

**AP 5045 Student Records - Cha**

**Access Log**

A log or record shall be maintained for each student's record that lists all persons, agencies, or organizations requesting or receiving information from the record and their legitimate interests. The listing need not include any of the following:

- Students seeking access to their own records;
- Parties to whom directory information is released;
- Parties for whom written consent has been executed by the student;
- Officials or employees having a legitimate educational interest.

The log or record shall be open to inspection only by the student and the Vice President of Student Services or designee, and to the Comptroller General of the United States, the Secretary of Education, an administrative head of an education agency, and state educational authorities as a means of auditing the operation of the system.

**Tentative Revision:**

Approved by the Board of Trustees: August 13, 2002

## **AP 5052 Open Enrollment (~~Challenge of Enrollment Limitations~~)**

### **Reference:**

***Title V5, Sections 51006, 58106 and 58108***

Unless specifically exempted by statute, every course, course section or class, the average daily attendance of which is to be reported for state aid shall be fully open to enrollment and participation by any person who has been admitted to the college and who meets all prerequisites. Class enrollment is limited by size of facility and program content. The Gavilan College District is in full compliance with Section 504 of the Rehabilitation Act of 1973 and the Americans with disabilities Act of 1990.

All courses with the District shall be open to enrollment in accordance with a priority system

## **AP 5120 Transfer Center**

### **Reference:**

***Title V5, Section 51027***

***Education Code section 66720 - 66744***

The Gavilan College District has a Transfer Center Plan that complies with the requirements of Title V5. The plan identifies appropriate target student populations and is designed to increase the transfer applications of underrepresented students among transfer students.

Plan components include, but are not limited to:

Services to be provided to students

Facilities

Staffing

An advisory committee

Evaluation and reporting

Transfer path requirements for each articulated baccalaureate major

The Transfer Center Plan is reviewed annually. Modifications/revisions are made collaboratively between the Vice President of Student Services, Counseling Department and Transfer Center Specialist.

The Transfer Center Plan is submitted to the Board of Trustees each year for review, input and approval.

The Transfer Center Plan is located in the Transfer Center, Counseling Department Chair office and the Vice President of Student Services' oOffice.

### **Tentative Revision:**

Amended by the Board of Trustees: November 13, 2007

Approved by the Board of Trustees August 13, 2002





## AP 5200 Student Health Services

### Reference:

***Education Code Section 76401***

The District College shall maintain a health services program that reflects the overall philosophy of the College and is responsive to the needs of its college community, within the confines of this Board policy, state and federal laws, maintenance of effort requirements and available funding.

Referrals will be made, but medical treatment or therapy is not the primary responsibility of the District College. Health Services may provide some limited medical services. Such services should not take the place of or duplicate services offered by off-campus public or private health providers and, in any event, shall not be for other than limited reproductive health (e.g., annual – cancer screening exams, pregnancy and HIV testing, urinary tract infections, sexually transmitted disease, birth control and menstrual irregularities), cough, cold, rash and immunizations.

Health Services Programs may also include, but not limited to:

Health education, consultation, referrals and psychological counseling programs.

Assessment, intervention and referral services which include, but are not limited to, health appraisal, screening, first aid, health and psychological counseling and crisis intervention, nursing and/or other health services.

Health promotion activities.

~~—Communicable disease control programs and services.~~

Programs and services designed to prevent illness and injury.

Advisory activities for the promotion of a health campus community.

Advise District college administration in the implementation of all state and federal laws pertaining to college health issues.

Notwithstanding any other policy to the contrary, the health services at Gavilan shall be available to all students of the District.

## **AP 5520 Student Discipline Procedures**

### **Reference:**

**Education Code Sections 66017, 66300, 72122, 76030, and 76030 et seq.;**  
**Penal Code Section 626.4**

The purpose of this procedure is to provide a prompt and equitable means to address violations of the Standards of Student Conduct, which guarantees to the student or students involved the due process rights guaranteed them by state and federal constitutional protections. This procedure will be used 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.

In developing responsible students, disciplinary proceedings may play a role in coordination with counseling, guidance and admonition.

These Administrative Procedures are specifically 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 Section 76120, and will not be used to punish expression that is protected.

### **DEFINITIONS efinitions**

#### **District**

The Gavilan Joint Community College.

#### **Student**

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

#### **Instructor-**

Any academic employee of the District in whose class a student subject to discipline is enrolled, or counselor who is providing or has provided services to the student, or other



**Expulsion.**

Exclusion of the student by the Board of Trustees from the District College for one or more terms.

**Removal from Class-**

Exclusion of the student by an instructor for the day of the removal and the next class meeting. An online instructor may block access to the class for 78 hours.

**Written or Verbal Reprimand-**

An admonition to the student to cease and desist from conduct determined to violate the Standards of Student Conduct. Written reprimands may become part of a student's permanent record with the District at the college. A record of the fact that a verbal reprimand has been given may become part of a student's record with the District at the college for a period of up to one year.

**Disciplinary Probation**

Exclusion from participation in privileges or extracurricular activities set forth in the notice of disciplinary probation for a specified period of time.

**Withdrawal of Consent to Remain on Campus**

Withdrawal of consent by the Vice President of Student Services or designee for any person to remain on campus in accordance with California Penal Code Section 626.4 where the Vice President of Student Services or designee has reasonable cause to believe that such person has willfully disrupted the orderly operation of the campus.

**Restitution**

Financial liability for damage to, or misappropriation of, property. Restitution may take the form of appropriate service to repair or otherwise compensate for damages.

**Day.**

Days during which the District is in session and regular classes are held, excluding Saturdays and Sundays unless noted.

**DISCIPLINARY PROCEDURES****Short-term Suspensions, Long-term Suspensions, and Expulsions:**

Except in cases where immediate discipline pending a hearing is authorized, Before any disciplinary action to suspend or expel is taken against a student, the following procedures will apply:

**Notice-**

The Vice President of Student Services will provide the student with written notice of the conduct warranting the discipline. The written notice will include the following:

The specific section of the Standards of Student Conduct that the student is accused of violating.

- A short statement of the facts supporting the accusation.
- The right of the student to meet with the Vice President of Student Services or designee to discuss the accusation, or to respond in writing.
- The nature of the discipline that is being considered.
- Generally an appointment date with the Vice President of Student Services will be indicated in the letter. It is the responsibility of the student upon receipt of letter to confirm or re-schedule.

**Time Limits-**

The notice must be provided to the student within ten (10) school days of the date on which the conduct took place; in the case of continuous, repeated or ongoing conduct, the notice must be provided within 10 school days of the date on which conduct occurred which led to the decision to take disciplinary action.

**Meeting.**

If ~~the student chooses to meet~~ an appointment is scheduled with the Vice President of Student Services or designee, the meeting must occur no sooner than five (5) 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 verbally or in writing to the accusation.

If the student fails to attend the meeting, disciplinary action will be communicated via registered letter and e-mail.

**Short-term Suspension**

Within ten (10) school days after the meeting described above, the Superintendent/President of the District College or designee shall, pursuant to a recommendation from the Vice President of Student Services. or the Executive Vice President of Instruction Academic Affairs ~~within ten (10)~~

- **Hearing Panel Chair**

Within ten (10) school days following the close of the hearing, the hearing panel shall prepare and send to the President of the College 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 Standards of Student Conduct were 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 matter 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.

### **Superintendent /President/Superintendent's Decision**

#### **- Long-term Suspension.**

Within ten (10) school days following receipt of the hearing panel's recommended decision, the Superintendent/President of the District College shall render a final written decision. The Superintendent/President of the College may accept, modify or reject the findings, decisions and recommendations of the hearing panel. If the Superintendent/President of the College modifies or rejects the hearing panel's decision, the Superintendent/President of the College shall review the record of the hearing, and shall prepare a new written decision, which contains specific factual findings and conclusions. The decision of the Superintendent/President of the College shall be final.

#### **- Expulsion.**

Within ten (10) school days following receipt of the hearing panel's recommended decision, the Superintendent/President of the District College shall render a written recommended decision to the Board of Trustees. The Superintendent/President of the College may accept, modify or reject the findings, decisions and recommendations of the hearing panel. If the Superintendent/President of the College 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 Superintendent/President's of the College decision shall be forwarded to the Board of Trustees.

### **Board of Trustees Decision**

The Board of Trustees shall consider any recommendation from the Superintendent/President of the District College 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 shall be notified in writing, by registered or certified mail to the address last on file with the District or by personal service, at least three days prior to the meeting, of the date, time, and place of the Board's meeting.

The student may, within forty-eight (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 any discussion that might be in conflict with the right to privacy of any student other than the student requesting the public meeting in closed session.

The Board may accept, modify or reject the findings, decisions and recommendations of the Superintendent/President of the District College and/or the hearing panel. If the Board modifies or rejects the decision, the Board shall review the record of the hearing,

and shall prepare a new written decision, which contains 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.

**Immediate Interim Suspension** [Education Code Section 66017]:

The Superintendent/President of the District College 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.

**Removal from Class** [Education Code Section 76032]:

Any instructor may order a student removed from his or her class for the day of the removal and the next class meeting. The instructor shall immediately report the removal to the area dean, site director or Vice President of Academic Affairs department supervisor. The dean or designee supervisor shall arrange for a conference between the student and the instructor regarding the removal. If the instructor or the student requests, the area dean or supervisor shall attend the conference. The student shall not be returned to the class during the period of the removal without the concurrence of the instructor. Nothing herein will prevent the dean or supervisor from recommending further disciplinary procedures in accordance with these procedures based on the facts, which led to the removal.

**Withdrawal of Consent to Remain on Campus**

The Vice President of Student Services or designee may notify any person for whom there is a reasonable belief that the person has willfully disrupted the orderly operation of the campus that consent to remain on campus has been withdrawn. If the person is on campus at the time, he or she must promptly leave or be escorted off campus. If consent is withdrawn by the Vice President of Student Services or designee a written report must be promptly made to the Superintendent/President of the District college.

The person from whom consent has been withdrawn may submit a written request for a hearing on the withdrawal within the period of the withdrawal. The request shall be granted not later than seven days from the date of receipt of the request. The hearing will be conducted in accordance with the provisions of this procedure relating to interim suspensions.

In no case shall consent be withdrawn for no more than fourteen (14) longer than 20 school days from the date upon which consent was initially withdrawn.

Any person as to whom consent to remain on campus has been withdrawn who knowingly reenters the campus during the period in which consent has been withdrawn, except to come for a meeting or hearing, is subject to arrest. [Penal Code Section 626.4]

**Time Limits:**

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

**Tentative Revision:**

Amended by the Board of Trustees: April 13, 2004

Approved by the Board of Trustees: August 13, 2002