West Valley-Mission Community College District

Board Policies

The following sections give pertinent Board policies related to student services, students' eligibility and admissions, enrollment and registration, fees, student records, academic standards, student equity, matriculation, counseling and advising, health services, disabled students programs, child care, financial aid programs, athletics, student organizations and activities, free speech (time, place, manner), student publications, drug-free campus, student conduct policy, student discipline policy, student grievance and appeal policy, non-discrimination policy and sexual harassment policy. In some cases there are italicized notes that help clarify the policy or give a reference for finding further information on the topic in the schedule or student handbook. In general, policies will be found in the catalog and procedures will be found in the schedule of classes.

BP 5010 ADMISSIONS AND CONCURRENT ENROLLMENT

References: Education Code Sections 76000, 76001, and 76002; Labor Code Section 3077; U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid Programs under Title IV of the Higher Education Act of 1965, as amended; 34 Code of Federal Regulations Section 668.16(g)

In accordance with the “open door” mission of community colleges, the District shall admit any California resident, and may admit any non-resident, who meets any of the following conditions and is capable of benefiting from the instruction offered:

Any person over the age of eighteen (18) and possessing a high school diploma or its equivalent. Other persons over the age of 18 years and who, in the judgment of the Chancellor or his or her designee, are capable of profiting from the instruction offered. Such persons shall be admitted as provisional students, and thereafter shall be required to comply with the District’s rules and regulations regarding scholastic achievement and other standards to be met by provisional or probationary students as a condition to being readmitted in any succeeding semester.

Persons who are apprentices as defined in Labor Code Section 3077.

The District shall, in its discretion, or as otherwise federally mandated, evaluate the validity of a student’s high school completion. The Chancellor shall establish procedures for evaluating the validity of a student’s high school completion.

Admission

Any student whose age or class level is equal to entering grade 11 is eligible to attend as a special part-time student for advanced scholastic or vocational courses.

Any student whose age or class level is equal to entering grade 11 is eligible to attend as a special full-time student.

Any student entering grade 11 may attend summer session.

The Chancellor shall establish procedures regarding ability to benefit and admission of high school and younger students.

Denial of Requests for Admission

If the Board denies a request for special full time or part time enrollment by a pupil who is identified as highly gifted, the Board will record its findings and the reason for denying the request in writing within sixty (60) days. The written recommen-
dation and denial shall be issued at the next regularly scheduled Board meeting that occurs at least thirty (30) days after the pupil submits the request to the District.

The Chancellor shall establish procedures regarding evaluation of requests for special full time or part time enrollment by a pupil who is identified as highly gifted.

Claims for State Apportionment for Concurrent Enrollment

Claims for state apportionment submitted by the District based on enrollment of high school pupils shall satisfy the criteria established by statute and any applicable regulations of the Board of Governors.

The Chancellor shall establish procedures regarding compliance with statutory and regulatory criteria for concurrent enrollment.

Date Adopted: January 17, 2012

BP 5015 RESIDENCE DETERMINATION

References: Education Code Sections 68040 and 76140; Title 5 Sections 54100 et seq.

Students shall be classified at the time of each application for admission or registration as a resident or nonresident student. A resident is any person in California for at least one year on the residence determination date. The residence determination date shall be the day immediately preceding the first day of a semester or summer session for which the student applies to attend.

Residence classification shall be made for each student at the time applications for admission are accepted or registration occurs and whenever a student has not been in attendance for more than one semester. A student previously classified as a nonresident may be reclassified as of any residence determination date.

The Chancellor shall enact procedures to assure that residence determinations are made in accordance with Education Code and Title 5 Regulations.

Date Adopted: January 17, 2012

BP 5020 NONRESIDENT TUITION

References: Education Code Sections 68050, 68051, 68130.5, and 76141; Title 5 Section 54045.5

Nonresident Tuition

Nonresident students shall be charged nonresident tuition for all units enrolled, unless specifically required otherwise by law. Not later than January 1 of each year, the Chancellor shall bring to the student body a proposal an action to establish nonresident tuition for the following fiscal year. The fee shall be calculated in accordance with guidelines contained in applicable state regulations and/or the California Community College Attendance Accounting Manual. The Chancellor shall establish procedures regarding collection, waiver, and refunds of nonresident tuition.

Capital Outlay Fee

The Chancellor is authorized to implement a fee to be charged only to persons who are both citizens and residents of foreign countries. The Board finds and declares that this fee does not exceed the amount expended by the District for capital outlay in the preceding year divided by the total FTE’s in the preceding fiscal year. Students who would otherwise be charged this fee shall be exempt if they demonstrate that they are a victim of persecution or discrimination in the country of which they are a citizen and resident, or if they demonstrate economic hardship. Students shall be deemed victims of persecution or discrimination if they present evidence that they are citizens and residents of a foreign country and that they have been admitted to the United States under federal regulations permitting such persons to remain in the United States. Students shall be deemed to have demonstrated economic hardship if they present evidence that they are citizens and residents of a foreign country and that they are receiving Temporary Assistance for Needy Families Program, Supplemental Income/State Supplementary benefits, or general assistance.

Date Adopted: January 17, 2012

BP 5030 FEES

References: Education Code Sections 76300 et seq.

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. Each student shall be charged a use fee to support the maintenance and operations of the Student Center.

Enrollment Fee (Education Code Section 76300)

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

Student Activity Fee: This optional $4 fee supports many services, activities and student discounts provided by Associated Student Organization of West Valley College including, Books for Food, extended library hours during finals, student scholarships, college newspaper and leadership opportunities.

Campus Center Fee: Education Code section 81901(b)(3)

Authorizes community college districts to establish an annual building and operating fee, for the purpose of financing, constructing, remodeling, refurbishing, and operating a student body center. The fee is $15 for fall and spring semesters for all students attending West Valley College.

Auditing Fees (Education Code Section 76370)

Persons auditing a course shall be charged a fee of $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 (Education Code Section 76355)

The Chancellor shall present to the Board for approval fees to be charged to students for student health services.

Parking Fee (Education Code Section 76360)

The Chancellor shall present 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.

Transcript Fees (Education Code Section 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 to exceed the actual cost of furnishing copies of any student record. No charge shall be made for furnishing up to two transcripts of students' records, or for two 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 a student who is both a citizen and a resident of a foreign country a fee to process his/her application for admission. 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 shall not be deducted from the tuition fee at the time of enrollment.
Date Adopted: January 17, 2012

BP 5035 WITHHOLDING OF STUDENT RECORDS
Reference: Title 5 Section 59410.
Students or former students who have been provided with written notice that they have failed to pay a proper financial obligation shall have grades, transcripts, diplomas, and registration privileges withheld.
Date Adopted: January 17, 2012

BP 5040 STUDENT RECORDS, DIRECTORY INFORMATION, AND PRIVACY
References: Education Code Sections 76200 et seq.; Title 5 Sections 54600 et seq.
The Chancellor shall assure that student records are maintained in compliance with applicable federal and state laws relating to the privacy of student records.
The Chancellor may direct the implementation of appropriate safeguards to assure that student records cannot be accessed or modified by any person not authorized to do so.
Any currently enrolled or former student of the District has a right of access to any and all student records relating to him/her maintained by the District.
No District representative shall release the contents of a student record to any member of the public without the prior written consent of the student, other than directory information as defined in this policy and information sought pursuant to a court order or lawfully issued subpoena, or as otherwise authorized by applicable federal and state laws.
Students shall be notified of their rights with respect to student records, including the definition of directory information contained here, and that they may limit the information. Directory information shall include: Degrees and awards received by students, including honors, scholarship awards, athletic awards and Dean’s List recognition.
Date Adopted: January 17, 2012

BP 5050 MATRICULATION
References: Education Code Sections 78210 et seq.; Title 5 Sections 55500 et seq.
The District and the Colleges shall provide matriculation services to students for the purpose of furthering equality of educational opportunity and academic success. The purpose of matriculation is to bring the student and the District into agreement regarding the student’s educational goal through the District’s established programs, policies, and requirements.
The Chancellor or designee shall establish procedures to assure implementation of matriculation services that comply with California Code of Regulations, Title 5, requirements and ensure that procedures are maintained and made known to all students by prominent inclusion in College publications and Web sites.
Date Adopted: January 17, 2012

BP 5052 OPEN ENROLLMENT
Reference: Title 5 Section 51006.
All courses, course sections, and classes of the District shall be open for enrollment to any person who has been admitted to West Valley or Mission Colleges. Enrollment may be subject to any priority system that has been established. Enrollment may also be limited to students meeting properly validated prerequisites and corequisites, or due to other practical considerations such as exemptions set out in statute or regulation.
The Chancellor shall assure that this policy is published in the College catalogs and schedules of classes.
Date Adopted: January 17, 2012

BP 5055 ENROLLMENT PRIORITIES
References: Title 5 Sections 51006, 58106, and 58108.
The Chancellor shall establish procedures defining enrollment priorities, limitations, and processes for student challenge, which shall comply with California Code of Regulations, Title 5.
Date Adopted: January 17, 2012

BP 5110 COUNSELING
References: Education Code Section 72620; Title 5 Section 51018.
Counseling services are an essential part of the educational mission of the District.
The Chancellor shall assure the provision of counseling services including academic, career, and personal counseling that is related to the student’s education.
Counseling shall be required for all first time students enrolled for more than six units, students enrolled provisionally, and students on academic or progress probation.
Date Adopted: January 17, 2012

BP 5120 TRANSFER CENTER
References: Education Code Sections 66720-66744; Title 5 Section 51027.
The District incorporates as part of its mission the transfer of its students to baccalaureate level institutions. The District further recognizes that students who have historically been underrepresented in transfer to baccalaureate level institutions are a special responsibility.
The Chancellor shall assure that a transfer center plan is implemented that identifies appropriate target student populations, is designed to increase the transfer applications of underrepresented students, and complies with law and regulations.
Date Adopted: January 17, 2012
BP 5130 FINANCIAL AID

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

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

The Chancellor shall establish, publicize, and apply satisfactory academic progress standards for participants in Title IV student aid programs.

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

1) the nature of its educational program,
2) the nature of its financial charges, or
3) the employability of its graduates.

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

The Chancellor shall establish procedures wherein the District shall periodically monitor employees and vendors communications with prospective students and members of the public and take corrective action where needed. This policy does not create a private cause of action against the District or any of its representatives or service providers. The District and its governing Board do not waive any defenses or governmental immunities by enacting this policy.

Date Adopted: January 17, 2012

BP 5140 DISABLED STUDENTS PROGRAMS AND SERVICES
References: Education Code Sections 67310 and 84850; Title 5 Sections 56000 et seq.

Students with disabilities shall be assisted to participate whenever possible in the regular educational programs in the District.

The Disabled Students Programs and Services (DSPS) Program (also known as the Disability Instructional Support Center and the Disability and Educational Support Program at the college) shall be the primary provider for support programs and services that facilitate equal educational opportunities as required by federal and state laws for students with disabilities who can profit from instruction.

DSPS services shall be available to qualified students with verified disabilities that result in academic accommodations, accessible facilities, equipment, specialized instructional programs, and academic, personal, and vocational counseling.

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

Date Adopted: January 17, 2012

BP 5150 EXTENDED OPPORTUNITY PROGRAMS AND SERVICES
References: Education Code Sections 69460-69656; Title 5 Sections 56200 et seq.

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.

Date Adopted: January 17, 2012

BP 5160 CHILD CARE SERVICES
References: Education Code Sections 79120 et seq.

The District may provide child care services subject to applicable laws and regulations.

Date Adopted: January 17, 2012

BP 5200 STUDENT HEALTH SERVICES
Reference: Education Code Section 76401.

Student health services shall be provided in order to contribute to the education aims of students by promoting physical and emotional well being through health oriented programs and services.

Date Adopted: January 17, 2012

BP 5205 STUDENT ACCIDENT INSURANCE
Reference: Education Code Section 72506.

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

Date Adopted: January 17, 2012

BP 5210 COMMUNICABLE DISEASE
Reference: Education Code Section 76403.

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

Date Adopted: January 17, 2012

BP 5300 STUDENT EQUITY
References: Education Code Sections 66300, 66250 et seq., and 72010 et seq.; Title 5 Section 54220.

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. The plan may be periodically reviewed at the discretion of the Board.

Date Adopted: January 17, 2012

BP 5400 ASSOCIATED STUDENT ORGANIZATIONS
Reference: Education Code Section 76080.

The students of the District are authorized to organize student body associations. The Board hereby recognizes the Associated Student Organizations as the Mission College Associated Student Government and the West Valley College Associated Student Organization.

The Associated Students shall conduct other activities as approved by the Chancellor. The Associated Students activities shall not conflict with the authority or responsibility of the Board or its officers or employees.

The Associated Students shall conduct themselves in accordance with state laws and regulations and administrative procedures established by the Chancellor.

Date Adopted: January 17, 2012

BP 5410 ASSOCIATED STUDENT ORGANIZATIONS’ ELECTIONS
Reference: Education Code Section 76061.

The Associated Student Organizations shall conduct annual elections to elect officers. The elections shall be conducted in accordance with procedures established by the Chancellor.

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

The student shall be enrolled in the District at the time of election and throughout his/her term of office, with a minimum of five semester units or the equivalent.

The student shall meet and maintain the minimum standards of scholarship (see BP 4220 titled Standards of Scholarship and related administrative procedures).

Date Adopted: January 17, 2012

BP 5420 ASSOCIATED STUDENT ORGANIZATIONS’ FINANCE
References: Education Code Sections 76083-76085.

Associated Student funds shall be deposited with and disbursed by the Chancellor.

The funds shall be deposited, loaned, or invested in one or more of the ways authorized by law.

All funds shall be expended according to procedures established by the Associated Student Organizations, subject to the approval of each of the following three persons, which shall be obtained each time before any funds may be expended:

the Chancellor, College President, or designee; the employee who is the designated advisor of the particular student body organization; and a representative of the student body organization.

Pursuant to Education Code 76083, all money collected by a student body association or by any student club or organization of the College shall be deposited in an account insured by the Federal Deposit Insurance Corporation and credited to the appropriate organization. The District Administrative Services Office shall ensure that the collection and disbursement of funds are consistent with accounting and auditing procedures and with established District policies and procedures.

The funds of the Associated Student Organizations shall be subject to an annual audit.

Date Adopted: January 17, 2012

BP 5500 STANDARDS OF CONDUCT
References: Education Code Sections 66300 and 66301; Accreditation Standards IV.7.b.

The District shall enforce a student code of conduct the purpose of which is to promote and maintain orderly conduct of a responsible student body in a manner compatible with the District and College function as an educational institution.
Students are subject to state and federal laws and to the specific regulations established by the District and/or each College in the District. Violators shall be subject to disciplinary action, including but not limited to the removal, suspension, or expulsion of a student.

The procedures shall be made widely available to students through the college catalogs and other means. 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 following conduct shall constitute good cause for discipline, including but not limited to the removal, suspension, or expulsion of a student:

- Causing, attempting to cause, or threatening to cause physical injury to another person.
- Possession, sale or otherwise furnishing any firearm, knife, explosive or other dangerous object, including but not limited to any facsimile firearm, knife, or explosive, unless, in the case of possession of any object of this type, the student has obtained written permission to possess the item from a District employee, which is concurred in by the college president.
- Unlawful possession, use, sale, offer to sell, or furnishing, or being under the influence of, any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the California Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind; or unlawful possession of, or offering, arranging or negotiating the sale of any drug paraphernalia, as defined in California Health and Safety Code Section 11014.5.
- Committing or attempting to commit robbery or extortion.
- Causing or attempting to cause damage to District property or to private property on campus.
- Stealing or attempting to steal District property or private property on campus, or knowingly receiving stolen District property or private property on campus.
- Willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of the college or the District.
- Committing sexual harassment as defined by law or by District policies and procedures.
- Engaging in harassing or discriminatory behavior based on race, sex, (i.e., gender) religion, age, national origin, disability, or any other status protected by law.
- Willful misconduct, which results in injury or death to a student or to college personnel or which results in cutting, defacing, or other injury to any real or personal property owned by the District or on campus.
- Disruptive behavior, willful disobedience, habitual profanity or vulgarity, or the open and persistent defiance of the authority of, or persistent abuse of, college personnel.
- Cheating, plagiarism (including plagiarism in a student publication), or engaging in other academic dishonesty.
- Dishonesty, forgery, alteration, or misuse of college documents, records, or identification; or knowingly furnishing false information to the District.
- Unauthorized entry upon or use of college facilities.
- Lewd, indecent, or obscene conduct on District-owned or controlled property or at District-sponsored or supervised functions.
- Engaging in expression that is obscene, lewd, lascivious, or indecent; or which so incites students as to create a clear and present danger of the commission of unlawful acts on college premises, or the violation of lawful District administrative procedures, or the substantial disruption of the orderly operation of the District.
- Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.
- Unauthorized preparation, giving, selling, transfer, distribution, or publication, for any commercial purpose, of any competent recording of an academic presentation in a classroom or equivalent site of instruction, including but not limited to handwritten or typewritten class notes, except as permitted by any District policy or administrative procedure.
- Also see BP/AP 3715 titled Intellectual Property.

Date Adopted: January 17, 2012

BP 5510 OFF-CAMPUS STUDENT ORGANIZATIONS

References: 34 Code of Federal Regulations Section 668.46(b)(7).

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

Date Adopted: January 17, 2012

BP 5570 STUDENT CREDIT CARD SOLICITATION

References: Education Code Section 99030; Title 5 Sections 54900, 54901, 54903. The Chancellor shall establish procedures that regulate the solicitation of student credit cards on campus.

Date Adopted: January 17, 2012

BP 5700 ATHLETICS

References: Education Code Sections 78223, 66271.6, 66271.8, and 67360 et seq.

The District shall maintain an organized program for men and women in collegiate athletics. The program shall not discriminate on the basis of gender in the availability of athletic opportunities.

The District shall comply with federal and state regulations, procedures, and requirements regarding student athlete participation. The Chancellor shall assure that the athletics program complies with the Constitution and Sports Guidelines of the California Community College Commission on Athletics as well as appropriate Conference Constitution Rules regarding student athlete participation.

Date Adopted: January 17, 2012

BP 5800 PREVENTION OF IDENTITY THEFT IN STUDENT FINANCIAL TRANSACTIONS

References: 15 U.S.C. Section 1681(m)(1), Fair and Accurate Credit Transactions Act (FACT Act or FACTA).

The District is required to provide for the identification, detection, and response to patterns, practices, or specific activities ("Red Flags") that could indicate identity theft of students when the District serves as a creditor in relation to its students. When applicable, the Chancellor is directed to develop procedures to implement an Identity Theft Prevention Program (ITPP) to control reasonably foreseeable risks to students from identity theft.

Date Adopted: January 17, 2012

BP 3300 PUBLIC RECORDS

References: Government Code Sections 6250 et seq.

The District is committed to open government, governance, and access for all members of the public and for all members of the District community. Public records, as defined by the Government Code, are open to inspection by the public during regular office hours of the District Offices and Colleges. The Chancellor shall establish procedures for records management, including access by the public, which complies with the requirements of the California Public Records Act.

Date Adopted: January 17, 2012

BP 3310 RECORDS RETENTION AND DESTRUCTION

References: Title 5 Sections 59020 et seq.; Federal Rules of Civil Procedure, Rules 16, 26, 33, 34, 37, 45

In accordance with the provisions set forth in the California Code of Regulations, Title 5, a records management program, covering the life cycle of all records of the District and Colleges from the time they are originated, shall be implemented in order to:

- Ensure that records which are required to be preserved or which may be useful for future reference are permanently retained and safely stored, and that those which have outlived their usefulness are destroyed, and minimize the expense related to record keeping.

The Chancellor shall establish administrative procedures to assure the retention and destruction of all District records, including electronically stored information as defined by the Federal Rules of Civil Procedure, in compliance with Title 5. Such records shall include, but not be limited to student records, employment records, and financial records.

Date Adopted: January 17, 2012

BP 3410 NONDISCRIMINATION

References: Education Code Sections 66250 et seq., 72010 et seq., and 87100 et seq.; Title 5 Sections 53000 et seq., and 59300 et seq.; Penal Code Sections 422.65, Government Code Sections 12926.1 and 12940 et seq.

The District is committed to equal opportunity in educational programs, employment, and all access to institutional programs and activities. The District, and each individual who represents the District, shall provide access to its services, classes, and programs without regard to national origin, religion, age, sex or gender; race, color, medical condition, ancestry, sexual orientation, marital status, physical or mental disability, or because he/she is perceived to have one or more of the foregoing characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.

The Chancellor shall establish administrative procedures that ensure all members of the college community can present complaints regarding alleged violations of this policy and have their complaints investigated.
complaints heard in accordance with the Title
5 regulations and those of other agencies that
administer state and federal laws regarding
 nondiscrimination.
No District funds shall ever be used for member-
ship or for any participation involving financial
payment or contribution on behalf of the District
or any individual employed by or associated with
it, to any private organization whose member-
ship practices are discriminatory on the basis of
national origin, religion, age, sex or gender, race,
 color, medical condition, ancestry, sexual orienta-
tion, marital status, physical or mental disability, or
because he/she is perceived to have one or more of
the foregoing characteristics, or because of his/
her association with a person or group with one or
more of these actual or perceived characteristics.
To have available positive images provided by
individuals from historically under-represented
groups, and to observe that such individuals can
assume responsible and diverse roles in society
is educationally sound for all students attending
Colleges of the District. The richness that cultural
and racial diversity brings to our national heritage
and the exercise of democratic principles can be
best taught in the presence of a staff and student
body of both genders, diverse ethnic groups,
handicapped individuals, and veterans.
Date Adopted: January 17, 2012

BP 3430 PROHIBITION OF HARASSMENT
References: Education Code Sections 212.5,
44100, 66252, and 66281.5; Government Code
Section 12550.1; Title VII of the Civil Rights Act of
1964, 42 U.S.C. Annotated Section 2000e;
Title IX, Education Amendments of 1972.
All forms of harassment are contrary to basic
standards of conduct between individuals and
are prohibited by state and federal law, as well
as this policy, and will not be tolerated. The
District is committed to providing an academic
and work environment that respects the dignity
of individuals and groups. The District shall be
free of sexual harassment and all forms of sexual
intimidation and exploitation. It shall also be free
of other unlawful harassment, including that which
is based on any of the following statuses: race,
religion, creed, color, national origin, ancestry,
physical disability, mental disability, medical condi-
tion, marital status, sex, age, or sexual orientation
of any person, or because he/she is perceived to
have one or more of the foregoing characteristics.
The District seeks to foster an environment in
which all employees and students feel free to
report incidents of harassment without fear of
retaliation or reprisal. Therefore, the District
also strictly prohibits retaliation against any
individual for filing a complaint of harassment
or for participating in a harassment investigation.
Such conduct is illegal and constitutes a violation
of this policy. All allegations of retaliation will be
swiftly and thoroughly investigated. If the District
determines that retaliation has occurred, it will
take all reasonable steps within its power to stop
such conduct. Individuals who engage in retali-
atory conduct are subject to disciplinary action, up
to and including termination or expulsion.
Any student or employee who believes that he/
she has been harassed or retaliated against in
violation of this policy should immediately report
such incidents by following the procedures
described in AP 3435 titled Discrimination and
Harassment. Supervisors are mandated to report all
incidents of harassment and retaliation that come to their attention.
This policy applies to all aspects of the academic
environment, including but not limited to class-
room conditions, grades, academic standing,
employment opportunities, scholarships, recom-
endations, disciplinary actions, and participa-
tion in any community college activity. In addition,
this policy applies to all terms and conditions of
employment, including but not limited to hiring,
placement, promotion, disciplinary action, layoff,
recall, transfer or leave of absence, training oppor-
tunities, and compensation.
To this end, the Chancellor shall ensure that the
institution undertakes education and training
activities to counter discrimination and to prevent,
minimize, and/or eliminate any hostile environ-
ment that interferes with the ability of students
and/or employees to fully participate in the educational
opportunity or impacts the terms and conditions
of employment.
The Chancellor shall establish procedures that
define harassment on campus. The Chancellor
shall further establish procedures for employing
students, and other members of the campus
community that provide for the investigation and
resolution of complaints regarding harassment
discrimination and procedures for students
to resolve complaints of harassment and discrimi-
nation. All participants are protected from retali-
tory acts by the District, its employees, students,
and agents.
This policy and related written procedures shall
be widely published and publicized to adminis-
trators, faculty, staff, and students, particularly
when they are new to the institution. They shall
be available for students and employees in all
administrative offices.
Employees who violate the policy and procedures
may be subject to disciplinary action up to and
including termination. Students who violate this
policy and related procedures may be subject to
disciplinary measures up to and including expul-
sion. See also BP/AP 3410 titled Nondiscrimina-
tion, AP 3430 titled Prohibition of Harassment,
and AP 3435 titled Discrimination and Harass-
ment Investigations.
Date Adopted: January 17, 2012

BP 3430 SERVICE ANIMALS
References: The Americans with Disabilities Act
28 Code of Federal Regulations Part 36; 34 Code of
Federal Regulations Part 104.44(b)
In order to prevent discrimination on the basis of
disability, the District will allow an individual
with a disability to use a service animal or miniature
horse in District facilities and on District cam-
puses in compliance with state and federal law.
Date Adopted: January 17, 2012

BP 3500 CAMPUS SAFETY
Reference: Education Code Section 67390(a)(4)
The District shall provide a safe environment for
students, employees and visitors. The District is
committed to the implementation of safety and
health policies and procedures involving workplace
security for employees and students.
Employees and students shall be directly respon-
sible for conducting themselves, at all times, in
a manner that is consistent with current District
policies.
The Board is committed to a safe and secure
District work and learning environment. To that
end, the Chancellor shall establish a campus
safety plan and ensure that it is posted or oth-
erwise made available to students. The campus
safety plan shall include availability and location
of security personnel, methods for summoning
assistance of security personnel, any special
safeguards that have been established, any
actions taken in the preceding eighteen (18)
months to increase safety, and any changes in
safety procedures to be made during the next
twenty-four (24) months.
Consistent with the Board’s general delegation of
authority and state and federal law, and subject to
any reporting and ratification requirements, the
Chancellor and his/her designees are specifi-
cally empowered to take all appropriate actions
in emergency or urgent situations to protect the
health and safety of students, staff, and persons
associated with the District, to protect District
facilities, and to maintain the educational program.
Also see BP/AP 3505 titled Emergency Response
Plan and BP/AP 6800 titled Safety – Occupation-
Related.
Date Adopted: January 17, 2012

BP 3550 DRUG FREE ENVIRONMENT AND
DRUG PREVENTION PROGRAM
References: Drug Free Schools and Communi-
ties Act, 20 U.S.C. Code Section 1145g; 34 Code
of Federal Regulations Sections 86.1 et seq.;
Code Section 702
The District shall be free from all drugs and shall
prohibit the unlawful use, possession, sale, or
distribution of alcohol, narcotics, dangerous or
illegal drugs, or other controlled substances, as
defined in California statutes, on District property
or at any function sponsored by the District or
Colleges.
Any student or employee who violates this policy
will be subject to disciplinary action (consistent
with local, state, or federal law), which may
include referral to an appropriate rehabilitation
program, suspension, demotion, expulsion, or
dismissal.
The Chancellor shall assure that the District dis-
tributes annually to each student and employee
the information required by the Drug Free Schools
and Communities Act Amendments of 1988 and
complies with other requirements of the Act.
The Colleges will provide information pertaining
to the health risks and effects associated with
alcohol and narcotics or other dangerous or
illegal drugs. Students may be referred to various
on campus programs or outside agencies for
support, information, and/or enrollment in a drug
recovery program.
Date Adopted: January 17, 2012

BP 3900 SPEECH: TIME, PLACE, AND
MANNER
References: Education Code Sections 76120 and
66301
Students, employees, and members of the
public shall be free to exercise their rights of free
expression, subject to this policy and District
procedures.
The Colleges of the District are non-public
forums, except for those areas that are design-
ated as public forums available for the exercise
of expression by students, employees, and
members of the public. The Chancellor shall
enact such administrative procedures as are
necessary to reasonably regulate the time, place,
and manner of the exercise of free expression in
the designated public forums.
The administrative procedures issued by the
Chancellor shall not prohibit the right of students
to exercise free expression, including but not
limited to, the use of bulletin boards; the distribu-
tion of printed materials or petitions in those parts
of the Colleges designated as areas generally
available to students and the community, such as
the wearing of buttons, badges, or other insignia.
Speech shall be prohibited that is defamatory,
obscene (according to current legal standards),
or which so incites others as to create a clear
and present danger of the commission of unlaw-


ful acts on District property or the violation of Board policies or administrative procedures, or the substantial disruption of the orderly operation of the District.

Nothing in this policy shall prohibit the regulation of hate violence directed at students in a manner that denies their full participation in the educational process (Education Code Section 66301(e)), so long as the procedure conforms to the requirements of the First Amendment to the United States Constitution, and of Section 2 of Article 1 of the California Constitution. Students may be disciplined for harassment, threats, or intimidation unless such speech is constitutionally protected.

Date Adopted: January 17, 2012

**BP 4020 PROGRAM, CURRICULUM, AND COURSE DEVELOPMENT**

References: Education Code Sections 70901(b), 70902(b), and 78016; Title 5 Sections 51000, 51022, 55100, 55130, and 55150; U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid Programs under Title IV of the Higher Education Act of 1965, as amended.

The programs and curricula of the District shall be of high quality, relevant to community and student needs, and evaluated regularly to ensure quality and currency. To that end, the Chancellor shall establish administrative procedures for the development and review of all curricular offerings, including their establishment, modification, or discontinuance.

Furthermore, these administrative procedures shall include: appropriate involvement of the faculty and Academic Senate in all processes; regular review and justification of programs and course descriptions; opportunities for training for persons involved in aspects of curriculum development; and consideration of job market and other related information for career and technical programs.

All new programs and program deletions shall be approved by the Board. All new programs shall be submitted to the State Chancellor’s Office for approval as required.

Individual degree-applicable credit courses offered as part of a permitted educational program shall be approved by the Board. Non-degree-applicable credit and degree-applicable courses that are not part of an existing approved program must satisfy the conditions authorized by Title 5 regulations and shall be approved by the Board.

**Credit Hour.**

Consistent with federal regulations applicable to federal financial aid eligibility, the District shall assess and designate each of its programs as either a “credit hour” program or a “clock hour” program.

The Chancellor will establish procedures, which prescribe the definition of “credit hour” consistent with applicable federal regulations, as they apply to community college districts.

The Chancellor shall establish procedures to assure that curriculum at the District complies with the definition of “credit hour” or “clock hour,” where applicable. The Chancellor shall also establish procedure for using a clock-to-credit hour conversion formula to determine whether a credit hour program is eligible for federal financial aid. The conversion formula is used to determine whether such a credit-hour program has an appropriate minimum number of clock hours of instruction for each credit hour it claims.

Date Adopted: January 17, 2012

**BP 4225 COURSE REPETITION**

References: Title 5 Sections 55040, 55041, 55042, 55044, and 58161.

Students may repeat a course three times with a substandard grade, including a “W,” in which substandard grades (less than a ‘C,’ and including ‘F’) were earned.

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

**Course Repetition: Grade Alleviation**

A student who has earned a grade of “D,” “F,” or “NC” in a credit course at any College in the District may repeat the course for the purpose of grade alleviation.

The Chancellor will establish procedures, which prescribe the definition of “credit hour” consistent with applicable federal regulations, as they apply to community college districts.