



5055 Santa Teresa Blvd., Gilroy, CA 95020

www.gavilan.edu

(408) 848-4800

Dr. Kathleen A. Rose, Superintendent/President

GAVILAN JOINT COMMUNITY COLLEGE DISTRICT
BOARD POLICY SUBCOMMITTEE
TO THE BOARD OF TRUSTEES
February 13, 2018 at 5:00 p.m.

Coyote Valley Site, Building C, Room 104
560 Bailey Avenue, San Jose, CA

Board Subcommittee Members: Kent Child, Lois Locci, Laura Perry

AGENDA

I. OPEN SESSION 5:00 p.m.

1. Call to Order
2. Roll Call
3. Approve Minutes, June 13, 2017
4. Comments from the Public - this is a time for the public to address the Committee
(A maximum of 3 minutes will be allotted to each speaker)

II. DISCUSSION ITEM

1. Board Policies and Administrative Procedures Changes recommended by President's Council
Chapter 5, Student Services:

BP 5020	Nonresident Tuition
AP 5020	Nonresident Tuition
BP 5035	Withholding of Student Records
AP 5035	Withholding of Student Records
BP 5040	Student Records and Directory Information
AP 5040	Student Records and Directory Information
BP 5050	Student Success and Support Program
AP 5050	Student Success and Support Program
BP 5110	Counseling
AP 5110	Counseling
BP 5130	Financial Aid
AP 5130	Financial Aid
BP 5140	Disabled Student Programs and Services
AP 5140	Disabled Student Programs and Services
BP 5205	Student Accident Insurance
AP 5205	Student Accident Insurance
BP 5210	Communicable Disease
AP 5210	Communicable Diseases
BP 5300	Student Equity
AP 5300	Student Equity
BP 5500	Standards of Student Conduct
AP 5500	Standards of Student Conduct



Board of Trustees: Jonathan Brusco
Laura A. Perry, Esq.

Kent Child
Lois Locci, Ed.D.

Mark Dover
Rachel Perez

Walt Glines
Daniel Chavez

BP 5510	Off-Campus Student Organizations
AP 5510	Off-Campus Student Organizations
AP 5525	Student Rights
BP 5570	Student Credit Card Solicitation
AP 5570	Student Credit Card Solicitation
BP 5700	Intercollegiate Athletics
AP 5700	Intercollegiate Athletics

2. Establishment of Policy Review Subcommittee within President's Council
3. Review Process for CCLC Updates
4. CCLC Training
5. General Discussion of Policy Updates

III. CLOSING ITEMS

1. Adjournment

GAVILAN COLLEGE MISSION

Gavilan College cultivates learning and personal growth in students of all backgrounds and abilities through innovative practices in both traditional and emerging learning environments; transfer pathways, career and technical education, developmental education, and support services prepare students for success in a dynamic and multicultural world.

PUBLIC COMMENTS – Individuals wishing to address the Board on a non-agenda item may do so during the Comments from the Public. However, no action may be taken on an item, which is not on the agenda. The public is welcomed to address the Board on particular agenda items and may do so at the time it is presented. Guidelines for Comments from the Public will be as follows:

A maximum of 3 minutes will be allotted to each speaker with a maximum of 20 minutes to a subject area.
No disruptive conduct will be permitted at any Gavilan College Board of Trustees meeting.

AGENDA ITEMS – Individuals wishing to have an item appear on the agenda must submit the request in writing to the Superintendent/President two weeks prior to the regularly scheduled meeting. The Board President and Superintendent/President will determine what items will be included in the agendas. Regular meetings are held the second Tuesday of each month.

Items listed under the Consent Agenda are considered to be routine and are acted on by the Board of Trustees as one motion. There is no discussion of these items prior to Board vote unless a member of the Board, staff, or public requests that specific items be discussed and/or removed from the Consent Agenda. It is understood that the Administration recommends approval on all consent items. Each item on the Consent Agenda approved by the Board of Trustees shall be deemed to have been considered in full and adopted as recommended.

In compliance with the Americans with Disabilities Act, if you need special assistance to access the Board meeting room or to otherwise participate at this meeting, including auxiliary aids or services, please contact Nancy Bailey at 408-848-4711. Notification at least 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to the Board meeting.

--



5055 Santa Teresa Blvd., Gilroy, CA 95020

www.gavilan.edu

(408) 848-4800

Dr. Kathleen A. Rose, Superintendent/President

GAVILAN JOINT COMMUNITY COLLEGE DISTRICT
BOARD POLICY COMMITTEE

Tuesday, June 13, 2017, 5:00 p.m.
Gavilan Gilroy Campus, GECA MP
5055 Santa Teresa Boulevard, Gilroy, CA 95020
(Board Policy Committee Members: Kent Child, Lois Locci, Laura Perry)

MINUTES

I. CALL TO ORDER 5:04 p.m.

Kent Child called the meeting to order at 5:04 p.m.

1. Roll Call

Lois Locci, Laura Perry, Kent Child

Kathleen Rose, Superintendent/President, Nancy Bailey (Recorder), Fred Harris, Walt Glines, Michele Bresso, Wade Ellis, and Kathleen Moberg

2. Approve Minutes, April 12, 2016

MSC (L. Locci/ L. Perry) 3 ayes, 0 nays to approve

3. Comments from the Public

None

II. DISCUSSION ITEM

1. Board Policies and Administrative Procedures Changes recommended by President's Council for Chapter 3, General Institution: BP/AP 3500 - 3900

BP 3500 Campus Safety

BP 3501 Campus Security and Access

AP 3501 Campus Security and Access

BP 3505 Emergency Response Plan

AP 3505 Emergency Response Plan

BP 3510 Workplace Violence Plan

AP 3510 Workplace Violence Plan

BP 3515 Reporting of Crimes

AP 3515 Reporting of Crimes

BP 3520 Local Law Enforcement

AP 3520 Local Law Enforcement

BP 3530 Weapons on Campus

AP 3530 Weapons on Campus

AP 3540 Sexual and Other Assaults on Campus (BP 3540 Approved 1/2016)

Board of Trustees: Jonathan Brusco
Laura A. Perry, Esq.

Kent Child
Lois Locci, Ed.D.

Mark Dover
Rachel Perez

Walt Glines
Iris Cueto



BP 3550	Drug Free Environment and Drug Prevention Program
AP 3550	Drug Free Environment and Drug Prevention
BP 3560	Alcoholic Beverages
BP 3600	Auxiliary Organizations
AP 3600	Auxiliary Organizations
BP 3710	Intellectual Property Copyright
AP 3710	Intellectual Property and Copyright
BP 3720	Computer and Network Use
AP 3720	Computer and Network Use
BP 3810	Claims Against the District
AP 3810	Claims Against the District
BP 3820	Gifts
AP 3820	Gifts
BP 3900	Speech: Time, Place, Manner
AP 3900	Speech: Time, Place, and Manner

Kathleen Rose thanked Nancy Bailey for her work on the proposed changes to the Chapter 3, General Institution board policies and administrative procedures. Kathleen Rose said BP/AP 3500-3900 had been vetted through the participatory governance process with several of the documents requiring additional conversation and edits. She said Chapter 3 has now been fully reviewed but edits recommended by the Community College League of California's (CCLC) for the chapter will still come forward as they occur.

Kathleen Rose noted that BP/AP 3720, Computer and Network Use, was one of the documents reviewed in depth. Due to the many changes in technology and technology data integrity, a manual will be prepared by the IT department along with terms of use compliance signatures required of users. She said that more discussion and education will follow on this topic.

Discussion continued about data integrity awareness and measures being taken by the district. Fred Harris discussed steps to protect personal identification. He said the goal has been to be preventive rather than reactive.

2. Status of Policy Review

Nancy Bailey reviewed that Chapter 1 (The District), Chapter 2 (Board of Trustees), and Chapter 3, part 1 (General Institution"), have all been reviewed through participatory governance and the board of trustees. At the July 2017 and September 2017 board meetings, BP/AP 3500-3900 will be reviewed and considered for approval by the board of trustees. Chapter 4 (Academic Affairs) will start the participatory review process in the fall. Chapter 5 (Student Services) is currently completing that review. Chapters 6 (Business and Fiscal Services) and 7 (Human Resources) will be reviewed next spring.

3. Discussion on New Policy Creation

Kathleen Rose reported that senior staff have discussed the need for new localized policies. She reviewed the Student Success Policy (BP 4600) as an example of an internally created policy. Kathleen Rose said the language for BP 4600 was developed in collaboration with faculty and then several drafts shared with academic senate, participatory governance committees and the board before final approval.

Kathleen Rose said the new funding sources available to the college have changed how we service students and bring them into our system. Some of these practices will not fit our current policies and will come forward as we continue policy review. She said that writing a policy to

reflect our local practice would include reviewing CCLC templates and also legal review by the district.

Kathleen Moberg said there is concern in waiting for a CCLC template to be developed and leaving the district vulnerable in the absence of a policy. She said some colleges are developing their own local policies.

Laura Perry commented that the district needs to be judicious in creating policy and do it only when necessary and Kent Child recommended adhering to “form should follow function” theory. Kathleen Rose said institutional conversations will take place before creating a new localized policy.

III. CLOSING ITEMS

1. Adjournment

The meeting was adjourned by consensus at 5:42 p.m.

Please help keep Gavilan College a litter-free campus and preserve its park-like setting. Thank you.

<http://www.gavilan.edu>

Chapter 5, Part 1 Student Services

Note: All Chapter 5, Student Services, Board Policies and Administrative Procedures are being reviewed. This is the first portion of Chapter 5 that have been reviewed and approved by President's Council throughout 2016-2017. The balance of Chapter 5 will be presented for your review spring 2018. All policies and procedures in this packet have been reviewed but not all will have recommended edits.

Edits are usually:

- Changes to accreditation standards
 - Updates recommended by the Community College League of California policy subscriber service (ongoing legislative/regulation changes, court decisions, etc.)
 - Internally generated
-

BP 5020	Nonresident Tuition
AP 5020	Nonresident Tuition
BP 5035	Withholding of Student Records
AP 5035	Withholding of Student Records
BP 5040	Student Records and Directory Information
AP 5040	Student Records and Directory Information
BP 5050	Student Success and Support Program
AP 5050	Student Success and Support Program
BP 5110	Counseling
AP 5110	Counseling
BP 5130	Financial Aid
AP 5130	Financial Aid
BP 5140	Disabled Student Programs and Services
AP 5140	Disabled Student Programs and Services
BP 5205	Student Accident Insurance
AP 5205	Student Accident Insurance
BP 5210	Communicable Disease
AP 5210	Communicable Diseases
BP 5300	Student Equity
AP 5300	Student Equity
BP 5500	Standards of Student Conduct
AP 5500	Standards of Student Conduct
BP 5510	Off-Campus Student Organizations
AP 5510	Off-Campus Student Organizations
AP 5525	Student Rights
BP 5570	Student Credit Card Solicitation
AP 5570	Student Credit Card Solicitation
BP 5700	Intercollegiate Athletics
AP 5700	Intercollegiate Athletics

BP 5020 Non-Resident Tuition

Reference:

Education Code Sections 68050, 68051, 68130, 68130.5, 76001, 76140, 76114.1, and 78032 (d);
Title V Ssection 54045.5

Non-resident students shall be charged non-resident tuition for all units enrolled, unless specifically required otherwise by law.

Individuals qualifying for programs under AB 2364 are considered exempt, non-residential special "part time" students (other than those with non-immigrant status, such as those present in the United States on a B Visitor Visa") from the non-resident tuition fee and expressly allows the District to report their attendance as resident FTES for apportionment purposes.

Not later than February 1 of each year, the Superintendent/President of the District shall bring to the Board for approval an action to establish non-resident tuition for the following fiscal year. The fee shall be calculated in accordance with guidelines contained in applicable state regulations and/or the California Community College Attendance Accounting Manual.

The Superintendent/President of the College or designee shall establish procedures regarding collection, waiver, and refunds of non-resident tuition.

The Superintendent/President or designee is authorized to implement a nominal fee to be charged only to those persons who are both citizens and residents of foreign countries if the Board finds and declares that this fee does not exceed the amount expended by the district for capital outlay in the preceding year divided by the total FTES in the preceding fiscal year.

Students who would otherwise be charged this fee shall be exempt if they demonstrate that they are a victim of persecution or discrimination in the country of which they are a citizen and resident, or if they demonstrate economic hardship.

Students shall be deemed victims of persecution or discrimination if they present evidence that they are citizens and residents of a foreign country and that they have been admitted to the United States under federal regulations permitting such persons to remain in the United States. Students shall be deemed to have demonstrated economic hardship if they present evidence that they are citizens and residents of a foreign country and that they are receiving Temporary Assistance for Needy Families Program, Supplemental Income/State Supplementary benefits, or general assistance.

Students who would otherwise be charged this fee shall be exempt if they demonstrate that they have a parent who has been deported or was permitted to depart voluntarily, they moved abroad from California as a result of that deportation or voluntary departure, and they attended a public or private secondary school in the state for three or more years. Upon enrollment, students who qualify for this exemption must be in their first academic year as a matriculated student in California public higher education, live in California, and file an affidavit with the District stating that they intend to establish residency in California as soon as possible.

See Administrative Procedures #5020

Tentative Revision: September 2017

Approved by the Board of Trustees: August 13, 2002

AP 5020 Non Resident Tuition

Reference:

Education Code Sections 68130.5 and 76001, 76140, 76114.1, and 78032 (d); Title 5V, Section 54045.5

- Exemptions, including:
 - Any students, other than non-immigrant aliens under 8 U.S. Code Section 1101(a)(15) who meet the following requirements:
 - ✓ Either High school attendance in California for three or more years, or attainment of credits earned in California from a California high school equivalent to three of more years of full-time high school coursework and a total of three or more years of attendance in California elementary schools, California secondary schools, or combination of those schools.
 - ✓ Graduation from a California high school or attainment of the equivalent thereof;
 - ✓ Registration or enrollment in a course offered for any term commencing on or after January 1, 2002;
 - ✓ Completion of a questionnaire form prescribed by the Chancellor verifying eligibility for this non-resident tuition exemption and.
 - ✓ In the case of a student without lawful immigration status, the filing of an affidavit that the student has filed an application to legalize his/her immigration status, or will file an application as soon as he/she is eligible to do so.
 - ✓ Any students who meet the following requirements:
 - ◆ Demonstrates financial need;
 - ◆ Has a parent who has been deported or was permitted to depart voluntarily;
 - ◆ Moved abroad as a result of that deportation or voluntary departure;
 - ◆ Lived in California immediately before moving abroad;
 - ◆ Attended a public or private secondary school in the state for three or more years; and
 - ◆ Upon enrollment, will be in his or her first academic year as a matriculated student in California public higher education, will be living in California, and will file an affidavit with the District stating that he or she intends to establish residency in California as soon as possible.
 - Any non-immigrant aliens granted "T" or "U" visa status under Title 8 U.S. Code Section 1101(a)(15)(T)(i) or (ii), or section 1101(a)(15)(U)(i) or (ii), respectively, who meet the following requirements:
 - ✓ High school attendance in California for three or more years;
 - ✓ Graduation from a California high school or attainment of the equivalent thereof;
 - ✓ Registration of enrollment in a course offered for any term of commencing on or after January 1, 2002; and
 - ✓ Completion of a questionnaire form prescribed by the State Chancellor's Office verifying eligibility for this non-resident tuition exemption.
 - A requirement that the non-resident tuition fee be set not later than February 1 of each year
 - A requirement that the calculation reflect the current expense of education calculated according to the Budget and Accounting Manual
 - Exemptions, if any, due to reciprocity with bordering states

- Processing fees, if any, for international students

A requirement that the calculation include the expense of education in the preceding fiscal year

A requirement that the calculation reflect fees in contiguous Districts

A requirement that the calculation provide for students enrolled in more or less than 15 units per term

- Non-resident tuition with these permissive exemptions (Educational Code Section 76140 and 76140.5):
 - All non-resident students enrolling for 6 or fewer units (except for those students with an F-1 visa); or
 - A student who is a citizen and resident of a foreign country who demonstrates financial need and this required exemption (Education Code Section 68130.5)

Non-resident (out-of-state) tuition applicants may be admitted to the District College on the same basis as California residents except that they will be required to pay tuition prescribed by the Governing Board to cover the costs of instruction. After a student has been present in California for one year and one day and has manifested clear intent to become a California resident, he/she may apply for reclassification as a California resident. State law requires consideration of financial independence for students seeking reclassification.

Individuals qualifying for programs under AB 2364 are considered exempt, non-residential special "part time" students (other than those with non-immigrant status, such as those present in the United States on a B Visitor Visa") from the non-resident tuition fee and expressly allows the District to report their attendance as resident FTES for apportionment purposes.

Tentative Revision: September 2017

Amended by the Board of Trustees: August 14, 2012

Approved by the Board of Trustees: August 13, 2002

BP 5035 Withholding of Student Records

Reference:

Title 5V, Section 59410

Students or former students who have been provided with written notice that they have failed to pay a proper financial obligation, or who have pending disciplinary actions, shall have grades, transcripts, diplomas, and registration privileges withheld.

See Administrative Procedures #5035

Tentative Approval September 2017

Approved by the Board of Trustees: August 13, 2002

AP 5035 Withholding of Student Records

Reference:

Title 5V, Section 59410

Standards of Student Conduct (BP 5500)

The Admissions and Records Office may withhold grades, transcripts, diplomas, and registration privileges from any student or former student who fails to pay a proper financial obligation to the District, or who have pending disciplinary actions. The student shall be given written notification and the opportunity to explain if the financial obligation, or disciplinary incident in question, is in error.

The definition of proper financial obligation shall include, but is not limited to: student fees; obligations incurred through the use of facilities, equipment or materials; library fines; unreturned library books; materials remaining improperly in the possession of the student; and/or any other unpaid obligation a student or former student owes to the District. A proper financial obligation does not include any unpaid obligation to a student organization.

Withholding Records for Non-payment of Financial Obligations

The Gavilan College District may withhold grades, transcripts, diplomas, registration privileges, or any combination thereof, from any student or former student who has been provided with written notice that he or she has failed to pay a proper financial obligation due to the College District (e.g., returned checks, book loan payments, library books outstanding, etc.). Any item or items withheld shall be released when the student satisfactorily meets the financial obligation.

Disciplinary Hold

Students, or former students, who have violated any Standard of Student Conduct (BP 5500) are subject to disciplinary action.

Students or former students are sent a letter (via e-mail and hard copy) informing them of a scheduled appointment with the Vice President of Student Services or appropriate District administrator.

A student who fails to attend the scheduled appointment, or fails to reschedule the appointment, is subject to a hold placed on their record until the student or former student meets with the appropriate Vice President or District administrator.

Tentative Approval September 2017

Approved by the Board of Trustees: August 13, 2002

BP 5040 Student Records and Directory Information, and Privacy

Reference:

Education Code Sections 76200, et seq.;
Title 5V, Sections 54600, et seq.
20 U.S. Code Section 1232g(i) (U.S. Patriot Act)
ACCJC Accreditation Standard II.C.8

The Director of Admission and Records/Registrar and/or The Vice President of Student Services of the College or designee shall assure that student records are maintained in compliance with applicable federal and state laws relating to the privacy of student records.

The Director of Admission and Records/Registrar and/or The Vice President of Student Services of the College or designee may direct the implementation of appropriate safeguards to assure that student records cannot be accessed or modified by any person not authorized to do so. Any currently enrolled or former student of the District has a right of access to any and all student records relating to him or her maintained by the district.

No District representative shall release the contents of a student record to any member of the public without the prior written consent of the student, other than directory information as defined in this policy and information sought pursuant to a court order or lawfully issued subpoena, or as otherwise authorized by applicable federal and state laws.

Students shall be notified of their rights with respect to student records, including the definition of directory information contained here, and that they may limit the information.

Directory information shall include:

- Student participation in officially recognized activities and sports including weight, height and high school of graduation of athletic team members.
- Degrees and awards received by students, including honors, scholarship awards, athletic awards, Dean's and President's List recognition.

Name of the student

~~Dates of attendance at Gavilan College~~

~~Date of graduation and degree or certificate awarded~~

See Administrative Procedures #5040

Tentative Revision: July 2017

Approved by the Board of Trustees: August 13, 2002

AP 5040 Student Records Directory Information, and Privacy

Reference:

Education Code Section 76200 et seq.;
Title 5, 54600 et seq.
US Patriot Act;
U.S. Code Section 1232(j) (U.S. Patriot Act);
Civil Code Section 1798.85
ACCJC Accreditation Standard II.C.8

A cumulative record of enrollment, scholarship, and educational progress shall be kept for each student.

Release of Student Records

No instructor, official, employee, or Governing Board member shall authorize access to student records to any person except under the following circumstances:

Student records shall be released pursuant to a student's written consent.

"Directory information" may be released in accordance with the definitions in Board Policy 5040.

- Requests must be submitted in writing to the Director of Admissions and Records. Unless otherwise instructed in writing by the student, the directory information consists of:
 - Student records shall be released pursuant to a judicial order or a lawfully issued subpoena.
 - Student records shall be released pursuant to a federal judicial order that has been issued regarding an investigation or prosecution of an offense concerning an investigation or prosecution or terrorism
- ~~Student records may be released to officials and employees of the District only when they have a legitimate educational interest to inspect the record. Requests must be submitted in writing to the Director of Admissions and Records.~~
-
- Name of student
- Dates of attendance at Gavilan College
- Date of graduation and degree or certificate awarded

Student records shall be released pursuant to a judicial order or a lawfully issued subpoena. All request of this nature must be presented to the College's Registrar for verification and action.

When the District is served with a subpoena commanding the production of certain educational records, the Family Educational Rights and Privacy Act (FERPA) requires that the District make a reasonable effort to notify the student whose educational records are the subject of the subpoena or judicial order. Thereafter, it is the student's responsibility to seek a protective order or other legal relief if the student opposes the release of his/her records. Further, while FERPA provides no specific time frame for responding to a subpoena after notice is given to a student, it is reasonable to inform a student that if the District does not receive a court order directing it to do otherwise; it will comply with the subpoena after seven business days.

Student records shall be released pursuant to a federal judicial order that has been issued regarding an investigation or prosecution of an offense concerning an investigation or prosecution of terrorism

Student records may be released to officials and employees of the District only when they have a legitimate educational interest to inspect the record. Requests must be submitted in writing to the Director of Admissions and Records.

Student records may be released to authorized representatives of the Comptroller General of the United States, the Secretary of Education, an administrative head of an education agency, state education officials, or their respective designees or the United States Office of Civil Rights, where that information is necessary to audit or evaluate a state or federally supported educational program or pursuant to federal or state law. Exceptions are that when the collection of personally identifiable information is specifically authorized by federal law, any data collected by those officials shall be protected in a manner that will not permit the personal identification of students or their parents by other than those officials, and any personally identifiable data shall be destroyed when no longer needed for that audit, evaluation, and enforcement of federal legal requirements. Requests must be submitted in writing to the Director of Admissions and Records.

Student records may be released to officials of other public or private schools or school systems, including local, county or state correctional facilities where education programs are provided, where the student seeks or intends to enroll or is directed to enroll. The release is subject to the conditions in Education Code 76225. Requests must be submitted in writing to the Director of Admissions and Records.

Student records may be released to agencies or organizations in connection with a student's application for, or receipt of, financial aid, provided that information permitting the personal identification of those students may be disclosed only as may be necessary for those purposes as to financial aid, to determine the amount of the financial aid, or conditions that will be imposed regarding financial aid, or to enforce the terms or conditions of financial aid. Requests must be submitted in writing to the Director of Admissions and Records.

Student records may be released to organizations conducting studies for, or on behalf of, accrediting organizations, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering financial aid programs, and improving instruction, if those studies are conducted in such a manner as will not permit the personal identification of students or their parents by persons other than representatives of those organizations and the information will be destroyed when no longer needed for the purpose for which it is conducted. Requests must be submitted in writing to the Director of Admissions and Records.

Student records may be released to appropriate persons in connection with an emergency if the knowledge of that information is necessary to protect the health or safety of a student or other persons, subject to applicable federal or state law. Requests must be submitted in writing to the Director of Admissions and Records.

The following information shall be released to the federal military for the purposes of federal military recruitment: student names, addresses, telephone listings, dates and places of birth, levels of education, degrees received, prior military experience, and/or the most recent previous educational institutions enrolled in by the students.

Charge for Transcripts or Verifications of Student Records.

A student/former student shall be entitled to two free copies of the transcript of his/her record. Additional copies shall be made available to the student, or to an addressee designated by him/her, at the rate of \$7.00 per copy. Students may request special processing of a transcript. Rush copies may be obtained for an additional \$18 fee.

Electronic Transcripts

The District ~~has~~ ~~may~~ elected to implement a process for the receipt and transmission of electronic student transcripts. ~~contingent upon receipt of sufficient funding.~~

Use of Social Security Numbers

The District shall not do any of the following:

- Publicly post or publicly display an individual's social security number;
- Print an individual's social security number on a card required to access products or services;
- Require an individual to transmit his or her social security number over the internet using a connection that is not secured or encrypted;
- Require an individual to use his or her social security number to access an Internet Web site without also requiring a password or unique personal identification number or other authentication device; or
- Print, in whole or in part, an individual's social security number that is visible on any materials that are mailed to the individual, except those materials used for:
 - Application or enrollment purposes;
 - To establish, amend, or terminate an account, contract, or policy; or
 - To confirm the accuracy of the social security number.

If the District has, prior to January 1, 2004, used an individual's social security number in a manner inconsistent with the above restrictions, it may continue using that individual's social security number in that same manner only if:

- The use of the social security number is continuous;
- The individual is provided an annual disclosure that informs the individual that he or she has the right to stop the use of his or her social security number in a manner otherwise prohibited;
- The District agrees to stop the use of an individual's social security number in a manner otherwise prohibited upon a written request by that individual;
- No fee shall be charged for implementing this request; and the district shall not deny services to an individual for making such a request.

Tentative Revision: July 2017

Amended by the Board of Trustees: August 14, 2012

Approved by the Board of Trustees: August 13, 2002

BP 5050 Matriculation Student Success and Support Program

Reference:

Education Code Sections 78210, et seq.;
Title 5V, Section 55500, et. seq;
ACCJC Accreditation Standard II.C.2

The District shall provide ~~matriculation~~ Student Success and Support Program services to students for the purpose of furthering equality of educational opportunity and academic success. The purpose of ~~matriculation~~ Student Success and Support Program services is to bring the student and the District into agreement regarding the student's educational goal through the District's established programs, policies and requirements.

The Vice President of Student Services or designee shall establish procedures to assure implementation of Student Success and Support Program ~~matriculation~~ services that comply with the Title 5V regulations.

See Administrative Procedures #5050

Tentative Revision: July 2017

Approved by the Board of Trustees: August 13, 2002

AP 5050 Matriculation Student Success and Support Program

Reference:

Education Code Sections 78210 et seq.

Title 5V, Section 55500 et seq.

ACCJC Accreditation Standard II.C.2

Matriculation The Student Success and Support Program brings the student and the District into agreement regarding the student's educational goal through the District's established programs, policies and requirements. The agreement is implemented by means of the student educational plan.

Each student, in entering into an educational plan, will do all of the following:

- Identify an education and career goal;
- Identify a course of study;
- Be assessed to determine appropriate course placement;
- Complete orientation;
- Participate in the development of the student educational plan;
- Complete a student educational plan no later than the term after which the student completes 15 semester units of degree applicable credit coursework.
- Diligently attend class and complete assigned coursework; and
- Complete courses and maintain progress toward an educational goal
- Express at least a broad educational intent upon admission
- Declare a specific goal no later than the term after which the student completes 15 semester units of degree applicable credit coursework.

Matriculation Student Success and Support Program services include, but are not limited to, all of the following:

Orientation and pre-orientation services designed to provide to students, on a timely basis, information concerning campus procedures, academic expectations, financial assistance, and any other appropriate matters

Assessment and counseling upon enrollment, which shall include, but not be limited to, all of the following:

- Administration of assessment instruments to determine student competency in computational and language skills
- Assistance to students in the identification of aptitudes, interests and educational objectives, including, but not limited to, associate of arts degrees, transfer for baccalaureate degrees, and vocational certificates and licenses
- Evaluation of student study and learning skills
- Referral to specialized support services as needed, including, but not limited to, federal, state, and local financial assistance; health services; mental health services campus employment placement services; extended opportunity programs and services; campus child care services programs that teach English as a second language; and disabled student services
- Advisement concerning course selection

- ~~Post-enrollment evaluation of each student's progress, Follow-up services and required advisement or counseling for students who are enrolled in remedial courses, who have not declared an educational objective as required, or who are on academic probation.~~
- ~~Processing of the application for admission~~
- ~~Orientation and pre-orientation services designed to provide to students, on a timely basis, information concerning campus procedures, academic expectations, financial assistance, and any other appropriate matters~~

The District shall not use any assessment instrument except one specifically authorized by the Board of Governors of the California Community Colleges.

~~Students may be exempted from the Matriculation process and services under specific conditions:~~

- ~~They have already earned an A.A. degree or a higher degree; and~~
- ~~do not plan to earn a certificate or a degree (or an additional degree); and~~
- ~~are enrolled in less than 6 units a semester; and~~
- ~~have accumulated less than 12 units in transfer courses; and/or~~
- ~~do wish to receive services.~~

~~When any of the above exemptions change, matriculation services will be offered and available.~~

~~Disproportionate Impact:~~

~~In the event that implementation of the components of the Matriculation Plan result in a disproportionate impact on a particular group of students, the College will develop a plan to correct this impact in consultation with the California Community College Chancellor's Office.~~

~~Establishing Course Pre-requisites:~~

~~A mandatory course prerequisite or co-requisite will be adopted if the related instructional department and the College's curriculum committee validate that success in a course that is correlated with the requirement of the pre-requisite.~~

~~Challenging a Pre-requisite:~~

~~Students may challenge a course prerequisite or co-requisite for the following conditions:~~

- ~~The pre or co-requisite is not valid because it is not necessary to succeed in the course for which it is required;~~
- ~~The student has the knowledge or ability to succeed in the course despite not meeting the pre or co-requisite; or~~
- ~~The pre or co-requisite course is unavailable; or~~
- ~~The pre or co-requisite is discriminatory or is being applied in a discriminatory manner.~~

Tentatively Revised: July 2017

Approved by the Board of Trustees: August 13, 2002

BP 5110 Counseling

Reference:

Education Code Section 72620;
Title 5V, Section 51018;
ACCJC Accreditation Standard II.C.5

Counseling services are an essential part of the educational mission of the District.

The Vice President of Student Services or designee shall assure the provision of counseling services including academic, career, and personal counseling that is related to the student's education.

Counseling shall be required for all first time students enrolled for more than six (6) units, students enrolled provisionally, and student on academic or progress probation

Administrative Procedures #5110

Tentative Revision July 2017

Approved by the Board of Trustees August 13, 2002

AP 5110 Counseling

Reference:

Education Code Sections 72620 and 76621
Title V5, Section 51018 ;
ACCJC Accreditation Standard II.C.5

The counseling services available in the District's counseling program include at least the following:

- Academic counseling, in which the student is assisted in assessing, planning, and implementing his or her immediate and long-range academic goals

Career counseling, in which the student is assisted in assessing his or her aptitudes, abilities, and interests, and is advised concerning the current and future employment trends;

Personal counseling, in which the student is assisted with personal, family, or other social concerns, when that assistance is related to the student's education;

Coordination with the counseling aspects of other services to students, which exist on campus, including but not limited to those services provided in programs for students with special needs, skills testing programs, financial assistance programs, and job placement services.

Confidentiality of Counseling Information

Information of a personal nature disclosed by a student 12 years of age or older in the process of receiving counseling from a counselor is confidential, and shall not become part of the student record without the written consent of the person who disclosed the confidential information. However, the information shall be disclosed when permitted by applicable law, including but not limited to disclosure as necessary to report child abuse or neglect; reporting to the Superintendent/President of the College District or other persons when the counselor has reason to believe that disclosure is necessary to avert a clear and present danger to the health, safety, or welfare of the student or other persons living in the college community; reporting information to the Superintendent/President of the College or other persons as necessary when the student indicates that a crime involving the likelihood of personal injury or significant or substantial property losses will or has been committed; reporting information to one or more persons specified in a written waiver by the student.

Tentative Revision: July 2017

Approved by the Board of Trustees August 13, 2002

BP 5130 Financial Aid

Reference:

Education Code Sections 66021.6 and 76300

20 U.S.C. Sections 1070, et seq.;

34 Code of Federal Regulation Section 668; (U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid Programs under the Title IV of the Higher Education Act of 1965, as amended)

ACCJC Accreditation Standard III.D.15

A program of financial aid to students will be provided, which may include, but is not limited to, scholarships, grants, loans, and work and employment programs.

All financial aid programs will adhere to guidelines; procedures and standards issued by the funding agency, and will incorporate federal, state and other applicable regulatory requirements.

The Director of Financial Aid, Vice President of Student Services or designee shall establish, publicize, and apply satisfactory academic progress standards for participants in Title IV student aid programs.

Misrepresentation

Consistent with the applicable federal regulation for federal financial aid, the District shall not engage in "substantial misrepresentation" of:

1. The nature of its education program,
2. The nature of its financial charges, or
3. The employability of its graduates.

The Director of Financial Aid, Vice President of Student Services or designee shall establish procedures for regularly reviewing the District's website and other informational materials for accuracy and completeness and for training District employees and vendors providing covered services concerning the District's educational programs, financial charges, and employment of graduates to assure compliance with this policy.

The Director of Financial Aid, Vice President of Student Services or designee shall establish procedures wherein the District shall periodically monitor employees' and vendors' communications with prospective students and members of the public and take corrective action where needed.

This policy does not create a private cause of action against the District or any of its representatives or service providers. The District and its governing board do not waive any defenses or governmental immunities by enacting this policy.

Administrative Procedures #5130

Tentative Revision: July 2017

Approved by the Board of Trustees October 9, 2012

Approved by the Board of Trustees August 13, 2002

AP 5130 Financial Aid

Reference:

Education Code Sections 66021.6, 66025.9 and 76300;

Title V5, Sections 55031, 58600 et seq.

20 U.S.C. Sections 1070 et seq.;

34 Code of Federal Regulations Section 668; Education Code(U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid Programs under Title IV of the Higher Education Act of 1965, as amended)

ACCJC Accreditation Standard III.D.15

Gavilan College Participates in the following Financial Aid Programs:

- Board of Governor's (BOG) Enrollment Fee Waiver
- CalWORKs
- Cal Fresh
- Cal Grants
- CARE
- Federal Pell Grants
- Federal Direct Student Loan Program
- Federal Family Education Loan Program
- Federal Supplemental Educational Opportunity Grant (SEOG)
- Federal Work Study
- EOPS
- Various Scholarships

Please refer to the Gavilan College Student Financial Aid Handbook for:

- Application procedures, including deadlines
- Eligibility criteria
- Payment procedures
- Overpayment recovery
- Accounting requirements
- Satisfactory Academic Progress Standards (Appeals Process)

Additionally, the above information is available to students using the following:

- Gavilan College Brochure, "Completing the Free Application for Federal Student Aid (FAFSA) Form."
- FAFSA Free Application for Student Aid
- Fund Your Future, Booklet, from the California Student Aid Commission

Misrepresentation

Misrepresentation is defined as any false, erroneous or misleading statement that the District, a representative of the District, or a service provider with which the District has contracted to provide educational programs, marketing, advertising, recruiting or admissions services, makes directly or indirectly to a student, prospective student, a member of the public, an accrediting agency, a state agency, or the United States Department of Education.

A misleading statement includes any statement that has the likelihood or tendency to deceive or confuse. If a person to whom the misrepresentation was made could reasonably be expected to

rely, or has reasonably relied, on the misrepresentation, the misrepresentation would be substantial.

This policy procedure does not apply to statements by students through social media outlets or by vendors that are not providing covered services, as reflected herein.

Loss of Eligibility for BOG Fee Waiver

A student shall become ineligible for a Board of Governors (BOG) Fee Waiver if the student is placed on academic or progress probation, or any combination thereof, for two consecutive primary terms. Loss of eligibility shall become effective at the first registration opportunity after such determination is made. The District shall notify students of the placement on academic or progress probation no later than thirty (30) days following the end of the term that resulted in the student's placement on probation. The notification must clearly state that two consecutive primary terms of probation will lead to a loss of the BOG Fee Waiver until the student is no longer on probation. The notification must also advise students about the available student support services to assist them in maintaining eligibility.

The District shall adopt, prominently display, and disseminate policies ensuring that students are advised about the student support services available to assist them in maintaining and reestablishing eligibility BOG Fee Waiver eligibility. Dissemination includes, but is not limited to, information provided in college catalogs and class schedules.

The District shall establish written procedures by which a student may appeal the loss of a BOG Fee Waiver due to extenuating circumstances, or when a student with a disability applied for, but did not receive, a reasonable accommodation in a timely manner. Extenuating circumstances are verified cases of accidents, illnesses, or other circumstances that might include documented changes in the student's economic situation or evidence that the student was unable to obtain essential student support services. Extenuating circumstances also includes special consideration of the specific factors associated with: Veterans, CalWORKS, EOPS and DSPS (AEC) student status.

Foster Youth shall not be subject to loss of BOG Fee Waiver due to the placement on academic or progress probation. This exemption for Foster Youth is effective until the date specified in Education Code section 66025.9(c).

Tentative Revision: July 2017

Amended by the Board of Trustees: August 14, 2012

Approved by the Board of Trustees: August 13, 2002

BP 5140 Disabled Students Programs and Services (DSPS)

Reference:

***Education Code Sections 67310, 84850;
Title 5, Sections 56000 et seq.***

Students with disabilities shall be reasonably accommodated pursuant to federal and state requirements in all applicable programs in the District.

The Disabled Students Programs and Services (DSPS) program administered by the Accessible Education Center (AEC) Disability Resource Center (DRG) shall be the primary provider for support programs and services that facilitate equal educational opportunities for students with disabilities who can profit from instruction as required by federal and state laws.

AEC DRG services shall be available to students with verified disabilities. The services to be provided include, but are not limited to: reasonable accommodations, academic adjustments, technology accessibility, accessible facilities, equipment, instructional programs, rehabilitation counseling and academic counseling.

No student with disabilities is required to participate in the Disabled Students Programs and Services program.

The District shall respond in a timely manner to accommodation requests involving academic adjustments. The Associate Dean of the AEC DRG, the Vice President of Student Services or designee, shall establish a procedure to implement this policy which, at a minimum, provides for an individualized review of each such request, and permits interim decisions of such requests pending final resolution by the appropriate administrator or designee.

The Associate Dean of the AEC DRG or designee shall assure that the DSPS program conforms to all requirements established by the relevant law and regulations.

Administrative Procedures #5140

Tentative Revision: July 2017

Approved by the Board of Trustees: October 2012

Approved by the Board of Trustees August 13, 2002

AP 5140 Disabled Student Programs and Services (DSPS)

Reference:

Title 5, Sections 56000 et seq. and 56027

The District maintains a plan for the provision of programs and services to disabled students designed to assure that they have equality of access to District college classes and programs.

Services at the Gavilan College Disabled Student Programs and Services operated by the Accessible Education Center (AEC) Disability Resource Center (DRC) includes (but is not limited to) the following:

- Procedure for timely response to accommodation requests involving academic adjustments which, at a minimum, provides for an individualized review of each such request, and permits interim decisions on such requests pending final resolution by the appropriate administrator or designee
- Long-range goals and short-term objectives for the program. (Title V, Section 56046)
- Definitions of disabilities and students eligible for the program. (Refer to Title V, Section 56032)
- Support services and instruction that is provided. (Refer to Title V, Section 56026)
- Technology accessibility (Refer to Title V, Section 56027)
- Verification of disability. (Refer to Title V, Section 56032-44)
- Student rights and responsibilities. (Refer to current AEC Student Handbook)
- Student educational contract or plan that is developed by a designated person in consultation with the student. (Refer to Title V, Section 56027)
- Academic accommodations. (Refer to Title V, Section 56027)
- Provisions for course substitution and waivers. (Refer to Title V, Section 56027)
- Staffing (Refer to Title V, Section 56048); and
- Advisory committee (Refer to Title V, Section 56060)

Tentative Revision: July 2017

Amended by the Board of Trustees: August 14, 2012

Approved by the Board of Trustees August 13, 2002

BP 5205 Student Accident Insurance

Reference:

Education Code Section 72506

The District shall assure that students are covered by accident insurance in those instances required by law or contract.

See Administrative Procedures #5205

Reviewed January 2018 – No changes

Approved by the Board of Trustees August 13, 2002

AP 5205 Student Accident Insurance

Reference:

Education Code Section 72500

All injuries must be reported to the Security Department, Student Health Nurse, or the Vice President of Student Services or designee immediately upon notice that an injury occurred. If a student injury occurs during classroom or laboratory hours associated with the Gavilan College District, the faculty has the responsibility to ensure that the student's injury is addressed, and an accident report form is completed. A statement on the report form of how the injury occurred will be required ~~of the faculty member responsible~~ for the student when the injury occurred.

The Security Department, Student Health Nurse, nighttime administrator, ~~or~~ department administrator, or designee can assist faculty with an injured student and accident reporting.

Tentative Revision: October 2017

Approved by the Board of Trustees August 13, 2002

BP 5210 Communicable Disease

Reference:

Education Code Section 76403

The Superintendent/President of the District College shall establish procedures necessary to assure cooperation with local public health officials in measures necessary for the prevention and control of communicable diseases in students.

See Administrative Procedures #5210

Approved by the Board of Trustees August 13, 2002

AP 5210 Communicable Diseases

Reference:

Education Code Section 76403

Gavilan College will cooperate with local health officers in measures necessary for the prevention and control of communicable diseases in students.

Gavilan College will comply with any immunization program required by State Department of Health Services regulations.

Approved by the Board of Trustees August 13, 2002

BP 5300 Student Equity Plan

Reference:

Education Code Sections 66030; 66250, et seq.; 72010 et seq.;
Title V5, Section 54220

The Board is committed to assuring student equity in educational programs and District college services. The Superintendent/President of the College shall establish and implement a Student Equity Plan that meets the Title V5 standards for such a plan.

See Administrative Procedures #5300

Tentative Revision July 2017

Approved by the Board of Trustees August 13, 2002

AP 5300 Student Equity

Reference:

***Education Code Sections 66030; 66250, et seq.; 72010 et seq.;
Title V5, Section 54220***

The District has a Student Equity Plan. The plan is filed as required to the Chancellor's Office for the California Community Colleges, following approval by the Board.

The plan shall include:

- The active involvement of the groups on campus.
- Involvement by appropriate people from the community who can articulate the perspective and concerns of historically underrepresented groups.
- Campus-based research as to the extent of student equity.
- Institutional barriers to equity.
- Goals for access, retention, degree and certificate completion, English as a Second Language (ESL) and basic skills completion, and transfer for each historically underrepresented group.
- Activities most likely to be effective to attain the goals, including coordination of existing student equity related programs.
- Sources of funds for the activities in the plan.
- A schedule and process for evaluation of progress towards the goals.
- An executive summary that describes the groups for whom goals have been set, the goals, the initiatives that the District will undertake to achieve the goals, the resources budgeted for that purpose, and the District officer or employee who can be contacted for further information.

The Student Equity Plan shall be developed, maintained, and updated under the supervision of the Vice President of Student Services and/or designee.

Tentative Revision July 2017

BP 5500 Standards of Student Conduct

Reference:

Education Code Section 66300 and 66301

ACCJC Accreditation Standard A.7.b

ACCJC Accreditation Standards I.C.8 and 10

The Superintendent/President of the Gavilan Joint Community College District, Vice Presidents or designee 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 Superintendent/President 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 Gavilan College District catalog and other means.

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

1. Causing, attempting to cause, or threatening to cause physical injury to another person.
2. Possession, sale or otherwise furnishing any firearm, knife, explosive or other dangerous object, including but not limited to any facsimile firearm, knife or explosive, unless, in the case of possession of any object of this type, the student has obtained written permission to possess the item from a District employee, which is concurred in by the Superintendent/President of the District College.
3. ~~Unlawful the manufacture~~ possession, use, sale, offer to sell, or furnishing, or being under the influence of, any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the California Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind; or unlawful possession of, or offering, arranging or negotiating the sale of any drug paraphernalia, as defined in California Health and Safety Code Section 11014.5.
4. Committing or attempting to commit robbery or extortion.
5. Causing or attempting to cause damage to District property or to private property on campus.
6. Stealing or attempting to steal District property or private property on campus, or knowingly receiving stolen District property or private property on campus.
7. Willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of ~~the college or~~ the District.
8. Sexual assault or sexual exploitation regardless of the victim's affiliation with the District.
9. Committing sexual harassment as defined by law or by District policies and procedures.
10. Engaging in harassing or discriminatory behavior based on disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other status protected by law.

11. 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 cyberbullying
12. Stalking, defined as a pattern of conduct by a student with intent to follow, alarm, or harass another person, and which causes that person to reasonably fear for his or her safety, and where the student has persisted in the pattern of conduct after the student has been told to cease the pattern of conduct. Violation of a restraining order shall constitute stalking under this policy.
13. Willful misconduct which results in injury or death to a student or to District college personnel or which results in cutting, defacing, or other injury to any real or personal property owned by the District or on campus.
14. Disruptive behavior, willful disobedience, habitual profanity or vulgarity, or the open and persistent defiance of the authority of, or persistent abuse of, District college personnel.
15. Academic dishonesty, such as but not limited to: cheating, plagiarism (including plagiarism in a student publication).~~, or engaging in other academic dishonesty.~~
16. Dishonesty; forgery; alteration or misuse of District college documents, records or identification; or knowingly furnishing false information to the District.
17. Unauthorized entry upon or use of District college facilities.
18. Lewd, indecent or obscene conduct or expressions on District-owned or controlled property, or at District-sponsored or supervised functions.
19. 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 premises, or the violation of lawful District administrative procedures, or the substantial disruption of the orderly operation of the District.
20. Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.
21. Unauthorized preparation, giving, selling, transfer, distribution, or publication, for any commercial purpose, of any contemporaneous recording of an academic presentation in a classroom or equivalent site of instruction, including but not limited to handwritten or typewritten class notes, except as permitted by any District policy or administrative procedure.

See Administrative Procedures #5500

Tentative Revision: September 2017

Amended by the Board of Trustees: October 9, 2012

Amended by the Board of Trustees: November 13, 2007

Amended by the Board of Trustees: February 8, 2005

Approved by the Board of Trustees August 13, 2002

AP 5500 Standards of Student Conduct

Reference:

Education Code Section 66300 and 66301

Accreditation Standard II.A.7.b.

ACCJC Accreditation Standards I.C.8 and 10 (formerly II.A.7.b)

Principles of Community

As members of the Gavilan College community, we value the worth and dignity of every person, the pursuit of truth, devotion to excellence, acquisition of knowledge, and the nurture of democratic citizenship. We strive to maintain these ideals in an environment of inclusiveness and mutual respect.

The Principles of Community provide the foundation which creates this environment. The expectation is that we maintain the highest ethical standards in order to establish an atmosphere of civility, honesty, cooperation, professionalism and fairness.

Gavilan College aspires to be:

- Diverse
We embrace and celebrate diversity in all its forms (heritage, achievements, uniqueness, and contributions of all our members) and seek to uphold an inclusive, open and enlightened community)
- Purposeful
We are a community that maintains a shared commitment to service to society and advancement of knowledge through innovative teaching and learning.
- Open
We believe free exchange of ideas required mutual respect, trust and consideration for our differences
- Just
We are committed to respect for individual dignity and equitable access to resources, recognition, and security.

Definitions

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

1. Causing, attempting to cause, or threatening to cause physical injury to another person.
2. Possession, sale or otherwise furnishing any firearm, knife, explosive or other dangerous object, including but not limited to any facsimile firearm, knife or explosive, unless, in the case of possession of any object of this type, the student has obtained written permission to possess the item from a District employee, which is concurred in by the Superintendent/President of the District College.
3. Unlawful ~~the manufacture~~ possession, use, sale, offer to sell, or furnishing, or being under the influence of, any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the California Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind; or unlawful possession of, or offering, arranging or negotiating the sale of any drug paraphernalia, as defined in California Health and Safety Code Section 11014.5.
4. Committing or attempting to commit robbery or extortion.
5. Causing or attempting to cause damage to District property or to private property on campus.

6. Stealing or attempting to steal District property or private property on campus, or knowingly receiving stolen District property or private property on campus.
7. Willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of ~~the college~~ or the District.
8. Sexual assault or sexual exploitation regardless of the victim's affiliation with the District.
9. Committing sexual harassment as defined by law or by District policies and procedures.
10. Engaging in harassing or discriminatory behavior based on disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other status protected by law.
11. 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 cyberbullying.
12. Stalking, defined as a pattern of conduct by a student with intent to follow, alarm, or harass another person, and which causes that person to reasonably fear for his or her safety, and where the student has persisted in the pattern of conduct after the student has been told to cease the pattern of conduct. Violation of a restraining order shall constitute stalking under this policy.
13. Willful misconduct which results in injury or death to a student or to District ~~college~~ personnel or which results in cutting, defacing, or other injury to any real or personal property owned by the District ~~or on campus~~.
14. Disruptive behavior, willful disobedience, habitual profanity or vulgarity, or the open and persistent defiance of the authority of, or persistent abuse of, District ~~college~~ personnel.
15. Academic dishonesty, including but not limited to: cheating, plagiarism (including plagiarism in a student publication), ~~or engaging in other academic dishonesty.~~
16. Dishonesty; forgery; alteration or misuse of District ~~college~~ documents, records or identification; or knowingly furnishing false information to the District.
17. Unauthorized entry upon or use of District ~~college~~ facilities.
18. Lewd, indecent or obscene conduct or expressions on District-owned or controlled property, or at District-sponsored or supervised functions.
19. 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 premises, or the violation of lawful District administrative procedures, or the substantial disruption of the orderly operation of the District.
20. Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.
21. Unauthorized preparation, giving, selling, transfer, distribution, or publication, for any commercial purpose, of any contemporaneous recording of an academic presentation in a classroom or equivalent site of instruction, including but not limited to handwritten or typewritten class notes, except as permitted by any District policy or administrative procedure.

Students who engage in any of the above are subject to the procedures outlined in AP 5520 titled *Student Discipline Procedures*.

Academic honesty depends upon the integrity of the students and faculty. The District College itself is defrauded if faculty and/or students knowingly or unwittingly allow dishonest acts to be rewarded academically. It is the faculty's responsibility to make every reasonable effort to foster honest academic conduct. If the faculty member believes that there is evidence of academic

dishonestly on the part of a student it is the faculty member's responsibility to take appropriate action in accordance with this policy.

Students at within the Gavilan College District have the right to know what constitutes academic honesty ~~at the College~~ and in each course in which they are enrolled. Faculty members will apprise their classes of the ethical standards required in their courses and the permissible procedures in class work and examinations. A statement referring to this information as a reference for the class will be presented in the course outline (~~green sheet~~)* and/or on the individual examination questionnaires. Students will be informed of the consequences of violating these standards, their rights of appeal, and the procedures to be followed in the appeal.

1.0 Definitions of Academic Dishonesty

- a. Purposely allowing another student to copy from your paper during a test.
- b. Giving your homework term paper or other academic work to another student to plagiarize.
- c. Having another person submit any work in your name.
- d. Lying to an instructor or university official to improve your grade.
- e. Altering a graded work after it has been returned, then submitting the work for re-grading (without knowledge of the instructor).
- f. Removing test(s) from classroom or any other place without instructor's approval.
- g. Stealing tests or keys to tests.
- h. Forging signatures on drop/add slips or other college documents.

1.1 Cheating

At Gavilan, cheating is the act of obtaining or attempting to obtain credit for academic work through any dishonest, deceptive, or fraudulent means. Cheating at Gavilan includes, but is not limited to:

- a. Copying, in part or in whole, from another's test or other evaluation instrument or obtaining answers from another person during the test without instructor's approval.
- b. Submitting work previously presented in another course, if contrary to the written rules of the course.
- c. Using or consulting, during an examination, sources or materials not specifically authorized
- d. Intentionally altering, changing, and/or misusing documents or records. Knowingly furnishing false information or generally interfering with grading procedures or instruction of a class.
- e. Any other act committed by student(s) in the course of academic work, which defrauds and/or misrepresents, including aiding or abetting, in any of the actions defined above

1.2 Plagiarism

- a. The act of incorporating the ideas, words, sentences, paragraphs, or parts thereof, or the specific substance of another's work without giving appropriate credit, and representing the product as one's own work.
- b. Representing another's artistic/scholarly works such as musical compositions, writings, computer programs, photographs, paintings, drawings, scriptures, or similar works as one's own.

2.0 Student Evaluation and Reporting

When a Gavilan faculty member, responsible for a course, has reason to believe, and has evidence to substantiate, that the behavior of a student or students falls within one or both of the above sets of definitions, it is an instructor's responsibility to take the following steps:

- a. Arrange an office conference with the student and at that time advise the student of the allegations and make him or her aware of the supporting evidence and the probable consequences. Any classroom confrontation should be as discreet as possible. If, as a result of this meeting, the instructor believes that the student's response is insufficient to offset the charge of academic dishonesty to the extent that the student may be excused, the instructor will inform the student of the sanctions to be recommended or assessed in accordance with Section 3.0 of this policy.
- b. At the discretion of the instructor, a written report of the infraction and the action taken may be submitted to the Vice President of ~~Student Services~~ Academic Affairs with a copy to the appropriate ~~Dean~~ area dean.
- c. When a student, who has been informed in writing of an impending conference to discuss the alleged dishonesty, fails to attend, or when the apparent dishonesty is detected near the end of the semester and the instructor makes a good faith effort to contact the student but is unable to do so, the instructor may impose the recommended penalty and make the report called for in ~~Section 2.23.1~~ without a conference. In either case, the student's right to appeal is preserved.

3.0 Sanctions

There shall be two major classifications of sanctions that may be imposed for violations of this policy: Academic and Administrative. Academic sanctions will be defined as those actions related to the coursework and grades, which is the province of the instructor. Administrative sanctions concern a student's status on campus and are acted on by the Vice President of ~~Student Services~~ Academic Affairs. The imposition of one variety of sanction (Academic or Administrative) will not preclude the addition of the other.

3.1 Academic Sanctions

Faculty is responsible for the type of academic sanction to be applied to students involved in incidents of cheating or plagiarism. Usually a form of "grade modification" will be employed. Before sanctions can be employed, the faculty member must have verified the instances of academic dishonesty by personal observation and/or documentation. In all cases the violation should be reported to the Vice President of ~~Student Services~~ Academic Affairs with a copy provided to the appropriate dean. A student may be:

- a. Reprimanded orally. A student may be referred for counseling but cannot be required to seek counseling.
- b. Failed in the evaluation instrument (paper or exam).
- c. Reduced course grade equal to the failed instrument.
- d. Referred for Administrative Sanctions

A faculty member may choose to refer a student to the Vice President of ~~Student Services~~ Academic Affairs for disciplinary action in lieu of any academic sanction or in addition to the academic action the faculty member has taken.

e. Faculty Discretion

Cases involving the careless or inept handling of quoted material but falls short of the definitions of the acts of cheating and/or plagiarism as defined in items 1.1 and 1.2 of this policy may be dealt with at the discretion of the faculty member concerned. Item 1.1.6 also requires faculty interpretation.

f. Recommended Academic Sanctions

- Violations of quoted material, but falls short of the definitions of the acts of cheating and/or plagiarism as defined in Items 1.1 and 1.2 of the policy may be dealt with at the discretion of the faculty member concerned.
- For violation of Section 1.b, the recommended sanction shall be 3.1.b, reduction in grade or failure of that evaluation instrument.
- For violations of Sections 1.1.d and 1.1.e it is recommended that the student be referred to the Vice President of Student Services for Administrative sanction in accordance with 3.1.e. For violations of Section 1.2.b of this Policy, the recommended sanction shall be 3.1.c - reduction in course grade.

3.2 Administrative Sanctions

As stipulated in the California Administrative Code, Sanction 41301, cheating or plagiarism in connection with an academic program at a campus may warrant expulsion, suspension, probation or a lesser sanction. Administrative action involving academic dishonesty at within the Gavilan College District is the responsibility of the Vice President of ~~Student Services~~ Academic Affairs according to the Standards of Student Conduct and Disciplinary and Due Process Procedures.

The Vice President of ~~Student Services~~ Academic Affairs will respond to:

1. Referrals from the faculty;
2. Flagrant violations of academic standards; and
3. Repeat violations as brought to his/her attention by the faculty or through the student reports filed with the Vice President of Academic Affairs and/or the Vice President of Student Services.

The Vice President of ~~Student Services~~ Academic Affairs will notify faculty members involved when action has been taken.

4.0 Protection of Rights

Nothing in this Policy is intended to deny students who come within its scope appropriate "due process", including the right to be informed of the charges, the nature of the evidence supporting the charges, and to have a meeting with the faculty member, Vice President of ~~Student Services~~ Academic Affairs, or other decision-makers, at which time statements and evidence on behalf of the student may be submitted. Nor is it intended to deny the right to appeal, through appropriate District college channels, any decision resulting from such a meeting.

- a. Academic sanctions may be appealed through the Vice President of ~~Student Services~~ Academic Affairs in accordance with District college policy.
- b. When disciplinary suspension or expulsion is being recommended as an administrative sanction, the student has the right to a formal hearing by the Gavilan College Board of Trustees (Education Code 66017).

5.0 Dissemination of Information

- a. This policy shall be published in the general catalog and the **Student Rights and Responsibilities and Academic Standards Handbook**. There shall also be copies of this policy in every department office, in the library, in the Faculty Handbook, and copies available to all interested parties in the Administrative Offices ~~Office of Student Services~~.
- b. Dissemination of this information shall be the responsibility of the Vice President of Student Services and the Vice President of ~~Instructional Services~~ Academic Affairs.
- c. The Vice President of ~~Instructional Services~~ Student Services shall submit to the ~~ASB~~ Associated Students of Gavilan College (ASGC) and the Academic Faculty Senate annually a statistical report by way of Maxient reporting on the number and type of infractions and their eventual disposition.

Students who engage in any of the above are subject to the procedures outlined in AP 5520.

Tentative Revision September 2017

Amended by the Board of Trustees: August 13, 2013

Amended by the Board of Trustees: May 10, 2010

Amended by the Board of Trustees: November 13, 2007

Approved by: Gavilan College Board of Trustees 8/15/95

BP 5510 Off-Campus Student Organizations

Reference:

34 Code of Federal Regulations Section 668.46(b)(7)

The District shall work with local law enforcement agencies to monitor and assess criminal activity in which students engage at off-campus location of student organizations.

Off-Campus is defined as any location that not a part of the Gavilan Joint Community College District.

Approved by the Board of Trustees August 14, 2012

AP 5510 Off-Campus Student Organizations

Reference:

34 Code of Federal Regulations Section 668.46(b)(7)

The Gavilan Community College District Security Personnel does not provide law enforcement service to off-campus organizations nor are activities off-campus recognized by District authority.

Law enforcement is provided by local jurisdiction (i.e.: police or sheriff's department) Security is provided by private security or patrolling local jurisdiction

BP 5570 Student Credit Card Solicitation

Reference:

Title V, Section 54400; Civil Code Section 1747.02(m)
Education Code Section 99030.

The Superintendent/President of the Gavilan College District or designee shall establish procedures that regulate the solicitation of student credit cards on campus.

See Administrative Procedure #5570

NEW October 2017

AP 5570 Student Credit Card Solicitation

Reference:

Title V, Section 54400; Civil Code Section 1747.02(m)
Education Code Section 99030.

Student credit card solicitors must first reserve a table with the Associated Students of Gavilan College for a table in the Student Center.

Marketers of student credit cards are prohibited from offering gifts to students for filling out credit card applications.

Credit card and debt education and counseling sessions must be offered to students at time of application.

NEW October 2017

BP 5700 Intercollegiate Athletics

Reference:

Education Code Sections 78223, 66271.6, 66271.8, 67360 et seq.
20 U.S. Code Sections 1681 et seq.;
ACCJC Accreditation Standard II.C.4

The District shall maintain an organized program for men and women in intercollegiate athletics.

~~The District will offer opportunities for participation in athletics equally to male and female students consistent with state and federal law. The program shall not discriminate on the basis of gender in the availability of athletic opportunities.~~

The Superintendent/President of the College and Dean of Athletics and Kinesiology and Athletics shall assure that the athletics program complies with state law, the California Community College Athletic Association (CCCAA) California Community Colleges Commission on Athletic Constitution and Bylaws Sports Championship the CCCAA Championship Handbooks, and appropriate Conference Constitution regarding student-athlete participation.

See Administrative Procedures #5700

Tentative Revision: September 2017

Amended by the Board of Trustees: November 13, 2007

Approved by the Board of Trustees August 13, 2002

AP 5700 Intercollegiate Athletics

Reference:

Education Code 66271.6, 66271.8, 67360 et seq.

Title IX, Education Amendments of 1972,

ACCJC Accreditation Standard II.C.4

Intercollegiate Athletics

In accordance with Rules of Student Conduct, every student-athlete shall:

- Show exemplary conduct on and off campus.
- Adhere to District ~~College~~ rules and laws of the community with respect to individuals and property.
- Dress and behave appropriately when representing athletics and the District ~~College~~. Any questions with respect to appropriate dress and/or behavior should be referred to the Head Coach of the sport or an available Assistant Coach.
- Attend all of his/her class sessions. Regular attendance and consistent study are student-athlete responsibilities and the two factors, which contribute most to a successful college experience. Failure to attend classes can result in a lower grade or dismissal from the class. A student-athlete is likely to be required to miss class from time to time in order to travel to competitions. It is his/her responsibility to make arrangements for assignments with each instructor prior to an absence.
- Travel to, and return from, out-of-town contests in transportation provided by the District ~~College~~, unless prior arrangements have been made with the Head Coach and the Athletic Director. These arrangements must meet specific guidelines set forth by the Athletic Director. The Head Coach shall be responsible for the student-athlete until the trip concludes.
- Treat all equipment with respect, as if it were his/her own personal property. Each student-athlete will be responsible for all athletic equipment checked out. Grades may be withheld until all missing equipment is returned in satisfactory condition or until the District ~~College~~ has been financially reimbursed.

Student-Athlete Responsibilities

Gavilan Community College has established rules that are meant to give ~~you and your~~ student-athletes and ~~teammates~~ the best possible chance for academic and athletic success. During the season of ~~an your athletes'~~ sport, you each student-athlete must:

- Meet all California Community College Athletic Association (CCCAA) Commission on Athletics, Conference, and District ~~College~~ rules that pertain to eligibility and conduct. ~~Your~~ The Head Coach and/or Athletic Director will review these rules annually with each student-athlete with you.
- Comply with established team and department regulations and standards.
- Avoid abuse of controlled substances, steroids and alcohol. ~~Use of drugs, steroids, and abuse of alcohol.~~
- Meet all academic and athletic appointments and obligations promptly and regularly.
- Make progress toward educational goals.
- Conduct ~~yourself~~ themselves in a positive manner, both on and off the field or court ~~or track~~.
- Demonstrate loyalty to ~~your~~ teammates, teachers, and coaches, as well as, to the District ~~College~~ and community.
- Demonstrate respect for personnel, equipment, and facilities.

Standards of Conduct

Any student who has met the admissions and athletic eligibility requirements may try out for intercollegiate athletics. Once ~~When~~ a student becomes a member of a team, ~~representing Gavilan Community College,~~ he/she shall be subject to conduct standards of the District ~~College,~~ the Athletic Department, the ~~Coast~~ Conference and the ~~California Community College Athletic Association (CCCAA) Commission on Athletics~~ CCCAA, of in which the College is a member institution.

The Athletic Department has developed Student-Athlete Responsibilities (referred to above) in addition to the Student-Athlete Code of Conduct. These responsibilities are based on the premise that student-athletes representing Gavilan Community College will be in the public eye, and their personal conduct must reflect favorably upon the team, the District ~~College,~~ and the community.

Any violation of the Student-Athlete Code of Conduct or the CCCAA Constitution and Bylaws may result in suspension and/or removal from the team.

Tentative Revision: September 2017

Amended by the Board of Trustees: November 13, 2007

Approved by the Board of Trustees August 13, 2002

BP 2410 Board Policies and Administrative Procedures

Reference:

Education Code Section 70902

ACCJC Accreditation Standards IV.C.7, IV.D.4, I.B.7, and I.C.5 (formerly IV.B.1.b & e)

The Board may adopt such policies as are authorized by law or determined by the Board to be necessary for the efficient operation of the District. Board policies are intended to be statements of intent by the Board on a specific issue within its subject matter jurisdiction.

The policies have been written to be consistent with provisions of law, but do not encompass all laws relating to District activities. All district employees are expected to know of and observe all provisions of law pertinent to their job responsibilities.

Policies of the Board may be adopted, revised, added to or amended at any regular board meeting by a majority vote. Proposed changes or additions shall be introduced not less than one regular meeting prior to the meeting at which action is recommended. The Board shall regularly assess its policies for effectiveness in fulfilling the District's mission.

Administrative procedures are to be issued by the President of the College as statements of method to be used in implementing Board Policy. Such administrative procedures shall be consistent with the intent of Board Policy. Administrative procedures may be revised as deemed necessary by the President of the College.

The President of the College shall provide each member of the Board with any revisions. The Board reserves the right to direct revisions of the administrative procedures should they, in the Board's judgment, be inconsistent with the Board's own policies.

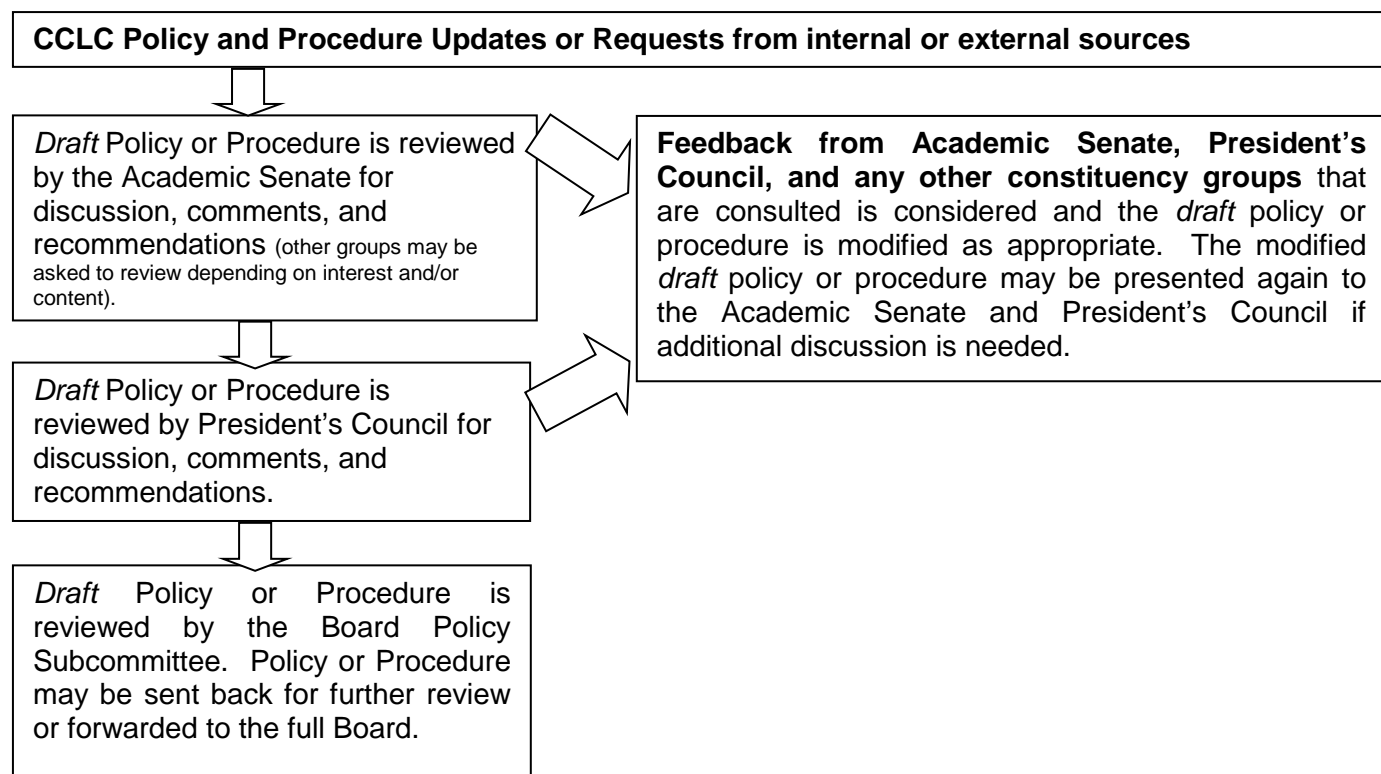
Copies of all board policies and administrative procedures shall be readily available to the public through the Office of the President.

AP 2410 When and How Board Policy/Administrative Procedure Review is Initiated

Reference:

**Education Code Section 70902;
ACCJC Accreditation Standards I.B.7; I.C.5; IV.C.7; and IV.D.4 (formerly
IV.B.1.b &e)**

- The process begins with updates from the CCLC (Community College League of California) or requests from internal and external sources.
- CCLC Provides templates, updates, and ongoing feedback on policies and procedures which are legally required, legally advised, or good practice.
- If the request is internal or from an external source, the interested parties may be requested to gather existing data as well as input regarding the proposed policy or procedure through surveys, interviews, polls, etc. from those whom the policy or procedure may affect.
- Procedures are approved by the Superintendent/President. Before approval they follow the same review process as policies. The procedures are processes used by the administration to implement policies. The procedures are numbered to align with the corresponding policy.



PROCEDURE – Board of Trustees Information

Procedures are submitted to the Board as an information item; they do not require Board action.

POLICY – Board of Trustees Action

Policy adoption requires a 1st and 2nd reading by the Board followed by majority vote of the whole board.

- Policies are submitted to the Board as an information item for a first reading
- Policies are submitted to the Board as an action item as a second reading

Gavilan College policies and procedures are kept updated and are posted on the District's website at:
<http://www.gavilan.edu/board/policies/index.html>