



District Technical Review Workgroup
Student Services – DTRW-SS
AGENDA

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

- Approval of February 27, 2014 Meeting Notes

Old Business

- BP/AP 5030 – Student Activity Fee (Student Services)
- BP/AP 5150 Extended Opportunity Programs and Services (EOPS) – no VCCCD AP/current BP in BoardDocs – require feedback from Oxnard College EOPS – this item has returned for further input on the AP (CCLC version was not modified to include all items required by law)
- BP/AP 5500 Standards of Conduct – under review by Academic Senates – No AP in BoardDocs
- BP/AP 5520 Discipline Procedure – under review by Academic Senates – No BP in BoardDocs
- BP/AP 5530 Student Rights and Grievances – under review by Academic Senates – No BP in BoardDocs
- Drop Codes (Registrars)

New Business

- BP/AP 5300 Student Equity – CCLC versions in agenda packet with current VCCCD BP 5300 – no AP in BoardDocs

Business on Hold or Under Review by Other Workgroups:

- BP/AP 4020 Program and Curriculum Development – under review by Academic Senates
- BP/AP 4022 Course Approval – under review by Academic Senates
- BP/AP 4050 Articulation (Articulation Officers) – under review by Academic Senates
- AP 4100 Graduation Requirements for Degrees and Certificates – under review by Academic Senates to return with feedback to February 27 meeting.
- BP/AP 5205 Student Accident Insurance – under review by DCAA/Academic Senates – moved to DOC for further review regarding student accident insurance/sent to Academic Senates on 4.01.13; awaiting further input from DOC as of 2.27.14

Next Meeting Date: April 24, 2014, 3 pm – DAC Lakin Boardroom
Submission deadline: April 18, 2014

Ventura County Community College District

District Technical Review Workgroup – DTRW-SS Meeting Notes

February 27, 2013 – DAC Lakin Boardroom

3:00 p.m. – 4:30 p.m.

DRAFT PRIOR TO APPROVAL OF MEETING NOTES AT 3.27.14 DTRW-SS MEETING

Members:

Chancellor's Designee: Erika Endrijonas, Chair (OC)
Co-Chair: Victoria Lugo, Co-chair (VC)
Executive Vice Presidents: Lori Bennett (MC), Erika Endrijonas (OC), Patrick Jefferson (VC)
Academic Senate Presidents: Linda Kama'ila (OC), Mary Rees (MC), Peter Sezzi on behalf of Art Sandford (VC)
Deans of Student Services: Karen Engelsen (OC), Pat Ewins (MC), Victoria Lugo (VC)
Registrars: Susan Bricker (VC), Joel Diaz (OC), Dave Anter (MC)
Non-instructional designee: Graciela Casillas-Tortorelli (Counselor, OC), Pam Kennedy Luna (Counselor, MC), Marian Carrasco Nungaray (Counselor, VC)
Associated Student Government: ASG Rep vacant (OC), vacant (MC), Robert Nunez (VC)
Policy and Administrative Procedures: Clare Geisen (Policy/procedure, Chancellor's Cabinet Liaison/guest)
Guests: Sharon Miller, Student Activities Specialist (MC), Rick Trevino, Student Activities Specialist (VC), Ilsa Maymes, ASG Representative (VC)

Absent:

Lori Bennett, Susan Bricker, Patrick Jefferson, Victoria Lugo, Art Sandford (Peter Sezzi-sub)

Recorder:

Laurie Nelson-Nusser

Notes:

Agenda Item	Summary of Discussion	Action (If Required)	Completion Timeline	Assigned to:
Welcome and Approval of January 23, 2014 Meeting Notes	Dr. Endrijonas welcomed everyone to DTRW-SS. The meeting commenced at 3:05 pm. The January 23, 2014 meeting notes were approved with minor changes.			
OLD BUSINESS				
BP 3540 Sexual and Other Assaults on Campus (BP in BoardDocs – need to	There was no feedback from the Health Coordinators for this item and will return to the March meeting.			

Agenda Item	Summary of Discussion	Action (If Required)	Completion Timeline	Assigned to:
develop an administrative procedure)	In January, Dr. Endrijonas requested the Deans of Student Services to obtain feedback from the Health Center Coordinators to develop an administrative procedure. Ms. Nusser will send to the Deans and they will work with the Health Center Coordinators. (sent 1.31.14)	Obtain feedback from Health Center Coordinators	Submit to Laurie Nusser by 3.21.14	Karen Engelsen Pat Ewins Victoria Lugo
BP 3550 Drug Free Environment and Drug Prevention Program (BP in BoardDocs – need to develop an administrative procedure)	There was no feedback from the Health Coordinators for this item and will return to the March meeting. In January, Dr. Endrijonas requested the Deans of Student Services to obtain feedback from the Health Center Coordinators to develop an administrative procedure. Ms. Nusser will send to the Deans and they will work with the Health Center Coordinators. (sent 1.31.14)	Obtain feedback from Health Center Coordinators	Submit to Laurie Nusser by 3.21.14	Karen Engelsen Pat Ewins Victoria Lugo
BP/AP 4225 Course Repetition BP/AP 4227 Course Repetition Absent Substandard Academic Work	BP/AP 4225 and 4227 will be on the April Board agenda after review by the Policy Committee in March. The Moorpark Academic Senate will review this item at their meeting on Tuesday, March 4.	Add to the Policy Committee agenda	3.12.14	Laurie Nusser
BP/AP 5150 Extended Opportunity Programs and Services (EOPS) – no VCCCD AP/current BP in BoardDocs.	The Deans indicated they did not have an administrative procedure written for this item and will return to the March meeting. In previous meetings, Dr. Endrijonas requested the Deans of Student Services to obtain feedback from the EOPS Coordinators to develop an administrative procedure. The documents have been sent out various times to the Deans from previous meetings. The Deans will work with the Health Center	Deans of Students Services to draft an administrative procedure in conjunction with the EOPS Coordinators	Submit new draft to Laurie Nusser by 3.21.14	Karen Engelsen Pat Ewins Victoria Lugo

Agenda Item	Summary of Discussion	Action (If Required)	Completion Timeline	Assigned to:
	Coordinators and return with a draft of an Administrative Procedure to the March meeting.			
BP/AP 5500 Standards of Conduct – no AP in BoardDocs	BP 5500 Standards of Conduct will move forward after final review at the Academic Senates to Chancellor's Cabinet, Policy Committee in March, Consultation Council, and to the full Board in April. (This item was pulled prior to adding to the Policy Committee for further review by Academic Senates.)	Add to the Policy Committee agenda	3.12.14	Laurie Nusser
BP/AP 5520 Discipline Procedure – no BP in BoardDocs	BP/AP 5520 Discipline Procedure will move forward after final review at the Academic Senates to Chancellor's Cabinet, Policy Committee in March, Consultation Council, and to the full Board in April. A corrected version of the AP from Pat Ewins was handed out at the meeting. (This item was pulled prior to adding to the Policy Committee for further review by Academic Senates.)	Add to the Policy Committee agenda	3.12.14	Laurie Nusser
BP/AP 5530 Student Rights and Grievances – no BP in BoardDocs	BP/AP 5530 Student Rights and Grievances will move forward after final review at the Academic Senates to Chancellor's Cabinet, Policy Committee in March, Consultation Council, and to the full Board in April. (This item was pulled prior to adding to the Policy Committee for further review by Academic Senates.)	Add to the Policy Committee agenda	3.12.14	Laurie Nusser
New Drop Codes	<p>The Registrars reviewed the survey completed by DTRW-SS members and recommended 8 new drop codes for addition to the Banner system depending on whether it would require a student to scroll down. This issue will be revisited at the March meeting.</p> <p>There was clarification regarding the "academic/coursework difficulty" code.</p>	Add to the March DTRW-SS agenda	3.21.14	Laurie Nusser

Agenda Item	Summary of Discussion	Action (If Required)	Completion Timeline	Assigned to:
	<p>Ventura College ASG Students provided feedback regarding their opinion on the subject and whether they felt students would understand the code.</p> <p>In January, the Registrars presented a list of 21 possible Drop Codes for review. While the committee was supportive of having students indicate a reason for dropping a course, it seemed as though 21 codes would be overwhelming. Prior to the February meeting, the committee was asked to forward their "Top 5" and "Bottom 5" drop code reasons to the Registrars so that a more manageable number of options can be determined.</p>			
NEW BUSINESS				
BP/AP 5030 – Student Activity Fee (Victoria Lugo/Student Activity Specialists)	<p>Sharon Miller and Rick Trevino, Student Activities Advisors at Moorpark and Ventura Colleges, presented a proposal regarding student activity fees collected when students register for each semester which will go directly toward supporting student activity programs on campus. This would include the associated students, campus clubs and student organizations, as well as faculty and staff that require financial assistance for on-campus events. Currently, college photo ID cards are the main source of funding. The proposed fee is \$5 and will be collected in a manner identical to the Student Representation Fee. Allocation models were provided and would be supervised by the Student Activities Specialist under the supervision of the Dean of Student Services at each campus.</p> <p>Dr. Endrijonas suggested the Student</p>			

Agenda Item	Summary of Discussion	Action (If Required)	Completion Timeline	Assigned to:
	<p>Activities Advisors meet with Dave Furhmann, Vice Chancellor of IT, to ensure the policy and procedure is workable within our IT system. Other fund raising activities have been curtailed, such as bake sales and, therefore, the funding for student activities has declined. Mr. Sezzi suggested providing minutes from the State ASG meetings to obtain support from the Board of Trustees and to have student representatives from each college attend the Board meeting when presenting this request.</p> <p>The Ventura College ASG students provided feedback regarding their opinion regarding this issue in support of the fee.</p> <p>There was discussion regarding the distribution of funds, accountability of funding, disparity of funding between colleges based on the number of students enrolled at each college, opt out options and having a process for students enrolling online to opt out, AB 1345, and it was indicated funding from the fee should not support stipends for ASG members. Revised versions of BP/AP 5030 Student Activity Fee were reviewed in the meeting and will be reviewed further by all colleges' ASG entities to vet a revised Board policy and procedure.</p> <p>This item will return to the campuses for further vetting, support, and obtaining clarification regarding IT issues. This item will return to the March DTRW-SS agenda. Dr. Engelsen requested Ventura College ASG students to visit Oxnard College to provide an</p>			

Agenda Item	Summary of Discussion	Action (If Required)	Completion Timeline	Assigned to:
	overview of the proposal.			
	<ul style="list-style-type: none"> BP/AP 4020 Program and Curriculum Development – under review with Academic Senates and will return to the March 27 DTRW-I meeting BP/AP 4022 Course Approval – under review with Academic Senates and will return to the March 27 DTRW-I meeting BP/AP 4050 Articulation – under review with Academic Senates and will return to the March 27 DTRW-I meeting AP 4100 Graduation Requirements for Degrees and Certificates – under review at DTRW-I – on hold awaiting State information BP/AP 5205 Student Accident Insurance – under review by DCAA/Academic Senates – moved to DOC for further review regarding student accident insurance/sent to Academic Senates on 4.01.13; awaiting further input from DOC as of 2.27.14. As of 2.27.14, this item is still under review with DOC. BP/AP 5300 Student Equity – under review by DCAA/Academic Senates (sent to Academic Senates 4.01.13) tabled by DCAA for further review in order to wait for new state information from the Student Equity Taskforce – was to return to DCAA in fall and is now at DTRW-SS 			
NEXT MEETING	Thursday, March 27, 2014 – 3:00 p.m. – DAC Lakin Boardroom			

Student Activity Fee Proposal

What it is

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

Background

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

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

Collection

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

Allocation

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

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

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

The Board authorizes the following fees. The Chancellor shall establish procedures for the collection, deposit, waiver, refund, and accounting for fees as required by law. The procedures shall also assure those who are exempt from, or for whom the fee is waived, are properly enrolled and accounted for. Fee amounts shall be published in the college catalogs.

Enrollment fee:

Education Code Section 76300

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

Auditing fees:

Education Code Section 76370

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

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

Education Code Section 76355

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

Parking fee:

Education Code Section 76360

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

Instructional Materials:

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

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

Physical Education Facilities:

Education Code 76395

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

Student Representation Fee:

Education Code 76060.5

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

Student Activity Fee:

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

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

Transcript Fees:

Education Code 76223

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

International Students Application Processing Fee:

Education Code Section 76142

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

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

Credit by Examination Fee:

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

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

See [Administrative Procedure 5030](#).

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

Required fees include:

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

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

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

Fees authorized by law include:

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

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

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

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

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

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

semester.

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

Prohibited fees include:

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

Other fees/fines:

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

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

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

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



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

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

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

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

Book	Administrative Procedures
Section	Chap 5 Student Services
Title	Extended Opportunity Programs and Services
Number	AP 5150
Status	<u>PROPOSED</u>
Legal	<u>Education Code Sections 69640-69656</u> <u>Title 5 Sections 56200 et seq.</u>

AP 5150 Extended Opportunity Programs and Services

The Extended Opportunity Programs and Services shall offer programs and services that are over, above and in addition to the regular educational programs of the college. EOPS program plans will be submitted each year that will include at a minimum:

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



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

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

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

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

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

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

DTRW-SS review 1.23.14

DTRW-SS review 2.27.14

9. Engaging in intimidating conduct or bullying against another student through words or actions, including direct physical contact, verbal assaults, such as teasing or name-calling, social isolation or manipulation, and cyber-bullying.
10. Engaging in harassing or discriminatory behavior. The District's response to instances of sexual harassment will follow the processes identified in Board Policy and Administrative Procedures 3430.-
11. Obstruction or disruption of classes, administrative or disciplinary procedures, or authorized college activities.
12. Disruptive behavior, willful disobedience, profanity, vulgarity, lewd, or other offensive conduct, on campus or during campus sponsored activities.
13. The persistent defiance of authority or abuse of District/college personnel.
14. Academic dishonesty, cheating, or plagiarism.
15. Dishonesty, forgery, alteration or misuse of District/college documents, records or identification, or knowingly furnishing false information to the District/college or any related off-site agency or organization.
16. Unauthorized entry to or use of District/college facilities.
17. Engaging in expression which is obscene, libelous, or slanderous, or which so incites students as to create a clear and present danger of the commission of unlawful acts on college/District premises, or the violation of lawful District administrative procedures, or the substantial disruption of the orderly operation of the District
18. Violation of District/college rules and regulations including those concerning student organizations, the use of District/college facilities, or the time, place, and manner (see AP ????) of public expression or distribution of materials.
19. Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.
20. Unauthorized preparation, giving, selling, transfer, distribution, or publication of any recording or photography of an academic presentation in a classroom or equivalent site of instruction, including but not limited to written class materials, except as permitted by District policy, or administrative procedure.
21. Violation of professional ethical code of conduct in classroom or clinical settings as identified by state licensing agencies (Board of Registered Nursing, Emergency Medical Services Authority, Title 22, Peace Officers Standards & Training, California Department of Public Health). Students who engage in any of the above are subject to the procedures outlined in AP 5520.

Comment [pe1]: Need to add the AP #

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

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college or the District.

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

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

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

12. Academic dishonesty, cheating, or plagiarism.

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

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

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

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

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

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

See Administrative Procedure 5500.

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

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

AP 5500 Standards of Conduct

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

References:

Education Code Sections

66300 and 66301;

Accreditation Standard II.A.7.b

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

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

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

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

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

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Discipline Procedures:

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

~~1.~~

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

~~2.~~

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

~~3.~~

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

~~4.~~

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

~~5.~~

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

~~6.~~

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

~~7.~~

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

~~District.~~

~~8.~~ 9. Engaging ~~District.~~

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

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

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

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

~~11.~~

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

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

~~13.~~

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

~~14.~~

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

~~15.~~

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

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

~~17.~~

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

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

Comment [pe2]: Need to add the AP #

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

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~~20. 17.~~ Unauthorized preparation, giving, selling, transfer, distribution, or publication of any recording or photography of an academic presentation in a classroom or equivalent site of instruction, including but not limited to written class materials, except as permitted by District policy, or administrative procedure.

~~21. 18.~~ Violation of professional ethical code of conduct in classroom or clinical settings as identified by state licensing agencies (Board of Registered Nursing, Emergency Medical Services Authority, Title 22, Peace Officers Standards & Training, California Department of Public Health). Students who engage in any of the above are subject to the procedures outlined in AP 5520.

See ~~Administrative Procedure~~Board Policy 5500.

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<u>Book</u>	<u>VCCCD Board Policy Manual</u>
<u>Section</u>	<u>Chapter 5</u>
<u>Title</u>	<u>Student Services-Student Discipline Procedures</u>
<u>Number</u>	<u>BP 5520</u>
<u>Status</u>	<u>Active</u>
<u>Legal</u>	<u>Education Code Section 66300</u> <u>Education Code Section 72122</u> <u>Education Code Section 76030</u>
<u>Adopted</u>	PROPOSED
<u>Last Reviewed</u>	

The Chancellor shall establish Student Disciplinary Procedures.

See Administrative Procedure AP 5520.



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

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

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

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

Definitions of key terms:

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

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

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

District. The Ventura County Community College District.

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

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

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

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

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

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

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

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

Definitions of types of discipline listed in order of severity

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

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

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

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

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

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

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

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

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

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

Procedures for Disciplinary Actions (listed in order of severity)

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

Warning

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

Reprimand

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

Temporary Removal from Class

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

Suspensions and Expulsions

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

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

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

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

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

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

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

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

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

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

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

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

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

Hearing Procedures for Long-term Suspension and Expulsion

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

College President's Decision

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

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

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

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

Board of Trustees Decision

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

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

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

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

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

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

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



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

The Chancellor shall establish Student Rights and Grievance Procedures.

See Administrative Procedure AP 5530.



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

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

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

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

This procedure does not apply to:

1. Challenges to the process for determining satisfaction of prerequisites, corequisites, advisories, and limitations on enrollment.
Information on challenges to prerequisites is available from the Office of Academic

Affairs.

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

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

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

Definitions

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

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

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

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

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

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

Informal Resolution

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

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

Formal Resolution

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

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

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

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

Hearing Procedures

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

requesting party's expense.

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

College President's Decision

The College President, at his/her discretion, may accept, reject, or modify the findings, decision, and recommendations of the Grievance Hearing Committee. The factual findings of the Grievance Hearing Committee shall be accorded great weight. The College President may additionally remand the matter back to the Grievance Hearing Committee for further consideration of issues specified by the College President. Within 20 days following receipt of the Grievance Hearing Committee's decision and recommendation(s), the College President shall send to all parties his or her written decision, together with the Grievance Hearing Committee's decision and recommendations. If the College President elects to reject or modify the Grievance Hearing Committee's decision or a finding or recommendation contained therein, the College President shall review the record of the hearing, and shall prepare a new written decision that contains specific factual findings and conclusions. The decision of the College President shall be final, subject only to appeal as described below.

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

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

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

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

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

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

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

The Chancellor's decision shall be final.



Book	VCCCD Board Policy Manual
Section	Chapter 5 Student Services
Title	BP 5300 STUDENT EQUITY
Number	BP 5300
Status	Active
Legal	Education Code Sections 66030; 66250, et seq.; 72010 et seq.; Title 5, Section 54220
Adopted	April 18, 2006

The Board is committed to assuring student equity in educational programs and college services. The Chancellor shall establish and implement a student equity plan that meets the Title 5 standards for such a plan.

See Administrative Procedure 5300.



Book	Board Policies
Section	Chap 5 Student Services
Title	Student Equity
Number	BP 5300
Status	Active
Legal	Education Code Section 66030 Education Code Sections 66250 et seq. Education Code Sections 72010 et seq. Title 5 Section 54220
Adopted	November 1, 2000

BP 5300 Student Equity

References:

Education Code Sections 66030, 66250 et seq., and 72010 et seq.;
 Title 5 Section 54220

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

The Board is committed to assuring student equity in educational programs and college services. The [CEO] shall establish and implement a student equity plan that meets the Title 5 standards for such a plan.

See Administrative Procedures [#]

 [BP 5300 Student Equity.doc \(23 KB\)](#)

Last Modified by Jane Wright on March 13, 2012



Book	Administrative Procedures
Section	Chap 5 Student Services
Title	Student Equity
Number	AP 5300
Status	Active
Legal	Education Code Section 66030 Education Code Sections 66250 et seq. Education Code Sections 72010 et seq. Title 5 Section 54220
Adopted	November 1, 2000

AP 5300 Student Equity

References:

Education Code Sections 66030, 66250 et seq., and 72010 et seq.;
 Title 5 Section 54220

Note: This procedure is **legally required**. Local practice may be inserted. The following legal minimums must be included.

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

Note: Insert local administrative procedures or reference the District's Student Equity Plan. At a minimum the plan must address:

- the active involvement of the groups on campus [local procedure].
- involvement by appropriate people from the community who can articulate the perspective and concerns of historically underrepresented groups.
- campus-based research as to the extent of student equity.
- institutional barriers to equity.

- goals for access, retention, degree and certificate completion, English as a Second Language (ESL) and basic skills completion, and transfer for each historically underrepresented group.
- activities most likely to be effective to attain the goals, including coordination of existing student equity related programs.
- sources of funds for the activities in the plan.
- a schedule and process for evaluation of progress towards the goals.
- an executive summary that describes the groups for whom goals have been set, the goals, the initiatives that the District will undertake to achieve the goals, the resources budgeted for that purpose, and the District officer or employee who can be contacted for further information.

The Student Equity Plan shall be developed, maintained, and updated under the supervision of the ***designate position***.

 [AP 5300 Student Equity.doc \(31 KB\)](#)

Last Modified by Jane Wright on March 13, 2012