, deliberations, and records remain confidential in accordance with the Family Educational Rights and Privacy Act (FERPA), California Education Code Section 76200 et seq., and District Board Policies and Administrative Procedures related to the privacy of student and employee records.

The hearing shall be recorded by the District by electronic means such as audiotape, videotape, or by court reporting service and shall be the only recording made. No other recording devices shall be permitted to be used at the hearing. Any witness who refuses to be recorded shall not be permitted to give testimony. A witness who refuses to be recorded shall not be considered to be unavailable, ~~within the meaning of the rules of evidence, and therefore no exception to the hearsay rule for unavailability shall apply to such witness.~~ The Hearing Panel Chair shall, on the record, at the beginning of the hearing, ask all persons present to identify themselves by name, and thereafter shall ask witnesses to identify themselves by name. The recording shall remain the property of the District and shall remain in the custody of the District at all times, unless released to a professional transcribing service. The student may request a copy of the recording; however, any transcript of the recording requested by the student shall be provided at the student's own expense.

Following the close of the hearing, the Hearing Panel shall deliberate in closed session. These deliberations shall not be electronically recorded and the proceedings shall be confidential. Within 7-5 days following the close of the hearing, the hearing panel shall prepare and send to the College President a written decision. The decision shall include specific factual findings regarding the accusation, and shall include specific conclusions regarding whether any specific section of the Student Code of Conduct was violated. The decision shall also include a specific recommendation regarding the disciplinary action to be imposed, if any. The decision shall be based only on the record of the hearing, and not on any matters outside of that record. The record consists of the original accusation, the written response, if any, of the student, and the oral and written evidence produced at the hearing. The District shall maintain records of all Disciplinary Hearings in a secure location on District premises for a period of 7 years.

College President's Decision

Long-term suspension. Within 44-15 days following receipt of the hearing panel's recommended decision, the College President shall render a final written decision. The College President may accept, modify or reject the findings, decisions and recommendations of the hearing panel. If the College President modifies or rejects the hearing panel's decision, the College President shall review the record of the hearing, and shall prepare a new written decision that contains specific factual findings and conclusions. The decision of the College President shall be final, and shall be reported to the District Chancellor.

Expulsion. Within 44-15 days following receipt of the hearing panel's recommended decision, the College President shall render a written recommended decision to the Chancellor. The College President may accept,

[DTRW-SS review 1.23.14-with revisions made in meeting – further revisions to paragraph for Short Term Suspension to be made by Pat Ewins highlighted in yellow](#)

modify or reject the findings, decisions and recommendations of the hearing panel. If the College President modifies or rejects the hearing panel's decision, he or she shall review the record of the hearing, and shall prepare a new written decision which contains specific factual findings and conclusions. The College President's decision shall be forwarded to the Chancellor as a recommendation to the Board of Trustees.

Board of Trustees Decision

The Board of Trustees shall consider any recommendation from the Chancellor for expulsion at the next regularly scheduled meeting of the Board after receipt of the recommended decision.

The Board shall consider an expulsion recommendation in closed session, unless the student has requested that the matter be considered in a public meeting in accordance with these procedures. [Education Code Section 72122.]

The student (and the parent or guardian if the student is a minor) shall be notified in writing, by certified mail, by personal service, or by such method of delivery as will establish receipt, at least 72 hours prior to the meeting, of the date, time, and place of the Board's meeting.

The student may, within 48 hours after receipt of the notice, request that the hearing be held as a public meeting.

Even if a student has requested that the Board consider an expulsion recommendation in a public meeting, the Board will hold in closed session any discussion that might be in conflict with the right to privacy of any student other than the student requesting the public meeting.

The Board may accept, modify or reject the findings, decisions and recommendations of the Chancellor. If the Board modifies or rejects the Chancellor's recommendation, the Board shall review the record of the hearing, and shall, within 30 days or by the next regular meeting of the Board, whichever is later, prepare a new written decision which contains its specific factual findings and conclusions. The decision of the Board shall be final.

The final action of the Board on the expulsion shall be taken at a public meeting, and the result of the action shall be a public record of the District.

DTRW-SS

February 27, 2014

BP/AP 5530

Student Rights and Grievances

(new versions from 1.23.14 under review by Academic Senates – No BP in BoardDocs)



Book VCCCD Administrative Procedure Manual
Section Chapter 5 Student Services
Title BP 5530 STUDENT RIGHTS AND GRIEVANCES
Number BP 5530
Status Active
Legal Title IX, Education Amendments of 1972; Education Code Section 76224(a) 66301; 76120
Adopted PROPOSED
Last Reviewed

The Chancellor shall establish Student Rights and Grievance Procedures.

See Administrative Procedure AP 5530.



Book	VCCCD Administrative Procedure Manual
Section	Chapter 5 Student Services
Title	AP 5530 STUDENT RIGHTS AND GRIEVANCES
Number	AP 5530
Status	Active
Legal	Title IX, Education Amendments of 1972; Education Code Section 76224(a), 66301; 76120
Adopted	June 16, 2010
Last Reviewed	June 9, 2010 January 2014

The purpose of this procedure is to provide a prompt and equitable means of resolving student grievances. These procedures shall be available to any student who reasonably believes the college decision or action has adversely affected his or her status, rights, or privileges as a student.

A grievance is an allegation of a violation of any of the following:

1. Sex discrimination as prohibited by Title IX of the Higher Education Amendments of 1972.
2. Financial aid determinations made at the college or District level.
3. Course grades, to the extent permitted by Education Code Section 76224(a), which provides: "When grades are given for any course of instruction taught in a community college District, the grade given to each student shall be the grade determined by the instructor of the course and the determination of the student's grade by the instructor, in the absence of mistake, fraud, bad faith, or incompetency, shall be final." "Mistake" may include, but is not limited to, errors made by an instructor in calculating a student's grade and clerical errors.
4. The exercise of rights of free expression protected by the state and federal constitutions, Education Code Sections 66301 and 76120, and District Board Policy and Administrative Procedures concerning the right of free expression.
5. Violation of published District rules, Board Policies, and Administrative Procedures, except as set forth below.

This procedure does not apply to:

1. Challenges to the process for determining satisfaction of prerequisites, corequisites, advisories, and limitations on enrollment.

Information on challenges to prerequisites is available from the Office of Academic

Affairs.

2. Allegations of harassment or discrimination on the basis of any protected characteristic as set forth in Board Policies 3410 and 3430 and 5 California Code of Regulations Section 53900 et seq. Such complaints may be initiated under the procedures described in the college catalogs.
3. Appeals for residency determination. Residency appeals should be filed with the Admissions and Records Office.
4. Student disciplinary actions, which are covered under separate Board Policies and Administrative Procedures.
5. Police citations (i.e. "tickets"); complaints about citations must be directed to the Campus Police.
6. Evaluation of the professional competence, qualifications, or job performance of a District employee.
7. Claims for money or damages against the District.

Information about other procedures is listed in the college catalogs or may be obtained from the Office of Student Learning.

The alleged wrong must involve an unjust action or denial of a student's rights as defined above. A grievance exists only when such an error or offense has resulted in an injury or harm that may be corrected through this grievance procedure. As noted above there may be other procedures applicable to various other alleged injuries or harms, and this grievance procedure may not be the sole or exclusive remedy, and it may not be necessary to exhaust this process before presenting allegations to other government agencies or the courts. The outcome of a grievance must be susceptible to producing a tangible remedy to the student complaining or an actual redress of the wrong rather than a punishment for the person or persons found in error. For example, a grievance seeking only the dismissal of a District employee is not viable.

Definitions

College Grievance Officer. The administrator in charge of student discipline and/or grievances, appointed by the College President, who shall assist students in seeking resolution by informal means; if informal means are not successful, the College Grievance Officer shall assist students by guiding them through the formal grievance process.

Day. Days during which the District is in session and primary term classes are in session, excluding Saturdays and Sundays.

~~Day. A calendar day unless otherwise specified in this procedure. If the final day to take any action required by this procedure falls on a Saturday, Sunday, or other day that the administrative offices of the District are closed, the date for such action shall be extended to the next business day. Similarly, if the final day to take any action required by this procedure occurs during summer session or during an intersession, but the basis for the grievance arose prior to that summer or intersession, the final day to take any required action shall be extended to the first business day of the next academic term.~~

Grievant. Any student currently enrolled in the college, a person who has filed an application for admission to the college, or a former student. A grievance by an applicant shall be limited to a complaint regarding denial of admission. Former students shall be limited to grievances

relating to course grades to the extent permitted by Education Code Section 76224(a).

Respondent. Any person claimed by a Grievant to be responsible for the alleged grievance.

Informal Resolution

Informal meetings and discussion between persons directly involved in a grievance are essential at the outset of a dispute. A student who has a grievance shall make a reasonable effort to resolve the matter on an informal basis prior to filing a formal grievance, and shall attempt to solve the problem with the person with whom the student has the grievance or dispute. If a student cannot resolve a grievance informally with the Respondent, then the student will request a meeting with the Respondent's administrator, manager, or division chairperson, who shall meet with the student in an attempt to resolve the issue and may meet with the student and Respondent either jointly or separately. An equitable solution should be sought before persons directly involved in the case have stated official or public positions that might tend to polarize the dispute and render a solution more difficult. At any time, the student may request the assistance of the College Grievance Officer in understanding or arranging the informal resolution process.

At no time shall any of the persons directly or indirectly involved in the case use the fact of such informal discussion, the fact that a grievance has been filed, or the character of the informal discussion for the purpose of strengthening the case for or against persons directly involved in the dispute or for any purpose other than the settlement of the grievance.

Formal Resolution

In the event an informal resolution is not reached, the grievant shall submit a preliminary written statement of the grievance to the College Grievance Officer within 290 days of the incident on which the grievance is based, or 290 days after the student knew or with reasonable diligence should have known of the basis for the grievance, whichever is later.

Within 10 days following receipt of the preliminary written statement of the grievance, the College Grievance Officer shall advise the student of his or her rights and responsibilities under these procedures, and assist the student, if necessary, in the final preparation of the formal written statement of the grievance.

The submission of this formal signed and dated written description of the complaint signals the beginning of the formal resolution, serves as the request for a hearing, and shall serve as the dated start of the hearing timeline.

The College Grievance Officer will submit a copy of the formal written grievance to the Respondent. The Respondent will be given an opportunity to submit a written response to the allegations to the College Grievance Officer. This response must be received within 10 days and shall be shared with the Grievant.

Hearing Procedures

Grievance Hearing Committee. The hearing panel for any grievance shall be composed of one administrator, one faculty member and one student. At the beginning of the academic year, and no later than October 1st, the College President, the President of the Academic Senate, and the Associated Students President shall each establish a list of at least two persons who will serve on student Grievance Hearing Committees. The College President

will identify two administrators; the President of the Academic Senate will identify two faculty; and the Associated Students President will identify two students. The College President, or designee, shall appoint the Grievance Hearing Committee from the names in this pool; however, no administrator, faculty member or student who has any personal involvement in the matter to be decided, who is a necessary witness, who is a relative of any party or witness, or who could not otherwise act in a neutral manner shall serve on the Grievance Hearing Committee.

Upon notification of the Grievance Hearing Committee composition, the Respondent and Grievant shall each be allowed one peremptory challenge, ~~excluding the chairperson~~. The College President, or designee, shall substitute the challenged member or members from the panel pool to achieve the appropriate Grievance Hearing Committee composition. In the event that the pool names are exhausted in any one category, further designees shall be submitted by the College President (for administrators), the President of the Academic Senate (for faculty), or the Associated Student President (for students).

The Grievance Officer shall sit with the Grievance Hearing Committee but shall not serve as a member or vote. The Grievance Officer shall coordinate all scheduling of hearings, and shall serve to assist all parties and the Grievance Hearing Committee to facilitate a full, fair and efficient resolution of the grievance.

A quorum shall consist of all three members of the Committee.

Grievance Hearing Committee Chair. The College President, or designee, shall appoint one member of the Grievance Hearing Committee to serve as the chair. The decision of the Grievance Hearing Committee Chair shall be final on all matters relating to the conduct of the hearing unless there is a vote by both other members of the Grievance Hearing Committee to the contrary.

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

Hearing Process. Within 14-10 days following receipt of the formal written statement of the grievance and request for hearing, the College President or designee shall appoint a Grievance Hearing Committee as described above. The names of the Grievance Hearing Committee shall be forwarded to the Grievant and the Respondent. They will each have 5 days to exercise the right to a preemptory challenge of a single committee member. . After 5 days the right to challenge the committee composition will be deemed waived. Within 10 days of confirmation, tThe Grievance Hearing Committee and the Grievance Officer shall meet in private and without the parties present to determine whether the written statement of the grievance presents sufficient grounds for a hearing.

The determination of whether the Statement of Grievance presents sufficient grounds for a hearing shall be based on the following considerations:

- The statement satisfies the definition of a grievance as set forth above;
- The statement contains facts which, if true, would constitute a grievance under these procedures;
- The grievant is a student, which under certain circumstances includes applicants and

- former students, and meets the definition of “grievant” as set forth in these procedures;
- The grievant is personally and directly affected by the alleged grievance;
- The grievance seeks a remedy which is within the authority of the hearing panel to recommend or the college president to grant;
- The grievance was filed in a timely manner;
- The grievance is not clearly frivolous, clearly without foundation, or clearly filed for purposes of harassment.

If the grievance does not meet all of the above requirements, the Grievance Hearing Committee Chair shall notify the student in writing of the rejection of the request for a grievance hearing, together with the specific reasons for the rejection and the procedures for appeal. This notice will be provided within 57 days of the date the decision is made by the Grievance Hearing Committee.

The student may appeal the Grievance Hearing Committee's determination that the statement of grievance does not present a grievance as defined in these procedures by presenting his/her appeal in writing to the College President within 7-5 days of the date the student received that decision. The College President shall review the statement of grievance in accordance with the requirements for a grievance provided in these procedures, but shall not consider any other matters, including any facts alleged in the appeal that were not alleged in the original grievance. The College President's decision whether or not to grant a grievance hearing shall be made within 10 days and shall be final and not subject to further appeal.

If the statement of the grievance satisfies each of the requirements ~~t~~The College Grievance Officer shall schedule a grievance hearing to begin within 30 days following the decision to grant a Grievance Hearing. All parties to the grievance shall be given at least 10 days' notice of the date, time and place of the hearing.

Before the hearing commences, the members of the Grievance Hearing Committee shall be provided with a copy of the grievance, the written response provided by the Respondent, and all applicable policies and administrative procedures. The Grievance Hearing Committee may request other documents as needed.

A time limit on the amount of time provided for each party to present its case, or any rebuttal, may be set by the Grievance Hearing Committee. Formal rules of evidence shall not apply. All witnesses shall be bound by the Sstudent Code of Conduct and Professional Codes of Ethics to present truthful evidence. Any witnesses not so bound will testify under oath, subject to the penalty of perjury. Any relevant evidence may be admitted at the discretion of the Grievance Hearing Committee Chair, in consultation with the College Grievance Officer and Grievance Hearing Committee. Hearsay evidence and written statements will be admissible, but will be insufficient, alone, to establish the allegations.

The Grievance Hearing Committee Chair, in consultation with the Grievance Hearing Officer and Grievance Hearing Committee, shall be responsible for determining the relevancy of presented evidence and testimony, the number of witnesses permitted to testify, and the time allocated for testimony and questioning. The Grievance Hearing Committee Chair, in consultation with the Grievance Hearing Committee, shall further be responsible for instructing and questioning witnesses on behalf of the Grievance Hearing Committee, and for dismissing any persons who are disruptive or who fail to follow instructions. The Grievance Hearing Committee Chair, in consultation with the College Grievance Officer, shall have the final decision on all procedural questions concerning the hearing.

The Grievance Hearing Committee shall conduct the hearing in accordance with established standards of administrative procedure. Unless the Grievance Hearing Committee determines to proceed otherwise, each party to the grievance shall be permitted to make an opening statement. Thereafter, the grievant shall make the first presentation, followed by the respondent. The grievant may present rebuttal evidence after the respondent completes presentation of his or her evidence. The burden shall be on the grievant to prove by a preponderance of the evidence that the facts alleged are true and that a grievance has been established as presented in the written statement of the complaint.

Both parties shall have the right to present statements, testimony, evidence, and witnesses. Each party shall have the right to be represented by a single advisor but not a licensed attorney. ~~Each party to the grievance may represent him or herself, and may be represented by a person of his or her choice, except that neither party shall be represented by an attorney.~~ The Grievance Hearing Committee may request legal assistance for the Committee itself through the College President. Any legal advisor provided to the Grievance Hearing Committee may be present during all testimony and deliberations in an advisory capacity to provide legal counsel but shall not be a member of the panel or vote with it.

The grievant shall, in consultation with the College Grievance Officer, have the right to be served by a translator or qualified interpreter to ensure his/her full participation in the proceedings.

Hearings shall be closed and confidential. No other persons except the Grievant and his/her representative and/or translator/interpreter, the Respondent and his/her representative, scheduled single witnesses, the College Grievance Officer, the Grievance Hearing Committee members, and the Committee's legal advisor, if any, shall be present. Witnesses shall not be present at the hearing when not testifying, unless all parties and the Grievance Hearing Committee agree to the contrary. The rule of confidentiality shall prevail at all stages of the hearing. Moreover, the Grievance Hearing Committee members shall ensure that all hearings, deliberation, and records remain confidential in accordance with the Family Educational Rights and Privacy Act (FERPA), California Education Code Section 76200 et seq., and District Board Policies and Administrative Procedures related to the privacy of student and employee records.

The hearing shall be recorded by the District by electronic means such as audiotape, videotape, or by court reporting service and shall be the only recording made. No other recording devices shall be permitted to be used at the hearing. Any witness who refuses to be recorded shall not be permitted to give testimony. A witness who refuses to be recorded shall not be considered to be unavailable within the meaning of the rules of evidence, and therefore an exception to the hearsay rule for unavailability shall not apply to such witness.

At the beginning of the hearing, on the record, the Grievance Hearing Committee Chair Officer shall ask all persons present to identify themselves by name, and thereafter shall ask witnesses to identify themselves by name. The recording shall remain the property of the District and shall remain in the custody of the District at all times, unless released to a professional transcribing service. Any party to the grievance may request a copy of the recording. Any transcript of the hearing requested by a party shall be produced at the

requesting party's expense.

Following the close of the hearing, the Grievance Hearing Committee shall deliberate in closed session with the Grievance Officer. The Grievance Officer shall assist with procedure but shall not be a voting member of the ~~These~~ committee. These deliberations shall not be electronically recorded and the proceedings shall be confidential for all purposes. Within 30 days following the close of the hearing, the Grievance Hearing Committee shall prepare and send a written decision to the College Grievance Officer to be forwarded to College President. The decision shall include specific factual findings regarding the grievance, and shall include specific conclusions regarding whether a grievance has been established as defined in these procedures. The decision shall also include a specific recommendation regarding the relief to be afforded the Grievant, if any. The decision shall be based only on the record of the hearing, and not on any matters outside of that record. The record consists of the original grievance, any written response, and the oral and written evidence produced at the hearing, and additional information or documentation related to the hearing that is requested by the Grievance Hearing Committee. The District shall maintain records of all Grievance Hearings in a secure location on District premises for a period of 7 years.

College President's Decision

The College President, at his/her discretion, may accept, reject, or modify the findings, decision, and recommendations of the Grievance Hearing Committee. The factual findings of the Grievance Hearing Committee shall be accorded great weight. The College President may additionally remand the matter back to the Grievance Hearing Committee for further consideration of issues specified by the College President. Within 204 days following receipt of the Grievance Hearing Committee's decision and recommendation(s), the College President shall send to all parties his or her written decision, together with the Grievance Hearing Committee's decision and recommendations. If the College President elects to reject or modify the Grievance Hearing Committee's decision or a finding or recommendation contained therein, the College President shall review the record of the hearing, and shall prepare a new written decision that contains specific factual findings and conclusions. The decision of the College President shall be final, subject only to appeal as described below.

Any party to the grievance may appeal the decision of the College President after a hearing before a Grievance Hearing Committee by filing an appeal with the Chancellor. The Chancellor may designate a District administrator to review the appeal and make a recommendation.

Any such appeal shall be submitted in writing within 5 days following receipt of the College President's decision and shall state specifically the grounds for appeal.

The written appeal shall be sent to all concerned parties by the Chancellor or designee. All parties may submit written statements, within 5 days of receipt, in response to the appeal.

The Chancellor or designee may review the record of the hearing and the documents submitted in connection with the appeal, but shall not consider any matters outside of the record and the appeal.

If the Chancellor chooses a designee to review the record and appeal statements, that designee shall make a written recommendation to the Chancellor regarding the outcome of

the appeal. The Chancellor may decide to sustain, reverse or modify the decision of his/her designee.

| The decision on appeal shall be reached within 204 days after receipt of the appeal documents. The Chancellor's decision shall be in writing and shall include a statement of reasons for the decision. Copies of the Chancellor's appeal decision shall be sent to all parties.

The Chancellor's decision shall be final.

DTRW-SS

February 27, 2014

BP/AP 5030

Fees

(first review by DTRW-SS)

Student Activity Fee Proposal

What it is

The Student Activity Fee is a \$5 fee that is collected when the students register for each semester that will go directly towards supporting Student Activity programs on campus. This would include the Associated Students, Campus Clubs & Student Organizations, as well as Faculty & Staff that requires financial assistance for on campus events. (i.e. Black History Month, Earth Day campus clean-up, & University Transfer Day)

Background

A Student Activity Fee should be implemented for the following reasons:

- The VCCCD has shown that they intend to move all three campus (MC, OC, & VC) to a “One Card” system in which students are given a College ID card that would allow them to access services all across campus.
- Currently, the Associated Student’s main source of funding is the sale of College Photo ID Cards. If the District were to move to a “One Card” system, it would essentially de-fund the Associated Students.
- As it currently stands, the sale of College Photo ID cards has been steadily declining. This restricts the amount of activities that ASVC can put on.
- The District has banned the sale of open and homemade food items, thus eliminating bake sales on campus. Bake sales were the main source of fundraising for College Clubs and without them they are struggling.

Collection

The fee will be \$5 per semester and will be collected in a manner identical to the Student Representation Fee. The fee would be listed next to the Student Representation Fee and the Student Center Fee and would be assessed unless a student chose to opt out, and is thus voluntary in nature.

Allocation

The funds collected from the Student Activity Fee would be stewarded by the Student Activities Specialist under the supervision of the Dean of Student Services. Upon collection the funds would be allocated into four separate accounts, which would be as follows:

1. The ASVC General Fund (45%)
2. A new ASVC Reserve Fund (5%)
3. A new ASVC Inter-Club Council Fund (35%)
4. A new Student Activities Fund, separate from the Student Activities account currently in the College budget (15%)

VCCCD	Board Policy Manual
Section	Chapter 5 Student Services
Title	BP 5030 FEES
Number	BP 5030
Status	Active
Legal	California Education Code, Section 76050.5 California Education Code, Section 76142 California Education Code, Section 76223 California Education Code, Section 76300 California Education Code, Section 76355 California Education Code, Section 76360 California Education Code, Section 76365 California Education Code, Section 76370 California Education Code, Section 76395 Student Fee Handbook, California Community College Chancellor's Office Title 5, Sections 55753 and 59400
Adopted	June 18, 2008
Last Reviewed	April 9, 2013

The Board authorizes the following fees. 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.

Enrollment fee:

Education Code Section 76300

- Each student shall be charged a fee for enrolling in credit courses as required by law.

Auditing fees:

Education Code Section 76370

- Persons auditing a course shall be charged a fee of not more than \$15.00 per unit per semester. Students enrolled in classes to receive credit for 10 or more semester credit units shall not be charged this fee to audit three or fewer units per semester.

Health fee: The Chancellor shall present to the Board for approval a fee to be charged to each full time student for student health services.

Education Code Section 76355

- The District shall charge each full time student a fee for health supervision and services as determined by state law.

Parking fee:

Education Code Section 76360

- The Chancellor shall present for Board approval fees for parking for students.

Instructional Materials:

Education Code Section 76365; Title 5, Sections 59400, et seq.

- Students may be required to provide required instructional and other materials for a credit or non-credit course, provided such materials are of continuing value to the student outside the classroom and provided that such materials are not solely or exclusively available from the District.

Physical Education Facilities:

Education Code 76395

- Where the District incurs additional expenses because a physical education course is required to use non-district facilities, students enrolled in the course shall be charged a fee for participating in the course. Such fee shall not exceed the student's calculated share of the additional expenses incurred by the district.

Student Representation Fee:

Education Code 76060.5

- Students will be charged a \$1 fee per semester to be used to provide support for student governmental affairs representation. A student may refuse to pay the fee for religious, political, financial or moral reasons and shall submit such refusal in writing.

Student Activity Fee:

Education Code 70902(b)(9); CCCCCO Student Fee Handbook

A \$5 fee per semester shall be collected at the time of registration and used by the Student Activities Office at each College for sole use of funding student life. Students may refuse to pay the fee for religious, political, financial, or moral reasons.

Transcript Fees:

Education Code 76223

- The District shall charge a reasonable amount for furnishing copies of any student record to a student or former student. The Chancellor is authorized to establish the fee, which shall not exceed the actual cost of furnishing copies of any student record. No charge shall be made for furnishing up to two (2) transcripts of students' records, or for two (2) verifications of various records. There shall be no charge for searching for or retrieving any student record.

International Students Application Processing Fee:

Education Code Section 76142

- The District shall charge students who are both citizens and residents of a foreign country a fee to process his or her application for admission. This processing fee and regulations for determining economic hardship may be established by the Chancellor. The fee shall not exceed the lesser of 1) the actual cost of processing an application and other

documentation required by the U.S. government; or 2) one hundred dollars (\$100), which may be deducted from the tuition fee at the time of enrollment.

Credit by Examination Fee:

Title 5, Section 55753, Education Code 76300, Student Fee Handbook, California Community Colleges Chancellor's Office

- Persons applying to earn credit by examination will be charged a fee equal to the per unit enrollment fee for the class that is being challenged.

See [Administrative Procedure 5030](#).

VCCCD	Administrative Procedure Manual
Section	Chapter 5 Student Services
Title	AP 5030 FEES
Number	AP 5030
Status	Active
Legal	Student Fee Handbook, California Community College Chancellor's Office Title 5, Section 51012 California Education Code, Section 66025.3 California Education Code, Section 76300 California Education Code, Section 70902(b)(9)
Adopted	April 14, 2009
Last Reviewed	April 9, 2013

Required fees include:

- Enrollment (E.C. 76300; 5 CCR 58500-58509)
A per unit enrollment fee of \$46 shall be charged each student enrolled per term or session. Enrollment fees will be waived for low income students who demonstrate eligibility according to income standards established by the Board of Governors. Concurrent high school students are exempt from enrollment fees with certain limits.
- Nonresident tuition with these permissive exemptions (E.C. 76140, 76140.5):

1. All nonresident students enrolling for 6 or fewer units; or
2. A student who is a citizen and resident of a foreign country who demonstrates financial need

In addition to the enrollment fees of \$46 per unit, nonresident students are assessed tuition fees at a rate of \$250 per unit. For 2013-14 that rate will be \$230 per unit. AB 540 added Education Code Section 68130.5 which provides for exemption of these fees for students who met certain criteria, such as graduating from or having attended a California high school for more than three years.

Fees authorized by law include:

- Non-District physical education facilities (E.C. 76395)
- Noncredit courses (E.C. 76385)
- Community service courses (E.C. 78300)
- Auditing of courses (E.C. 76370)
Persons auditing a course shall be charged a fee of not more than \$15.00 per unit per semester. Students enrolled in classes to receive credit for 10 or more semester credit units shall not be charged this fee to audit three or fewer units per semester.

- Instructional materials (E.C. 73365, 81457, 81458; 5 CCR 59400-59408)
- Athletic insurance (E.C. 70902(b)(9))
- Cross-Enrollment with CSU or UC (E.C. 66753)
- Health (E.C. 76355)
The District charges a mandatory health fee for both full-time and part-time students at an amount as defined by Education Code 76355. The current health fee is \$19 for the fall and spring semesters and \$16 for the summer session.
The following students are exempted from payment of the fee:
 - Students who depend exclusively upon prayer for healing in accordance with the teachings of a bona fide religious sect, denomination, or organization.
 - Students who are attending a community college under an approved apprenticeship training program.
- Parking (E.C. 76360)
A parking fee will be assessed per term to students to park on District property parking lots for automobiles and motorcycles as stipulated in Education Code Section 76360. The current parking permit fees are as follows.

Item	Fall/Spring Semester	Summer Session
Automobile	\$50.00	\$25.00
BOGW students	\$30.00	\$25.00
Motorcycle	\$30.00	\$25.00
Ridesharing/Carpooling*	\$35.00	\$15.00

- *To encourage ridesharing and carpooling, the parking permit fee shall not exceed thirty-five dollars (\$35) per fall and spring semesters and fifteen dollars (\$15) per summer semester for a student who certifies that he or she regularly has two or more passengers commuting to the community college with him or her in the vehicle parked at the community college.
- Transportation (E.C. 76361, 82305.6)
- Student representation (E.C. 76060.5; 5 CCR 54801-54805)
A \$1 fee per semester shall be collected at the time of registration and used solely by the Associated Students to advocate and lobby city, county, state and/or federal government in support of issues of interest to the student body at large. Students may refuse to pay the fee for religious, political, financial, or moral reasons.
- **Student Activity Fee (E.C. 70902(b)(9); CCCCO Student Fee Handbook)**
A \$5 fee per semester shall be collected at the time of registration and used by the Student Activities Office at each College for sole use of funding student life. Under the supervision of the Dean of Student Services /Student Life, the fee will be disbursed into the following accounts: Associated Students General Fund (45%), Associated Student

*Reserve (5%), Student Clubs & Organizations (35%), and Student Activities (15%).
Students may refuse to pay the fee for religious, political, financial, or moral reasons.*

- Student Center (E.C. 76375; 5 CCR 58510)
A Student center fee of \$1 per unit, up to a maximum of \$10 per student per fiscal year, will be assessed for the purpose of financing, constructing, expanding, remodeling, refurbishing and operating a Student Center.
- Copies of student records (E.C. 76223)
The District shall charge a reasonable amount for furnishing copies of any student record to a student or former student. No charge shall be made for furnishing up to two official transcripts of students' records, or for two verifications of various records. There shall be no charge for searching for or retrieving any student record. The current fee to the student or former student, after having provided the first two transcripts free of charge, for processing transcript requests is \$3.00 per transcript (\$5.00 per transcript for expedited). Students may access their unofficial transcripts free of charge through the student web portal (MyVCCCD) or request from the Admissions Office for a fee of \$1.00 per transcript.
- Dormitory (E.C. 81670)
- Child care (E.C. 79121 et seq., 66060)
- Nonresident capital outlay (E.C. 76141)
Education Code section 76141 authorizes community college districts to charge all nonresident students a capital outlay fee. The current fee is \$14 per semester unit.
- Nonresident application processing (E.C. 76142)
Education Code Section 76142 permits the governing board of each community college district to establish a processing fee for international nonresident applicants. The current fee is \$50 per applicant.
- Credit by Examination (E.C. 76300; 5 CCR 55753)
Fees charged for credit by examination offered pursuant to Title 5, section 55050 are optional fees for service. Persons applying to earn credit by examination will be charged a fee equal to the per unit enrollment fee established per Education Code 76300. The current fee is \$46 per unit.
- Use of facilities financed by revenue bonds (E.C. 81901(b)(3))
- Refund processing (5 CCR 58508)
Section 58508 of Title 5 of the California Code of Regulations permits districts to retain a maximum \$10 from enrollment fees as a refund processing fee. Refunds of the enrollment fee, health fee, non-resident tuition and other fees associated with registration shall be made to eligible students who file a refund request by the published deadline. VCCCD enrollment fee refund requests are subject, once a semester, to the withholding of a \$10.00 administrative fee.
- Telephone/Internet registration (E.C. 70902(a))
Districts that provide the optional service of telephone or Internet registration may charge students who choose to use this service a nominal use fee under the authority of Education Code section 70902(a). The current remote registration fee is \$2.00 per

semester.

- Physical fitness test (E.C. 70902(b)(9))
- Instructional Tape Lease/Deposit (E.C. 70902(b)(9))
- Credit Card Use (E.C. 70902(b)(9))
- International Student Medical Insurance (E.C. 70902(b)(9))

Prohibited fees include:

- Late application (CCCCO Student Fee Handbook)
- Add/drop (CCCCO Student Fee Handbook)
- Mandatory student activities (CCCCO Student Fee Handbook)
- Student Identification Cards (CCCCO Student Fee Handbook)
- Student Body Organization (CCCCO Student Fee Handbook)
- Nonresident application (CCCCO Student Fee Handbook)
- Field trip (5 CCR 55450, 55451)
- For dependents of certain veterans (E.C. 66025.3)
- For dependents of certain victims of the September 11, 2001, terrorist attacks (CCCCO Student Fee Handbook)
- For certain recipients of the Medal of Honor and certain children of the recipients of the Medal of Honor (E.C. 66025.3)
- Required or funded services (CCCCO Student Fee Handbook)
- Refundable deposits (CCCCO Student Fee Handbook)
- Distance education (other than the statutorily authorized enrollment fee) (CCCCO Student Fee Handbook)
- Mandatory mailings (CCCCO Student Fee Handbook)
- Rental of practice rooms (CCCCO Student Fee Handbook)
- Apprenticeship courses (E.C. 76350)
- Technology fee (CCCCO Student Fee Handbook)
- Late payment fee (5 CCR 58502, 59410)
- Nursing/healing arts student liability insurance (5 CCR 55234)
- Cleaning (CCCCO Student Fee Handbook)
- Breakage (CCCCO Student Fee Handbook)
- Test proctoring (CCCCO Student Fee Handbook)

Other fees/fines:

The District may assess and collect other fees/fines that are not prohibited by statute or law, such as parking fines and library fines.

Collection and refund of fees (within published refund deadlines) include:

- The District shall collect fees when enacted by the Legislature following registration by the student
- The District shall refund fees collected in error
- The District shall refund fees that are refundable because of a reduction in the educational program of the District
- The District shall refund fees that are refundable because of the student's reduction in units or withdrawal from an educational program

- The District shall refund fees that are refundable because of changes in law or regulation authorizing and establishing enrollment fees
- The District shall provide notice to students of availability of exemptions from certain mandatory and authorized fees