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**District Technical Review Workgroup**  
**Student Services – DTRW-SS**  
**AGENDA**

**November 12, 2015 – DAC Lakin Boardroom**  
**3:00 p.m. – 5:00 p.m.**

- Approval of September 10, 2015 Meeting Notes  
(October meeting was canceled)

**Old Business**

- BP/AP 5070 Attendance – Proposed/Registrars
- BP/AP 5075 Course Adds and Drops – Proposed/Registrars
- ASG Policies and Procedures 5400/5410 – VCCCD/CCLC version –  
Linda Kama'ila

**New Business**

- BP 5030 Fees – Alex Kolesnik (representing DCAS)
- Title IX Update – Title IX Subcommittee:  
BP/AP Prohibition of Harassment and Discrimination  
BP/AP 3500 Campus Safety  
BP/AP 3510 Workplace Violence Plan  
BP/AP 3515 Reporting of Crimes  
BP/AP 3540 Sexual and Other Assaults
- BP/AP 4230 Grading and Academic Record Symbols
- BP/AP 5013 Students in the Military
- BP/AP 5020 Nonresident Tuition
- *Early Alert to Progress Report* – discuss any issues with name change
- Future suggested agenda items

Next Meeting Date: December 10 – 3 pm – DAC Lakin Boardroom  
Submission deadline: December 4, 2015

Ventura County Community College District

**District Technical Review Workgroup – DTRW-SS Meeting Notes**

**September 10, 2015 – DAC Lakin Boardroom**

**3:00 p.m. – 4:30 p.m.**

**MEETING NOTES PRIOR TO APPROVAL AT NOVEMBER 12, 2015 DTRW-SS MEETING (October 8 meeting canceled)**

**Members:** Chancellor's Designee: Oscar Cobian, Chair (OC)  
Co-Chair: Traci Allen, Co-chair (VC)  
Executive Vice President and Vice Presidents: Lori Bennett (MC), Oscar Cobian (OC), Patrick Jefferson (VC)  
Academic Senate Presidents: Linda Kama'ila (OC), Mary Rees (MC), Alex Kolesnik (VC)  
Deans/Assistant Dean of Student Services: Karen Engelsen/Assistant Dean (VC), Pat Ewins, Dean (MC)  
Registrars: Dave Anter (MC), Joel Diaz (OC), Celia Rodriguez, Assistant Registrar (VC)  
Non-instructional designee: Marnie Melendez (Counselor, OC), Traci Allen (Counselor, MC), Angelica Gonzalez (Counselor, VC)  
Associated Student Government: ASG Rep vacant (OC), ASG Rep vacant (MC), ASG Rep vacant (VC)  
Policy and Administrative Procedures: Clare Geisen (Policy/procedure, Chancellor's Cabinet Liaison/guest)

**Absent:** Karen Engelsen, Pat Ewins, Celia Rodriguez

**Recorder:** Laurie Nelson-Nusser

**Notes:**

Agenda Item	Summary of Discussion	Action (If Required)	Completion Timeline	Assigned to:
<b>Welcome and Approval of August 27, 2015 Meeting Notes</b>	Oscar Cobian welcomed everyone to DTRW-SS. The meeting commenced at 3:05 pm.  The August 27, 2015 meeting notes were approved with a minor change to abstention.			
<b>OLD BUSINESS</b>				
<b>BP/AP 5070 Attendance – Proposed/Registrars</b>	Mr. Diaz presented the proposed version of BP and AP 5070 Attendance. Census day vs. census deadlines and communicating this information to faculty was discussed.	Make recommended revisions	October 2	Registrars
	Suggested revisions were made to the administrative procedure. The revised version	Distribute to DTRW-I and	October 2	Laurie Nusser

Agenda Item	Summary of Discussion	Action (If Required)	Completion Timeline	Assigned to:
	will be reviewed at the October DTRW-SS and DTRW-I meetings. The new versions of this policy and procedure will be distributed to DTRW-I and DTRW-SS workgroups. Mr. Diaz will make the recommended revisions and submit to Ms. Nusser for distribution.	SS		
<b>BP/AP 5075 Course Adds and Drops – Proposed/ Registrars</b>	Mr. Diaz presented the proposed version of BP and AP 5075 Course Adds and Drops. Suggested revisions were made to the administrative procedure. The revised version will be reviewed at the October DTRW-SS and DTRW-I meetings. The new versions of this policy and procedure will be distributed to DTRW-I and DTRW-SS workgroups. Mr. Diaz will make the recommended revisions and submit to Ms. Nusser for distribution.	Make recommended revisions	October 2	Registrars
		DTRW-I and SS	October 2	Laurie Nusser
<b>Admission of Minors – MOU</b>	The MOU for Admission of Minors forms was reviewed. There was discussion regarding parents' requirement of attending night classes with their minor child and revising or striking the 3 bullet points under item 2 to clarify parents' responsibilities. The revised document will be posted on the Colleges' websites.			
<b>NEW BUSINESS</b>				
<b>Title IX Update</b>	Mr. Cobian indicated he attended a conference call on Title IX and there has been a new Districtwide workgroup formed to address Title IX updates. There is a meeting scheduled for next week. This will be a standing item on the DTRW-SS agenda for regular updates.	Add to October Agenda	October 2	Laurie Nusser
<b>ASG Policies and Procedures – 5400/5410/5420 – Linda Kama'ila</b>	Dr. Kama'ila provided an overview of the need to review these policies and procedures. Due to time constraints this item was tabled to the October meeting. BP/AP 5420 will not	Add to October Agenda	October 2	Laurie Nusser

Agenda Item	Summary of Discussion	Action (If Required)	Completion Timeline	Assigned to:
	return to the agenda (finance).			
<b>Future Suggested Agenda Items</b>	There were no new items requested.			
<b>NEXT MEETING</b>	Thursday, October 8, 2015 – 3:00 p.m. – DAC Lakin Boardroom – Submission deadline October 2, 2015			

Book	Administrative Procedures
Section	Chapter Five, Student Services
Title	Attendance
Number	BP_ 5070
Status	PROPOSED
Legal	<a href="#"><u>Title 5 Sections 58000 et seq</u></a>

Adopted

## BP 5070 Attendance

### References:

~~Title 5 Sections 58000 et seq.~~

The Chancellor or a designee shall establish procedures to ensure attendance accounting, census reporting and apportionment reporting in compliance with Title 5.

Book	Administrative Procedures
Section	Chapter Five, Student Services
Title	Attendance
Number	AP_ 5070
Status	PROPOSED
Legal	<a href="#">Title 5 Sections 58000 et seq</a>

Adopted

## AP 5070 Attendance

### References:

~~Title 5 Sections 58000 et seq.~~

This procedure implements Board Policy 5070, as well as section 70901.5 of the California Education Code and section 58000 et seq of Title 5, California Code of Regulations to ensure accurate Attendance Accounting practices.

### **A. The District shall develop and adopt an academic calendar annually.**

1. The calendar shall contain at least 175 days during the fiscal year, shall identify and include holidays and other non-instructional days.
2. The calendar will include at least 32 weeks.
3. Adult or continuing education calendars may be scheduled differently than the college calendar due to facility use and program need.
4. Class hours will be scheduled in accordance with State regulations, regardless of the number of weeks in the session.

### **B. The District shall schedule classes in accordance with State regulations including observance of the following attendance accounting methods and requirements.**

1. Census Week – credit classes that meet on a regular basis each week for a full semester (primary term); applicable only to fall and spring semesters. The enrollment count is taken on the Census date as determined by attendance accounting requirements.
2. Census Day – short-term credit classes which meet on a regular basis for at least 5 days but do not meet for a full semester (primary term). This includes classes held during summer sessions and Intersession. The enrollment count is taken on the census day which is 20% of the class meeting days, excluding holidays.
3. Positive Attendance – classes which do not meet on a regular basis or which operate on an open entry/open exit basis. Requires the collection and reporting of the actual hours of attendance of each student for each hour are counted. The following classes are always positive attendance: in-service academy, non-credit, and apprenticeship.
4. Independent Study or Work Experience – classes which are identified as independent study or work experience during the curriculum approval process.

### **C. FTES reporting**

1. All scheduled classes shall be advertised and open to the public unless special circumstances provide for an allowable restriction of enrollment in accordance with state regulation.
2. In-service training courses in the areas of police, fire, corrections, and other criminal justice system occupations will conform to all apportionment attendance and course of study requirements imposed by law, and be fully open to the enrollment and participation of the public. Prerequisites for these courses

shall not be established or construed so as to prevent academically qualified persons who are not employed by agencies in the criminal justice system from enrolling in and attending the courses.

a. Preference in enrollment may be given to persons who are employed by, or serving in a voluntary capacity with a fire protection or fire prevention agency in any course of in-service fire prevention agency or association.

b. In-service training courses which are restricted to employees of police, fire, corrections, and other criminal justice agencies, shall not report attendance for the restricted courses for purposes of state funding.

3. Scheduled classes where the full cost of instruction is paid by an organization, ~~or~~ agency or third party may not be claimed for apportionment.

### **C. Faculty shall maintain accurate attendance records.**

1. Faculty shall take and record attendance at each regularly scheduled class meeting up to the census date for census week based (full-semester length) and census day based (short-term) classes.

2. Faculty shall record the actual attendance hours of each student for each class meeting for positive attendance classes. The records must be in a legible manner that can be clearly interpreted by others. The attendance records must be submitted to the division office and/or the Admissions and Records Office.

3. Where a class has both scheduled meeting times and ~~positive attendance hours~~ hours by arrangement, faculty shall record the attendance hours of each student for both the scheduled meeting times and the ~~positive attendance hours~~ hours by arrangement, and shall document the instructional activities that take place during the ~~positive attendance hours~~ by arrangement.

4. Any student absent from the first class meeting may be dropped by the instructor.

5. All rosters must be cleared of inactive enrollment (drop students) as of the ~~end of the business day~~ census deadline, which is the day before the census date (full semester classes) or census day (short-term classes). Inactive enrollment is defined as:

a. "No shows" or

b. "Is no longer attending or actively participating" such as students who have accumulated excessive unexcused absences.

6 Instructors of distance education classes, especially those that are 100% online, must incorporate drop policies into their syllabus that include the following:

- Students enrolled in online classes must meet a standard of participation to be considered actively enrolled by regularly logging in and actively participating in the course, or they may be considered inactive and may thus be dropped by the instructor.
- Specific assignments within an online course can act as attendance or student activity indicators. If the assignment or activity is not completed by a given date, then a student may be considered inactive and may be dropped. Attendance assignments or student activity indicators will be determined by individual instructors.

7. Faculty may include a statement in the course syllabus to the effect that it is the student's responsibility to drop or withdraw from the class; however, this does not alleviate the faculty member from the requirement to clear his/her roster of inactive enrollments ~~before the census day/date~~ as of the census deadline of each course.

8. Faculty may, but are not required to drop students for lack of attendance or participation after the census date deadline and are not required to notify the student after having provided every student access to the drop policy in the course syllabus. After the census date, it is the instructor's discretion to drop students who have accumulated excessive absences as stated in the course syllabus.

9. Tardiness and/or leaving class early may be treated in the same manner as absences per the class syllabus.

10. Final grades may be affected by attendance to the extent that the instructor has included attendance, noted as participation, in the "method by which the final grade is determined," and has provided this information in the class syllabus.

11. Faculty may excuse absences when the absence results from illness, accident, other circumstances beyond the student's control, or participation in authorized professional or college activities.

12. Faculty will determine if work missed during any absence can be made up.
13. All drops (administrative, instructor or student initiated) shall be recorded in the same manner.
14. Students remaining in a class beyond the published withdrawal deadline as stated in the class schedule will receive an evaluative grade.
15. Faculty will be required to enter the last date of ~~known activity~~ attendance and/or participation for all students ~~enrolled in specified Federal programs~~ who receive F or NP grades.

DRAFT



Book	Administrative Procedures
Section	Chapter Five, Student Services
Title	Course Adds and Drops
Number	BP_ 5075
Status	PROPOSED
Legal	<a href="#">Title 5 Sections 55024 and 58004</a>
Adopted	

**BP 5075 ~~Attendance~~ Course Adds and Drops**

**References:**

Title 5 Sections 58000 et seq.

The Chancellor or a designee shall establish procedures to ensure that course adds, drops, withdrawals and instructor-initiated census drops occur in compliance with Title 5.

AP 5075  
COURSE ADDS AND DROPS  
Status: PROPOSED  
Legal [Title 5 Sections 55024 and 58004](#)

The District may allow students to add and drop courses pursuant to policy.

### **Adding Courses**

A. Students may add courses during the first two weeks for a full term course, or the first 15% of a short term course contingent upon the course having available space.

- ~~1) the course still having available space~~
- ~~2) the instructor's judgment regarding pedagogical and safety issues~~

~~B. After the add period concludes:~~

- ~~1) students may add a course only with an add authorization code through the last business day before the census date/day.~~
- ~~2) students not officially registered in a course shall not be permitted to attend that course.~~

B. After the first week of a full-term course, or the first day of a short-term course, students may add a course only with an add authorization code through the census deadline.

### C. Late Enrollment Procedures:

Students who were in attendance prior to census and have extenuating circumstances that prevented them from registering by add deadlines may petition to add classes by submitting a Late Add Petition. Verifiable documentation of extenuating circumstances may be required and must be attached to the petition at the time of submission. Students not officially registered in a course shall not be permitted to attend the course after the census deadline.

- ~~1) The Late Add petition can be picked up in the Admissions and Records Office or downloaded from the Admissions and Records website college website.~~
- ~~2) Students must obtain approval from the instructor, subject area Dean and/or the EVP/VP or designee.~~

### **Withdrawal/Military Withdrawal**

Students may withdraw from class using the online process described in the current class schedule or they may submit a Drop Form to the Office of Admissions and Records. It is the

9.15.15 DRAFT

DTRW-I 10.08.15; 11.12.15

DTRW-SS 11.12.15

student's responsibility to withdraw from class by the official deadline dates published in the most recent Catalog, Schedule of Classes, and the website.

A. Withdrawal Prior to Census (20% of instruction)

Students who withdraw or are withdrawn from weekly census sections prior to census (or 20% of the instructional time frame for all other section accounting methods) shall have no notation made to the permanent record.

B. Withdrawal 20% - 75% of Instruction

Students who withdraw or are withdrawn from weekly census sections on or after census (or 20% of the instructional time frame for all other section accounting methods) and through the end of the fourteenth week (or 75% of the instructional time frame) shall have a "W" posted to the permanent record.

The "W" shall not be used in calculating grade point averages, but shall be used in determining probation, dismissal, and the number of course attempts.

C. Withdrawal After 75% of Instruction

The permanent record of students who remain in class beyond the fourteenth week of the term in a weekly census section (or 75% of the instructional time frame for all other section accounting methods) must reflect an evaluative grade symbol other than W.

D. Extenuating Circumstances

Students who withdraw from weekly census sections after the fourteenth week of the term (or 75% of the instructional time frame for all other sections accounting methods) may, in the case of extenuating circumstances, be assigned the W. Such cases will require verification and will be handled by the appropriate college official in consultation with the instructor(s). Extenuating circumstances are defined as illness, accident, and other circumstances beyond the control of the student. Withdrawal under these provisions may also be allowed prior to the 75% of instructional time frame, and after the census deadline may be notated as "Medical Withdrawal" if student is dropping due to an accident or illness and is approved by the appropriate college official.

A "W" symbol shall not be assigned, or if assigned shall be removed, from a student's academic record when a;

- Determination is made pursuant to Title 5 Sections 59300 et seq. that the student withdrew from the course due to discriminatory treatment or due to retaliation for alleging discriminatory treatment.
- Student withdrew from one or more classes, where such withdrawal was necessary due to fire, flood or other extraordinary conditions and the withdrawal is authorized by the district pursuant to section 58509.

#### E. Military Withdrawal

An MW (Military Withdrawal) shall be assigned for students who are members of an active or reserve United States military service who receive orders compelling a withdrawal from courses. Upon verification of such orders, the symbol may be assigned at any time. The MW shall not be counted in progress probation and dismissal calculations.

#### Instructor Initiated Drops Prior to Census

Instructors shall drop students due to inactive enrollment by the census deadline.

See BP/AP 5070 for more information about census and attendance records.

~~A. For purpose of census collection, instructors shall drop students due to inactive enrollment not later than the end of the last business day before the census day for all students who have:~~

- ~~1) Been identified as a no show~~
- ~~2) Students who are no longer attending or participating in the course~~
- ~~3) Students who have officially withdrawn~~

~~Faculty may, but are not required to, drop students for lack of active participation after the census date of a course has passed.~~

~~The requirement to clear rosters of inactive enrollment is predicated by state law and applies to all courses regardless of the mode of instruction delivery including distance education.~~

~~Instructors of distance education classes, especially those that are 100% online, must incorporate drop policies into their syllabus that include the following:~~

- ~~• Students enrolled in online classes must meet a standard of participation to be considered actively enrolled by regularly logging in and actively participating in the course, or they may be considered inactive and may thus be dropped by the instructor.~~
- ~~• Specific assignments within an online course can act as attendance or student activity indicators. If the assignment or activity is not completed by a given date, then a student~~

9.15.15 DRAFT

DTRW-I 10.08.15; 11.12.15

DTRW-SS 11.12.15

~~may be considered inactive and may be dropped. Attendance assignments or student activity indicators will be determined by individual instructors.~~

- ~~• Faculty may but are not required to drop students for lack of participation after the census date and are not required to notify the student after having provided every student access to the drop policy in the course syllabus.~~

## **Course Repetition**

The District will comply with Title 5 regulations regarding course repetition and withdrawals.

See BP/AP 4225 and 4227 for more information about course repetition policy and procedures.

See BP/AP 4230 for more information about grading and academic record symbols.



Book	VCCCD Board Policy Manual
Section	Chapter 5 Student Services
Title	BP 5400 ASSOCIATED STUDENTS ORGANIZATION
Number	BP 5400
Status	Active
Legal	<a href="#">California Education Code, Section 76060</a>
Adopted	April 18, 2006
Last Reviewed	June 18, 2013

The students of the District are authorized to organize student body associations. The Board hereby recognizes these associations as the Associated Students of Moorpark, Oxnard, and Ventura Colleges.

The Associated Students organization is recognized as the official voice for the students in District decision-making processes. It may conduct other activities as approved by the Chancellor. The Associated Students activities shall not conflict with the authority or responsibility of the Board or its officers or employees.

The Associated Students organizations shall conduct themselves in accordance with state laws and regulations and administrative procedures established by the Chancellor. Guidance will be provided to the Associated Students for proper direction and assistance with all student activities.

The Associated Students organizations shall be granted the use of the District premises subject to such administrative procedures as may be established by the Chancellor. Such use shall not be construed as transferring ownership or control of the premises.

See [Administrative Procedure 5400](#).

Last Modified by Laurie Nusser on July 2, 2013



Book	Board Policies
Section	Chap 5 Student Services
Title	Associated Students Organization
Number	BP 5400
Status	Active
Legal	<a href="#">Education Code Section 76060</a>
Adopted	November 1, 2000

## BP 5400 Associated Students Organization

### Reference:

Education Code Section 76060

**NOTE:** This policy is **legally required**.

The students of the District are authorized to organize a student body association[s]. The Board hereby recognizes that *[those]* association[s] as the Associated Students of the District *[ list the A. S. of each college ]*.

The Associated Students organization is recognized as the official voice for the students in district [and college] decision-making processes. It may conduct other activities as approved by the *[ CEO ]*. The Associated Students activities shall not conflict with the authority or responsibility of the Board or its officers or employees.

The Associated Students shall conduct itself in accordance with state laws and regulations and administrative procedures established by the *[ CEO ]*.

**NOTE:** The following language is suitable for use in those districts where the ASO has been granted use of district facilities, e.g., for offices, meetings, etc.

The Associated Students shall be granted the use of District premises subject to such administrative procedures as may be established by the *CEO*. Such use shall not be construed as transferring ownership or control of the premises.

See Administrative Procedures *[ # ]*.

[BP 5400 Associated Students Organization.doc \(25 KB\)](#)

Last Modified by Jane Wright on March 13, 2012



Book	VCCCD Administrative Procedure Manual
Section	Chapter 5 Student Services
Title	AP 5400 ASSOCIATED STUDENTS ORGANIZATIONS
Number	AP 5400
Status	Active
Legal	<a href="#">California Education Code, Section 76060</a>
Adopted	June 18, 2013
Last Reviewed	June 18, 2013

Each college of the Ventura County Community College District shall have one Associated Students Organization.

Membership in student organizations is open to all students. Both day and evening student representatives shall be encouraged.

Policies and practices of the Associated Students shall be outlined in the Constitution and By-laws as established and reviewed regularly by student leadership.

The Associated Students Organizations may conduct such activities as are consistent with the purposes of the organization, the educational and social goals of the college, and approved policies and procedures of the college and the District.

A governing body shall be elected that shall keep an account of its meetings, expenditures, authorizations, and policies established. Meetings will be held in compliance with the Brown Act.

A simple majority of the elected voting members of the Associated Students Organization governing body shall constitute a quorum.

Last Modified by Laurie Nusser on July 2, 2013





Book	Administrative Procedures
Section	Chap 5 Student Services
Title	Associated Students
Number	AP 5400
Status	Active
Legal	<a href="#">Education Code Section 76060</a>
Adopted	November 1, 2000

## AP 5400 Associated Students

### Reference:

Education Code Section 76060

**Note:** *This procedure is **legally advised** if the Board has established a student body organization under Education Code Section 76060. Local practice may be inserted here. **The following are the minimum standards required.***

***The District/Each college in the District*** shall have one Associated Students Organization.

Both day and evening student representatives shall be encouraged.

A governing body shall be elected that shall keep an account of its meetings, expenditures, authorizations and policies established.

A simple majority of the elected voting members of the Associated Students Organization governing body shall constitute a quorum.

[AP 5400 Associated Students.doc \(28 KB\)](#)

Last Modified by Jane Wright on March 13, 2012



Book	VCCCD Board Policy Manual
Section	Chapter 5 Student Services
Title	BP 5410 ASSOCIATED STUDENTS ELECTIONS
Number	BP 5410
Status	Active
Legal	<a href="#">California Education Code, Section 76061</a>
Adopted	April 18, 2006
Last Reviewed	February 10, 2015

The Associated Students shall conduct annual elections to elect officers. The elections shall be conducted in accordance *VCCCD Student Election Standard Operating Practices for Associated Students' Positions and Student Trustee Position*.

Any student elected as an officer in the Associated Students shall meet the following requirements:

- The student shall be enrolled in the District at the time of election and throughout his or her term of office, with a minimum of five semester units.
- The student shall meet and maintain the minimum standards of scholarship.

No Administrative Procedure is required.

[StudentElectionStandardOperatingPracticesFinal2-10-15.pdf \(784 KB\)](#)

Last Modified by Laurie Nusser on March 3, 2015



Book	Board Policies
Section	Chap 5 Student Services
Title	Associated Students Elections
Number	BP 5410
Status	Active
Legal	<a href="#">Education Code Section 76061</a>
Adopted	November 1, 2000

## BP 5410 Associated Students Elections

### Reference:

Education Code Section 76061

NOTE: This policy is legally required.

The Associated Students shall conduct annual elections to elect officers. The elections shall be conducted in accordance with procedures established by the [ *CEO* ].

Any student elected as an officer in the Associated Students shall meet both of the following requirements:

- The student shall be enrolled in the District at the time of election and throughout his/her term of office, with a minimum of five semester units or the equivalent.
- The student shall meet and maintain the minimum standards of scholarship (see BP 4220 titled Standards of Scholarship and related administrative procedures).

See Administrative Procedures [ # ].

[BP 5410 Associated Students Elections.doc \(24 KB\)](#)

Last Modified by Jane Wright on March 13, 2012



Book	Administrative Procedures
Section	Chap 5 Student Services
Title	Associated Students Elections
Number	AP 5410
Status	Active
Legal	<a href="#">Education Code Section 76061</a>
Adopted	November 1, 2000

## AP 5410 Associated Students Elections

### Reference:

Education Code Section 76061

**Note:** *This procedure is **legally required** if the District has an Associated Students Organization created by the Board pursuant to Education Code Section 76060.*

The Associated Students shall conduct annual elections to elect officers.

Any student elected as an officer in the Associated Students shall meet the requirements in **Board Policy**.

**Note:** *Insert local election procedures.*

 [AP 5410 Associated Students Elections.doc \(27 KB\)](#)

Last Modified by Jane Wright on March 13, 2012

## BP 5030 FEES

Last Reviewed 4/14/15

[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](#)

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.

### **Waivers to Specific Fees:**

#### **Education Code Section 76355**

- High School students enrolled in a dual college/high school credit course offered at a high school in the district will be exempt from paying the following fees:
  - Health Fee
  - Student Representation Fee
  - Student Activities Fee
  - Student Center Fee

### **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 fee of \$5 per semester at Moorpark College, \$7 per semester at Oxnard College, and \$7 per semester at Ventura College 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. All funds collected will follow the guidelines set forth in VCCCD [Board Policy 5420](#).

**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](#).



Book	VCCCD Administrative Procedure Manual
Section	Chapter 5 Student Services
Title	AP 5030 FEES
Number	AP 5030
Status	Active
Legal	<a href="#">Student Fee Handbook, California Community College Chancellor's Office</a> <a href="#">Title 5, Section 51012</a> <a href="#">California Education Code, Section 66025.3</a> <a href="#">California Education Code, Section 76300</a> <a href="#">California Education Code, Section 70902(b)(9)</a>
Adopted	April 14, 2009
Last Reviewed	April 14, 2015

#### **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 nonresident tuition fees. For 2015-16 that rate will be \$235 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	\$52.00	\$26.00
BOGW students	\$30.00	\$25.00
Motorcycle	\$35.00	\$15.00
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.
- A fee of \$5 per semester at Moorpark College, \$7 per semester at Oxnard College, and \$7 per semester at Ventura College 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 senior administrator of student services or designee, the fee will be disbursed into the following accounts: Associated Students General Fund, Associated Student Reserve, Student Clubs and Organizations, and Student Activities. Students may refuse to pay the fee for religious, political, financial, or moral reasons. All funds collected will follow the guidelines set forth in VCCCD [Board Policy 5420](#).
- 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

Last Modified by Laurie Nusser on April 20, 2015

**From:** [Jennifer Kalfsbeek](#)  
**To:** [Laurie Nelson-Nusser](#)  
**Cc:** [Oscar Cobian](#); [Lori Bennett](#)  
**Subject:** Title IX proposed BP"s and AP"s for DTRW  
**Date:** Thursday, November 05, 2015 6:52:07 PM  
**Attachments:** [BP 3500 Campus Safety CCLC 11.01.2000 VCCCD FINAL OCT 22 2015.doc](#)  
[AP 3500 Campus Safety Rev. 11-14 VCCCD FINAL OCT 22 2015.docx](#)  
[BP 3510 Workplace Violence Plan Rev. 4-15 CCLC VCCCD FINAL OCT 22 2015.doc](#)  
[AP 3510 Workplace Violence Plan Rev. 4-15 VCCCD FINAL OCT 22 2015.doc](#)  
[BP 3515 Reporting of Crimes CCLC VCCCD FINAL OCT 22 2015.doc](#)  
[AP 3515 Reporting of Crimes Rev. 4-15 VCCCD FINAL OCT 22 2015.doc](#)  
[BP 3540 Reporting of Crimes CCLC VCCCD FINAL OCT 2015.docx](#)  
[AP 3540 Sexual and Other Assaults VCCCD FINAL OCT 22 2015.docx](#)  
[image003.png](#)

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Laurie,

Attached are proposed Title IX related BPs and APs that have been created, based on corresponding CCCL templates, for the November 12<sup>th</sup> DTRW meeting. Members of the Title IX policy workgroup, who created the attached documents, include representatives from the three campuses, campus police, and HR. Their names and positions are listed below.

Attached are the following BP's and AP's needed to comply with Title IX:

1. **BP 3500 (Campus Safety)**
2. **AP 3500**
3. **BP 3510 (Workplace Violence)**
4. **AP 3510**
5. **BP 3515 (Reporting of Crimes)**
6. **AP 3515**
7. **BP 3540 (Sexual & Other Assaults on Campus) – no edits were needed**
8. **AP 3540**

Additionally, **AP 3430 is still being** finalized by Gary Maehara. Gary should be getting this final AP to you by Friday, November 6<sup>th</sup>. As I understand it, he is awaiting final approval from Michael Shanahan.

*WORKGROUP MEMBERS: Oscar Cobian (VP, OC), Deanna McFadden (Health Center, OC), Lynn Wright (Dean, VC), Mary Jones (Health Center, VC), Pat Ewins (Dean, MC), Sharon Manakas (Health Center, MC), Joel Justice (Chief of Police, VCCCD), Rita McKinney (Police Services), and Jennifer Kalfsbeek-Goetz (Dean, MC).*

**Thank You,**

[Jennifer Kalfsbeek-Goetz, Ph.D.](#)

Dean of Student Learning, Moorpark College

Applied Arts, Business, Science, Child Development & Distance Education, AA-101

[JKgoetz@vcccd.edu](mailto:JKgoetz@vcccd.edu) ~ 805.553.4121



MOORPARK  
COLLEGE  
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## **BP 3500 Campus Safety**

**Reference:**

Education Code 67380(a)(4)

<b>Note:</b> This policy is legally required.
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The Board is committed to a safe and secure District work and learning environment. To that end, the CEO or Designee shall establish a campus safety plan and ensure that it is posted or otherwise made available to students. The campus safety plan shall include availability and location of security personnel, methods for summoning assistance of security personnel, any special safeguards that have been established, any actions taken in the preceding 18 months to increase safety, and any changes in safety precautions to be made during the next 24 months.

See Administrative Procedure [3500].

## AP 3500 Campus Safety

### References:

Education Code Sections 212, 67380, and 87014;  
Penal Code Section 245;  
20 U.S. Code Sections 1092(f) and 1232g;  
34 Code of Federal Regulations 668.46;  
34 Code of Federal Regulations 99.31(a)(13), (14);  
Campus Security Act of 1990

**NOTE:** This procedure is legally required.

A campus safety plan shall be developed and provided to students in written format and/or on campus websites.

Additionally, The office of the VCCCD Police prepares and annually updates a report of all occurrences reported to campus police and/or Campus Security Authorities (CSA) of, and arrests for, crimes that are committed on campus and that involve violence, hate violence, theft or destruction of property, illegal drugs, or alcohol intoxication, and of all occurrences of noncriminal acts of hate violence reported to campus authorities. A written report will be submitted to the Board.

Written records of noncriminal acts of hate violence shall include at least a description of the act of hate violence, the victim characteristics, and offender characteristics, if known.

**NOTE:** *Education Code Section 67380 defines "hate violence" as: "any act of intimidation or physical harassment, physical force or physical violence, or the threat of physical force or physical violence, that is directed against any person or group of persons or the property of any person or group of persons because of the ethnicity, race, national origin, sex, sexual orientation, gender identity, gender expression, disability, or political or religious beliefs of that person or group." Section 67380 requires reporting of both occurrences reported to campus police or safety authorities of and arrests for crimes that involve hate violence (Section 67380(a)(1)(A)) and of "non-criminal acts of hate violence" (Education Code Section 67380(a)(1)(B)).*

*For purposes of reporting under the Clery Act, "hate crimes" include domestic violence, dating violence, and stalking.*

## **BP 3510 Workplace Violence Plan**

### **References:**

Cal/OSHA: Labor Code Sections 6300 et seq.;  
8 California Code of Regulations Section 3203;  
"Workplace Violence Safety Act of 1994" (Code of Civil Procedure Section 527.8  
and Penal Code Section 273.6)

<b>Note:</b> This policy is legally required.
---

The Board is committed to providing a District work and learning environment that is free of violence and the threat of violence. The Board's priority is the effective handling of critical workplace violence incidents, including those dealing with actual or potential violence.

The CEO or Designee shall establish administrative procedures that assure that employees are informed regarding what actions will be considered violent acts, and requiring any employee who is the victim of any violent conduct in the workplace, or is a witness to violent conduct to report the incident, and that employees are informed that there will be no retaliation for such reporting.

See Administrative Procedure [3510].



# AP 3510 Workplace Violence Plan

## References:

Cal/OSHA; Labor Code Sections 6300 et seq.;  
Title 8 Section 3203;  
Code of Civil Procedure Section 527.8;  
Penal Code Sections 273.6, 626.9, and 626.10

<b>Note:</b> This policy is legally required.
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The District is committed to providing a safe work environment that is free of violence and the threat of violence.

## Responding to Threats of Violence

The top priority in this process is effectively handling critical workplace incidents, especially those dealing with actual or potential violence.

Violence or the threat of violence against or by any employee of the District or any other person is unacceptable.

Should a non-employee on District property demonstrate or threaten violent behavior, he/she may be subject to criminal prosecution.

Should an employee, during working hours, demonstrate or threaten violent behavior he/she may be subject to disciplinary action.

The following actions are considered violent acts:

- Striking, punching, slapping or assaulting another person.
- Fighting or challenging another person to fight.
- Grabbing, pinching or touching another person in an unwanted way whether sexually or otherwise.
- Engaging in dangerous, threatening or unwanted horseplay.
- Possession, use, or threat of use, of a firearm, knife, explosive or other dangerous object, including but not limited to any facsimile firearm, knife or explosive, on District property, including parking lots, other exterior premises, District vehicles, or while engaged in activities for the District in other locations, unless such possession or use is a requirement of the job.
- Threatening harm or harming another person, or any other action or conduct that implies the threat of bodily harm.
- Bringing or possessing any dirk, dagger, ice pick, or knife having a fixed blade longer than 2½ inches upon the grounds, unless the person is authorized to possess such a weapon in the course of his/her employment, has been authorized by a District employee to have the knife, or is a duly appointed peace officer who is engaged in the performance of his/her duties.

Any employee who is the victim of any violent threatening or harassing conduct, any witness to such conduct, or anyone receiving a report of such conduct, whether the perpetrator is a District employee or a non-employee, shall immediately report the incident to his/her supervisor or other appropriate person, such as:

- Title IX Coordinator
- Campus Police or Other Law Enforcement (911)
- Human Resources Officer
- Sexual Harassment Facilitator

No one, acting in good faith, who initiates a complaint or reports an incident under this policy will be subject to retaliation or harassment.

Any employee reported to be a perpetrator will be provided both due process and representation before disciplinary action is taken.

In the event the District fears for the safety of the perpetrator or the safety of others at the scene of the violent act, Campus Police or 911 will be called.

## **BP 3515 Reporting of Crimes**

**Reference:**

Education Code Section 67380

<b>Note:</b> This policy is legally required.
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The CEO or Designee shall assure that, as required by law, reports are prepared of all occurrences reported to Campus Police of and arrests for crimes committed on campus that involve violence, hate violence, theft or destruction of property, illegal drugs, or alcohol intoxication. The CEO or Designee shall further assure that required reports of non-criminal acts of hate violence are prepared. Such reports shall be made available as required by law.

See Administrative Procedure [3515].

## AP 3515 Reporting of Crimes

### References:

Education Code Sections 212, 67380, 67383, and 87014;  
Penal Code Sections 245 and 422.55;  
Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998;  
20 United States Code Section 1232g;  
34 Code of Federal Regulations Parts 99.31(a)(13), (14) and 668.46;  
Campus Security Act of 1990

<b>Note:</b> This policy is legally required.
---

Members of the Ventura County Community College District (VCCCD) who are witnesses or victims of a crime should immediately report the crime to Campus Police.

In the event an employee is assaulted, attacked or menaced by a student, the employee shall notify his/her supervisor as soon as practical after the incident. The supervisor of any employee who is attacked, assaulted or menaced shall assist the employee to promptly report the attack or assault to the Campus Police. The supervisor himself/herself shall make the report if the employee is unable or unwilling to do so. Reporting a complaint to local law enforcement will not relieve the District of its obligation to investigate all complaints of harassment.

The District will instruct members of the District Police Department to notify students and employees complaining of sexual violence of their right to file a sex discrimination complaint with the District in addition to filing a criminal complaint, and to report incidents of sexual violence to a Title IX Coordinator and/or or the Vice Chancellor for Educational Services if the complainant consents.

The District shall publish warnings to the campus community about the following crimes:

- Criminal homicide – murder and non-negligent manslaughter;
- Criminal homicide – negligent manslaughter;
- Sex offenses – forcible and non-forcible sex offenses;
- Domestic violence, dating violence and stalking;
- Robbery;
- Aggravated assault;
- Burglary;
- Motor vehicle theft;
- Arson;
- Arrests for liquor law violations, drug law violations, and illegal weapons possession;

- Persons who were not arrested for liquor law violations, drug law violations, and illegal weapons possession, but who were referred for campus disciplinary action for same;
- Crimes that manifest evidence that the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability and involve larceny-theft, simple assault, intimidation, destruction/damage/vandalism of property, or any other crime involving bodily injury;
- Those reported to Campus Police; and
- Those that are considered to represent a continuing threat to other students and employees.

In the event that a situation arises, either on or off campus, that, in the judgment of the CEO or Designee or Chief of Police, constitutes an ongoing or continuing threat, a campus wide "timely warning" will be issued. The warning will be issued through the college e-mail system to students, faculty, staff and the campus' student newspaper. The information shall be disseminated by the CEO or Designee in a manner that aids the prevention of similar crimes.

Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, the CEO or Designee may also post a notice via campus-wide communication system and/or an appropriate VCCCD website, providing the community with more immediate notification. The electronic bulletin board is immediately accessible via computer by all faculty, staff and students. Anyone with information warranting a timely warning should report the circumstances to the Campus Police, by phone or in person at the campus police station. Contact, website and location information can be found through the District website and office: [www.vcccd.edu](http://www.vcccd.edu).

The District shall not be required to provide a timely warning with respect to crimes reported to a professional counselor.

If there is an immediate threat to the health or safety of students or employees occurring on campus, the District shall follow its emergency notification procedures.

The District shall annually collect and distribute statistics concerns crimes on campus. All college staff with significant responsibility for student and campus activities shall report crimes about which they receive information.

The District shall publish an Annual Security Report every year by October 1 that contains statistics regarding crimes committed on campus and at affiliated locations for the previous three years. The Annual Security Report shall also include policies pertaining to campus security, alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, victims' assistance program, student discipline, campus resources and other matters. The District shall make the report available to all current students and employees. The District will also provide perspective students and

employees with a copy of the Annual Security Report upon request. A copy of the Annual Security Report can be obtained by contacting a Campus Police station or at the following Website address: [www.vcccd.edu/departments/police](http://www.vcccd.edu/departments/police).

#### To Report a Crime:

Contact Campus Police and 911 (911 for emergencies only). Any suspicious activity or person seen in the parking lots or loitering around vehicles or inside buildings should be reported to the police department.

If you are the victim of a crime and do not want to pursue action within the District's System or the criminal justice system, you may still want to consider making a confidential report. With your permission, a Campus Security Authority (CSA) can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the District can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution.

The Campus Police encourage anyone who is the victim or witness to any crime to promptly report the incident to the police. Because police reports are public records under state law, the Campus Police Department police cannot hold reports of crime in confidence. Confidential reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made to other campus security authorities as identified below. Confidential reports of crime may also be made to a Campus Security Authority (CSA).

**NOTE:** *For districts that participate in the Cal Grant Program, the following is also legally required:*

#### **Required Reports to Local Law Enforcement Agency**

Any report of willful homicide, forcible rape, robbery, aggravated assault, sexual assault, or hate crime, committed on or off campus, that is received by a campus security authority and made by the victim for the purposes of notifying the institution or law enforcement must be immediately, or as soon as practicably possible, disclosed to the local law enforcement agency. The report shall not identify the victim, unless the victim consents to being identified after the victim has been informed of his/her right to have his/her personally identifying information withheld. If the victim does not consent to being identified, the alleged assailant shall not be identified in the information disclosed to the local law enforcement agency.

## BP 3540 Sexual and Other Assaults on Campus

### References:

Education Code Sections 67382, 67385, and 67386;  
20 U.S. Code Section 1092(f);  
34 Code of Federal Regulations Section 668.46(b) (11)

<b>Note:</b> This policy is legally required.
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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 CEO or Designee 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 provided and publicized as required by law.

The procedures shall meet the criteria contained in Education Code Sections 67385, 67385.7, and 67386, and 34 Code of Federal Regulations Section 668.46.

See Administrative Procedure [3540].

## AP 3540 Sexual and Other Assaults on Campus

### References:

Education Code Sections 67385 and 67386;  
20 U.S. Code Section 1092(f);  
34 Code of Federal Regulations Section 668.46(b)(11)

**Note:** This policy is legally required.

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.

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
- a person with whom the victim shares a child in common;
- a person who is cohabitating with or has cohabitated with the victim as a spouse;
- a person similarly situated to a spouse of the victim under California law; or
- 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.

It is the responsibility of each person involved in sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.

“Affirmative consent” means affirmative, conscious, and voluntary agreement to engage in sexual activity.

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).

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 Title IX Coordinator or Designee, which shall maintain the identity and other information about alleged sexual assault victims as confidential unless and until the Title IX Coordinator or Designee is authorized to release such information.

The Title IX Coordinator or Designee shall provide all alleged victims of domestic violence, dating violence, sexual assault, or stalking with the following:

- 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.
  - Campus Police
  - Student Health Center
  - CEO or Designee
- Information about the importance of preserving evidence and the identification and location of witnesses;
- 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:
  - transportation to a hospital, if necessary (Student Health Center);
  - counseling or referral to a counseling center (Student Health Center);
  - notice to the police, if desired (Student Health Center, Title IX Coordinator or Designee);

- a list of other available campus resources or appropriate off-campus resources (Student Health Center, Title IX Coordinator or Designee).
- 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 Title IX Coordinator or Designee 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 Title IX Coordinator or Designee 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.

A complainant or witness who participates in an investigation of sexual assault, domestic violence, dating violence, or stalking will not be subject to disciplinary sanctions for a violation of the District's student conduct policy at or near the time of the incident, unless the District determines that the violation was egregious, including but not limited to, an action that places the health or safety of any other person at risk or involves plagiarism, cheating, or academic honesty.

In the evaluation of complaints in any disciplinary process, it shall not be a valid excuse to alleged lack of affirmative consent that the accused believed that the complainant consented to the sexual activity under either of the following circumstances:

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

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

- The complainant was asleep or unconscious.

- The complainant was incapacitated due to the influence of drugs, alcohol, or medication, so that the complainant could not understand the fact, nature, or extent of the sexual activity.
- The complainant was unable to communicate due to a mental or physical condition.

The District shall maintain the identity of any alleged victim, witness, or third-party reporter of domestic violence, dating violence, sexual assault, or stalking on District property, as defined above, in confidence unless the alleged victim, witness, or third-party reporter 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 Public Information Officer (PIO), which shall work with the Title IX Coordinator or Designee 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 Vice Chancellor for Educational Services or Designee shall:

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

Book VCCCD Administrative Procedure Manual  
Section Chapter 4 Academic Affairs  
Title AP 4230 GRADING AND ACADEMIC RECORD SYMBOLS  
Number AP 4230  
Status Active  
Legal [Title 5, Section 59300](#)  
[Title 5, Section 58509](#)  
[Title 5, Section 55050](#)  
[Title 5, Section 55023](#)  
Adopted May 12, 2009  
Last Reviewed June 19, 2012

### **Evaluative Symbols:**

The following evaluative symbols will be used to measure student work:

A – Excellent (4 points per semester unit)  
B – Good (3 points per semester unit)  
C – Satisfactory (2 points per semester unit)  
D – ~~Passing~~, Less than satisfactory (1 point per semester unit)  
F – Failing (0 point per semester unit)

P – Pass, At least satisfactory (Units awarded not counted in GPA. Replaced CR effective Fall 2009.)  
NP – No Pass, less than satisfactory, or failing (Units not counted in GPA. Replaced NC effective Fall 2009.)  
CRE – Credit by Exam (Units awarded not counted in GPA.)

Grades from the letter grading scale shall be averaged on the basis of the numerical grade point equivalencies to determine a student's grade point average.

### **Non-Evaluative Symbols:**

The District Governing Board has authorized the use of the non-evaluative symbols "I," "IP," "RD," "W," and "MW" defined as follows:

#### **I - Incomplete**

Students who are at the end of a term and have failed to complete the required academic work of a course because of unforeseeable, emergency, and justifiable reasons may receive a symbol "I" (Incomplete) on their records.

The conditions for receiving a letter grade and for the removal of the "I" must be stated by the instructor in a written record which must also state the grade to be assigned in lieu of the removal of the "I." This record must be given to the student and a copy is to be placed on file with the Registrar until the conditions are met (the "I" is made up) or the time limit is passed.

A final grade shall be assigned when the work stipulated has been completed and evaluated, or when the time limit for completing the work has passed. The "I" may be made up no later than one

year following the end of the term for which it was assigned. The "I" symbol shall not be used in calculating units attempted or for grade point averages.

### **IP – In Progress**

The "IP" symbol shall be used only in those courses which extend beyond the normal end of an academic term. It indicates that work is "in progress," but that assignment of an evaluative symbol (grade) must await its completion. The "IP" symbol shall remain on the student's permanent record in order to satisfy enrollment documentation. The appropriate evaluative symbol (grade) and unit credit shall be assigned and appear on the student's permanent record for the term in which the course is completed. The "IP" shall not be used in calculating grade point averages. If a student enrolled in an "open-entry, open-exit" course is assigned an "IP" at the end of a term and does not re-enroll in that course during the subsequent attendance period, the appropriate faculty will assign an evaluative grade symbol in accordance with the academic record symbols to be recorded on the student's permanent record for the course.

### **RD - Report Delayed**

The "RD" symbol may be assigned by the Registrar only. It is to be used when there is a delay in reporting the grade of a student due to circumstances beyond the control of the student. It is a temporary notation to be replaced by a permanent symbol as soon as possible. "RD" shall not be used in calculating grade point averages.

### **W - Withdrawal**

Students may withdraw from a class by the end of the third week of a full-semester length class or by 16% of the total meetings in a short-term class without any notation being recorded in the permanent academic record.

Withdrawals that occur after the third week of a full-semester length class or 16% of a short term class shall be recorded as a "W" on students' permanent academic records. "W" grades will be counted as one of the three enrollment attempts that students are allowed in order to achieve a standard (passing) grade of C/P or better in a course. They will also be counted in the calculation of a student's academic progress to determine academic standing (e.g. good standing, probation or dismissal).

Withdrawals shall not be permitted after the 14<sup>th</sup> week of a full-semester length class or 75% of total class meetings in a short-term class. Students who are actively enrolled after that point shall receive a grade other than "W" in the permanent academic record. Exception may be made if approved upon petition by the student and documentation of verifiable extenuating circumstances, and after consultation with appropriate faculty. Withdrawals approved by exception shall be recorded as a "W" on students' permanent academic record.

Appropriate faculty is notified of withdrawals on their summary class roster.

"W" grades shall not be assigned, or if assigned shall be removed, from the permanent academic record if determination is made pursuant to Title 5, Sections 59300 et. seq. that a student withdrew from a course due to discriminatory treatment or due to retaliation for alleging discriminatory treatment.

"W" grades shall not be assigned when withdrawal was necessary due to fire, flood, or other extraordinary conditions, pursuant to Title 5, Section 58509. Such withdrawal must be petitioned by the student and supported by documentation of circumstances.

### **MW – Military Withdrawal**

Military withdrawal occurs when students who are members of an active or reserve United States military service receive orders compelling withdrawal from classes. Upon verification of orders, the appropriate withdrawal symbol may be assigned at any time after the period established by the governing board during which no notation is made on the permanent academic record for withdrawals.

Students requesting military withdrawal must present a petition for withdrawal and a copy of the military orders, or other acceptable documentation, which verifies the dates and location of military assignment that compelled or compels withdrawal from classes.

A grade of "MW" shall be recorded on the permanent academic record upon approval of petition for military withdrawal that occurs after the third week of full-semester length classes or 16% of total meetings of short-term classes. "MW" grades shall not be counted as one of the three enrollment attempts allowed to achieve a standard (passing) grade of C/P or better, or in the calculation of a student's academic progress for the determination of academic standing.

Book VCCCD Administrative Procedure Manual

Section Chapter 5 Student Services

Title AP 5013 STUDENTS IN THE MILITARY

Number AP 5013

Status Active

Legal [California Education Code, Sections 68074, 68075, 68075.5, 68075.7](#)

[Military and Veterans Code, Section 824](#)

[Title 5, Sections 55023, 55024, 54002, 54041, 54042, 54050, 58620](#)

Adopted May 14, 2013

Last Reviewed May 14, 2013

### **Tuition and Fees for Military Personnel and Dependents**

Active duty military personnel and their dependents, military veterans and their dependents are subject to the same criteria and regulations regarding the establishment of California residency as other non-resident students. The information provided herein refers to the assignment of California residency based on active-duty or discharged veteran status solely for the purposes of determining the tuition and fees for eligible service members, former service members and their dependents.

A student who is a member of the Armed Forces of the United States stationed in this state on active duty is entitled to resident classification only for the purpose of determining the amount of tuition and fees.

If that member of the Armed Forces of the United States who is in attendance at an institution is thereafter transferred on military orders to a place outside this state where the member continues to serve in the Armed Forces of the United States, he or she shall not lose his or her resident classification so long as he or she remains continuously enrolled at that institution.

A student who is a natural or adopted child, stepchild, or spouse who is a dependent of a member of the Armed Forces of the United States stationed in this state on active duty is entitled to resident classification only for the purpose of determining the amount of tuition and fees.

If that member of the Armed Forces of the United States, whose dependent natural or adopted child, stepchild, or spouse is in attendance at an institution, (1) is thereafter transferred on military orders to a place outside this state where the member continues to serve in the Armed Forces of the United States, or (2) is thereafter retired as an active member of the Armed Forces of the United States, the student dependent shall not lose his or her resident classification so long as he or she remains continuously enrolled at that institution.

### **Military Veteran Exception**

A community college student who was a member of the Armed Forces of the United States stationed in this state on active duty for more than one year immediately prior to being discharged shall be exempt from paying nonresident tuition for up to one year if he or she files an affidavit with the community college stating that he or she intends to establish residency in California as soon as possible.

The one year exemption provided in paragraph (1) shall be used while the student lives in this state



and within two years of being discharged.

A former member of the Armed Forces of the United States who received a dishonorable or bad conduct discharge shall not be eligible for an exemption pursuant to this section.

A student claiming the residence classifications provided for in this procedure must provide a statement from the student's commanding officer or personnel officer providing evidence of active duty assignment to California and the date of the assignment to California. A student claiming the residence classifications provided for here for the dependent of military personnel shall provide a statement from the military person's commanding officer or personnel officer that the military person's active duty assignment is in California as of the residence determination date, or has been transferred outside of California on active duty after the residence determination date, or that the military person has retired from active duty after the residence determination date. (Title 5 Sections 54041; 54042)

Note that the residency status conferred under this section does not entitle students to the full benefits of classification as a California resident. Students will need to petition for reclassification to California resident status as soon as they are eligible to do so.

### **Veterans Access, Choice, and Accountability Act (VACA) and SB 81**

In accordance with Education Code Section 68075.5(c), a full exemption from the nonresident fee for all students verified to be "covered individuals" per the criteria listed below and that qualify to use Montgomery GI Bill-Active Duty or Post-9/11 GI Bill education benefits (Chapters 30 and 33, respectively, of Title 38, U.S. Code) while living in California will be eligible for this exemption. A "covered individual" is defined in the VACA Act as:

1. A Veteran who lives in the state in which the institution of higher learning is located (regardless of his/her formal state of residence) and enrolls in the school within three years of discharge from a period of active duty service of 90 days or more.
2. A spouse or child entitled to transferred education benefits who lives in the state in which the institution of higher learning is located (regardless of his/her formal state of residence) and enrolls in the school within 3 years of the transferor's discharge from a period of active duty service of 90 days or more.
3. A spouse or child using benefits under the Marine Gunnery Sergeant John David Fry Scholarship (provides Post-9/11 GI Bill benefits to the children and surviving spouses of service members who died in the line of duty while on active duty) who lives in the state in which the institution of higher learning is located (regardless of his/her formal state of residence) and enrolls in the school within three years of the Servicemember's death in the line of duty following a period of active duty service of 90 days or more.
4. After expiration of the three year period following discharge or death as described in 38 U.S.C. 3679(c), a student who initially qualifies under the applicable requirements above will maintain "covered individual" status as long as he or she remains continuously enrolled (other than during regularly scheduled breaks between courses, semesters or terms) at the institution, even if they enroll in multiple programs and shall continue to be exempt from paying nonresident tuition and other fees as described in the updated fee policy described below.

Students eligible for VA education benefits must provide a "Certificate of Eligibility" (COE) by the VA that will confirm the approved education benefits for the veteran or eligible dependent (who is made eligible through the Transfer of Entitlement (TOE) to basic educational assistance under chapters 30 and 33 of title 38, U.S. Code). The DD Form 214, Certificate of Release or Discharge from Active Duty, generally referred to as a "DD 214", is also required to confirm the "covered individual" status as it will show the effective date of the veteran's discharge from active service.

### **Military Withdrawal Based on Orders**

Military withdrawal occurs when students who are members of an active or reserve United States military service receive orders compelling withdrawal from classes. Upon verification of orders, the appropriate withdrawal symbol may be assigned at any time after the period established by the governing board during which no notation is made on the permanent academic record for withdrawals.

Students requesting military withdrawal must present a petition for withdrawal and a copy of the military orders, which verify the dates and location of military assignment that compelled or compels withdrawal from classes. Other types of verifying documentation may be considered only if orders are unavailable providing they verify the dates and location of military assignment that compelled or compels withdrawal from classes. Military withdrawal may be requested at any time upon the student's return to college.

A grade of MW shall be recorded on the permanent academic record upon approval of petition for military withdrawal that occurs after the third week of full-semester length classes or 16% of total meetings of short-term classes. MW grades shall not be counted as one of the three enrollment attempts allowed to achieve a standard (passing) grade of C/P or better (course repetition), or in the calculation of a student's academic progress for the determination of academic standing.

The student will be eligible to receive a full refund for all fees paid in the term for which the military withdrawal was granted. The cost of books and supplies may be eligible for refund pursuant to the policies and procedures of the campus bookstore.

### **Credit for Military Educational Training**

The colleges of the Ventura County Community College District will recognize and grant credit to service personnel for formal educational training completed in the United States armed forces provided such credit is not a duplication of work taken previously.

Service personnel may be allowed credit for formal service school courses offered by the United States military service recommended in the Guide to the Evaluation of Educational Experiences in the armed services of the American Council on Education. The credit allowed will be based upon the recommendations specified in the Guide.

Students must submit an official transcript of military education to the Registrar's Office for evaluation of military credit. All military credit will be posted to the student's transcript as units earned.

### **Priority Registration for Military Veterans**

Military veterans will be accorded level one priority registration in compliance with state and federal law. See [Administrative Procedure 5055](#).

### **Veterans' Administration Education Assistance Programs**

The colleges of the Ventura County Community College District are approved to process claims for students who are eligible to receive educational benefits under various Veterans' Administration Education Assistance Programs.

VCCCD Administrative Procedure Manual

Section Chapter 5 Student Services

Title AP 5020 NONRESIDENT TUITION

Number AP 5020

Status Active

Legal [California Education Code, Sections 76140 et seq., 78075.7](#)

Adopted April 14, 2009

Last Reviewed February 10, 2015

1. Nonresident Tuition

The nonresident and capital outlay surcharge fees will be set by the Ventura County Community College District (VCCCD) Board of Trustees no later than February 1 of each year. The calculation will reflect the expense of education in the preceding fiscal year according to the Budget and Accounting Manual.

Students who are not residents of California, including persons who are classified as international students, will be charged nonresident tuition and a capital outlay surcharge at the Board-approved rate per semester unit unless they are exempted by statute. All nonresident students must pay nonresident tuition in addition to the California Community College mandatory fees.

2. Reclassification to California Resident

A student may be considered for reclassification to California resident status if they have resided in California for no less than one year and one day immediately preceding the term for which residency is requested; and are able to present verifiable documentation to support the actions they have taken to establish California residency.

A student previously classified as a nonresident may be reclassified as of any residence determination date upon submission of a Request for Residency Reclassification and adequate documentation to support that California residency has been established in accordance with [AP 5015](#).

3. Exemptions from Payment of Nonresident Tuition

Nonresident students who are U.S. Citizens and who reside in a foreign country:

Will be exempt from nonresident tuition if they meet all of the following requirements:

- Demonstrate a financial need for the exemption.
- Has a parent or guardian who has been departed or was permitted to depart voluntarily under the Federal Immigration and Nationality Act.
- Moved abroad as a result of the deportation or voluntary departure.
- Lived in California immediately before moving abroad.
- Attended a public or private secondary school in California for three or more years.

- 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 community college stating that he or she intends to establish residency in California as soon as possible.
- Documentation shall be provided by the student as required by the statute as specified in California Education Code Section [76140\(a\)\(5\)](#).
- Students receiving this exemption do not receive resident status for the purpose of tuition or financial aid. Rather they are exempt from nonresident tuition under this law. Application for this exemption is initiated at the Admissions and Records Office on the student's primary campus.

Special admission students who are determined to be nonresidents:

May be exempt from paying nonresident tuition per California Education Code [Section 76141](#).

- The term "special admission student" refers to concurrently enrolled K-12 students who have been recommended by the principal of the pupil's school and have parental permission to attend a community college during any session or term and who enroll in 11 or fewer units per semester, in accordance with California Education Code [Section 76001](#). (Except parental permission may not be required for special admission students who are 18 years of age or older.)
- The exemption does not apply to full time special admission students.
- This exemption does not apply to categories of students who would be precluded from qualifying for AB 540 nonresident tuition exemption; i.e., a) students who reside outside of California and enroll via Distance Education and b) students on most nonimmigrant visas. T and U nonimmigrant visas (U.S. Citizenship and Immigration Services classifications).
- Students receiving this exemption do not receive resident status for the purpose of tuition or financial aid. Rather they are exempt from nonresident tuition under this law. Application for this exemption is initiated at the Admissions and Records Office on the student's primary campus.

### **Military Exemption:**

Military personnel on active duty in California (except those assigned for education purposes) are granted a waiver of nonresident tuition until they are discharged from military service. Dependents of active duty military personnel are granted a waiver for a period of one year from the date they enter California. Upon expiration of the waiver, evidence must be provided as to the date the student surrendered his/her out-of-state residence to become a resident of California. Any student who does not submit adequate evidence that California residency has been established will be classified as a nonresident and charged nonresident tuition until such time as California residency has been established.

### **Veterans Access, Choice, and Accountability Act (VACA) and SB 81**

In accordance with Education Code Section 68075.5(c), a full exemption from the nonresident fee for all students verified to be "covered individuals" per the criteria listed below and that qualify to use Montgomery GI Bill-Active Duty or Post-9/11 GI Bill education benefits (Chapters 30 and 33, respectively, of Title 38, U.S. Code) while living in California will be eligible for this exemption. A "covered individual" is defined in the VACA Act as:

1. A Veteran who lives in the state in which the institution of higher learning is located (regardless of his/her formal state of residence) and enrolls in the school within three years of discharge from a period of active duty service of 90 days or more.
2. A spouse or child entitled to transferred education benefits who lives in the state in which the institution of higher learning is located (regardless of his/her formal state of residence) and enrolls in the school within 3 years of the transferor's discharge from a period of active duty service of 90 days or more.

3. A spouse or child using benefits under the Marine Gunnery Sergeant John David Fry Scholarship (provides Post-9/11 GI Bill benefits to the children and surviving spouses of service members who died in the line of duty while on active duty) who lives in the state in which the institution of higher learning is located (regardless of his/her formal state of residence) and enrolls in the school within three years of the Servicemember's death in the line of duty following a period of active duty service of 90 days or more.
4. After expiration of the three year period following discharge or death as described in 38 U.S.C. 3679(c), a student who initially qualifies under the applicable requirements above will maintain "covered individual" status as long as he or she remains continuously enrolled (other than during regularly scheduled breaks between courses, semesters or terms) at the institution, even if they enroll in multiple programs and shall continue to be exempt from paying nonresident tuition and other fees as described in the updated fee policy described below.

Students eligible for VA education benefits must provide a "Certificate of Eligibility" (COE) by the VA that will confirm the approved education benefits for the veteran or eligible dependent (who is made eligible through the Transfer of Entitlement (TOE) to basic educational assistance under chapters 30 and 33 of title 38, U.S. Code). The DD Form 214, Certificate of Release or Discharge from Active Duty, generally referred to as a "DD 214", is also required to confirm the "covered individual" status as it will show the effective date of the veteran's discharge from active service.

### **California High School Attendance and Graduation Exemption (AB 540):**

Students without lawful immigration status and U.S. citizens who are not residents of California may be entitled to exemption from nonresident tuition if they meet all of the following criteria:

- attended high school in California for three or more years, and
- graduated from a California high school or attained the equivalent, and
- filed an affidavit stating that they have filed or will file an application to legalize their immigration status as soon as possible.
- Verifiable documentation shall include the self-certifying affidavit required by the California Community Colleges Chancellor's Office, and may include high school transcripts or other acceptable documents verifying attendance and graduation.

Nonimmigrant alien students (students who are present in the U.S. on a nonimmigrant visa) are not eligible for this exemption.

Eligibility for an AB 540 exemption does not result in the student being classified as a California resident.

### **September 11, 2001 Exemption:**

If an individual who was killed in the terrorist attacks on the World Trade Center in New York City, the Pentagon in Washington, D.C., or the crash of United Airlines Flight 93 was a resident of California on September 11, 2001, or if their dependent was a resident on that date and if they meet the financial need requirement for the Cal Grant A Program, the dependents of this individual may be exempt from nonresident tuition. If the dependent is a spouse, the exemption applies until January 1, 2013. If the dependent is a child, the exemption applies until the person reaches the age of 30.

### **Other Exemptions**

Other limited exemptions from nonresident tuition may be authorized. Eligibility for exemption shall be approved as permissible under California Education Code and/or California Title 5 Administrative Code by the campus Vice President of Business Services or his or her designee.

### **4. Payment**

Fees including nonresident tuition must be paid in full at the time of registration, or payment arrangements must be made using the District approved payment plan option.

#### 5. Refunds

Courses must be dropped by the refund deadlines for each semester/session to generate a fee credit or refund. No fee credits or refunds are issued for withdrawals that occur after the deadline date.