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To: **Cañada, CSM and Skyline Campus Communities
District Participatory Governance Committee**

From: Joi Blake, Skyline VPSS
Jennifer Hughes, CSM VPSS
Robin Richards, Cañada VPSS

Date: April 18, 2013

Re: **Campus Review of SMCCCD Chapter 7 Policies and Procedures**

We want to thank the constituents at the three colleges who carefully reviewed Chapter 7, Policies and Procedures.

Review Process:

These policies and procedures have been reviewed page by page by numerous campus groups at the three colleges as well as two district committees. Recommendations have been made by these groups and incorporated into the final document.

The Enrollment Services Committee (ESC) which has representatives from all three colleges has reviewed the final edition by incorporating comments received from the various meetings. The thorough reviews of Chapter 7 were conducted by the following groups:

Cañada

- Student Services Council: February 13, 2013
- College Planning & Budgeting Council: February 20, 2013

CSM

- Student Services Council: February 5
- Student Services Administrators: February 11
- College Council: February 6, March 20

Skyline

- President's Cabinet: February 6, 2013, March 13, 2013
- Management Council: February 12, 2013
- Student Services Leadership Team: February 26, 2013
- College Governance Council: February 27, 2013

District wide Committees

- Enrollment Services Committee (ESC): February 8, March 1, March 29, 2013
- Financial Aid Advisory Committee : January 29, 2013

Specific Program Review:

College staff in the various programs at the three colleges (e.g. Admissions, Counseling, DSPS, EOPS, Financial Aid, and International Students Program) reviewed their sections for consistency among the three colleges.

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Vice President Review and Revision:

The Vice Presidents of Student Services reviewed and consolidated the recommended changes received into the final document.

Next Steps:

Presentation to District Participatory Governance Committee:

Chapter 7 policies will be reviewed by the District Participatory Governance Committee (DPGC) at their May 6 and May 20 meetings. DPGC is only responsible for approving the policies. However, it is helpful that they review the procedures to understand how the colleges will implement the policies.

Presentation to Board of Trustees:

Chapter 7 policies and procedures will be presented to the Board of Trustees at their June meeting. The Board only approves policies, but they will be provided with a copy of the procedures to help them understand how the colleges will implement the policies.

Posting to District Portal

Once Chapter 7 policies have been approved by the Board, they will be posted to the District Portal page.

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POLICIES	PROCEDURES
7.00 Student Services	
7.01 Admissions and Concurrent Enrollment (BP 5010) REVISED	7.01.1 Admissions (AP 5010) NEW 7.01.2 Admission of Concurrent Enrollment High School Students, Middle College High School, Other Young Students, and Non-immigrant Visitor Students (AP5011) NEW 7.01.3 International Students (AP 5012) NEW 7.01.4 Students in the Military (AP 5013) NEW
7.02 Residence Determination (BP 5015)	7.02.1 Residence Determination (AP 5015)
7.03 Eligibility Requirements for Admission of International Students-DSGC (DELETE – Move to New Procedure 7.01.3)	
7.05 Admission of Non-immigrant Visitors (DELETE – Move to New Procedure 7.01.3)	
7.07 Non-resident Tuition Fees (DELETE)	
7.07 Non-resident Tuition Fees (BP5020) NEW	7.07.1 Non-resident Tuition (AP 5020) NEW
7.09 Withholding of Student Records (BP 5035)	7.09.1 Withholding of Student Records (AP 5035) NEW
7.20 Student Equity (BP 5300)	7.20.1 Student Equity (AP 5300) NEW
7.22 Student Credit Card Solicitations (BP 5570)	7.22.1 Student Credit Card Solicitation (AP 5570) NEW
7.23 Athletics (BP 5700)	7.23.1 Athletics (AP 5700) NEW
7.26 Prevention of Identity Theft (BP 5800)	7.26.1 Prevention of Identity Theft in Student Financial Transactions (AP 5800) NEW
7.28 Student Records Directory Information and Privacy (DELETE – create new policy)	
7.28 Student Records Directory Information and Privacy (BP 5040) NEW	7.28.1 Student Records, Directory Information and Privacy (AP 5040) NEW 7.28.2 Student Records: Challenging Content and Access Log (AP 5045) NEW
7.35 Academic Standards (DELETE Move to New Procedure 6.21.1)	
7.37 Open Enrollment (BP 5052)	7.37.1 Open Enrollment (AP 5052) NEW
7.38 Enrollment Priorities (BP 5055)	7.38.1 Enrollment Priorities (AP 5055) NEW

NEW	
7.39 Matriculation (DELETE ; Create new policy)	
7.39 Matriculation (BP 5050) NEW	7.39.1 Student Success (AP 5050) NEW
7.40 Counseling and Advising (DELETE ; create new policy)	
7.40 Counseling and Advising (BP 5110) NEW	7.40.1 Counseling and Advising (AP 5110) NEW
7.41 Disabled Students Programs and Services (BP 5140)	7.41.1 Disabled Students Programs and Services (AP 5140) NEW
7.42 Extended Opportunities and Services (EOPS) (BP 5150) REVISED	7.42.1 Extended Opportunities Programs and Services (AP 5150) NEW
7.43 Financial Aid Programs (BP 5130)	7.43.1 Financial Aid (AP 5130) NEW
7.44 Student Health and Psychological Services (BP 5200)	7.44.1 Student Health Services (AP 5200) NEW 7.44.2 Student Accident Insurance (BP 5205) NEW 7.44.3 Communicable Disease (AP 5210) NEW
7.45 Transfer Center (BP 5120)	7.45.1 Transfer Center (AP 5120) NEW
7.48 Child Development Centers REVISED	7.48.1 Child Development Centers NEW
7.56 Collection of Delinquent Loans and Other Financial Obligations	
7.60 Student Organizations and Activities (BP 5400) REVISED	7.60.1 Associated Students (AP 5400) NEW
7.61 Financial Responsibilities- Student Body Assoc and Orgs (BP 5420)	7.61.1 Associated Student Finance (AP 5420) NEW
7.62 Associated Students Election (BP 5410)	7.62.1 Associated Students Election (AP 5410) NEW
	7.64.1 Voter Registration (AP 5610) NEW
7.67 Sexual Harassment Involving Students (AP 3430?) REVISED	
7.69 Student Conduct (BP 5500) REVISED	7.69.1 Student Disciplinary Procedures (AP 5520) REVISED 7.69.2 Student Disciplinary Sanctions NEW
7.70 Student Disciplinary Sanctions (DELETE - Move to New Procedure, 7.69.2)	
7.73 Student Grievances and Appeals REVISED	7.73.1 Student Rights and Grievances (AP 5530) REVISED

No change

**CHAPTER 7: Student Services
BOARD POLICY NO. 7.00**

**BOARD POLICY
San Mateo County Community College District**

Subject: 7.00 Student Services
Revision Date: 5/09

Colleges of the San Mateo County Community College District shall maintain an organized and comprehensive program of student services to assist students in realizing their individual potential. Services shall be designed to facilitate registration of students at District Colleges, to advise them of educational and career opportunities, to insure their welfare while attending the Colleges, and to encourage their participation in District and College governance as well as in student activities and other campus programs.

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Revised

BOARD POLICY
San Mateo County Community College District

Subject: ~~7.01 Eligibility Requirements for Admission of Students~~ Admissions and Concurrent Enrollment

Revision Date: ~~5/12~~

Policy References: Education Code Sections 48800, 48800.5, 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(p)

The District shall admit students who meet one of the following

~~1. The Dean of Enrollment Services shall be responsible for coordinating the admission process of students, including student eligibility.~~

1. The District shall admit students who meet one of the following requirements and who are capable of profiting from the instruction offered:

- a. Be a graduate of a high school. The District shall in its discretion, or as otherwise federally mandated, evaluate the validity of a student's high school completion. The ~~Chancellor~~ President or designee shall establish procedures for evaluating the validity of a student's high school completion.
- b. Be a non-high school graduate who is 16 or 17 years of age, who has passed the California High School Proficiency Examination or completed the G.E.D. Examination Series with a minimum score of 50 on any one test and an average of 55 or more for all tests.
- c. Be an apprentice as defined in Section 3077 of the Labor Code.
- d. Be a high school student (grades 9-12) whose admission as a part-time (as defined in Education Code, Section 48800) or full time student (as defined in Education Code Section 48800.5) is recommended for advanced scholastic or vocational courses by his/her high school principal, or designee, and approved by the President of the College or designee. Any student enrolled in grades 9-12 may attend fall, spring and summer sessions. Any student whose age or class level is equal to grades 9-12 is eligible to attend as a special full-time student or part-time student.
 - i. The ~~Chancellor~~ President or designee shall establish procedures regarding ability to benefit and admission of high school or younger students.
 - ii. Denial of Requests of Admission
 - 1. If the President of the College or designee deems that a high school student does not demonstrate the ability to profit from the advanced

scholastic or vocational courses recommended by the high school principal, or designee, the President of the College will provide a recommendation to the Board to deny the student's admission as a special full time or part time student.

2. The Board will review the President's recommendation. If the Board denies a request for special full time or part time enrollment by any student, to include a student 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.
 3. The written recommendation and denial shall be issued at the next regularly scheduled Board meeting that occurs at least thirty (30) days after the student submits the request to the District.
2. The Chancellor or designee shall establish procedures regarding compliance with statutory and regulatory criteria for concurrent enrollment.
 3. The President or designee shall establish procedures regarding evaluation of requests for special full time or part time enrollment by a pupil who is identified as highly gifted.
 4. 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
 5. The District shall in its discretion, or as otherwise federally mandated, evaluate the validity of a student's high school completion. The President shall establish procedures for evaluating the validity of a student's high school completion.
- ~~3. Admission to the College may be granted or denied within the framework of existing education and administrative codes and District/College policies.~~
 - ~~4. Colleges of the District shall admit transfers from other collegiate institutions. If such transfer students are academically deficient, they may be admitted, but upon admission are subject to the academic standards of the District applied to all coursework completed at any of the Colleges in the District.~~
 - ~~5. Each College shall admit students who are not residents of the State of California. These students shall be required to pay non resident tuition.~~
 - ~~6. In all impacted programs and other programs and classes requiring special screening, the final selection of students will be the prerogative of the appropriate College staff.
 - ~~a. Criteria to be used in establishing priority admittance to these programs and classes shall include a review of all applicable academic prerequisites, required college level work, standard testing, interview, and evidence the persons meets health requirements.~~~~

~~b. The District has the primary responsibility for providing educational opportunities for residents of the District. Therefore, priority in admission to these programs shall be given to District residents.~~

~~7. Information regarding admission policies and procedures shall be maintained in the college catalogs.~~

6. The District will not provide any commission, bonus, or other incentive payment based directly or indirectly on success in securing enrollments or financial aid to any persons or entities engaged in any student recruiting or admission activities or in making decisions regarding the award of student financial assistance. This paragraph shall not apply to the recruitment of foreign students residing in foreign countries who are not eligible to receive federal student assistance.

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New Procedure

CHAPTER 7: Student Services
ADMINISTRATIVE PROCEDURE NO. 7.01.1 (AP 5010)

ADMINISTRATIVE PROCEDURE
San Mateo County Community College District

Subject: AP 7.01.1 Admission of Students

Date:

Policy References: Education Code Section 76000; 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(p)

1. The President or designee shall be responsible for coordinating the admission process of students, including student eligibility.
2. Any individual applying for admission to any College of the District must meet one of the following requirements and be capable of profiting from the instruction offered:
 - a. Be a graduate of a high school. The District shall in its discretion, or as otherwise federally mandated, evaluate the validity of a student's high school completion. The Vice President of Student Services shall be responsible for evaluating the validity of a student's high school completion if the college or the United States Department of Education has reason to believe that the high school diploma is not valid or was not obtained from the entity that provides secondary school education.
 - b. Be a non-high school graduate who is 16 or 17 years of age, who has passed the California High School Proficiency Examination or completed the G.E.D. Examination Series with a minimum score of 50 on any one test and an average of 55 or more for all tests.
 - c. Be an apprentice as defined in Section 3077 of the Labor Code.
 - d. Be a high school student (grades 9-12) whose admission as a part-time (as defined in Education Code, Section 48800) or full time student (as defined in Education Code Section 48800.5) is recommended for advanced scholastic or vocational courses by his/her high school principal, or designee, and approved by the President of the College or designee. Any student enrolled in grades 9-12 may attend fall, spring and summer sessions.
3. Each College shall admit students who are not residents of the State of California. These students shall be required to pay non-resident tuition. Further information regarding the admission procedures for non-residents is found in AP 7.02.1
4. In all impacted programs and other programs and classes requiring special screening, the final selection of students will be the prerogative of the appropriate College staff. Criteria to be used in establishing priority admittance to these programs and classes shall include a

review of all applicable academic prerequisites, required college-level work, standard testing, interview, and evidence the persons meets health requirements.

5. Information regarding admission policies and procedures shall be maintained in the college catalogs.
6. The District will not provide any commission, bonus, or other incentive payment based directly or indirectly on success in securing enrollments or financial aid to any persons or entities engaged in any student recruiting or admission activities or in making decisions regarding the award of student financial assistance. This paragraph shall not apply to the recruitment of foreign students residing in foreign countries who are not eligible to receive federal student assistance.

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New Procedure

CHAPTER 7: Student Services
ADMINISTRATIVE PROCEDURE NO. 7.01.2 (AP 5011)

ADMINISTRATIVE PROCEDURE
San Mateo County Community College District

Subject AP 7.01.2 Admission of Concurrent Enrollment High School Students, Middle College High School Students, Other Young Students, and Non-immigrant Visitor Students

Revision Date:

Policy References: Education Code Sections 48800, 48800.5, 76001, and 76002

Admission of Concurrent Enrollment of High School, Middle College High School, and Other Young Students

1. To be considered for admittance as a special part-time student, the student must meet the eligibility standards as established in Education Code Sections 48800 and 76001.

Admission is subject to seat availability. The student must submit:

- a. application for admission;
- b. program request form;
- c. written and signed parental or guardian consent;
- d. written and signed approval of his/her principal. A parent or guardian of a pupil who is not enrolled in a public or private school may petition directly without the signature of a principal.

2. To be considered for admission as a special full-time student, the student must meet the eligibility standards as established in Education Code Section 48800.05.

Admission is subject to seat availability. The student must submit:

- a. district application for admission;
- b. written and signed parental or guardian consent;
- c. written and signed acknowledgment of his/her principal. A pupil who is not enrolled in a public or private school does not need to provide written acknowledgment from his/her school principal;

3. To be considered for admission as a special summer session student, the student must meet the eligibility standards as established in Education Code Section 76001.

The student must submit:

- a. district application for admission;

- b. written and signed parental or guardian consent;
 - c. written and signed approval of his/her principal that the student has availed himself/herself of all opportunities to enroll in an equivalent course at his/her school of attendance; and
 - d. demonstration that the student has adequate preparation in the disciplines to be studied, if needed.
4. All required documents shall be sent to the Admissions Office.
 5. Special part-time students may enroll in up to, and including, 11.5 units per semester, or the equivalent thereof, at the community college.

High School Students:

For students attending high school, the Vice President of Student Services or designee may review the materials, and, if needed, may determine if the student has the abilities and sufficient preparation to benefit from instruction at a community college. The decision of the Vice President of Student Services or designee shall be final. This determination may be done by one or more of the options listed below:

- a review of the materials submitted by the student;
- meeting with the student and his/her parent or guardian;
- consideration of the welfare and safety of the student and others; and/or
- consideration of local, state, and/or federal laws.

Middle and Lower School Students:

For students attending middle and lower schools, the determination shall be made by the Vice President of Student Services or designee. The school must provide transcripts and a letter signed by the principal indicating how in his or her opinion the student can benefit from instruction. The Vice President of Student Services or designee may determine if the student has the abilities and sufficient preparation to benefit from instruction at a community college, and that the student's safety and that of others will not be affected. The decision of the Vice President of Student Services or designee shall be final. Once a decision has been made, the student, his/her parent or guardian and the school principal shall be informed of the decision. This determination may be done by applying one or more of the following criteria:

- a review of the materials submitted by the student;
- a review of the student's placement tests;
- meeting with the student and his/her parent or guardian;
- consultation with appropriate division deans
- consideration of the welfare and safety of the student and others;
- consideration of local, state, and/or federal laws;
- review of the content of the class in terms of sensitivity and possible effects on the minor;
- requirements for supervision of the minor; and/or

- times the class(es) meet and the effect on the safety of the minor.
6. If a request for special part-time or full-time enrollment is denied for a pupil who has been identified as highly gifted, the Board shall provide written findings and reasons for the denial within 60 days. A recommendation regarding the request for admission, and the denial shall be submitted to the Board at a regularly scheduled meeting that falls at least 30 days after the request for admission has been submitted.
 7. Students will be granted college credit for all coursework that is successfully completed. Students may request that an official transcript be sent to their high school registrar to be considered toward high school graduation.
 8. Special part-time or fulltime students shall be assigned a lower enrollment priority, except for students attending a middle college high school program if the student is seeking to enroll in a course that is required for the student's middle college high school program, to ensure they do not replace regularly admitted students. The priority registration dates are set for each registration cycle by an established District committee.
 9. The Vice President of Student Services or designee maintains records of enrollment for of special part-time and fulltime students for state apportionment purposes.
 10. In order to claim apportionment for K-12 students, the following criteria are met:
 - a. The class is open to the general public
 - b. The class is advertised as open to the general public in one or more of the following:
 - i. The college catalog
 - ii. The regular schedule of classes
 - iii. An addenda to the catalog or schedule
 11. If the decision to offer a class, other than a contract education class, on a high school campus is made after publication of the regular schedule of classes, and the class is only advertised to the general public through electronic media, the class must be advertised for a minimum of 30 continuous days prior to the first meeting of the class.
 12. If the class is offered on a high school campus, the class may not be held during the time the campus is closed to the general public, as defined by the school board.
 13. If the class is a physical education class, no more than 10 percent of the enrollment of the class may consist of special part-time or full time students, unless it is a contract education course for which the district does not claim apportionment.

Admission of Non-immigrant visitors

1. Non-immigrant visitors who are precluded from establishing domicile in the United States in accordance with the Immigration and Nationality Act, the California Education Code, and the California Code of Regulations, Title 5, may enroll in any College in the District as a non-resident. Applicants in this status must:
 - a. Meet all applicable general admission requirements as set forth in Board Policy, 7.01, Eligibility Requirements for Admission of Students.
 - b. Present evidence, if conflicting information has been submitted, that the passport and Visa are dated to permit study for the duration of the program of study for which enrollment is being requested.
 - c. Enrollment may be subject to Visa limits on units.
2. Non-immigrant visitors holding a B-1 or B-2 Visa, except concurrent enrollment students, are not eligible to enroll in credit classes at any College in the District.
3. A student holding an F-1 visa with an I-20 issued by another educational institution, or the dependent of a student in that category, may be admitted as a part-time student not to exceed six units each semester.
4. Non-immigrant visitors who are eligible to establish domicile in the United States in accordance with the Immigration and Nationality Act, the California Education Code, and the California Code of Regulations, Title 5, may be admitted to any of the Colleges in the District without restriction and shall be eligible to establish residency. AB 540 students who have attended high school in California for three or more years and have graduated or attained the equivalent prior to the start of the term are exempt from paying the non-resident tuition, but will not be classified as California residents.
5. All non-immigrant visitors shall be subject to residency classification in accordance with the California Education Code, and the California Code of Regulations, Title 5. Students classified as non-residents will be required to pay non-resident tuition.
6. The various visa types are summarized in the below table. Students with any of these visa types are not eligible to establish residency.

Class of Non-immigrant

A	Foreign Government Official
C	Transit
C-1/D	Combination transit/crew member (indiv. iss.)
D-Crewlist	Crew member (individual issuance) and Crewlist Visas
E	Treaty trader or investor
F	Student
G	Representative/Staff of international organization
H	Temporary worker and Trainee
I	Representative of Foreign Information Media
J	Exchange visitor
K	Fiance(e) of U.S. citizen

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L	Intracompany Transferee
M	Vocational student
N	Certain Relatives of SK Special immigrants
NAFTA	NAFTA Professional
NATO	NATO Official
O	Person with extraordinary ability in the Sciences, Arts, Education, Business, or Athletics
P	Athlete, Artist or Entertainer
Q	International Cultural Exchange Program Participant
R	Person in a Religious Occupation
S	Informant Possessing Information on Criminal Activity or Terrorism
T	Victim of a Severe form of Trafficking in Persons
U	Victim of Criminal Activity
V	Spouse/Child of Lawful Permanent Resident Awaiting Availability of Immigrant Visa

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New Procedure; Delete Board Policy 7.03; Replaced with new procedure

CHAPTER 7: Student Services
ADMINISTRATIVE PROCEDURE NO. 7.01.3 (AP 5012)

ADMINISTRATIVE PROCEDURE
San Mateo County Community College District

Subject: AP 7.01.3 International Students

Date:

Policy References: Education Code Sections 76141 and 76142; Title 5 Section 54045; Title 8, U.S. Code Sections 1101. et seq.

The District adheres to all federal requirements regarding the admission of international students, including the submission by students of all required immigration documentation.

1. An international student is defined as one who is in the United States on a valid and current student visa.
2. International students must meet the following requirements for admission by deadlines established each semester:
 - a. Satisfy all requirements for college required by U.S. Customs and Immigration Service.
 - b. Provide verification of being in compliance with all applicable rules of the U.S. Customs and Immigration Service, with respect to an existing F-1 (student) visa, when transferring from a United States educational institution.
 - c. Offer evidence of a standard degree of academic aptitude reflecting good academic standing equivalent to an American high school education (normally a C or 2.00 average or better.)
 - d. Demonstrate proficiency in the use of the English language by submitting a minimum score of 480 (paper based), 160 (computer based), or 56 (internet based) on TOEFL, or 5.5 on ILETS to demonstrative ability to benefit from instruction.
 - e. Present evidence of sufficient funds to cover tuition fees and living expenses while attending the College.
 - f. Provide proof, before registration, of medical insurance coverage or enroll in a medical insurance plan provided for international students by the San Mateo County Community College District.
3. A student holding an F-1 visa with an I-20 issued by another educational institution, or the dependent of a student in that category, may be admitted as a part-time student not to exceed six units each semester. Students must present documentation from the institution issuing the I-20 that the student has permission to enroll in another educational institution.

4. All international students will be required to pay non-resident tuition, as outlined in Board Policy 7.07, Non-resident Tuition Fees and Administrative Procedures, 7.07.01, Non-resident Tuition, including the Capital Outlay Fee.
5. All international students are required to complete a minimum of 12 units of class work each semester to maintain their status. During the last semester of attendance, international students are not required to complete a minimum of 12 units. Those who fail to complete the required units are out of status and may be required to return to their home country.

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New Procedure

CHAPTER 7: Student Services
ADMINISTRATIVE PROCEDURE NO. 7.01.4 (AP 5013)

ADMINISTRATIVE PROCEDURE
San Mateo County Community College District

Subject: AP 7.01.4 Students in the Military

Date:

Policy References: Education Code Sections 68074, 68075, and 68075.5; Title 5 Sections 55023, 55024 54041, 54042, 54050, and 58620 Military and Veterans Code Section 824

Residence Determinations for Military Personnel and Dependents

1. A student who is a member of the armed forces of the United States stationed in California on active duty, except a member of the armed forces assigned for educational purposes to a state-supported institution of higher education, is entitled to resident classification. Such student shall retain resident classification in the event that the member of the armed forces is thereafter transferred on military orders to a place outside of California or thereafter retires from active duty, so long as the student remains continuously enrolled in the District.
2. An undergraduate student who is a natural or adopted child, stepchild, or spouse who is a dependent of a member of the armed forces of the United States stationed in this state on active duty shall be entitled to resident classification. Such student shall retain resident classification if he/she is thereafter transferred on military orders to a place outside of California, so long as the student remains continuously enrolled in the District.
3. A student who was a member of the armed forces of the United States stationed in California on active duty for more than one year immediately prior to being discharged from the armed forces is entitled to resident classification for the length of time he or she lives in California after being discharged up to the minimum time necessary to become a resident.
4. A parent who is a federal civil service employee and his/her natural or adopted dependent children are entitled to resident classification if the parent has moved to this state as a result of a military mission realignment action that involves the relocation of at least 100 employees. This classification shall continue until the student is entitled to be classified as a resident, so long as the student continuously attends an institution of public higher education.
5. A student claiming the residence classifications provided for in this procedure must provide a statement from the student's commanding officer or personnel officer providing evidence of the date of the assignment to California, and that the assignment to active duty in California is not for educational purposes. A student claiming the residence classifications provided for here for the dependent of military personnel shall provide a statement from the military person's commanding officer or personnel officer that the military person's duty station is in

California on active duty as of the residence determination date, or has been transferred outside of California on active duty after the residence determination date, or that the military person has retired from active duty after the residence determination date. (Title 5 Sections 54041 and 54042)

Withdrawal Policies for Members of the Military

1. A student who is a member of an active or reserve United States military service and who receives orders compelling a withdrawal from courses shall be permitted to withdraw upon verification of such orders. A withdrawal symbol may be assigned which may be a "W" or a "MW." Military withdrawal shall not be counted in progress probation, dismissal calculations, or in calculating the permitted number of withdrawals. In no case may a college require a student who is required to report for military duty to withdraw from a course by a specified date in order to receive a full refund of the tuition and fees the student paid to the college for the academic term in which the student was required to report for military service.

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No change

BOARD POLICY
San Mateo County Community College District

Subject: 7.02 Residence Determination
Revision Date: 5/09
Policy References: Education Code Sections 68040, 68041, 68079 and 76140; Title 5, Sections 54000 et seq.

1. Students shall be classified at the time of application for admission as a resident or a nonresident student.
2. A resident is any person who has been a bona fide resident of California for more than one year on the residence determination date. The residence determination date shall be the day immediately preceding the first day of a semester or session for which the student applies to attend.
3. A student who is a full-time employee of the District or who is a child or spouse of a full-time employee of the District shall be classified as a resident until s/he has resided in the State the minimum time necessary to become a resident.
4. Residence classification shall be made for each student at the time application for admission is accepted and whenever a student has not been in attendance for more than two semesters. A student previously classified as a nonresident may be reclassified as of any residence determination date.
5. The Vice President of Student Services or a designee shall evaluate information presented by an applicant for admission and make determination of residence. The student shall have the right to appeal residency determination in accordance with Rules and Regulations, Section 7.73.
6. The Chancellor or designee shall develop procedures to assure that residence determinations are made in accordance with Education Code and Title 5 regulations.

New Procedure

ADMINISTRATIVE PROCEDURE
San Mateo County Community College District

Subject: AP 7.02.1 Residence Determination

Revision Date:

Policy References: Education Code Sections 68000 et seq. and 68130.5; Title 5 Sections 54000 et seq.

Residence Classification

1. Residency classifications shall be determined for each student at the time of each registration and whenever a student has not been in attendance for more than one year. Residence classifications are to be made in accordance with the following provisions:
 - a. A residence determination date is that day immediately preceding the first day of instruction for any term during which the student proposes to attend.
 - b. Residence classification is the responsibility of the Admissions Office
2. Students must be notified of residence determination within 14 calendar days of submission of application.

Rules Determining Residence

1. A student who has resided in the state for more than one year immediately preceding the residence determination date is a resident.
2. A student who has not resided in the state for more than one year immediately preceding the residence determination date is a nonresident.
3. The residence of each student enrolled in or applying for enrollment in any class or classes maintained by this District shall be determined in accordance with the Education Code which states that every person has, in law, a residence. In determining the place of residence, the following rules are to be observed:
 - a. Every person who is married or eighteen years of age, or older, and under no legal disability to do so, may establish residence.
 - b. A person may have only one residence.
 - c. A residence is the place where one remains when not called elsewhere for labor or other special or temporary purpose and to which one returns in seasons of repose.
 - d. A residence cannot be lost until another is gained.
 - e. The residence can be changed only by the union of act and intent.
 - f. A person may establish his or her residence. A spouse's residence shall not be derivative from that of his or her spouse.
 - g. The residence of the parent with whom an unmarried minor child maintains his/her place of abode is the residence of the unmarried minor child. When the minor lives with neither parent, the minor's residence is that of the parent with whom the last

place of abode was maintained, provided the minor may establish his/her residence when both parents are deceased and a legal guardian has not been appointed.

- h. The residence of an unmarried minor who has a parent living cannot be changed by the minor's own act, by the appointment of a legal guardian, or by relinquishment of a parent's right of control.

Determination of Resident Status

1. A resident is a student who has been a bona fide resident of the state for one year prior to the residence determination date. A bona fide resident is a person whose residence is in California as determined above except:
 - a. A student who is a minor and remains in this state after the parent, who was previously domiciled in California and has established residence elsewhere, shall be entitled to retain resident classification until attaining the age of majority and has resided in the state the minimum time necessary to become a resident, so long as continuous attendance is maintained at an institution.
 - b. A student who is a minor and who provides evidence of being entirely self-supporting and actually present in California for more than one year immediately preceding the residence determination date with the intention of acquiring a residence therein, shall be entitled resident classification until he/she has resided in the state the minimum time necessary to become a resident.
 - c. A student who has not been an adult for one year immediately preceding the residence determination date for the semester for which the student proposes to attend an institution shall have the immediate pre-majority-derived California residence, if any, added to the post-majority residence to obtain the one year of California residence.
 - d. A student holding a valid credential authorizing service in the public schools of this state, who is employed by a school district in a full-time position requiring certification qualifications for the college year in which the student enrolls in an institution, shall be entitled to resident classification if each student meets any of the following requirements:
 - i. He/she holds a provisional credential and is enrolled in courses necessary to obtain another type of credential authorizing service in the public schools.
 - ii. He/she holds a credential issued pursuant to Education Code Section 44250 and is enrolled in courses necessary to fulfill credential requirements.
 - iii. He/she is enrolled in courses necessary to fulfill the requirements for a fifth year of education prescribed by subdivision (b) of Education Code Section 44259.
 - iv. A student holding a valid emergency permit authorizing service in the public schools of this state, who is employed by a school district in a full-time position requiring certification qualifications for the academic year in which the student enrolls at an institution in courses necessary to fulfill teacher credential requirements, is entitled to resident classification only for the purpose of determining the amount of tuition and fees for no more than one year. Thereafter, the student's residency status will be determined under the other provisions of this procedure.
 - e. A student who is a full-time employee of the California State University, the University of California or a community college, or of any state agency or a student who is a child or spouse of a full-time employee of the California State University, the University of California or a community college, or of any state agency may be entitled

to resident classification, until the student has resided in the state the minimum time necessary to become a resident.

- f. A student who is a natural or adopted child, stepchild, or spouse who is a dependent of a member of the armed forces of the United States stationed in this state on active duty shall be entitled to resident classification. If the member of the armed forces of the United States later transfers on military orders to a place outside this state, or retires as an active member of the armed forces of the United States, the student dependent shall not lose his/her resident classification, so long as he/she remains continuously enrolled in the District.
- g. A student who is a member of the armed forces of the United States stationed in this state on active duty, except a member of the Armed Forces assigned for educational purposes to a state-supported institution of higher education, is entitled to resident classification only for the purpose of determining the amount of tuition and fees. If the student later transfers on military orders to a place outside this state, the student shall not lose his/her resident classification, so long as he/she remains continuously enrolled in the District.
- h. A student who was a member of the armed forces of the United States stationed in this state on active duty for more than one year immediately prior to being discharged from the armed forces is entitled to resident classification for the length of time he/she lives in this state after being discharged up to the minimum time necessary to become a resident.
- i. A student who is a minor and resides with his or her parent in a district or territory not in a district shall be entitled to resident classification, provided that the parent has been domiciled in California for more than one year prior to the residence determination date for the semester, quarter or term for which the student proposes to attend.
- j. A student who is a Native American is entitled to resident classification for attendance at a community college if the student is also attending a school administered by the Bureau of Indian Affairs located within the community college district.
- k. A student who is a federal civil service employee and his or her natural or adopted dependent children are entitled to resident classification if the parent has moved to this state as a result of a military mission realignment action that involves the relocation of at least 100 employees. This classification shall continue until the student is entitled to be classified as a resident, so long as the student continuously attends an institution of public higher education.
- l. A student who resides in California and is 19 years of age or under at the time of enrollment, who is currently a dependent or ward of the state through California's child welfare system, or was served by California's child welfare system and is no longer being served either due to emancipation or aging out of the system, may be entitled to resident classification until he/she has resided in the state the minimum time necessary to become a resident.
- m. A student who lives with a parent who earns a livelihood primarily by performing agricultural labor for hire in California and other states, and the parent has performed such labor in this state for at least two months per year in each of the two preceding years, and the parent resides in this District and the parent of the student has claimed the student as a dependent on his state or federal personal income tax return if he/she has sufficient income to have personal income tax liability shall be entitled to resident classification.

- n. Any students who are U.S. citizens, permanent residents of the U.S., and visitors who are not nonimmigrants (including those who are undocumented), may be exempt from paying nonresident tuition if they meet the following requirements:
 - i. high school attendance in California for three or more years;
 - ii. graduation from a California high school or attainment of the equivalent thereof;
 - iii. registration or enrollment in a course offered by any college in the district for any term commencing on or after January 1, 2002;]
 - iv. completion of a questionnaire form prescribed by the Chancellor and furnished by the district of enrollment, verifying eligibility for this nonresident tuition exemption; and
 - v. in the case of a student without lawful immigration status, the filing of an affidavit that the student has filed an application to legalize his/her immigration status, or will file an application as soon as he or she is eligible to do so.

Right To Appeal

1. Students who have been classified as non-residents have the right to a review of their classification (Title 5 Section 54010 (a)). Any student, following a final decision of residence classification by the Admission Office, may make written appeal to the Vice President of Student Services or his/her designee within 30 calendar days of notification of final decision by the college regarding classification.

Appeal Procedure

1. The appeal is to be submitted to the Admissions Office which must forward it to the Vice President of Student Services or his/her designee within five working days of receipt. Copies of the original application for admission, the residency questionnaire, and evidence or documentation provided by the student, with a cover statement indicating upon what basis the residence classification decision was made, must be forwarded with the appeal.
2. The Vice President of Student Services or his/her designee shall review all the records and have the right to request additional information from either the student or the Admissions Office.
3. Within 30 calendar days of receipt, the Vice President of Student Services or designee shall send a written determination to the student. The determination shall state specific facts on which the appeal decision was made.

Reclassification

1. A student previously classified as a non-resident may be reclassified as of any residence determination date. A residence determination date is that day immediately preceding the opening day of instruction for any session during which the student proposes to attend.
2. Students requesting to petition their residency classification must submit a residency questionnaire to the Admissions Office prior to the semester for which reclassification is to be effective. Extenuating circumstances may be considered in cases where a student failed to

petition for reclassification prior to the residency determination date. In no case, however, may a student receive a non-resident tuition refund after the date of the first census.

3. Written documentation may be required of the student in support of the reclassification request.
4. Determination of financial independence is not required for students who were classified as non-residents by the University of California, the California State University, or another community college District (Education Code Section 68044).
5. A student shall be considered financially independent for purposes of residence reclassification if the applicant meets all of the following requirements:
 - Has not and will not be claimed as an exemption for state and federal tax purposes by his/her parent in the calendar year prior to the year the reclassification application is made;
 - Has not lived and will not live for more than six weeks in the home of his/her parent during the calendar year the reclassification application is made.
6. A student who has established financial independence may be reclassified as a resident if the student has met the requirements of Title 5 Sections 54020, 54022, and 54024. Failure to satisfy all of the financial independence criteria listed above does not necessarily result in denial of residence status if the one year requirement is met and demonstration of intent is sufficiently strong.
7. Financial dependence in the current or preceding calendar year shall weigh more heavily against finding California residence than financial dependence in the preceding second and third calendar years. Financial dependence in the current or preceding calendar year shall be overcome only if (1) the parent on whom the student is dependent is a California resident, or (2) there is no evidence of the student's continuing residence in another state.
8. The Vice President of Student Services or designee will make a determination, based on the evidence and notify the student not later than 14 days of receipt of the petition for reclassification. The student may appeal following the procedures outlined above.

Non-Citizens

1. The District will admit any non-citizen who is 18 years of age or older or a high school graduate.
2. If non-citizens are present in the United States illegally or with any type of temporary visa, they will be classified as non-residents and charged non-resident tuition unless they meet the exceptions contained below.
3. If, for at least one year and one day prior to the start of the semester in question, a non-citizen has possessed any immigration status that allows him/her to live permanently in the United States and she or he meets the California residency requirements, the student can be classified as a resident.

4. Any students who are U.S. citizens, permanent residents of the U.S., and visitors who are not nonimmigrants (including those who are undocumented), may be exempt from paying nonresident tuition if they meet the following requirements:
 - b. high school attendance in California for three or more years;
 - c. graduation from a California high school or attainment of the equivalent thereof;
 - d. registration or enrollment in a course offered by any college in the district for any term commencing on or after January 1, 2002;]
 - e. completion of a questionnaire form prescribed by the Chancellor and furnished by the district of enrollment, verifying eligibility for this nonresident tuition exemption; and
 - f. in the case of a student without lawful immigration status, the filing of an affidavit that the student has filed an application to legalize his/her immigration status, or will file an application as soon as he or she is eligible to do so.
5. The initial residency classification will be made at the time the student applies for admission. Students may file residency questionnaire forms through the third week of the semester to request a review of their residency status. Final residency determination is made by the Vice President of Student Services or his/her designee. The decision of the Vice President of Student Services is final.

DRAFT

Delete Policy; create new procedure, 7.01.3

BOARD POLICY
San Mateo County Community College District

Subject: ~~7.03 Eligibility Requirements for Admission of International Students~~

Revision Date: ~~5/12~~

Policy References: ~~Education Code Sections 76141 and 76142; Title 5 Section 54045.5; Title 8, U.S.C. Section 1101, et seq.~~

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- ~~1. An international student is defined as one who is in the United States on a valid and current student visa. Students who live outside the United States and who take only online courses may not need a visa as determined by the Deans of Enrollment Services.~~
 - ~~2. The following are the admission requirements for international students. International students must:
 - ~~a. Satisfy all requirements for college required by U.S. Immigration and Customs Enforcement.~~
 - ~~b. Provide verification of being in compliance with all applicable rules of the Immigration and Customs Enforcement Service, with respect to an existing F-1 (student) visa, when transferring from a United States educational institution.~~
 - ~~c. Demonstrate proficiency in the use of the English language to a degree which will enable them to benefit from instruction.~~
 - ~~d. Offer evidence of a standard degree of academic aptitude and achievement equivalent to an American high school education with recommending grades.~~
 - ~~e. Meet any standards of health specifically set forth by Federal, State, or local authorities.~~
 - ~~f. Demonstrate ability to support self while in College.~~
 - ~~g. Generally, not have previously completed a level of education (college degrees, etc.) that exceeds that being sought at the District College.~~~~
 - ~~3. A student holding an F-1 visa with an I-20 issued by another educational institution, or the dependent of a student in that category, may be admitted as a part-time student not to exceed six units each semester.~~
 - ~~4. All international students will be required to pay non-resident tuition. [See Rules and Regulations, Section 8.74 (5)]~~
 - ~~5. All international students will be required to pay an International Student Health Insurance fee for each semester or session of attendance. This fee will be waived for international students who present proof of enrollment in a personal health insurance plan valid in California with an appropriate level of coverage.~~

Delete Policy: Create new procedure
7.01.2

BOARD POLICY
San Mateo County Community College District

Subject: ~~7.05 Admission of Non immigrant Visitors~~

Revision Date: ~~7/11~~

Policy References: ~~Education Code, Sections 68040, 76140 Title 5, Sections 54000, 54045, et seq.~~

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1. ~~Non immigrant visitors who are precluded from establishing domicile in the United States in accordance with the Immigration and Nationality Act, the California Education Code, and the California Code of Regulations, Title 5, may enroll in any College in the District as a non resident. Applicants in this status must:
 - a. ~~Meet all applicable general admission requirements as set forth in Rules and Regulations, Section 7.01.~~
 - b. ~~Present evidence that the passport and Visa are dated to permit study for the duration of the program of study for which enrollment is being requested.~~
 - c. ~~Enrollment may be subject to Visa limits on units.~~~~
 2. ~~Non immigrant visitors holding a B 1 or B 2 Visa are not eligible to enroll in credit classes at any College in the District.~~
 3. ~~A student holding an F 1 visa with an I 20 issued by another educational institution, or the dependent of a student in that category, may be admitted as a part time student not to exceed six units each semester.~~
 4. ~~Non immigrant visitors who are eligible to establish domicile in the United States in accordance with the Immigration and Nationality Act, the California Education Code, and the California Code of Regulations, Title 5, may be admitted to any of the Colleges in the District without restriction and shall be eligible to establish residency. AB 540 students who have attended high school in California for three or more years and have graduated or attained the equivalent prior to the start of the term are exempt from paying the non resident tuition, but will not be classified as California residents.~~
 5. ~~All non immigrant visitors shall be subject to residency classification in accordance with the California Education Code, and the California Code of Regulations, Title 5. Students classified as non residents will be required to pay non resident tuition.~~

New Policy; Deleted Prior Policy

CHAPTER 7: *Student Services*
BOARD POLICY NO. 7.07 (BP 5020)

BOARD POLICY
San Mateo County Community College District

Subject: 7.07 Non-resident Student Tuition Fees

Revision Date:

Policy References: Education Code Sections 68050, 68051, 68130, 68130.5, and 76141;
Title 5 Section 54045.5

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1. Nonresident students shall be charged nonresident tuition for all units enrolled, unless specifically required otherwise by law.
 2. Not later than February 1 of each year, the Chancellor or designee shall bring to the Board for approval 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.
 3. The President or designee shall establish procedures regarding collection, waiver, and refunds of nonresident tuition.
 4. The Chancellor or designee is authorized to implement a capital outlay 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 FTES in the preceding fiscal year.
 5. 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.
 6. 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.
 7. Non-resident high school concurrent students are not charged non-resident fees, regardless of the number of units they enroll in.

ADMINISTRATIVE PROCEDURE
San Mateo County Community College District

Subject: AP 7.07.1 Non-resident Student Tuition Fees

Date:

Policy References: Education Code Sections 68130.5 and 76140 et seq.; Title 5 Section 54045.5

1. Non-resident students shall be charged non-resident tuition for all units enrolled, except for any students, other than non-immigrant visitors under 8 U.S. Code Section 1101(a)(15), who meet the following requirements:
 - a. high school attendance in California for three or more years;
 - b. graduation from a California high school or attainment of the equivalent thereof;
 - c. registration or enrollment in a course offered for any term commencing on or after January 1, 2002
 - d. completion of a questionnaire form prescribed by the State Chancellor's Office verifying eligibility for this nonresident tuition exemption; and
 - e. in the case of a student without lawful immigration status, the filing of an affidavit that the student has filed an application to legalize his/her immigration status, or will file an application as soon as he/she is eligible to do so
 - f. reside in California.
2. The College may exempt from all or part of the fee for any non-resident who is both a citizen and resident of a foreign country (AP 5012), provided that then non-resident has demonstrated financial need for the exemption and not more than 10 percent (10%) of the non-resident international students are exempted.
3. The nonresident tuition fee shall be set not later than February 1 of each year. The Chancellor or designee shall bring to the Board for approval an action to establish non-resident tuition for the following year.
4. The calculation of the non-resident tuition fee shall be calculated in accordance with guidelines contained in applicable state regulations and/or the California Community College Attendance Accounting Manual.
5. The calculation of the non-resident tuition fee will reflect the expense of education in the preceding year and reflect the fees in contiguous Districts.
6. The College assesses a \$10 processing fee (plus an additional \$50 processing fee for non-resident tuition) if a refund is issued a student withdrawing from all classes. For all classes dropped after the established deadline, fees are not refundable unless an action of the College (e.g., class cancellation) that prevents a student from attending class. Further information regarding the Credit and Refund Policy can be found in the College Catalog and website.

Delete and Replace with new Board Policy, 7.07

BOARD POLICY
San Mateo County Community College District

Subject: 7.07 Non-resident Student Tuition Fees

Revision Date: 10/09

Policy References: Education Code Sections 68050, 68051, 68052, 68130, 76130, 76141; Title 5 Section 54045.5

1. ~~Tuition Fees~~

- a. ~~A tuition fee shall be charged each non-resident student. Each student shall pay tuition for the number of units in which enrolled unless specifically required otherwise by law.~~
- b. ~~The Board shall establish fees in compliance with California Education Code, Title 5 and the California Community College Attendance Accounting Manual.~~
- c. ~~The Chancellor or designee shall establish procedures regarding collection, waiver, and refunds of non-resident tuition.~~
- d. ~~Collection of tuition fees at each College shall be the responsibility of the Cashier's Office.~~

2. ~~The Chancellor is authorized to implement a capital outlay component to the nonresident tuition 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 FTES in the preceding fiscal year.~~

- a. ~~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.~~
- b. ~~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.~~
- c. ~~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.~~

3. ~~Payment of Fees~~

- a. ~~The non-resident tuition fee for the number of units for which the student is registering is due and payable in full at the time of registration. If it is determined by the Vice President of Student Services or designee that, for reasons beyond his/her control, a student is not able to make full payment of the fee at the time of registration, the following deferred payment schedule may be utilized:~~

- ~~i. One third of the total tuition shall be paid at the time of registration.~~
- ~~ii. The balance shall be paid prior to November for Fall semester, prior to April for Spring semester, and two weeks after the date of registration for Summer Session.~~
- ~~iii. A student who has a tuition fee balance from a previous semester or session shall not be allowed to complete registration for any other semester or session.~~

~~4. Residence Classification~~

~~Residence classification shall be made for each student at the time the application is accepted for admission and whenever a student has not been in attendance for more than one semester. The Vice President of Student Services, or designee, shall be responsible for notifying each student who has been classified a non resident not later than fourteen (14) calendar days after the beginning of the semester/session for which the student has applied or fourteen (14) calendar days after the student's application is received, whichever is later.~~

- ~~a. A non resident student who was incorrectly classified as a resident and who is attending a class or classes is required to pay the non resident tuition fee upon notification of the error. Failure to make proper payment may result in cancellation of the student's registration. Notification shall consist of written notice from the College to the student. The student shall have the right to appeal the residency determination in accordance with Rules and Regulations, 7.73.~~

~~5. Admission by Misinformation~~

- ~~a. A non resident student who has been admitted to a class or classes without payment of the fee because of misinformation submitted by him/her during registration shall be subject to disciplinary action and excluded from such class or classes until a payment program is agreed upon by the student and the designated manager. For the purpose of this rule only, such notification may be given at any time during the period of enrollment. Unless a payment program is agreed to by the student and the designated manager, the student shall not be readmitted during the semester or session from which s/he was excluded, nor shall s/he be admitted to any following session or semester until all previously incurred tuition obligations are met. The student may appeal this action in accordance with Rules and Regulations, 7.73.~~
- ~~b. The District shall vigorously pursue collection of non-resident fees and shall, when necessary, initiate legal action to collect such fees.~~

~~6. Non resident Tuition Fee Waiver~~

- ~~a. The College may waive non resident tuition fees which were not collected as a result of the College's error and not through the fault of the student or if collection of such a fee would cause the student undue hardship in accordance with regulations and definitions adopted by the State.~~

BOARD POLICY
San Mateo County Community College District

Subject: 7.09 Withholding of Student Records
Revision Date: 5/09
Policy References: Title 5, Section 59410

1. Students or former students who have been provided with written notice that they have failed to pay their ~~proper~~ financial obligations to the district shall have grades, transcripts, enrollment verifications, and diplomas and degrees withheld.
2. Any items held, shall be released when the student satisfactorily resolves the financial obligation.

DRAFT

New procedure

CHAPTER 7: Student Services
ADMINISTRATIVE PROCEDURE NO. 7.09.1 (AP5035)

ADMINISTRATIVE PROCEDURE
San Mateo County Community College District

Subject: AP 7.09.1 Withholding of Student Records

Date:

Policy References: Title 5, Section 59410

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1. The College will withhold grades, transcripts, enrollment verifications, diplomas and degrees, and registration privileges from any student or former student who fails to pay a financial obligation to the District. The student shall be given written notification and the opportunity to explain if the financial obligation is in error.
 2. The definition of financial obligation shall include, but is not limited to:
 - a. student fees;
 - b. obligations incurred through the use of facilities
 - c. equipment or materials;
 - d. library fines; unreturned library books;
 - e. materials remaining improperly in the possession of the student; and/or
 - f. any other unpaid obligation a student or former student owes to the District.

A financial obligation does not include any unpaid obligation to a student organization.

3. Unpaid student accounts are reviewed regularly and a bill is sent electronically to the student requesting payment. In addition, student account information is available through WebSMART. Students requesting to appeal a financial obligation must do so in writing to the College Business Office.

No Change

BOARD POLICY
San Mateo County Community College District

Subject: 7.20 Student Equity
Revision Date: 1/10
Policy References: Education Code Sections 66030; 66250, et seq.; 72010 et seq.; Title 5 Section 54220

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

DRAFT

Administrative Procedure
San Mateo County Community College District

Subject: AP 7.20.1 Student Equity

Date:

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

1. Each College has a student equity plan. The plan is filed as required to the California Community Colleges Chancellor's Office, following approval by the Board.
2. The development of the student equity plan includes the following:
 - a. Active involvement of appropriate groups on campus
 - b. involvement by appropriate people from the community who can articulate the perspective and concerns of historically underrepresented groups
 - c. campus-based research as to the extent of student equity
 - d. institutional barriers to equity
 - e. 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
 - f. activities most likely to be effective to attain the goals, including coordination of existing student equity related programs
 - g. sources of funds for the activities in the plan
 - h. a schedule and process for evaluation of progress towards the goals
 - i. an executive summary that describes the groups for whom goals have been set, the goals, the initiatives that the College will undertake to achieve the goals, the resources budgeted for that purpose, and the College official who can be contacted for further information
3. The Student Equity Plan shall be developed, maintained, and updated under the supervision of the President or designee.

Draft

No change

CHAPTER 7: Student Services
BOARD POLICY NO. 7.22 (BP 5570)

BOARD POLICY
San Mateo County Community College District

Subject: 7.22 Student Credit Card Marketing
Revision Date: 1/10
Policy References: Title 5 Section 54400; Civil Code Section 1747.02(m); Education Code Sections 99030 and 99040.

Marketing for student credit cards is prohibited at all three Colleges, the District Office and other facilities operated by the District.

DRAFT

New Procedure

ADMINISTRATIVE PROCEDURE
San Mateo County Community College District

Subject: AP 7.22.1 Student Credit Card Marketing

Date:

Policy References: Education Code Section 99030; Title 5 Section 54400; Civil Code Section 1747.02(m)

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1. Student credit card marketing is prohibited on any of the Colleges of the San Mateo County Community College District and the District Office.
 2. Financial literacy, including credit card and debt education, is offered to students during financial aid orientation and other college orientations and workshops.

DRAFT

No change

BOARD POLICY
San Mateo County Community College District

Subject: 7.23 Athletics
Revision Date: 1/10
Policy References: Education Code Sections 78223, 66271.6, 66271.8, 67360 et seq.

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1. The District shall offer an organized program for men and women in intercollegiate athletics. The program shall not discriminate on the basis of gender in the availability of athletic opportunities.
 2. The Chancellor shall assure that the athletics program complies with federal and state law, the California Community College Athletic Association Constitution and Sports Guides, and the Coast Conference Constitution regarding student athlete participation.

DRAFT

New Procedure

CHAPTER 7: Student Services
ADMINISTRATIVE PROCEDURE NO. 7.23.1 (AP 5700)

ADMINISTRATIVE PROCEDURE
San Mateo County Community College District

Subject: AP 7.23.1 Athletics

Date:

Policy References: Education Code 66271.6, 66271.8, 67360 et seq.; Title IX, Education Amendments of 1972

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1. As part of the overall mission of the District and respective Colleges, athletics is designed to provide an environment that stresses critical thinking and skill development while encouraging personal growth, discipline, assertiveness, persistence, honesty, sensitivity and emotional control.
 2. The goals and practices of the athletic programs are to:
 - a. sponsor intercollegiate competitive sports in accordance with the Education Code, Title V, Title IX, conference rules and the State Athletic Constitution and Bylaws;
 - b. foster broad programs of men's and women's intercollegiate athletics that are consistent with students educational objectives with an emphasis on retention, completion and matriculation;
 - c. encourage excellence in performance by all participants in intercollegiate athletics, as well as recognize the link that exists between academic scholarship and athletic achievement;
 - d. not allow the recruitment of out-of-state student-athletes as specified in the State Athletic Constitution and Bylaws;
 - e. direct recruiting efforts toward student-athletes residing in San Mateo County and support the right of student-athletes to attend their school of choice and participate in all activities within the conditions specified by the State Athletic Constitution and Bylaws;
 - f. and maintain or increase balanced athletic program offerings for both men and women as student, budget and community interest will allow.
 3. The colleges offer the following sports:
 - a. **Cañada College:** Women's Golf, Women's Volleyball, Men's and Women's Soccer, Men's Basketball and Baseball.
 - b. **College of San Mateo:** Men's and Women's Cross Country, Football, Women's Water Polo, Women's Basketball, Baseball, Men's and Women's Swimming, Softball, and Men's and Women's Track and Field
 - c. **Skyline College:** Men's and Women's Soccer, Women's Volleyball, Wrestling, Men's and Women's Basketball, Women's Badminton and Baseball
 4. Teams are open to all students who have not exhausted their eligibility at the community college level. Teams may be added or discontinued as deemed appropriate by the Colleges. As a multi-

college district, students are allowed to attend one college and participate in athletics at another college as long as they meet all applicable requirements.

5. **Participation Requirements:** Student-Athletes are required to complete the following in order to participate:
 - a. Form 1, Student Eligibility Report, identifying whether this is the student's first or second season of competition in this sport or any sport, and if the student has attended and / or participated in athletics at any other college or university. The Form 1 also includes a required signature from the student regarding the rules and regulations related to competition and eligibility.
 - b. Form 2, Student Athlete Transfer Form, required to be sent to any college or university the student had attended to verify if the student had attended the college or university, the student's status at that college or university, and if the student had participated in athletics at that college or university.
 - c. Form C, Out of Recruitment Area Student Contact Record, certifying that the student had chosen the college without prior contact by members of the staff or persons representing the College. This form is required for any student who participates from outside the District designated recruiting boundaries.
 - d. Pre-Participation Medical Screening Evaluation and all applicable medical, insurance, waiver and consent forms designed to insure the safe and effective participation of the student in the athletic program.
 - e. Student Athlete Declaration of Eligibility Form asking the student to declare and verify that she/he does not fall under the provisions set forth in Section 67362 of the California Education Code.
6. **Initial Eligibility Certification:** Once the aforementioned requirements are complete, the coach will prepare a roster to be submitted to the athletic director to evaluate each student athlete relative to regulations governing athletic competition at the California community college level. The evaluation includes determining:
 - a. the number of units the student is actively and continuously enrolled in (minimum of 12 required);
 - b. the student is enrolled in the appropriate VARS class;
 - c. the status of the student's Student Education Plan (SEP);
 - d. the recruiting area high school of the student (In-District, Recruiting Area In-State, Out-of-State);
 - e. the enrolled and completed units to ensure they meet the requirements of Bylaw 1 of the State Athletic Constitution and Bylaws;
 - f. whether a Form 2, Student Athlete Transfer Form, from another college or university has been received and what impact that information has regarding eligibility;
 - g. whether transcripts are available to certify the requirements of Bylaw 1 of the State Athletic Constitution and Bylaws; and,
 - h. if the student has successfully completed all the participation requirements.
7. **Initial Evaluation:** After this initial evaluation, the athletic director and coach will sign the Form 1.
 - a. Students who are deemed eligible by the athletic director and coach have their Form 1's and all supporting documentation forwarded to the designated assistant who enters their names on the Form 3, Team Eligibility Form, and into Banner as designated student athletes.
 - b. Once finalized the Form 3 is:
 - i. sent electronically to the California Community College Athletic Association (CCCAA);

- ii. copied along with the Form 1 and mailed to the conference commissioner;
 - iii. copied and given to the head coach, equipment technician and athletic trainer
 - iv. saved electronically and given to the athletic director
- c. A random sampling of Form 1's will be reviewed by Admissions staff each semester to verify that the residency status of the student application matches the information provided on the Form 1.

Any student who is certified for eligibility after the initial submission of the Form 3 may be added at that time, provided they complete all the steps for participation and initial eligibility certification.

8. Continuing Eligibility Certification

Per CCCAA rules, weekly certification of all sports in season for compliance with Bylaw 1.3.1 is completed on Monday. The designated athletic administrator receives this eligibility report. For those students who do not meet the tenets of Bylaw 1.3.1, as discovered during this weekly check, the athletic administrator must determine if the student-athlete participated in any contests or dates, while under unit requirement standards. Students who did not participate in any contests or dates are ineligible to participate further until they meet unit standards. For those students who did participate in contests or dates while under required unit limits, they will be penalized as described under Bylaw 1.4.2, D. Continuing eligibility information is disseminated to the appropriate coach, student athlete, athletic trainer and equipment technician as deemed appropriate by the athletic administrator.

9. Final Eligibility Certification

At the end of the season, the coach and athletic administrator review the Form 3. The coach certifies that only students on the Form 3 have participated and notes which students have used a season of eligibility under CCCAA rules. The athletic director then forwards this participation record to the designated assistant who completes the Form 3 indicating those students who have and have not participated and submits it electronically to the conference commissioner. Once approved by the conference commissioner, copies are given to the head coach and placed with the original Form 1's and supporting documentation. A paper and electronic copy of the final Form 3 is kept on file by the athletic director.

10. Form Location

All information required for each student's eligibility is filed in program folders and kept in a lockable file cabinet in the division office during the season of sport. After the season, all records are cataloged and locked in the Athletic Director's office. Those cataloged files are kept for five years. Copies of the Form 3 are kept on file 15 years.

11. Student Conduct

Students enrolled in the colleges of the District are expected to conduct themselves as responsible citizens and in a manner compatible with the colleges function as educational institutions. Students are subject to civil authority and to specific regulations established by each college in the district. Athletes are also responsible for abiding by the decorum standards established by the CCCAA related to their participation in athletics.

Draft

If students violate the Student Code of Conduct, they may be subject to the following disciplinary actions:

- a. Warning
- b. Temporary Exclusion
- c. Suspension
- d. Censure
- e. Cancellation of Registration
- f. Disciplinary Probation
- g. Expulsion

Student athletes who are violate the Student Conduct Code are subject to disciplinary action as outlined in Board Policy 7.69 and Administrative Procedures 7.69.1 and 7.69.2.

DRAFT

No change

CHAPTER 7: Student Services
BOARD POLICY NO. 7.26 (BP 5800)

BOARD POLICY
San Mateo County Community College District

Subject: 7.26 Prevention of Identity Theft in Student Financial Transactions
Revision Date: 5/10
Policy References: 15 U.S. Code Section 1681m (e); Fair and Accurate Credit Transactions Act

The District is required to identify, detect and respond to patterns, practices, or specific activities (“Red Flags”) that could indicate identity theft of students’ financial transactions. This is due to the fact that the District serves as a creditor in relation to its students. The District shall develop procedures to implement an Identity Theft Prevention Program (ITPP) to control reasonably foreseeable risks to students from identity theft.

DRAFT

ADMINISTRATIVE PROCEDURE
San Mateo County Community College District

Subject: AP 7.26.1 Prevention of Identity Theft in Student Financial Transactions

Date:

Policy References: 15 U.S. Code Section 1681m(e) (Fair and Accurate Credit Transactions Act (FACT ACT or FACTA))

1. The Purpose of the Identity Theft Prevention Program

The purpose of this Identity Theft Prevention Program (ITPP) is to control reasonably foreseeable risks to students from identity theft, by providing for the identification, detection, and response to patterns, practices, or specific activities (“Red Flags”) that could indicate identity theft.

2. Definitions

- a. “Identity theft” is a fraud attempted or committed using identifying information of another person without authority.
- b. A “creditor” includes government entities who defer payment for goods (for example, payment plans for bookstore accounts or parking tickets), issued loans or issued student debit cards. Government entities that defer payment for services provided are not considered creditors for purposes of this ITPP.
- c. “Deferring payments” refers to postponing payments to a future date and/or installment payments on fines or costs.
- d. A “covered account” includes one that involves multiple payments or transactions.
- e. “Person” means any individual who is receiving goods, receives a loan, and/or is issued a debit card from the District and is making payments on a deferred basis for said goods, loan, and/or debit card.

3. Detecting “Red Flags” For Potential Identity Theft

Detection or discovery of a “Red Flag” implicates the need to take action under this ITPP to help prevent, detect, and correct identity theft.

4. Risk Factors for Identifying “Red Flags” include:

- a. the types of covered accounts the District offers or maintains;
- b. the methods the District provides to open the District’s covered accounts;
- c. the methods the District provides to access the District’s covered accounts; and
- d. the District’s previous experience(s) with identity theft.

5. Sources of “Red Flags” include:

- a. incidents of identity theft that the District has experienced;
- b. methods of identity theft that the District identifies that reflects changes in identity theft risks; and

- c. guidance from the District's staff who identify changes in identity theft risks.

6. Categories of "Red Flags"

a. Alerts, Notifications, or Warnings from a Consumer Reporting Agency:

- i. A fraud or active duty alert is included with a consumer report the District receives as part of a background check.
- ii. A consumer reporting agency provides a notice of credit freeze in response to a request for a consumer report.
- iii. A consumer reporting agency provides a notice of address discrepancy. An address discrepancy occurs when an address provided by a student substantially differs from the one the credit reporting agency has on file. See Section (5)(i) for specific steps that must be taken to address this situation.
- iv. A consumer report indicates a pattern of activity that is inconsistent with the history and usual pattern of activity of an applicant, such as:
 - 1. A recent and significant increase in the volume of inquiries;
 - 2. An unusual number of recently established credit relationships
 - 3. A material change in the use of credit, especially with respect to recently established credit relationships; o
 - 4. An account that was closed for cause or identified for abuse of account privileges by a creditor or financial institution.

b. Suspicious Documents:

- i. Documents provided for identification appear to have been forged or altered.
- ii. The photograph or physical description on the identification is not consistent with the appearance of the applicant or customer presenting the identification.
- iii. Other information on the identification is not consistent with information provided by the person opening a new covered account or customer presenting the identification.
- iv. Other information on the identification is not consistent with readily accessible information that is on file with the District, such as a signature card or a recent check.
- v. An application appears to have been altered or forged, or gives the appearance of having been destroyed or reassembled.

c. Suspicious Personally Identifying Information:

- i. Personal identifying information provided is inconsistent when compared against external information sources used by the District. For example:
 - 1. The address does not match any address in the consumer report; or
 - 2. The Social Security Number (SSN) has not been issued, or is listed on the Social Security Administration's Death Master File.
- ii. Personal identifying information provided by a person is not consistent with other personal identifying information provided by the person. For example, there is a lack of correlation between the SSN range and date of birth.

- iii. Personal identifying information is associated with known fraudulent activity as indicated by internal or third-party sources use by the District. For example:
 - 1. The address on an application is the same as the address provided on a fraudulent application;
 - 2. The phone number on an application is the same as the phone number provided on a fraudulent application
 - iv. Personal identifying information provided is of a type commonly associated with fraudulent activity as indicated by internal or third-party sources used by the District. For example:
 - 1. The address on an application is fictitious, a mail drop, or a prison; or
 - 2. The phone number is invalid, or is associated with a pager or answering service.
 - v. The SSN provided is the same as that submitted by other persons currently being served by the District.
 - vi. The address or telephone number provided is the same or similar to the account number or telephone number submitted by an unusually large number of other persons being served by the District.
 - vii. The person opening the covered account fails to provide all required personal identifying information on an application or in response to notification that the application is incomplete.
 - viii. Personal identifying information provided is not consistent with personal identifying information that is on file with the District.
 - ix. The person opening the covered account cannot provide authenticating information beyond that which generally would be available from a wallet or consumer report.
- d. Unusual Use Of – Or Suspicious Activity Relating To – A Covered Account:**
- i. A new covered account is used in a manner that is commonly associated with known patterns of fraud patterns. For example, a person makes a first payment, but there are no subsequent payments made.
 - ii. A covered account is used in a manner that is not consistent with established patterns of activity on the account. For example, there is:
 - 1. Nonpayment when there is no history of late or missed payments; or
 - 2. A material change in electronic fund transfer patterns in connection with a payment.
 - iii. A covered account that has been inactive for a reasonably lengthy period of time is suddenly used or active.
 - iv. Mail sent to the person holding the covered account is returned repeatedly as undeliverable although transactions continue to be conducted in connection with the person's covered account.
 - v. The District is notified that the person is not receiving paper account statements.
 - vi. The District is notified of unauthorized transactions in connection with a person's covered account.
- e. Notices From Customers/Persons, Victims of Identity Theft, Law Enforcement Authorities, or Other Businesses About Possible Identity Theft in Connection with Covered Accounts:**

- i. The District is notified by a person with a covered account, a victim of identity theft, a law enforcement authority, or any other person, that it has opened a fraudulent account for a person engaged in identity theft.

7. Measures to Detect “Red Flags”

The District shall do the following to aid in the detection of “Red Flags:”

- a. When a new covered account is open, the District shall obtain identifying information about, and information verifying the identity of, the student or other person seeking to open a covered account. Two forms of identification shall be obtained (at least one of which must be a photo identification). The following are examples of the types of valid identification that a person may provide to verify the identity of the person seeking to open the covered account:
 - i. valid state-issued driver’s license,
 - ii. valid state-issued identification card,
 - iii. current passport,
 - iv. a Social Security Card,
 - v. current residential lease,
 - vi. or copy of a deed to the person’s home or invoice/statement for property taxes.
- b. Persons with covered accounts who request a change in their personal information on file, such as a change of address, will have the requested changes verified by the District. The person shall provide at least one written form of verification reflecting the requested changes to the personal information. For example, if an address change is requested, then documentation evidencing the new address shall be obtained. If a phone number change is requested, then documentation evidencing the new phone number, such as a phone bill, shall be obtained.

8. Preventing and Mitigating Identity Theft

One or more of the following measures, as deemed appropriate under the particular circumstances, shall be implemented to respond to “Red Flags” that are detected:

- a. Monitor the covered account for evidence of identity theft;
- b. Contact the person who holds the covered account;
- c. Change any passwords, security codes, or other security devices that permit access to a covered account;
- d. Reopen the covered account with a new account number;
- e. Not open a new covered account for the person;
- f. Close an existing covered account;
- g. Not attempt to collect on a covered account or not sell a covered account to a debt collector;
- h. Notifying law enforcement;
- i. Where a consumer reporting agency provides an address for a consumer that substantially differs from the address that the consumer provided, the District shall take the necessary steps to for a reasonable belief that the District knows the identity of the person for whom the District obtained a credit report, and reconcile the address of the consumer with the credit reporting agency, if the District establishes a continuing relationship with the consumer , and regularly, and in the course of business, provides information to the credit reporting agency; or
- j. Determine that no response is warranted under the particular circumstances.

9. Updating the ITPP

The District shall update this ITPP on an annual basis to reflect changes in risks to persons with covered accounts, and/or to reflect changes in risks to the safety and soundness of the District from identity theft, based on the following factors:

- a. The experiences of the District with identity theft;
- b. Changes in methods of identity theft;
- c. Changes in methods to detect, prevent and mitigate identity theft;
- d. Changes in the types of covered accounts that the District maintains;
- e. Changes in the business arrangements of the District, including service provider arrangements.

10. Methods for Administering the ITPP

- a. Oversight of the ITPP : Oversight by the District's Chief Technology Director shall include:
 - i. Assigning specific responsibility for the ITPP's implementation;
 - ii. Reviewing reports prepared by the staff regarding compliance of the ITPP; and
 - iii. Approving material changes to the ITPP as necessary to address changing identity theft risks.
- b. Reports
 - i. In General. Staff responsible for the development, implementation, and administration of this ITPP shall report to the Governing Board on an annual basis.
 - ii. Contents of Report. The report shall address material matters to the ITPP and evaluate the following issues: the effectiveness of the policies and procedures in addressing the risk of identity theft in connection with opening new covered accounts and with respect to existing covered accounts; service provider arrangements; significant incidents involving identity theft and management's response; and recommendations for material changes to the ITPP.
 - iii. Oversight of Service Provider Arrangements. Whenever the District engages a service provider to perform an activity in connection with one or more covered accounts the District shall take steps to ensure that the activity of the service provider is conducted in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of identity theft. To that end, the District shall require our service contractors, by contract, to have policies and procedures to detect relevant "Red Flags" that may arise in the performance of the service provider's activities, and either report the "Red Flags" to the District, or to take appropriate steps to prevent or mitigate identity theft.

NEW POLICY: NOTE MORE
RESTRICTED DIRECTORY
INFORMATION

CHAPTER 7: Student Services
BOARD POLICY NO. 7.28 (BP 5040)

BOARD POLICY
San Mateo County Community College District

Subject: 7.28 Student Records, Directory Information, and Privacy

Date:

Policy References: Education Code Sections 76200 et seq.; Title 5 Sections 54600 et seq.

1. The President shall assure that student records are maintained in compliance with applicable federal and state laws relating to the privacy of student records.
2. The President 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.
3. Any currently enrolled or former student of the District has a right of access to any and all student records relating to him or her maintained by the District.
4. 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.
5. Students shall be notified of their rights with respect to student records, including the definition of directory information defined below, and that they may limit the information.
6. Federal and State laws provide that the college may release certain types of "Directory Information" unless the student submits a request, in writing to the Registrar that certain or all such information is not be released without his/her consent. Directory information shall include:
 - a. Student's name and dates of attendance.
 - b. Student participation in officially recognized activities and sports including weight, height and high school of graduation of athletic team members.
 - c. Degrees and awards received, including honors, scholarship awards, athletic awards and Dean's List recognition;

NEW PROCEDURE; NOTE MORE
RESTRICTED DIRECTORY
INFORMATION

CHAPTER 7: Student Services
ADMINISTRATIVE PROCEDURE NO. 7.28.1 (AP 5040)

ADMINISTRATIVE PROCEDURES
San Mateo County Community College District

Subject: AP 7.28.1 Student Records, Directory Information, and Privacy

Revision Date:

Policy References: Education Code Sections 71091 and 76200 et seq.; Title 5 Sections 54600 et seq.; U.S. Patriot Act; Civil Code Section 1798.85

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

2. Release of Student Records: No instructor, official, employee, or governing board member shall authorize access to student records to any person except under the following circumstances:

- a. Student records shall be released pursuant to a student's written consent.
- b. Students are required to submit a request form to Admissions. A log of all requests for student information will be maintained in the Admissions and Records Office. "Directory information" may be released in accordance with the definitions in Board Policy, 7.28, Student Records, Directory Information and Privacy.
- c. Currently enrolled students may request that "Directory Information" be withheld by notifying the Registrar in writing.
- d. Student records shall be released pursuant to a judicial order or a lawfully issued subpoena signed only by a judge. If the subpoena does not accompany a written release of information by the student, he/she will be notified in writing by certified mail of the request for records. A period of 10 days must elapse before records may be released in order to allow the student to seek legal representation to quash the motion if so desired.
- e. Student records shall be released pursuant to a federal judicial order that has been issued regarding an investigation or prosecution of an offense concerning an investigation or prosecution of terrorism.
- f. Student records may be released to employees of the District or other officials only when they have a legitimate educational interest to inspect the record. A log of such requests shall be maintained in the Admissions and Records Office.
- g. Student records may be released to authorized representatives of the Comptroller General of the United States, the Secretary of Education, an administrative head of an education agency, state education officials, or their respective designees or the United States Office of Civil Rights, where that information is necessary to audit or evaluate a state or federally supported educational program or pursuant to federal or state law. Exceptions are that when the collection of personally identifiable information is specifically authorized by federal law, any data collected by those officials shall be protected in a manner that will not permit the personal identification of students or their parents by other than those officials, and any personally identifiable data shall be destroyed when no longer needed for that audit, evaluation, and enforcement of federal legal requirements. Vice President of Student Services or designee is responsible for the security and privacy of such records. A log of such requests shall be maintained in the Admissions and Records Office.
- h. The Vice President of Student Services or designee is responsible for providing information and updating procedures.
- i. Student records may be released to officials of other public or private schools or school systems, including local, county or state correctional facilities where education programs are provided, where the student seeks or intends to enroll or is directed to enroll. The release is subject to the conditions

in Education Code Section 76225. The Vice President of Student Services or designee is responsible for the security and privacy of such records. A log of such requests shall be maintained in the Admissions and Records Office.

- j. Student records may be released to agencies or organizations in connection with a student's application for, or receipt of, financial aid, provided that information permitting the personal identification of those students may be disclosed only as may be necessary for those purposes as to financial aid, to determine the amount of the financial aid, or conditions that will be imposed regarding financial aid, or to enforce the terms or conditions of financial aid. The Dean of Enrollment Services or designee is responsible for the security and privacy of such records. A log of such requests shall be maintained in the Admissions and Records Office.
 - k. Student records may be released to organizations conducting studies for, or on behalf of, accrediting organizations, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering financial aid programs, and improving instruction, if those studies are conducted in such a manner as will not permit the personal identification of students or their parents by persons other than representatives of those organizations and the information will be destroyed when no longer needed for the purpose for which it is conducted. The Dean of Enrollment Services or designee is responsible for the security and privacy of such records.
 - l. Student records may be released to appropriate persons in connection with an emergency if the knowledge of that information is necessary to protect the health or safety of a student or other persons, subject to applicable federal or state law. The Dean of Enrollment Services or designee is responsible for the security and privacy of such records.
 - m. The following information shall be released to the federal military for the purposes of federal military recruitment: student names, addresses, telephone listings, dates and places of birth, levels of education, degrees received, prior military experience, and/or the most recent previous educational institutions enrolled in by the students.
 - n. Students who are minors who are enrolled at the College are considered college students and records cannot be shared with parents or guardians without the written permission of the student.
- 3. Charge for Transcripts or Verifications of Student Records:** A student/former student shall be entitled to two free copies of the transcript of his/her record or to two free verifications of various student records. Additional copies shall be made available to the student, or to an addressee designated by him/her, at the rate of \$5.00 per copy. Students may request expedited processing of a transcript for an additional charge of \$10.00.
- 4. Electronic Transcripts:** The District has implemented a process for the receipt and transmission of electronic student transcripts which is contingent upon receipt of sufficient funding.
- 5. Use of Social Security Numbers:** The District shall not do any of the following:
- a. Publicly post or publicly display an individual's social security number;
 - b. Print an individual's social security number on a card required to access products or services;
 - c. Require an individual to transmit his/her social security number over the internet using a connection that is not secured or encrypted;
 - d. Require an individual to use his/her social security number to access an Internet Web site without also requiring a password or unique personal identification number or other authentication device; or
 - e. Print an individual's social security number that is visible on any materials that are mailed to the individual, except the following:
 - official transcript
 - 1098 tax forms
 - materials used to establish, amend, or terminate an account, contract, or policy

- materials used to confirm the accuracy of the social security number
6. If the District has, prior to January 1, 2004, used an individual's social security number in a manner inconsistent with the above restrictions, it may continue using that individual's social security number in that same manner only if:
- a. The use of the social security number is continuous;
 - b. The individual is provided an annual disclosure that informs the individual that he/she has the right to stop the use of his/her social security number in a manner otherwise prohibited;
 - c. The District agrees to stop the use of an individual's social security number in a manner otherwise prohibited upon a written request by that individual;
 - d. No fee shall be charged for implementing this request; and the District shall not deny services to an individual for making such a request.

DRAFT

New Procedure

CHAPTER 7: Student Services
ADMINISTRATIVE PROCEDURE NO. 7.28.2 (AO 5045)

ADMINISTRATIVE PROCEDURES
San Mateo County Community College District

Subject: AP 7.28.2 Student Records, Challenging Content and Access Log

Date:

Policy References: Education Code Sections 76222 and 76232; Title 5 Section 54630

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1. **Challenging Content:** Any student may file a written request with the Vice President of Student Services or designee to correct or remove information recorded in his or her student records that the student alleges to be:
 - a. inaccurate;
 - b. an unsubstantiated personal conclusion or inference;
 - c. a conclusion or inference outside of the observer's area of competence; or
 - d. not based on the personal observation of a named person with the time and place of the observation noted.
 2. Within 30 days of receipt of the request, the Vice President of Student Services or designee shall meet with the student and the employee who recorded the information in question, if any, if the employee is presently employed by the District. The Vice President of Student Services or designee shall then sustain or deny the allegations.
 3. If the Vice President of Student Services or designee sustains any or all of the allegations, he/she shall order the correction or removal and destruction of the information. If the Vice President of Student Services or designee denies any or all of the allegations and refuses to order the correction or removal of the information, the student, within 30 days of the refusal, may appeal the decision in writing to the Board of Trustees.
 4. Within 30 days of receipt of an appeal, the Governing Board shall, in closed session with the student and the employee who recorded the information in question, determine whether to sustain or deny the allegations. If the governing board sustains any or all of the allegations, it shall order the Vice President of Student Services or designee, to immediately correct or remove and destroy the information. The decision of the governing board shall be final.
 5. If the final decision is unfavorable to the student, the student shall have the right to submit a written statement of his/her objections to the information. This statement shall become a part of the student's record until the information objected to is corrected or removed.
 6. Whenever there is included in any student record information concerning any disciplinary action, the student shall be allowed to include in such record a written statement or response concerning the disciplinary action.
 7. Whenever there is included in any student record information concerning any disciplinary action in connection with any alleged sexual assault or physical abuse, or threat of sexual assault, or any conduct that threatens the health and safety of the alleged victim, the alleged

victim of that sexual assault or physical abuse shall be informed within three days of the results of the disciplinary action and the results of any appeal. The alleged victim shall keep the results of that disciplinary action and appeal confidential.

8. 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 appropriate college staff, 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.

DRAFT

DELETE policy 7.28;
Create new policy 7.28

BOARD POLICY
San Mateo County Community College District

Subject: ~~7.28 Student Records, Directory Information, and Privacy~~

Revision Date: ~~5/09~~

Policy References: ~~Education Code Sections 76200, 76210, 76220, 76221, 76222, 76232-76234, 76240, 67242, 76243; Title 5 Sections 54600 et seq.~~

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- ~~1. The Family Educational Rights and Privacy Act (FERPA) and the California Education Code require educational institutions to provide a student access to official educational records directly related to the student and to provide an opportunity for a hearing to challenge such records on the grounds that they are inaccurate. In addition, the law specifies that a College must obtain the written consent of the student before releasing personally identifiable information from records to other than a specified list of persons and agencies and that these rights extend to present and former students of the College.
 - ~~a) Educational student records generally include documents and information related to admission, enrollment in classes, grades, matriculation, and related academic information. Educational records are more fully defined by the Education Code.~~
 - ~~b) The Dean of Enrollment Services/Admissions and Records at each College, or the designee of the responsible Vice President, is designated "Records Officer" as required by the Act.~~
 - ~~c) A student's educational record shall be made available for inspection and review by the student, during working hours, within five working days following completion and filing of a request made with the Records Officer.~~
 - ~~d) If a student wishes to challenge any information in his/her educational record, the student shall review the matter with the Records Officer. During the informal proceedings, the Records Officer may make adjustments or changes to correct factual errors.~~
 - ~~e) If these informal proceedings do not settle the dispute regarding the student's record, the student may submit a request in writing to the responsible Vice President. The Vice President will assign the matter within ten working days to a "Hearing Officer."~~
 - ~~f) The Hearing Officer will set a date for a hearing, at the conclusion of which s/he will render a decision to the President of the College, who will determine what action is to be taken. This decision may be appealed by the student in accordance with Rules and Regulations, Section 7.73 and the California Education Code.~~~~
 - ~~2. Federal and State laws provide that the College may release certain types of "Directory Information" unless the student submits a request, in writing, to the Records Officer that certain or all such information is not to be released without his/her consent. "Directory Information" in the San Mateo County Community College District includes: student's name and city of~~

~~residence, email address, participation in recognized activities and sports, dates of enrollment, degrees and awards received, the most recent previous educational agency or institution attended, and height and weight of members of athletic teams.~~

- ~~3. Students shall be notified of their legal rights regarding access to student records through publication of this policy in College Catalogs and Schedules of Classes.~~
- ~~4. Each College shall maintain a log in the Office of Enrollment Services/Admissions and Records for each student's record which lists all persons, agencies, or organizations requesting or receiving information from the record, in accordance with the California Education Code.~~
- ~~5. A copy of District policy, the Family Educational Rights and Privacy Act, appropriate sections of the California Education Code, and other pertinent information and forms shall be available in the office of the Records Officer.~~
- ~~6. A fee established by the Board shall be charged for furnishing copies of records, except that the first two copies of a transcript shall be furnished without charge.~~

DRAFT

Delete Policy, Moved To Procedure
6.21.1

CHAPTER 7: Student Services
BOARD POLICY NO. 7.35 (BP 4240)

BOARD POLICY
San Mateo County Community College District

Subject: 7.35 Academic Standards

Revision Date: 6/10

All academic standards shall conform to the education and administrative codes of the State of California and shall include procedures whereby students may petition a College Academic Standards Committee for reinstatement in College in the event of their failure to maintain the required standards.

The withdrawal section of the policy has been moved to Grading and Academic Symbols: Withdrawal
1. ~~Withdrawal~~

- a. ~~A student may withdraw from a semester length class during the first four weeks of instruction and no notation will be made on the student's academic record. In courses of less than a regular semester's duration, a student may withdraw prior to the completion of 30 percent of the period of instruction and no notation will be made on the student's record.~~
- b. ~~Thereafter, a student may withdraw from a semester length class, whether passing or failing, at any time through the last day of the fourteenth week of instruction and a "W" grade shall be authorized after the faculty member has been informed. In courses of less than a regular semester's duration, a student may withdraw prior to the completion of 75 percent of the period of instruction and a "W" grade shall be authorized after the faculty member has been informed.~~
- c. ~~The academic record of a student who remains in class beyond the time periods set forth above must reflect an authorized symbol other than "W" [see [Section 6.21](#)]. However, after the end of the fourteenth week (or after 75 percent of the period of instruction in courses of less than a regular semester's duration), withdrawal may be authorized in the case of extenuating circumstances. Extenuating circumstances are defined as case of accident, illness, or other circumstances beyond the control of the student. In such cases, the student must submit a petition in accordance with established College procedures and must consult with the faculty member. Approved withdrawal, under the conditions set forth, shall be recorded as a "W."~~
- d. ~~"Military Withdrawal" occurs when a student who is a member of the active or reserve United States military service receives orders necessitating a withdrawal from classes. Upon verification of such orders, the withdrawal symbol of "MW" shall be assigned. Military~~

~~Withdrawals shall not be counted in “satisfactory progress” probation and dismissal calculations.~~

- ~~e. A student failing to follow established withdrawal procedures may be assigned an “F” grade by the faculty member.~~
- ~~f. A student may appeal a decision regarding withdrawal in accordance with Rules and Regulations, [Section 7.73](#).~~

~~2. Inclusion/Exclusion of Units Attempted~~

- ~~a. The determination of the applicability of the policy on academic probation and dismissal will be based on the inclusion of:
 - ~~i. All units in which the student has been officially enrolled, except those in which the student has been assigned a grade or non evaluative symbol of “W,” “MW,” “CR,” “NC,” “I,” “RD,” or “IP” when computing grade point average.~~
 - ~~ii. All units in which the student has been officially enrolled, except those in which the student has been assigned a non evaluative symbol of “MW,” “RD,” or “IP” when applying the satisfactory progress rule.~~
 - ~~iii. All SMCCCD units in which the student has been enrolled will be utilized in determining the applicability of the policy on academic probation and dismissal.~~~~

No Change

BOARD POLICY
San Mateo County Community College District

Subject: 7.37 Open Enrollment
Revision Date: 5/09
Policy References: Title 5 Sections 51006, 58106, 58108

1. All courses, course sections and classes of the District shall be open for enrollment to any person who has been admitted to the Colleges of the District, unless specifically excepted by statute or regulation.
2. Enrollment may be subject to any priority system that has been established.
3. Enrollment may also be limited to students meeting properly validated prerequisites and co-requisites, or due to other practical considerations such as exemptions set out in statute or regulation.
4. The Chancellor shall assure that this policy is published in the College Catalogs and Schedules of Classes.
5. The Chancellor or designee shall establish procedures defining enrollment priorities, limitations, and processes for student challenge, which comply with Title 5 regulations.

New Procedure

CHAPTER 7: Student Services
ADMINISTRATIVE PROCEDURE NO. 7.37.1 (AP 5052)

ADMINISTRATIVE PROCEDURE
San Mateo County Community College District

Subject: AP 7.37.1 Open Enrollment

Date:

Policy References: Education Code Sections 66025.8 and 66025.9
Title 5 Sections 51006, 58106, 58108

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1. All courses of the District shall be open to enrollment in accordance with BP 7.37 and a priority system consistent with AP 7.38.1 titled Enrollment Priorities. Enrollment may be limited to students meeting properly validated prerequisites and co-requisites, or due to other non-evaluative, practical considerations as determined by the college.
 2. No student is required to confer or consult with or required to receive permission to enroll in any class offered by the District, except as provided for in AP 7.38.1 titled Enrollment Priorities and other district programs which require special admissions (e.g. allied health programs).
 3. Students are not required to participate in any pre-registration activities not uniformly required, and no registration procedures are used that result in restricting enrollment to a specialized clientele, except as provided for in AP 7.38.1 titled Enrollment Priorities and certain designated programs (e.g. allied health.)
 4. A student may challenge an enrollment limitation on any of the following grounds:
 - a. The limitation is unlawfully discriminatory or is being applied in an unlawfully discriminatory manner;
 - b. The District is not following its enrollment procedures;
 - c. The basis for the limitation does not in fact exist
 5. Students wishing to challenge enrollment limitations should contact the appropriate division at the college.

New Policy

CHAPTER 7: Student Services
BOARD POLICY NO. 7.38 (BP 5055)

BOARD POLICY
San Mateo County Community College District

Subject: 7.38 Priority Enrollment
Date:
Policy References: Title 5 Sections 51006, 58106, 58108

The Chancellor shall establish procedures defining enrollment priorities, limitations, and processes for student challenge, which shall comply with Title 5 regulations.

DRAFT

New Procedure

CHAPTER 7: Student Services
ADMINISTRATIVE PROCEDURE NO. 7.38.1 (AP 5055)

ADMINISTRATIVE PROCEDURE
San Mateo County Community College District

Subject: AP 7.38.1 Enrollment Priorities

Date:

Policy References: Education Code Sections 66025.8 and 66025.9;
Title 5 Sections 58106 and 58108

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1. Enrollment in courses and programs may be limited to students meeting properly established prerequisites and co-requisites, or the criteria for admissions to certain designated programs. [See BP and AP 4260 titled Prerequisites and Co-requisites]
 2. The District will provide priority registration for students who enroll in a community college for the purpose of degree or certificate attainment, transfer to a four-year college or university, or career advancement.
 3. Students will have the following registration priority, in the order of priority listed below:
 - a. Group 1: Students who have completed orientation, assessment, developed student education plans, and are in good standing (defined as not on academic or progress probation for two consecutive terms and has not earned 100 degree applicable units) are eligible as a member of the armed forces or a veteran pursuant to Education Code section 66025.8 or as a foster youth or former foster youth pursuant to Education Code section 66025.9;
 - b. Group 2: Students who have completed orientation, assessment, developed student education plans, and are in good standing (defined as not on academic or progress probation for two consecutive terms and has not earned 100 degree applicable units) and are eligible and receiving services through Disabled Student Programs and Services, Extended Opportunity Programs and Services, or CalWORKs;
 - c. Group 3: Continuing student athletes, honors program students, members of the Associated Students, and international students who have completed orientation, assessment, and developed student education plans and are in good standing (defined as not on academic or progress probation for two consecutive terms and has not earned 100 degree applicable units);
 - d. Group 4: Continuing students, including continuing Middle College High School students and Priority Enrollment Program students who have completed orientation, assessment, and developed student education plans (except Middle College High School students who do not complete a college student education plan) and are in good standing (defined as not on academic or progress probation for two consecutive terms and has not earned 100 degree applicable units);
 - e. Group 5: New students who have completed orientation, assessment and developed student educational plans and Middle College High School students;

- f. Group 6: All other continuing students, including continuing concurrent enrollment students;
 - g. Group 7: All other students, new and returning, those with greater than 100 units and those on probation.
4. Registration priority specified above shall be lost at the first registration opportunity after a student:
 - a. Is placed on academic or progress probation or any combination thereof as defined in these Board Policy and Administrative Procedure 4250 for two consecutive terms; or
 - b. Has earned one hundred (100) or more degree-applicable semester or quarter equivalent units at the District.
 5. For purposes of this section a unit is earned when a student receives a grade of A, A-, B+, B, B-, C+, C, D or P as defined in Board Policy and Administrative Procedure 4230. This 100-unit limit does not include units for non-degree applicable English as a Second Language or basic skills courses as defined by the Vice President, Instruction or for students enrolled in high unit majors or programs as designated by the Vice President, Instruction.
 6. The District shall notify students who are placed on academic or progress probation, of the potential for loss of enrollment priority. The district shall notify the student that a second consecutive term on academic or progress probation will result in the loss of priority registration as long as the student remains on probation. The District shall notify students or who have earned 75 percent or more of the unit limit, that enrollment priority will be lost when the student reaches the unit limit.
 7. Appeal of Loss of Enrollment Priority
 - a. Students may appeal the loss of enrollment priority when the loss is due to extenuating circumstances. Extenuating circumstances are verified cases of accidents, illnesses or other circumstances beyond the control of the student, or when a student with a disability applied for, but did not receive a reasonable accommodation in a timely manner. The Vice President of Student Services or designee will determine the appeal in his/her sole discretion.
 - b. The District will ensure that these procedures are reflected in course catalogs and that all students have appropriate and timely notice of the requirements of this procedure.

New Policy 7.39; Replaces
old 7.39

CHAPTER 7: Student Services
BOARD POLICY NO. 7.39 (BP 5050)

BOARD POLICY
San Mateo County Community College District

Subject: 7.39 Student Success
Revision Date: 1/13
Policy References: Education Code Sections 78210 et seq.;
Title 5 Sections 55500 et. seq.

The District 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 President shall establish procedures to assure implementation of matriculation services that comply with the Title 5 regulations.

New Procedure

CHAPTER 7: Student Services
ADMINISTRATIVE PROCEDURE NO. 7.39.1 (AP 5050)

ADMINISTRATIVE PROCEDURE
San Mateo County Community College District

Subject: AP 7.39.1 Student Success
Date:
Policy References: Education Code Sections 78210 et seq.;
Title 5 Sections 55500 et seq.

1. Student Success brings the student and the District into agreement regarding the student's educational goal through the District's established programs, policies, and requirements. The agreement is implemented by means of the student educational plan.
2. (This section will change as the Title 5 regulations regarding the new Student Success Act are revised.)
Each student, in entering into an educational plan, will do all of the following:
 - a. express at least a broad educational intent upon admission
 - b. declare a specific goal no later than the term after which the student completes 15 semester units of degree applicable credit coursework
 - c. diligently attend class and complete assigned coursework
 - d. complete courses and maintain progress toward an educational goal
 - e. cooperate in the development of the student educational plan
3. Student Success services include, but are not limited to, all of the following:
 - a. Processing of the application for admission
 - b. Orientation and outreach services designed to provide to students, on a timely basis, information concerning campus procedures, academic expectations, financial assistance, and any other appropriate matters
 - c. Assessment and counseling services upon enrollment, which shall include, but not be limited to, all of the following:
 - d. Administration of assessment instruments to determine student competency in computational and language skills
 - e. Assistance to students in the identification of aptitudes, interests and educational objectives, including, but not limited to, associate of arts degrees, transfer for baccalaureate degrees, and vocational certificates and licenses
 - f. Evaluation of student study and learning skills
 - g. Referral to specialized support services as needed, including, but not limited to, federal, state, and local financial assistance; health services; campus employment placement services; extended opportunity programs and services; campus child care services programs that teach English as a second language; and disabled student services
 - h. Advisement concerning educational, academic, career interests and goals, and course selection

- i. Post-enrollment evaluation of each student's progress, and required advisement or counseling for students who are enrolled in remedial courses, who have not declared an educational objective as required, or who are on academic probation.
4. The District shall not use any assessment instrument except one specifically authorized by the Board of Governors of the California Community Colleges.

DRAFT

DELETE old policy; Establish new board policy . 7.09

CHAPTER 7: Student Services
BOARD POLICY NO. 7.39 (BP 5050)

BOARD POLICY
San Mateo County Community College District

Subject: ~~7.39~~ Matriculation

Revision Date: ~~7/09~~

Policy References: ~~Education Code Sections 78210 et seq; Title 5 Section 55500~~

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1. ~~Matriculation is the process which brings the College and a student who enrolls for credit into an agreement for the purpose of developing and realizing the student's educational objective. The agreement acknowledges responsibilities of both parties to enable students to attain their objectives efficiently through the College's established programs, policies, and requirements. All students, except those exempted on the basis of locally established criteria (e.g., holders of A.A./A.S. or higher degrees), are expected to complete matriculation requirements.~~
 2. ~~In accordance with the California Code of Regulations, Title 5, the College provides matriculation services organized in several interrelated components:~~
 - a. ~~Admissions: Collects and analyzes information on each applicant, identifies students needing special services, and assists students to enroll in a program of courses to attain their educational goals.~~
 - b. ~~Skills Assessment and Placement Testing: Measures students' abilities in English, reading, mathematics, and learning and study skills and assesses students' interests and values related to the world of work. In addition to helping students with course selection, assessment results are used to determine honors eligibility and for referral to specialized support services.~~
 - c. ~~Orientation: Acquaints students with College facilities, special programs and services, as well as academic expectations and procedures.~~
 - d. ~~Advisement/Counseling and Course Selection: A process in which students meet with a counselor/advisor to develop an individual educational plan, choose specific courses, and update their plans periodically.~~
 - e. ~~Student Follow Up: Ensures that the academic progress of each student is regularly monitored, with special efforts made to assist students who have not determined an educational goal, who are enrolled in pre collegiate basic skills courses, and/or who have been placed on academic probation.~~
 3. ~~Each matriculated student is expected to:~~
 - a. ~~Express at least a broad educational intent at entrance and be willing to declare a specific educational goal following the completion of 15 semester units of degree-applicable credit coursework.~~
 - b. ~~Attend classes regularly and complete assigned coursework.~~
 - c. ~~Cooperate in the development of a student educational plan within 90 days after declaring a specific educational goal and subsequently abide by the terms of this plan or~~

~~approved revision thereof, making continued progress toward the defined educational goal. The College may withhold matriculation services from students failing to cooperate in meeting the above expectations.~~

~~4. Each matriculated student is entitled to:~~

- ~~a. Participate in the process of developing his/her student educational plan. A student who believes the College has not afforded him/her the opportunity to develop or implement this plan may file a complaint with the appropriate College manager.~~
- ~~b. Be given equal opportunity to engage in the educational process regardless of sex, marital status, disability, race, color, religion, or national origin. A student who alleges s/he has been subject to unlawful discrimination may file a grievance with the appropriate College manager.~~
- ~~c. Challenge any prerequisite, using established procedures through appropriate channels, on one or more of the following grounds:
 - ~~i. the prerequisite is not valid because it is not necessary for success in the course for which it is required;~~
 - ~~ii. the student has the knowledge or ability to succeed in the course despite not meeting the prerequisite; or~~
 - ~~iii. the prerequisite is discriminatory or is being applied in a discriminatory manner.~~~~
- ~~d. Obtain a waiver from the appropriate College manager of any prerequisite or corequisite course for a particular term because the course is not available during that term.~~
- ~~e. Request a waiver of any matriculation requirement on the basis of extraordinary circumstances by using established procedures through appropriate channels.~~
- ~~f. Review the matriculation regulations of the California Community Colleges and exemption criteria developed by this District and file a complaint when s/he believes the College has engaged in any practice prohibited by these regulations. The regulations are available and complaints may be filed in the office of the appropriate College manager.~~

~~5. Alternative matriculation service are available for students who require special accommodations in the educational setting:~~

- ~~a. Students with physical, visual, communication, or learning disabilities are advised to contact the office of the appropriate College manager.~~
- ~~b. Students with difficulty in reading, writing, math, and other basic skills are advised to contact the office of the appropriate College manager.~~
- ~~c. Students who speak English as their second language may contact the office of the appropriate College manager.~~

~~6. Any student who wishes to challenge any requirement of matriculation should contact the office of the Vice President of Student Services.~~

~~7. Each College shall establish procedures to assure implementation of matriculation services that comply with Education Code and Title 5 regulations.~~

New Policy 7.40;
Replaces old policy
7.40

CHAPTER 7: Student Services
BOARD POLICY NO. 7.40 (BP 5110)

BOARD POLICY
San Mateo County Community College District

Subject: 7.40 Counseling and Advising Services

Date:

Policy References: Education Code Section 72620; Title 5 Section 51018

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1. Counseling services are essential to support students as they connect, enter, progress, and complete their educational goals that align with the educational mission of the District.
 2. The President or designee shall assure the provision of counseling services including academic, career, and personal counseling that is related to the student's education.
 3. Counseling shall be required for all first time students seeking a degree, certificate, or transfer. In addition, students on academic or progress probation will be required to utilize counseling services.

New Procedure

CHAPTER 7: Student Services
ADMINISTRATIVE PROCEDURE NO. 7.40.1 (AP 5110)

ADMINISTRATIVE PROCEDURE
San Mateo County Community College District

Subject: AP 7.40.1 Counseling and Advising Services

Date:

Policy References: Education Code Section 72620 AND 72621; Title 5 Section 51018

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1. Services: The counseling services available in the District's counseling program include, but are not limited to, in-person, online, workshop based, and counselor/instruction collaborations:
 - a. Academic counseling, in which the student is assisted in assessing, planning, and implementing his/her immediate and long-range academic goals;
 - b. Career counseling, in which the student is assisted in assessing his/her aptitudes, abilities, and interests, and is provided career and educational planning and information regarding college major pathways, and current and future employment trends and opportunities;
 - c. Personal counseling, in which the student is assisted with personal, family, or other social concerns, when that assistance is related to the student's education;
 - d. Coordination with the counseling aspects of other services to students which exist on campus, including but not limited to those services provided in programs for students with special needs, skills testing programs, financial assistance programs, and job placement services.
 2. Confidentiality
 - a. Confidentiality of Counseling Information: Information of a personal nature disclosed by a student in the process of receiving counseling from a counselor is confidential, and shall not become part of the student record without the written consent of the person who disclosed the confidential information.
 - b. Disclosure: However, the information shall be disclosed when permitted by applicable law, including but not limited to disclosure as necessary to report child abuse or neglect; reporting to the president or designee or other persons when the counselor has reason to believe that disclosure is necessary to avert a clear and present danger to the health, safety, or welfare of the student or other persons living in the college community; reporting information to the president or other persons as necessary when the student indicates that a crime involving the likelihood of personal injury or significant or substantial property losses will or has been committed; reporting information to one or more persons specified in a written waiver by the student.

Delete policy

BOARD POLICY
San Mateo County Community College District

Subject: ~~7.40 Counseling and Advising Services~~

Revision Date: ~~5/09~~

Policy References: ~~Education Code Section 72620; Title 5 Section 51018~~

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- ~~1. Counseling services are an essential part of the educational mission of the District. In accordance with District and State policies, the Colleges shall establish an organized, integrated, and comprehensive program of academic, career, and personal counseling/advising services.~~
 - ~~2. Counseling shall be required for all first-time students enrolled for more than six (6) units, and highly recommended for students enrolled provisionally, and for students on academic or progress probation.~~
 - ~~3. Counseling and Advising services may include:
 - ~~a. Providing assistance in establishing and/or clarifying educational and career goals.~~
 - ~~b. Providing assistance to students in program planning.~~
 - ~~c. Providing counseling/advising services with respect to skills assessment and placement testing.~~
 - ~~d. Providing career and transfer information for students.~~
 - ~~e. Providing counseling support for students with problems relating to pursuit of their educational objectives.~~
 - ~~f. Providing counseling/advising services for students with special needs (e.g., re-entry students, international students, etc.).~~
 - ~~g. Providing other counseling/advising services as may be required to meet the needs of the students.~~~~

Minor Revisions

CHAPTER 7: Student Services
BOARD POLICY NO. 7.41 (BP 5140)

BOARD POLICY
San Mateo County Community College District

Subject: 7.41 Disabled Students Programs and Services (DSPS)
Revision Date: 10/12
Policy References: Education Code Sections 67310 and 84850; Title 5 Sections 56000 et seq. and 56027

1. Students with disabilities ~~shall~~ have the right to be reasonably accommodated pursuant to federal and state requirements in all applicable programs in the District.
2. The Disabled Students Programs and Services (DSPS) program shall be the primary provider for support programs and services that facilitate equal educational opportunities for disabled students who can benefit from instruction as required by Federal and State laws.
3. DSPS services shall be available to students with verified disabilities. These services shall be based on students' educational limitations resulting from the disability. The services to be provided include, but are not limited to: reasonable accommodations, academic adjustments, accessible facilities and equipment, instructional programs, rehabilitation counseling, and academic counseling.
4. Students with disabilities are not required to participate in the Disabled Students Programs and Services program.
5. The District shall respond in a timely manner to accommodation requests involving academic adjustments. The Chancellor or designee shall establish a procedure to implement this policy which, at a minimum, provides for an individualized review of each such request, and permits interim decisions on such requests pending final resolution by the appropriate administrator or designee.
6. The Chancellor shall assure that the DSPS program conforms to all requirements established by the relevant law and regulations.

New Procedure

CHAPTER 7: Student Services
ADMINISTRATIVE PROCEDURE NO. 7.41.1 (AP 5140)

ADMINISTRATIVE PROCEDURE
San Mateo County Community College District

Subject: 7.41.1 Disabled Students Programs and Services (DSPS)

Revision Date:

Policy References: Education Code Sections 67310 and 84850; Title 5 Sections 56000 et seq. and 56027

1. The District maintains a plan for the provision of programs and services to disabled students designed to assure that they have access to District classes and programs. DSPS is the primary vehicle by which the District accommodates students with disabilities . Programming within this unit provides for the following:
 - a. procedure for timely response to accommodation requests involving academic adjustments which, at a minimum, provides for an individualized review of each such request, and permits interim decisions on such requests pending final resolution by the appropriate administrator or designee;
 - b. long-range goals and short term objectives for the program;
 - c. definitions of disabilities and student eligibility;
 - d. support services and instruction that is provided;
 - e. verification of disability and determination of educational limitation;
 - f. student rights and responsibilities;
 - g. student educational contract or plan that is developed by a designated person in consultation with the student;
 - h. academic accommodations;
 - i. provisions for course substitution and waivers;
 - j. staffing; and
 - k. advisory committee.

Minor Revisions

CHAPTER 7: Student Services
BOARD POLICY NO. 7.42 (BP 5150)

BOARD POLICY
San Mateo County Community College District

Subject: 7.42 Extended Opportunities Programs and Services (EOPS)
Revision Date: 5/09
Policy References: Education Code 69640-69656; Title 5 Sections 56200 et seq.

1. Support services and programs that are in addition to traditional students services programs shall be provided in order to assist students who have language, social, and economic disadvantages to succeed academically in the District.
2. The Extended Opportunity ~~P~~programs and Services (EOPS) is established to assist students achieve their educational objectives and goals by providing services that may include, but are not limited to, recruitment, orientation, assessment, tutorial services, counseling and advising, and financial aid.
3. The Chancellor shall assure that the EOPS program conforms to all requirements established by the relevant law and regulations.

ADMINISTRATIVE PROCEDURE
San Mateo County Community College District

Subject AP 7.42.1 Extended Opportunity Programs and Services (EOPS)

Revision Date:

Policy References: Education Code 69640-69656; Title 5 Sections 56200 et seq.

Extended Opportunity Programs and Services (EOPS):

The EOPS program was established by Senate Bill 164 which encouraged community colleges to develop programs and services “over, and above, and in addition to” the regular educational programs of the college to meet the unique educational needs of students.

Eligibility Criteria for EOPS:

Students may be eligible for EOPS if they are California residents and are eligible for a Board of Governor’s Grant A or B, and meet one of the following criteria:

1. Do not qualify for minimum level mathematics, reading or writing courses as required for an Associate Degree;
2. Did not graduate from high school or did not obtain a General Education Diploma (GED);
3. Graduated from high school with less than a 2.5 grade point average;
4. Previously enrolled in remedial education courses in high school;
5. An emancipated foster youth.

Additional eligibility requirements include:

1. Enrollment in 12 or more units; with some approved exceptions;
2. Not have completed more than 70 degree applicable units;
3. Having not been served by EOPS for more than six (6) consecutive semesters.

Student Responsibilities:

Students served by EOPS are required to have:

1. An EOPS application;
2. An educational plan;
3. A mutual responsibility contract (MRC);
4. Three (3) contacts with a counselor each term;
5. Maintain academic progress toward a certificate, associate degree, or transfer goal.

Criteria for Direct Aid:

The criteria to receive a full book voucher determined by each college utilizing college specific established criteria.

Staffing and Program Management:

The EOPS Program will have the following program components/ functions:

1. Management Services Component that includes program administration and support functions, management information and evaluation functions and program eligibility determination functions.
2. Outreach, Registration, and Orientation Component that includes recruitment functions and services such as EOPS program orientation, outreach to community, registration assistance, etc.
3. Instructional Development and Services Component that may include campus tutoring and EOPS book service program.
4. Counseling Services Component that may include academic, transfer, career/vocational and personal counseling, college testing/assessment services, academic progress monitoring, and peer advisor services.
5. Special Activities Component that may include coordination/liaison functions with schools and community agencies, support of cultural enrichment, academic recognition, and graduation assistance. The District authorizes the use of public funds for the purchase of food and beverages for non-employees, including students, for yearly EOPS and CARE district sponsored student programs including, but not limited to, the awards and graduation recognition programs.
6. Direct Aid Service Component that may include book vouchers, grants, bus passes, semester starter kits, PTK membership fee, and commencement fee.
7. Staff Development and Training Component that includes program staff development, regional meetings, state conferences, and college in-service functions.

Advisory Committee:

An EOPS Advisory Committee will be appointed by the President of the College upon recommendation of the EOPS Director. The purpose of the advisory committee is to assist the college in developing and maintaining effective extended opportunity programs and services. The Advisory Committee will meet at least once during each academic year.

Objectives and Data Collection:

The EOPS program will establish program objectives, collect student data including EOPS Student Learning Outcome Assessment, maintain student database and files. Review and evaluation of the programs and services includes end of semester student survey, services utilized, graduation and transfer rates, submission of MIS report, and annual program plan and year end report.

CARE (Cooperative Agencies Resources for Education)

CARE is a student support program to assist single parents on CalWORKs or TANF to become successful students and find meaningful employment.

Eligibility requirements for CARE:

1. Must first qualify for services from EOPS
2. Must be at least 18 years old
3. Must be single head of household parent according to the county
4. The student themselves or on behalf of their dependent children must be receiving cash aid benefits through CalWORKs or TANF program
5. Must have at least one child under 14 years old

Students served by CARE are required to have (in addition to all EOPS requirements):

1. Agency Certification Form – verifying from the county that the student is the head of household and receiving cash aid

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2. EOPS/CARE application
3. Child Care Student Agreement form, if they are requesting child care assistance from CARE

The CARE program will have the following program components/functions (which are in addition to EOPS):

1. Management Services Component that includes program administration and support functions, management information and evaluation functions and program eligibility determination functions.
2. Orientation Component that includes CARE program orientation.
3. Special Activities Component that may include support of workshops or activities from which the student derives educational benefit.
4. Direct Aid Service Component that may include child care reimbursement, additional book service, grants, transportation assistance, school supplies, on-campus meal cards, and course required materials.
5. Child Care – if students are eligible for CalWORKs, they must receive assistance from those agencies first, CARE pays last (no double funding). Hours reimbursed are limited to the amount of units the student is taking and depending on funding. Timesheets must be turned in on time each month to get reimbursement check for current month.

If the EOPS book voucher does not cover all of the students books, then CARE can cover the difference, if funding is available.

CARE can assist with purchasing required materials needed for a class.

The criteria to receive the CARE grant (depending on if funding is available) is to apply for Financial Aid and have unmet need.

Transportation assistance may be given to CARE students in the form of gas vouchers and/or bus passes, depending on funding. Additional school supplies may be given to CARE students at orientation, depending on funding. Meal cards for on campus may be given to CARE students, depending on funding.

No Change

BOARD POLICY
San Mateo County Community College District

Subject: 7.43 Student Financial Aid Programs
Revision Date: 10/12
Policy References: Education Code Section 76300; 20 U.S. Code Sections 1070 et seq.; 34 CFR Section 668; 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

1. The District shall participate in federal, state, and local financial aid programs approved by the Board. Financial aid programs, including but not limited to loans, scholarships, grants and work programs, shall be implemented to assist students who, without financial assistance, might be denied a college education. All financial aid programs will adhere to guidelines, procedures and standards issued by the funding agency, and incorporate federal, state, and other applicable regulatory requirements, including District Rules and Regulations.
2. The Executive Vice Chancellor shall have the responsibility for insuring the overall coordination of District and College financial aid programs with respect to accounting, record-keeping, and reporting functions.
3. The Chancellor shall establish, publicize, and apply satisfactory academic progress standards for participants in the Title IV student aid programs.
4. The District Financial Aid Steering Committee shall function as a coordinating body between District Information Technology Services and College Financial Aid Offices. The Committee shall be responsible for insuring that appropriate procedures, policies, and printed materials are used to implement District financial aid programs.
5. Responsibility for the Financial Aid Program at each College shall rest in the Office of the Vice President, Student Services with operational responsibility designated to the Director of Financial Aid. The Vice President shall insure that College programs are operated in accordance with Federal and State laws and regulations and District Rules and Regulations. The Vice President or the Director of Financial Aid will also insure that funds are distributed in accordance with approved criteria and that required records relating to eligibility and disbursement are maintained to verify the equitable and effective utilization of available funds.
6. 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.
7. The Chancellor or designee shall establish procedures for regularly reviewing the District's website and other informational materials for accuracy and completeness and for training District employees and vendors providing educational programs, marketing, advertising,

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recruiting or admission services concerning the District's educational programs, financial charges, and employment of graduates to ensure compliance with this policy.

8. The Chancellor or designee shall establish procedures wherein the District shall periodically monitor employees' and vendors' communications with prospective students and members of the public and take corrective action where needed.

DRAFT

New Procedure

ADMINISTRATIVE PROCEDURE
San Mateo County Community College District

Subject: AP 7.43.1 Student Financial Aid Programs

Revision Date:

Policy References: Education Code Section 76300; 20 U.S. Code Sections 1070 et seq.; 34 CFR Section 668; 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

1. Financial Aid Programs

Financial Aid programs offered usually include:

- a. Board of Governors Fee Waiver
- b. Cal Grants
- c. Federal Pell Grants
- d. Federal Direct Student Loan Program
- e. Federal Supplemental Educational Opportunity Grant
- f. Federal Work Study
- g. Scholarships

2. Misrepresentation

- a. Misrepresentation is defined as any false, erroneous, or misleading statement that the District, a representative of the District, or a service provider with which the District has contracted to provide educational programs, marketing, advertising, recruiting, or admissions services, makes directly or indirectly to a student, prospective student, a member of the public, an accrediting agency, a state agency, or the United States Department of Education.
- b. A misleading statement includes any statement that has the likelihood or tendency to deceive or confuse. If a person to whom the misrepresentation was made could reasonably be expected to rely, or has reasonably relied, on the misrepresentation, the misrepresentation would be substantial. This procedure does not apply to statements by students through social media outlets or by vendors that are not providing covered services, as reflected herein.

3. Financial Aid Guidelines and Program Oversight

Written procedures and guidelines are maintained in the SMCCCD Financial Aid Policies and Procedures Manual. This manual provides comprehensive procedural information in the following areas:

- a. Application procedures
- b. Student eligibility

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- c. Deadlines
- d. Payment procedures
- e. Overpayment recovery
- f. Accounting requirements
- g. Satisfactory academic progress
- h. Misrepresentation

DRAFT

No Change

BOARD POLICY
San Mateo County Community College District

Subject: 7.44 Student Health and Psychological Services
Revision Date: 5/09
Policy Reference: Education Code Section 76401

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

DRAFT

New Procedure

CHAPTER 7: Student Services
ADMINISTRATIVE PROCEDURE NO. 7.44.1 (AP 5200)

ADMINISTRATIVE PROCEDURE
San Mateo County Community College District

Subject: AP 7.44.1 Student Health and Psychological Services

Date:

Policy Reference: Education Code Section 76401, 76355; Title V 54702

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1. Student health services shall be provided in order to contribute to the educational aims of students by promoting physical and emotional well-being through health oriented programs and services. The Student Health Fee paid at registration may be used to provide any of the following services for students:
 - a. Clinical Care Services: assessment, intervention, and referral for health services, first aid and basic emergency care, health appraisal, communicable disease control
 - b. Mental Health Services: short-term psychological counseling, crisis management, psych-education training, outreach activities, and mental health. Psychological counseling includes: mental health assessment; stress management; mood and anxiety issues; relationship difficulties; trauma related conditions, and other mental health related issues.
 - c. Support Service: A variety of services supporting the clinical and mental health efforts including, but not limited to: maintenance of health records in a confidential and ethical manner, laboratory, radiology, and/or pharmacy services.
 - d. Special Services: health education and promotion, teaching and research, student insurance programs, and environmental health and safety, including illness and injury prevention programs.

New Procedure

CHAPTER 7: Student Services
ADMINISTRATIVE PROCEDURE NO. 7.44.2 (AP 5200)

ADMINISTRATIVE PROCEDURE
San Mateo County Community College District

Subject: AP 7.44.2 Student Health and Psychological Services: Student Accident Insurance

Date:

Policy Reference: Education Code Section 72506; Title V 54702

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

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New Procedure

CHAPTER 7: Student Services
ADMINISTRATIVE PROCEDURE NO. 7.44.3 (AP 5210)

ADMINISTRATIVE PROCEDURE
San Mateo County Community College District

Subject: AP 7.44.3 Student Health and Psychological Services: Communicable Disease

Date:

Policy Reference: Education Code Section 76403

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1. The College's health services will cooperate with local health officers in measures necessary for the prevention and control of communicable diseases in students.
 2. The Colleges will comply with any immunization program required by State Department of Health Services regulations.

No Change

BOARD POLICY
San Mateo County Community College District

Subject: 7.45 Transfer Center

Revision Date: 7/09

Policy References: Title 5 Section 51027; Education Code Section 66720-66744

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1. The District incorporates as part of its mission the transfer of 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.
 2. The Chancellor shall assure that Transfer Center plans are implemented at each of the Colleges that identify appropriate target student populations, are designed to increase the transfer applications of underrepresented students and comply with law and regulations.

New Procedure

CHAPTER 7: Student Services
ADMINISTRATIVE PROCEDURE NO. 7.45.1 (AP 5120)

ADMINISTRATIVE PROCEDURE
San Mateo County Community College District

Subject: 7.45.1 Transfer Center

Revision Date:

Policy References: Title 5 Section 51027; Education Code Section 66720-66744

1. The District has a transfer center plan that complies with the requirements of Title 5. The plan identifies appropriate target student populations and is designed to increase the transfer applications of underrepresented students among transfer students.
2. Plan components include:
 - a. Services to be provided to students Facilities
 - b. Staffing
 - c. An advisory committee
 - d. Evaluation and reporting
 - e. Transfer path requirements for each articulated baccalaureate major

Revised; Moved portion to new procedure 7.48.1

BOARD POLICY
San Mateo County Community College District

Subject: 7.48 Child Development Centers
Revision Date: 5/09
Policy Reference: Title 5 Division 1, Chapter 19 and 19.5, Sections 18000 through 18434

1. The San Mateo County Community College District Child Development Centers operate on the premise that:
 - a. Young children can benefit from high quality early care and education programs designed to meet their developmental needs while their parents are pursuing educational goals and working.
 - b. Early childhood education students, nursing students, and students from other instructional departments, enrolled in degree and certificate programs, benefit from the opportunity to observe/participate in a high quality, model setting.
2. Admissions, Enrollment, and Eligibility Criteria

In order to receive subsidized child care, student-parents must meet the eligibility criteria included in regulations set by the Child Development Division of the California Department of Education.

MOVED FROM POLICY TO NEW PROCEDURE 7.48.1

- ~~a. First priority will be given to continuing low income students who maintain eligibility based on CDE CDD regulations, are registered in a course of study leading to employment and, if applicable, are working. Second priority will be given to new and/or returning low income students who meet the eligibility criteria based on CDE CDD regulations, are registered in a course of study leading to employment and, if applicable, are working.~~
 - ~~b. Student parents who do not qualify for subsidized child care, as well as faculty and staff, may enroll and pay a full tuition fee as space is available.~~
 - ~~c. When available spaces have been filled, an eligibility list will be established for subsidized child care in accordance with CDE CDD regulations which specify that priority be given to the lowest income family on the eligibility list. For non-subsidized child care, a waiting list will be established with priority given based on the date a family was placed on the waiting list.~~
3. ~~Determination of Eligibility, Fees and Satisfactory Progress Standards~~

- a. ~~Eligibility for subsidized child care is determined on the basis of a family's need for care and their gross monthly income in relation to family size. Need for care is determined based on a parent's schedule of classes, study time, hours of employment and travel time to and from class and work.~~
- b. ~~Fees for subsidized child care are determined based on a family fee scale provided by CDE-CDD.~~
- c. ~~To maintain eligibility for subsidized child care, student parents must make satisfactory progress toward the attainment of their vocational goal (cumulative GPA of 2.0 or better). In addition, student parents are required to notify the Child Development Center Coordinator within 5 days if they withdraw from a class or change hours or days of employment.~~

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New Procedure

Administrative Procedure
San Mateo County Community College District

Subject: AP 7.48.1 Child Development Centers

Date:

Policy Reference: Title 5 Division 1, Chapter 19 and 19.5, Sections 18000 through 18434

1. Admissions, Enrollment, and Eligibility Criteria

In order to receive subsidized child care, student-parents must meet the eligibility criteria included in regulations set by the Child Development Division of the California Department of Education.

- a. First priority will be given to continuing low-income students who maintain eligibility based on CDE CDD regulations, are registered in a course of study leading to employment and, if applicable, are working. Second priority will be given to new and/or returning low-income students who meet the eligibility criteria based on CDE CDD regulations, are registered in a course of study leading to employment and, if applicable, are working.
 - b. Student-parents who do not qualify for subsidized child care, as well as faculty and staff, may enroll and pay a full tuition fee as space is available.
 - c. When available spaces have been filled, an eligibility list will be established for subsidized child care in accordance with CDE CDD regulations which specify that priority be given to the lowest income family on the eligibility list. For non-subsidized child care, a waiting list will be established with priority given based on the date a family was placed on the waiting list.
2. Determination of Eligibility, Fees and Satisfactory Progress Standards
- a. Eligibility for subsidized child care is determined on the basis of a family's need for care and their gross monthly income in relation to family size. Need for care is determined based on a parent's schedule of classes, study time, hours of employment and travel time to and from class and work.
 - b. Fees for subsidized child care are determined based on a family fee scale provided by CDE CDD.
 - c. To maintain eligibility for subsidized child care, student-parents must make satisfactory progress pursuant to Education Code and Title 5 regulations related to the Department of Education Child Development Division funding terms and conditions and program requirements.

No Change

BOARD POLICY
San Mateo County Community College District

Subject: 7.56 Collection of Delinquent Loans and Other Financial Obligations

Revision Date: 5/09

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1. Federal loans shall be collected in accordance with current Federal and District guidelines.
 2. College emergency loans which become delinquent shall be collected by each College in an appropriate manner as determined by that College in accordance with the law and District guidelines.
 3. The Colleges shall withhold grades, transcripts, diplomas, and/or registration privileges, or any combination thereof, from any student or former student who has failed to repay a loan or meet any other financial obligation to the District or College. The student must be notified in writing of the delinquency prior to taking such action. Restrictions will be lifted when the financial obligation has been met satisfactorily.
 4. Exceptions to the restrictions set forth in [3] above may be authorized by the Vice President, Student Services in cases of unique or extraordinary circumstances beyond the control of the student.

REVISED
Move Portion of Policy
to Procedure 7.60.1

BOARD POLICY
San Mateo County Community College District

Subject: 7.60 Student Organizations and Activities
Revision Date:
Policy References: Education Code Sections 76060 and 76062; 34 Code of Federal Regulations
Section 668.46(b)(7)

1. The students of the District are authorized to organize a student body associations. The Board hereby recognizes that those associations as the Associated Students of the District:
Skyline College: Associated Students of Skyline College (ASSC)
College of San Mateo: Associated Students of College of San Mateo (ASCSM)
Cañada College: Associated Students of Cañada College (ASCC)
2. The Associated Students organization is recognized as the official voice for the students in district [and college] decision-making processes. It may conduct other activities as approved by the College President. The Associated Students activities shall not conflict with the authority or responsibility of the Board or its officers or employees.
3. The Associated Students shall conduct itself in accordance with state laws and regulations and administrative procedures established by the College President or designee.
4. The Associated Students shall be granted the use of District premises subject to such administrative procedures as may be established by the College President. Such use shall not be construed as transferring ownership or control of the premises.
5. The SMCCCD Public Safety Department does not provide law enforcement service to off-campus organizations nor are activities off-campus recognized by District authority.

Moved to Administrative Procedure 7.60.1

- ~~1. The students of the District are authorized to organize student body associations. The Board hereby recognizes those associations at the three Colleges as the Associated Students.~~
- ~~2. Membership in student organizations is open to all students. Denial of membership in any organization or of participation in any activity on the basis of age, gender, marital status, disability, race, color, sexual orientation, religion, national origin, or other similar factors is specifically prohibited. Membership in secret societies is prohibited.~~
- ~~3. The Associated Students organization is recognized as the official voice of the students in the District and the College decision-making processes.~~

- ~~4. The Associated Students organization may conduct such activities as are consistent with the purposes of the organization, the educational and social goals of the College, and approved policies and procedures of the District and the College.
 - ~~a. All activities shall be appropriately supervised by a member of the staff or by a person designated by the Vice President, Student Services.~~
 - ~~b. Activities involving field trips or excursions shall be subject, as appropriate, to the same regulations as for required and non-required field trips.~~
 - ~~c. Activities shall be designed to minimize the possibility of degrading, disgracing, or injuring any person or persons.~~
 - ~~d. Distribution and posting of materials shall be subject to District and College policies and procedures.~~~~
- ~~5. The District shall cooperate with local law enforcement agencies in the event that any criminal activity by students occurs when a recognized student organization officially meets at an off-campus location.~~
- ~~6. The Associated Students organization shall be granted the use of District premises subject to such administrative procedures as may be established by the Chancellor or designee. Such use shall not be construed as transferring ownership or control of the premises. When College facilities are used, the organization shall assume liability for all charges incurred as well as property damage.~~
- ~~7. Student clubs and organizations operate under the auspices of the Associated Students.~~
- ~~8. The Associated Students organization operates under the auspices of Student Services at each College.~~

New Procedure

CHAPTER 7: Student Services
ADMINISTRATIVE PROCEDURE NO. 7.60.1 (BP 5400)

ADMINISTRATIVE PROCEDURE
San Mateo County Community College District

Subject: AP 7.60.1 Student Organizations and Activities

Revision Date:

Policy References: Education Code Sections 76060 and 76062; 34 Code of Federal Regulations Section 668.46(b)(7)

1. The students of the District are authorized to organize student body associations. The Board hereby recognizes one association at each of the three Colleges as the Associated Students as follows:
 - Skyline College: Associated Students of Skyline College (ASSC)
 - College of San Mateo: Associated Students of College of San Mateo (ASCSM)
 - Cañada College: Associated Students of Cañada College (ASCC)
2. Membership in student organizations is open to all students. Denial of membership in any organization or of participation in any activity on the basis of age, gender, marital status, disability, race, color, sexual orientation, religion, national origin, or other similar factors is specifically prohibited. Membership in secret societies is prohibited.
3. The Associated Students organization is recognized as the official voice of the students in the District and the College decision-making processes.
4. The Associated Students organization may conduct such activities as are consistent with the purposes of the organization, the educational and social goals of the College, and approved policies and procedures of the District and the College.
 - a. All activities shall be appropriately supervised by a member of the staff or by a person designated by the Vice President, Student Services.
 - b. Activities involving field trips or excursions shall be subject, as appropriate, to the same regulations as for required and non-required field trips.
 - c. Activities shall be designed to minimize the possibility of degrading, disgracing, or injuring any person or persons.
 - d. Distribution and posting of materials shall be subject to District and College policies and procedures.
5. The District shall cooperate with local law enforcement agencies in the event that any criminal activity by students occurs when a recognized student organization officially meets at an off-campus location.
6. The Associated Students organization shall be granted the use of District premises subject to such administrative procedures as may be established by the Chancellor or designee. Such use

shall not be construed as transferring ownership or control of the premises. When College facilities are used, the organization shall assume liability for all charges incurred as well as property damage.

7. Student clubs and organizations operate under the auspices of the Associated Students.
8. The Associated Students organization operates under the auspices of Student Services at each College.
9. Both day and evening student representatives shall be encouraged.
10. A governing body shall be elected that shall keep an account of its meetings, expenditures, authorizations and policies established.
11. A simple majority of the elected voting members of the Associated Students Organization governing body shall constitute a quorum.

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Minor Edit

BOARD POLICY
San Mateo County Community College District

Subject 7.61 Financial Responsibilities: Student Body Associations and Student Organizations
Revision Date: 6/11
Policy References: Education Code Sections 76063-76065

1. The Associated Students Organization funds shall be maintained in accordance with the following requirements:
 - a. Associated Students organization financial records, fund books, and procedures are subject to annual audit.
 - b. Reports of the annual audit of Associated Students funds shall be prepared in conjunction with the annual audit of District funds and submitted to the Board of Trustees.
 - c. Audit information, except that containing personnel or other confidential information, shall be released to the Associated Students by the Business Office.
 - d. Associated Students funds shall be deposited with and disbursed by the Business Office.
 - e. The funds shall be deposited, loaned, or invested in authorized financial institutions.
2. All funds shall be expended consistent with procedures as may be established by the Associated Students and subject to the approval of each of the following individuals:
 - a. The Chancellor or designee.
 - b. The ~~officer~~ or employee of the District who is the designated advisor of the particular student body organization.
 - c. A student representative of the student body organization.

Approval shall be obtained each time, before any funds may be expended.
3. All funds and expenditures shall be processed pursuant to the Associated Students procedures which are located in 7.61(1).

New Procedure

CHAPTER 7: Student Services
ADMINISTRATIVE PROCEDURE NO. 7.61 (BP 5420)

ADMINISTRATIVE PROCEDURE
San Mateo County Community College District

Subject AP 7.61.1 Financial Responsibilities: Student Body Associations and Student Organizations

Date:

Policy References: Education Code Sections 76063-76065

1. Associated Student Funds are maintained in accordance with the following procedures:
 - a. Associated Student Organization Fund books, financial records and procedures are subject to annual audit.
 - b. Reports of the annual audit of A. S. funds are submitted to the district office.
 - c. Audit information, except that containing personnel or other confidential information, shall be released to the Associated Students by the Chief Financial Officer or designee.
 - d. Associated Student funds shall be deposited with and disbursed by the district's Controller.
2. The funds shall be deposited, loaned or invested in any of the following:
 - a. Deposits in trust accounts of the centralized State Treasury System pursuant to Government Code Sections 16305 - 16305.7 or in a bank or banks whose accounts are insured by the Federal Deposit Insurance Corporation.
 - b. Investment certificates or withdrawable shares in state-chartered savings and loan associations and savings accounts of federal savings and loan associations, if the associations are doing business in this state and have their accounts insured by the Federal Savings and Loan Insurance Corporation and if any money so invested or deposited is invested or deposited in certificates, shares, or accounts fully covered by the insurance.
 - c. Purchase of any of the securities authorized for investment by Government Code Section 16430 or investment by the Treasurer in those securities.
 - d. Participation in funds that are exempt from federal income tax pursuant to Section 501(c)(3) of the Internal Revenue Code and that are open exclusively to nonprofit colleges, universities, and independent schools.
 - e. Investment certificates or withdrawable shares in federal or state credit unions, if the credit unions are doing business in this state and have their accounts insured by the National Credit Union Administration and if any money so invested or deposited is invested or deposited in certificates, shares, or accounts fully covered by the insurance.
 - f. Investment of money in permanent improvements to any community college District property including, but not limited to, buildings, automobile parking facilities, gymnasiums, swimming pools, stadia and playing fields, where those facilities, or

portions thereof, are used for conducting student extracurricular activities or student spectator sports, or when those improvements are for the benefit of the student body.

3. All funds shall be expended subject to such procedures as may be established by the Associated Students subject to the approval of each of the following three persons. Approval shall be obtained each time before any funds may be expended:
 - a. the Vice President of Student Services or designee;
 - b. the officer or employee of the District who is the designated advisor of the particular student body organization; and
 - c. a representative of the student body organization.

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No Change

BOARD POLICY
San Mateo County Community College District

Subject: 7.62 Associated Students Election
Revision Date: 6/11
Policy Reference: Education Code Section 76061

1. The Associated Students shall conduct elections to elect officers at least once each academic year consistent with Education Code Section 76061 and the Associated Students Constitution and Bylaws.
2. The Associated Students may fill vacancies as stipulated in the Associated Students Constitution and Bylaws.
3. Any student seeking election as an officer in the Associated Students shall meet the following requirements:
 - a. The student shall be enrolled in the District at the time of candidacy, time of election and throughout his or her term of office in the minimum required number of units as required by each College.
 - b. The student shall meet and maintain – at the time of candidacy, time of election and throughout his or her term of office – the minimum standards of scholarship established and published in the College catalog and the Associated Students election packet, including the minimum grade point average (2.00 minimum GPA) and the satisfactory completion rate (50% or more of all units completed with grades of A, A-, B+, B, B-, C+, C, D or P).
 - c. Any student elected as an officer in the Associated Students shall meet the requirements as stated in the respective Associated Students Constitution and Bylaws and published in the College catalog and Associated Students election packet.

New Procedure

CHAPTER 7: Student Services
ADMINISTRATIVE PROCEDURE NO. 7.62.1 (AP 5410)

ADMINISTRATIVE PROCEDURE
San Mateo County Community College District

Subject: AP 7.62.1 Associated Students Election

Date:

Policy Reference: Education Code Section 76061

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1. The Associated Students shall conduct annual elections to elect officers.
 2. Any student elected as an officer in the Associated Students shall meet the requirements in Board Policy 7.62.
 3. Each college Associated Students shall maintain current constitution and by-laws which describe the election process for officers.

New Policy

CHAPTER 7: Student Services
BOARD POLICY NO. 7.63 (BP 5510)

BOARD POLICY
San Mateo County Community College District

Subject: 7.63 Off-Campus Student Organizations

Date:

Policy References: Education Code Sections 76060 and 76062; 34 Code of Federal Regulations Section 668.46(b)(7)

The SMCCCD Campus Safety Department does not provide law enforcement services to off-campus organizations nor are activities off-campus recognized by District authority.

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New Procedure

CHAPTER 7: Student Services
ADMINISTRATIVE PROCEDURE NO. 7.64.2 (AP 5610)

ADMINISTRATIVE PROCEDURE
San Mateo County Community College District

Subject: AP 7.64.1: Associated Students Election: Voter Registration

Date:

Policy References: 20 U.S. Code Section 1094(a)(23)(A); 34 Code of Federal Regulations Section 668.14(d)(1)

To promote voting, voter registration forms are widely available to students at the institution. Information is to be available on WebSmart for student use. The President will designate an individual to be contacted by the Secretary of State for distribution of voter registration cards.

Minor Change

BOARD POLICY
San Mateo County Community College District

Subject: 7.67 Sexual Harassment Involving Students

Revision Date: 5/09

It is the policy of the San Mateo County Community College District to prohibit, in any and all forms, the sexual harassment of its students and staff. Sexual harassment of students by other students, staff or members of the public while on district property ~~or~~ and/or the harassment of staff by students or members of the public while on district property is considered intolerable behavior that will be investigated and acted upon immediately.

According to both State and Federal laws and guidelines issued by the Equal Employment Opportunity Commission (EEOC), sexual harassment is a form of discrimination. Sexual harassment is misconduct that can change the course of careers, disrupt the climate of an entire class, affect academic performance, and undermine the integrity of educational relationships. It is an abuse of power which confuses the boundaries of personal and professional roles and breaches trusting relationships which should exist among members of the College community.

1. It is the policy of the San Mateo County Community College District to provide its students with a learning environment free of sexual harassment and intimidation. This policy addresses interactions between a student and faculty, staff members, or other students. Because of the seriousness of these matters, the District will make every effort to assure that sexual harassment does not occur and will take disciplinary actions up to and including dismissal or expulsion for policy violation. It is the responsibility of each District employee and student to maintain a level of conduct that is in compliance with District policy.
2. For purposes of this policy, sexual harassment is defined as unsolicited and unwelcome sexual advances, requests for sexual favors, and/or other verbal, physical, or visual conduct of a sexual nature which occur under any of four circumstances:
 - a. Submission is made, either explicitly or implicitly, a term or condition of admission to or retention in a course or program;
 - b. Submission or rejection by a student is used as a basis for grading, enrollment, or other educational decisions affecting the student;
 - c. Submission or rejection by a student affects negatively a student's class performance, opportunity to benefit from class participation, or constitutes a disruption of the learning process;
 - d. Such conduct creates, encourages, or condones an intimidating, hostile, or otherwise offensive environment for learning and/or teaching.
3. Sexual harassment includes, but is not limited to, the following:

- a. Making unsolicited written, graphic, verbal and/or physical contact with sexual overtones. Written examples: suggestive or obscene letters, notes, invitations, or electronic communications (e.g. text messages, emails, videos.) Graphic examples: prurient display of objects, pictures, cartoons, or posters. Verbal examples: derogatory comments, slurs, jokes, innuendos and epithets. Physical examples: indecent exposure, lewd acts, assault, touching, gestures, impeding or blocking movement.
 - b. Continuing to express sexual interest after being informed that the interest is unwelcome. (Mutual attraction is not considered sexual harassment.)
 - c. Making reprisal, or implied threats of reprisal, following a negative response. This can include denial of, or actually withholding, support or opportunities normally provided in the form of counseling or other services, suggesting the assignment of a poorer grade than earned.
 - d. Engaging in implicit or explicit coercive sexual behavior which has the effect of controlling, influencing, or affecting the enrollment, grade, academic success, and/or learning environment of any student.
 - e. Offering favors or preferential treatment such as: assignment of better grades than earned; opportunities for extra credit; recommendations, favorable assigned duties or shifts; or other benefits in exchange for sexual favors.
4. Complaint Procedures
- a. Staff to Student or Student to Student
 - i. If a student complainant feels that a specific act or environment is offensive and in violation of this policy, the complainant should first notify the offender in an effort to stop the offensive behavior. If the behavior does not stop, or the complainant does not wish to confront the offender directly, the student should notify the Vice President, Student Services or designee.
 - ii. Once received, the complaint will be investigated and acted upon in accordance with District Rules and Regulations. The Office of Personnel Services will be notified of all claims of sexual harassment at the time the complaint is received. Investigations involving faculty or staff members will be coordinated by the Office of Personnel Services Vice Chancellor of Human Resources and Employee Relations.
 - b. Student to Faculty/Staff
 - i. If a faculty or staff member is the complainant and feels that a specific act committed or environment created by a student is offensive and in violation of this policy, the complainant should first notify the offender in an attempt to stop the behavior.
 - ii. If the behavior continues, the complainant will then notify the Vice President, Student Services or designee. Such continued behavior constitutes a disruption of the learning and teaching environment.
 - iii. Once received, the complaint will be investigated and acted upon in accordance with District Rules and Regulations. The Office of Personnel Services will be notified of all claims of sexual harassment at the time the complaint is received. Investigations involving faculty or staff members will be coordinated by the Office of Personnel Services Vice Chancellor of Human Resources and Employee Relations.

- c. In accordance with the guidelines on sexual harassment of the Equal Employment Opportunity Commission, the District intends: 1) to raise the subject of sexual harassment affirmatively in formal staff training and other arenas; 2) to express strong disapproval for the inappropriate behavior; and 3) to implement this policy fully.
- d. District employees or students found to be in violation of this policy may be subject to full disciplinary measures up to and including dismissal or expulsion, as appropriate, pursuant to any and all established District procedures.

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Revised

BOARD POLICY
San Mateo County Community College District

Subject: 7.69 Student Conduct
Revision Date: 5/12
Policy References: Education Code Sections 66250 et seq., 66300, 66301 and 76030 et seq.;
Government Code Sections 12926.1 and 12940 et seq.; Accreditation Standard II.A.7.b

- A. Students enrolled in the Colleges of the District are expected to conduct themselves as responsible citizens and in a manner compatible with the District and College function as an educational institution. Students who violate this code of conduct may be subject to disciplinary action as defined in Policy 7.70 and also to civil authority.
- B. The following actions are prohibited and may lead to appropriate disciplinary action:
1. Continued disruptive behavior, continued willful disobedience, habitual profanity or vulgarity, the open and persistent defiance of the authority of, or persistent abuse of, College/District personnel, or violating the rights of other students.
 2. Assault, battery or any threat of force or violence to a student or District/College personnel on District/College premises or at any time or place while under the supervision of District/College personnel.
 3. Causing, attempting to cause, or threatening to cause physical injury or threat of force or violence to the person, property or family of any member of the College community, whether on or off College/District premises as defined below, except in self defense.
 4. Aiding or abetting, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person.
 5. Harassing, intimidating or threatening a student who is a witness in a school disciplinary proceeding, administrative proceeding or law enforcement investigation for the purpose of preventing the student from being a witness or retaliation for being a witness.
 6. Causing or attempting to cause, threatening to cause or participating in an act of hate violence, as defined in Education Code Section 233(e).
 7. Engaging in intimidating conduct or bullying against another student through words or actions, including direct physical contact; verbal assaults, such-as teasing or name-calling; social isolation or manipulation; and cyberbullying.
 8. Engaging in physical or verbal disruption of instructional or student services activities, administrative procedures, public service functions, or authorized curricular or co-curricular activities or prevention of authorized guests from carrying out the purpose for which they are on campus.
 9. Terroristic threats against school officials, students or school property as defined in Education Code Section 48900.7(b).
 10. Theft of, damage to, or threat of damage to property belonging to or located on College/District controlled property or facilities, or to the private property located on College/District premises.

11. Knowingly receiving stolen property belonging to the College District.
12. Participation in hazing.
13. Unauthorized entry into, or use of, or misuse of College/District owned or operated facilities.
14. Forgery, alteration, or misuse of College/District documents, records, or identification.
15. Misrepresentation of oneself or of an organization as an agent of the College/District.
16. Dishonesty (such as cheating, plagiarism, or knowingly furnishing false information to the College and its officials).
17. Infringement or violation of copyright laws.
18. Disorderly conduct or lewd, indecent, or obscene conduct or expression or habitual profanity or vulgarity; any expression which is obscene, libelous or slanderous according to current legal standards or which so incites students as to create a clear and present danger of the commission of unlawful acts, or the substantial disruption of the orderly operation of the Community College on any College/District-owned or controlled property or at any College/District-sponsored or supervised function.
19. Extortion or breach of the peace on College/District property or at any College/District-sponsored or supervised function.
20. Unlawful use, sale, possession, offer to sell, furnishing, or being under the influence of any controlled substance (listed in the California Health and Safety Code), alcohol, or an intoxicant of any kind, or a poison classified by laws defining controlled substances while on College/District property, or at College/District functions; or unlawful possession of, or offering, arranging or negotiating the sale of any drug paraphernalia.
21. Possession, sale, use, or otherwise furnishing of explosives, dangerous chemicals, deadly weapons or other dangerous objects on College/District property or at a College/District function without prior authorization of the Chancellor, College President, or authorized Designee. Possession of an imitation firearm, knife or explosive on College/District property with the intent to threaten, frighten or intimidate.
22. Willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of the College/District.
23. Failure to satisfy College/District financial obligations.
24. Failure to comply with directions of College/District officials, faculty, staff, or campus security officers who are acting within the scope of their employment. Continued and willful disobedience or open and persistent defiance of the authority of College/District personnel providing such conduct as related to District/College activities or College attendance or on College/District property.
25. Failure to identify oneself when on College/District property or at a College/District-sponsored or supervised event, upon request of a College/District official acting in the performance of his/her duties.
26. Stalking, defined as a pattern of conduct by a student with intent to follow, alarm, or harass another person, and which causes that person to reasonably fear for his or her safety, and where the student has persisted in the pattern of conduct after the student has been told to cease the pattern of conduct. Violation of a restraining order shall constitute stalking under this policy.
27. Gambling: Betting, wagering or selling pools; playing card games for money; using District resources (telephones, computers, etc.) to facilitate gambling.
28. Committing sexual harassment as defined by law or by District policies and procedures.
29. Engaging in harassing or discriminatory behavior based on nationality, religion, age, gender, gender identity, gender expression, race or ethnicity, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, or on any basis prohibited by law.

30. Persistent, serious misconduct where other means of correction have failed to bring about proper conduct or where the presence of the student causes a continuing danger to the physical safety of students or others.
31. Violation of other applicable Federal, State and Municipal statutes and District and College rules and regulations in connection with attendance at programs or services offered by the College/District or while on College/District property or at College/District sponsored activities.
32. Unauthorized computer usage, including: unauthorized entry into a file to use, read, or change the contents, or for any other purpose; unauthorized transfer of a file; unauthorized use of another individual's identification and password; use of computing facilities to interfere with the work of another student, faculty member, or District official; use of computing facilities to send obscene or abusive messages; use of computing facilities to interfere with the normal operations of District computing.

C. Actions:

Students who engage in any of the above are subject to the procedures outlined in AP 7.69.1 and the sanctions included in 7.69.2.

D. Definitions: When used in this policy:

1. Student – any person taking or auditing classes at a College in the District or who has been admitted to any of the Colleges within the District.
2. District premises – any building or grounds owned, leased, operated, controlled or supervised by the District.
3. District or School Property – includes both personal and real property owned or controlled by the District.
4. District or College sponsored activity – any activity on or off the District or College premises that is directly initiated or supervised by the District or a District organization
5. Weapon – any object or substance designed or used to inflict a wound or cause injury
6. Reckless – conduct which one should reasonably be expected to know would create a substantial risk of harm to a person or property or which would otherwise be likely to result in interference with normal College/District sponsored activities
7. Will and Shall – are used in the imperative sense.

E. Disciplinary Action while criminal charges are pending:

Students may be accountable both to law enforcement and to the District for acts that constitute violations of law and of this policy. Disciplinary action at the College/District will normally proceed during the pendency of criminal proceedings, and will not be subject to challenge on the ground that criminal charges involving the same incident have been dismissed or reduced.

F. No student shall be suspended from a College unless the conduct for which the student is disciplined is related to College/District activity or attendance. Any violation of law, ordinance, regulation or rule regulating or pertaining to, the parking of vehicles, shall not be cause for removal, suspension, or expulsion of a student.

Revised Procedure

CHAPTER 7: Student Services
ADMINISTRATIVE POLICY NO. 7.69.1 (AP 5520)

ADMINISTRATIVE POLICY
San Mateo County Community College District

Subject: 7.69.1 Student Disciplinary Procedures
Revision Date: 12/12
Policy Reference: Education Code Section 66300, 72122, 76030 et seq.

These procedures are designed to provide uniform standards to assure due process when a student is charged with a violation of the San Mateo County Community College Student Code of Conduct, as defined in Board Policy 7.69. All proceedings held in accordance with these procedures shall relate only to an alleged violation of established standards. There is a difference between expulsion and non-expulsion processes and these are both outlined in this procedure.

Disciplinary Officer: Each president will designate an administrator to serve as the College's Disciplinary Officer. The Disciplinary Officer shall be responsible for investigating and processing the alleged violation of the Student Code of Conduct.

I. Non-Expulsion Disciplinary Process

Step 1. Incident Occurs

Within twenty (20) days from the time that the Disciplinary Officer is informed of allegations which may constitute a violation of the Student Code of Conduct, the Disciplinary Officer shall conduct a fact-finding investigation to determine whether to pursue an Administrative Conference or a Student Disciplinary Hearing.

For the purpose of evaluating whether the student's conduct is a violation of the Student Code of Conduct, no consideration shall be given to the student's actual or perceived disability unless such disability is being asserted by the student as a defense to, in mitigation of a potential violation.

Immediate Interim Suspension: In cases where the alleged violation is deemed by the Disciplinary Officer to pose an imminent threat to the health and safety of the college community, the student may be suspended immediately pursuant to Education Code 66017, provided that a reasonable opportunity is afforded a suspended person for a hearing within ten (10) days.

Step 2. Administrative Conference or Student Disciplinary Hearing

Based on the review of the alleged code of conduct violations, the Disciplinary Officer shall determine if the matter goes to an Administrative Conference or to a Student Disciplinary Hearing.

Administrative Conference

The Disciplinary Officer shall schedule a meeting with the student involved to inform the student of the alleged offense. The student will be notified of charges/alleged violations and the basis for the charges. Based on the information at the Conference, the Disciplinary Officer may either dismiss the

charges for lack of merit or notify the student of one or more disciplinary actions being taken (described in Step 3). The student may request the opportunity for a Student Disciplinary Hearing.

Student Disciplinary Hearing

Hearing Notice: A notice of the hearing will be sent to the student and shall specify the date, time, and place of the hearing, a statement of the charges against the student, and the date, time, and location that the tangible evidence will be made available for inspection and (when applicable). A copy of the disciplinary procedures shall also be enclosed.

Student Disciplinary Board: The Disciplinary Board shall include: one (1) student selected from the pool submitted by the Associated Student Organization governing body, one (1) faculty member selected from the pool submitted by the Academic Senate and one staff member from a pool submitted by CSEA and the Management Group. A Judicial Officer will also be appointed to assure the process is followed.

No person shall serve as a member of the Disciplinary Board if that person has been personally involved or could otherwise not act in a neutral manner. The student may request the names of the Disciplinary Board members and may challenge for cause any member of the Disciplinary Board by addressing the challenge to the Disciplinary Board Chairperson, who shall determine whether the cause for disqualification has been shown.

The scope of the duties of the Disciplinary Board is to weigh the evidence presented in relation to the alleged violation and, based on the evidence, submit a recommendation to the Disciplinary Officer regarding the student's responsibility for violations of the Code of Conduct.

Formal Hearing Process:

- **Absence of the Student:** The hearing shall proceed in the absence of the student.
- **Chairperson:** Prior to the hearing, the Board shall select a Chairperson. The chairperson shall preside over the hearing.
- **Behavior:** Disruptive behavior will not be tolerated and will result in exclusion of individuals.
- **Hearing Process:** A document describing the process for conducting disciplinary hearings will be distributed to all members of the Disciplinary Board. The Judicial Officer will assure the process is followed.
- **Charges:** The Chairperson shall distribute copies of the charges and incident reports to the members of the Board, read the charges aloud, and ask the student if the charges have been received.
- **Representation:** The disciplinary hearing is an internal due process hearing conducted by the colleges of the San Mateo County Community College District. Parties are not allowed to be represented by legal counsel at any time during the hearing process.
- **Participants:** A student may be accompanied by a person of his or her choice who is an observer only. Each person present will be asked to identify themselves by name.
- **Witnesses:** Each side shall be entitled to call witnesses. All witnesses shall be excluded from the hearing process except when testifying.
- The Disciplinary Board may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the accused student and/or witnesses during the hearing if direct confrontation of witnesses creates an unreasonable risk of psychological or physical harm. Accommodations of such concerns may be addressed by providing separate facilities, providing participation by telephone, videophone, videoconferencing, videotape, audio tape, written statement, or other means, as determined in the judgment of the Disciplinary Officer. Any testimony of a witness that is not subject to the direct examination of an accused student shall only be admitted if the witness signs under penalty of perjury that the testimony is true and

accurate.

- **Plea:** The student shall admit or deny responsibility for each charge. If the student admits each charge and wishes to present no evidence of mitigating circumstances or other defense, the Board shall retire to make its decision. If the student denies any or all of the charges, or wishes to present evidence of mitigating circumstances, the hearing shall proceed.
- **Recording:** The hearing may be recorded by the college and shall be the only recording made. The recording shall remain the property of the college. If recorded, no witness who refuses to be recorded may be permitted to give testimony. Committee deliberations shall not be recorded.
- **Information:** Formal rules of evidence shall not apply. All relevant information is admissible, including but not limited to testimony of witnesses, physical objects, police or security officer reports, photographs, and copies of documents. Any and all information will be entered for the record.
- **Disciplinary Board Deliberation:** The Disciplinary Board shall retire to deliberate in closed session with only the members of the Board and the Judicial Officer present. The Disciplinary Board shall reach its decision based only upon the evidence presented and shall not consider matters outside of the record. The Board shall recommend disciplinary sanctions to the Disciplinary Officer based upon its findings.

Step 3. Disciplinary Action(s) Recommended

If a student is found responsible for violating the Student Code of Conduct, either through the Administrative Conference or Disciplinary Hearing process, one or more of the following types of disciplinary actions may be recommended.

- **Warning:** An oral statement to the student that he/she is violating the Student Code of Conduct; that continuation or repetition of the conduct may be cause for further disciplinary action.
- **Reprimand:** A written notice of violation of the Student Code of Conduct.
- **Disciplinary Probation:** Formal written notice by the Disciplinary Officer of violation of the Student Code of conduct which includes exclusion from participation in specified activities or locations for a period not to exceed one (1) calendar year. Further violation of the Student Code of Conduct will result in more severe sanctions.
- **Restitution:** Formal action by the Disciplinary Officer to require the reimbursement for damage to or misappropriation of property. This may take the form of appropriate service or other compensation.
- **Removal from classes/program/activity:** (Note: This disciplinary action may occur at any time.) Exclusion of a student by an instructor or an administrator from a class and/or facility for the day of the offense and/or the next class meeting or day. An instructor removing a student from class shall make written report or meet with the appropriate Division Dean and/or Disciplinary Officer to discuss the cause for the removal. Any college instructor, for good cause, may remove a student from the classroom for the day of the incident and the next regular class meeting. For removal from class, the following process should be followed:
 1. Before ordering the removal of any student from class, the instructor shall first give or make reasonable efforts to give the student an oral or written notice of the reasons for the proposed removal.
 2. Immediately following the removal from class, the instructor shall document the removal and notify the Division Dean and/or Disciplinary Officer of the action.
 3. If the student is a minor, the parents or legal guardian shall, within 48 hours, be notified in writing by the Disciplinary Officer
- **Suspension:** Exclusion of the student from all colleges, programs, and activities in the District for a definite period of time. An administrative hold shall be placed on the student's electronic record, but shall not be reflected on the academic transcript.

- Expulsion: Permanent exclusion of a student from all colleges, programs and activities in the District for an indefinite time period, including all rights and privileges. If an expulsion is recommended, the process in section II, Expulsion Disciplinary Process, should be followed.

Any level of sanction may also include a behavioral contract; community service, and/or any other directives to make amends and/or reduce the likelihood of repeating prohibited behavior.

Step 4. Written Decision

1. Within five (5) days following receipt of the Disciplinary Board's recommendation, the Disciplinary Officer shall make a written decision.
2. The Disciplinary Officer may adopt the recommendations made or make changes.
3. The Disciplinary Officer should then promptly send a copy of the decision to the student by certified mail. A copy will also be sent to the President. If the student is a minor, the report shall be sent to the parent or guardian. If the recommended disciplinary action is expulsion, the recommendation for this action will be made to the Board of Trustees. Expulsion proceedings will be completed upon action by the Board of Trustees.
4. A student may appeal the decision using the process outlined in Step 5.
5. The President shall notify the District Chancellor of any decision to suspend a student.
6. Disciplinary Records: The Disciplinary Officer shall maintain all records of a disciplinary hearing. Disciplinary files shall be retained for at least five (5) years from the time of a final determination.

Step 5. Appeal to the President

1. A student may appeal to the College President within two (2) days of the delivery of the decision to the student. Because suspended students are not allowed on District property such appeals shall be submitted in writing by email or letter to the College President within two days after receipt of the written decision.
2. The student may request the College President to review findings or a sanction recommended as a result of the Student Disciplinary Hearing only if it addresses either 1) due process or 2) new information.
 - Due Process: Specific instances or conduct that the accused student claims resulted in a Student Disciplinary Hearing that was not conducted fairly in light of the charges and information presented, and that denied the student a reasonable opportunity to prepare and to present a response to the allegations.
 - New Information: If there is new information sufficient to alter a factual finding or recommendation not brought out in the original hearing, because such information was not known to the student at the time of the original Student Disciplinary Hearing. Information shall not be considered "new information" if the student could have learned of the information by avenues reasonably available to him/her.
3. The decision on appeal shall be reached within five (5) days after receipt of the appeal documents. Copies of the President's appeal decision shall be sent to the student and the Chairperson of the Disciplinary Board.

Step 6. Appeal to the Chancellor

1. The student may appeal, in writing, to the Chancellor within five calendar days after receipt of the decision of the President. The Chancellor, or his/ her designee, shall provide the student with a hearing, if requested, and shall review the appeal. A written notice of the decision of the Chancellor shall be provided to the student within ten calendar days of the review of the student's written appeal. The student shall be advised in writing of his/her further rights of

appeal.

2. The student may request the Chancellor to review findings or a sanction recommended as a result of the Student Disciplinary Hearing only if it addresses either 1) due process or 2) new information.
 - Due Process: Specific instances or conduct that the accused student claims resulted in a Student Disciplinary Hearing that was not conducted fairly in light of the charges and information presented, and that denied the student a reasonable opportunity to prepare and to present a response to the allegations.
 - New Information: If there is new information sufficient to alter a factual finding or recommendation not brought out in the original hearing, because such information was not known to the student at the time of the original Student Disciplinary Hearing. Information shall not be considered “new information” if the student could have learned of the information by avenues reasonably available to him/her.
3. The decision on appeal shall be reached within five (5) days after receipt of the appeal documents. Copies of the Chancellor's appeal decision shall be sent to the student and the Chairperson of the Disciplinary Board.

Step 7. Appeal to the Board of Trustees

The student may appeal, in writing, to the Board of Trustees, or its designee, within five days after receipt of the decision of the Chancellor. The Board of Trustees shall provide the student with a hearing, if requested, and shall review the appeal. A written notice of the decision of the Board shall be mailed to the student and to appropriate staff members, within twenty calendar days following the review. The decision of the Board of Trustees is final.

II. Expulsion Disciplinary Process

Students who have been accused of violating the Code of Conduct go through the Steps 1-4 listed above. If, in Step 3, the recommendation is for Expulsion, the following describes the additional process for that sanction.

Expulsion of a student is the indefinite termination of student status and all attending rights and privileges. Expulsion of a student is accomplished by action of the Board of Trustees on recommendation of the College President and the Chancellor. An expelled student shall not be allowed to register in any subsequent semester without the approval of the College President. The process is as follows:

- a. The College President shall forward to the Chancellor a letter of recommendation for expulsion which includes a brief statement of charges and a confidential statement of background and evidence relating to the charge(s).
- b. The Chancellor shall review the recommendation for expulsion with the Office of County Counsel.
- c. The Chancellor, as Secretary for the Board, shall forward a letter to the student by certified mail advising him/her of the charges and the intention of the Board to hold a closed session to consider his/her expulsion. Unless a student requests a public hearing in writing at least 48 hours prior to the scheduled hearing, the hearing shall be conducted in closed session.
- d. The student is entitled to be present during presentation of the case and may be accompanied by a representative. If the student chooses to be represented by an attorney, the student must so notify the Chancellor no later than five working days prior to the hearing. The student has the right to examine any materials upon which charges against him/her are based, and shall be given the opportunity to present his/her evidence refuting the charges to the Board. The student or his/her representative may cross-examine any witness. The district bears the burden of proof.
- e. The report of final action taken by the Board in public session shall be made a part of the public record and forwarded to the student. Other documents and materials shall be regarded as

confidential and will be made public only if the student requests a public hearing.

III. Definitions:

Party – The student or any persons claimed to have been responsible for the student's alleged grievance, together with their representatives. "Party" shall not include the Grievance Hearing Committee or the College Grievance Officer.

Student – A currently enrolled student, 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.

Judicial Officer – Member of the Student Disciplinary Board responsible for ensuring that the Formal Hearing process is followed according to established procedures.

Day – Unless otherwise provided, day shall mean a day during which the college is in session and regular classes are held, excluding Saturdays and Sundays.

DRAFT

Move from Policy to
New Procedure, 7.69.2

CHAPTER 7: Student Services
ADMINISTRATIVE POLICY NO. 7.69.2

ADMINISTRATIVE POLICY
San Mateo County Community College District

Subject: AP7.69.2 Student Conduct: Student Disciplinary Sanctions

Date:

Policy Reference: Education Code Section 76030 et seq.

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1. The rights and responsibilities of students are not fundamentally different from those of other members of the community. District officials administer the academic community under statutory authority in accordance with the directions of the Board. Discipline is administered outside of civil authority or concurrent with civil authority in matters which affect the academic community.
 2. Students charged with misconduct may be subject to the following sanctions:
 - a. **Warning:** An oral statement to the student that he/she is violating the Student Code of Conduct; that continuation or repetition of the conduct may be cause for further disciplinary action. This action may be taken by any faculty or staff or by the Disciplinary Officer when the case is referred to him/her.
 - b. **Reprimand:** A written notice by the Disciplinary Officer of violation of the Student Code of Conduct. A reprimand may include the possibility of more severe disciplinary sanctions in the event of future infractions of the Student Code of Conduct.
 - c. **Disciplinary Probation:** Formal written notice by the Disciplinary Officer of violation of the Student Code of Conduct which includes exclusion from participation in specified activities or locations for a period not to exceed one (1) calendar year. Further violation of the Student Code of Conduct will result in more severe sanctions.
 - d. **Restitution:** Formal action by the Disciplinary Officer to require the reimbursement for damage to or misappropriation of property. This may take the form of appropriate service or other compensation.
 - e. **Removal from Classes/Facility:** Exclusion of a student by an instructor or an administrator from a class and/or facility for the day of the offense and/or the next class meeting or day. An instructor removing a student from class shall make written report or meet with the College Disciplinary Officer to discuss the cause for the removal. After-the-fact review by the President/designee shall occur if the student alleges in writing that an instructor or administrator has abused his/her administrative discretion.

Any College instructor, for good cause, may remove a student from the classroom for the day of the incident and the next regular class meeting.

- i. Before ordering the removal of any student from class, the instructor shall first give or make reasonable efforts to give the student an oral or written notice of the reasons for the proposed removal.

- ii. Immediately following the removal from class, the instructor shall document the removal and notify the Division Dean and/or Disciplinary Officer of the action.
 - iii. If the student is a minor, the parents or legal guardian shall be notified in writing by the Disciplinary Officer as soon as possible and the parent will be asked to attend a conference regarding the removal.
- f. Suspension: Action by the President to exclude the student from all Colleges and District/College programs and activities for a definite period of time. This action shall be posted on the student's electronic record, but shall not be reflected on the academic transcript.

This does not prohibit, where an interim suspension is required in order to protect lives or property and to insure the maintenance of order, an interim suspension pending a hearing, provided that a reasonable opportunity for a hearing be afforded a suspended person within ten (10) instructional days.

Suspension for more than ten days may have impact on a student's financial aid eligibility or financial aid award.

- g. Expulsion: Action by the Board of Trustees to terminate student status in the District indefinitely. The Board may expel a student for good cause 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 students or others.

Final action by the Board shall be taken by the Board of Trustees at a public meeting. Action to expel a student will be posted on the academic transcript.

DRAFT

Delete policy; create procedure
7.69.2

CHAPTER 7: Student Services
BOARD POLICY NO. 7.70

BOARD POLICY
San Mateo County Community College District

Subject: 7.70 Student Disciplinary Sanctions

Revision Date: 1/10

Policy Reference: Education Code Section 76030 et seq.

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- ~~1. The rights and responsibilities of students are not fundamentally different from those of other members of the community. District officials administer the academic community under statutory authority in accordance with the directions of the Board. Discipline is administered outside of civil authority or concurrent with civil authority in matters which affect the academic community.~~
 - ~~2. Students charged with misconduct may be subject to the following sanctions:
 - ~~a. Warning: An oral statement to the student that he/she is violating the Student Code of Conduct; that continuation or repetition of the conduct may be cause for further disciplinary action. This action may be taken by any faculty or staff or by the Disciplinary Officer when the case is referred to him/her.~~
 - ~~b. Reprimand: A written notice by the Disciplinary Officer of violation of the Student Code of Conduct. A reprimand may include the possibility of more severe disciplinary sanctions in the event of future infractions of the Student Code of Conduct.~~
 - ~~c. Disciplinary Probation: Formal written notice by the Disciplinary Officer of violation of the Student Code of Conduct which includes exclusion from participation in specified activities or locations for a period not to exceed one (1) calendar year. Further violation of the Student Code of Conduct will result in more severe sanctions.~~
 - ~~d. Restitution: Formal action by the Disciplinary Officer to require the reimbursement for damage to or misappropriation of property. This may take the form of appropriate service or other compensation.~~
 - ~~e. Removal from Classes/Facility: Exclusion of a student by an instructor or an administrator from a class and/or facility for the day of the offense and/or the next class meeting or day. An instructor removing a student from class shall make written report or meet with the College Disciplinary Officer to discuss the cause for the removal. After the fact review by the President/designee shall occur if the student alleges in writing that an instructor or administrator has abused his/her administrative discretion.~~~~

Any College instructor, for good cause, may remove a student from the classroom for the day of the incident and the next regular class meeting.

- ~~▪ Before ordering the removal of any student from class, the instructor shall~~

~~first give or make reasonable efforts to give the student an oral or written notice of the reasons for the proposed removal.~~

- ~~▪ Immediately following the removal from class, the instructor shall document the removal and notify the Division Dean and/or Disciplinary Officer of the action.~~
- ~~▪ If the student is a minor, the parents or legal guardian shall be notified in writing by the Disciplinary Officer as soon as possible and the parent will be asked to attend a conference regarding the removal.~~

~~f. Suspension: Action by the President to exclude the student from all Colleges and District/College programs and activities for a definite period of time. This action shall be posted on the student's electronic record, but shall not be reflected on the academic transcript.~~

~~This does not prohibit, where an interim suspension is required in order to protect lives or property and to insure the maintenance of order, an interim suspension pending a hearing, provided that a reasonable opportunity for a hearing be afforded a suspended person within ten (10) instructional days.~~

~~— Suspension for more than ten days may have impact on a student's financial aid eligibility or financial aid award.~~

~~g. Expulsion: Action by the Board of Trustees to terminate student status in the District indefinitely. The Board may expel a student for good cause 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 students or others.~~

~~— Final action by the Board shall be taken by the Board of Trustees at a public meeting. Action to expel a student will be posted on the academic transcript.~~

BOARD POLICY
San Mateo County Community College District

Subject: 7.73 Student Grievances and Appeals
Revision Date: 7/11
Policy References: Education Code Section 76224

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1. The San Mateo County Community College District shall establish and maintain a uniform system of student grievances and appeals for non-grade related disputes, which shall afford procedural due process to students in the review and appeal of College and District decisions or actions.
 2. An explanation of the procedures for submitting student grievances and appeals shall be made available to students in the Student Handbook of each College and shall set forth the appropriate procedure at the respective College, District, and Board levels.
 3. In order that the student may have the opportunity to appeal a decision not satisfactorily resolved at the initial level, other than an appeal regarding a grade received in a course or a parking citation, the steps outlined below may be taken. At any time during the progress of the procedure outlined below, informal resolution of the problem may be sought by mutual agreement. For grade grievances, refer to **B, Grade Grievances**. For parking citations, refer to **C, Parking Citation Appeals**.

A. Academic (Excluding Grade) and Non-Academic Grievances and Appeals

Step 1 – College Level

- a. Before initiating formal appeal procedures, the student shall attempt to resolve the dispute informally with the appropriate staff member at the point of initial decision. If the dispute is not resolved, the student may initiate a formal appeal with the Vice President of Student Services and must do so within one (1) year of the incident on which the grievance is based or within one (1) year after the student learned of the basis for the grievance. The Vice President of Student Services shall advise the student, within five (5) days, of his or her rights and responsibilities, assist the student in the final preparation of the grievance and determine whether the grievance will be remanded to a hearing of the Grievance Committee or reviewed with an appointed mediator. Specific information regarding timelines for grievances remanded to the Grievance Committee is outlined in the Student Grievances and Appeals Procedures, 7.73.1. The Vice President of Student Services will ensure that a student filing a grievance and the Grievance Committee members are provided copies of grievance procedures, including timelines.
- b. Appeal to the President

- i. If the College President has been previously involved in the decision or action under appeal, the student may proceed directly to Step 2 (Appeal to the Chancellor).
- ii. In the event that the dispute has not been resolved during the course of earlier appeal procedures, the student may appeal in writing to the President within five (5) days after receipt of the decision made in response to the initial appeal. The President shall provide the student with a hearing, if requested, and shall review the appeal. A written notice of the President's decision shall be provided to the student within ten (10) days of the hearing by the President.

Step 2 – Appeal to the Chancellor

If a dispute has not been resolved at the College level, the student may appeal, in writing, to the Chancellor within five (5) days after receipt of the decision of the President. The Chancellor, or his/her designee, shall provide the student with a hearing, if requested, and shall review the appeal. A written notice of the decision of the Chancellor shall be provided to the student within ten (10) days of the review of the student's written appeal.

Step 3 – Board Level

- a. If the dispute has not been resolved during the course of earlier procedures, the student may appeal in writing to the Board within five (5) days after receipt of the decision of the Chancellor.
- b. The Board shall provide the student with a hearing, if requested, and shall review the appeal. A written notice of the decision of the Board shall be mailed to the student and to appropriate staff members within twenty (20) days following the hearing. The decision of the Board is final.

B. Grade Grievances

Grades can only be grieved according to the criteria outlined in Education Code 76224. Before initiating formal appeal procedures, the student shall attempt to resolve the grade dispute informally with the instructor. If the dispute is not resolved, the student may initiate a grade grievance with the appropriate division dean. If the grievance is not resolved at the division dean level, the student may appeal to the Vice President of Instruction. The decision of the Vice President on grade-related grievances is final. There is a deadline of one (1) year from the date that the grade is posted for a student to initiate a grade change.

C. Parking Citation Appeals

Parking citations may be contested by completing a request online by visiting <http://www.pticket.com/csm/>. You may contest a citation within 21 calendar days of the issue date of your citation. Once you are on the site, select where the citation was issued (Cañada, CSM or Skyline). The appeal will start with a "1st Level Initial Review". There is no fee to contest your citation at this level. You may request a "1st Level Initial Review" by following the instructions below:

1. Enter your citation # and press SEARCH. If your citation qualifies for an appeal, a CONTEST ONLINE link to the contesting form will appear to the right of the citation number.
2. Indicate the reason(s) you feel your citation was issued in error.
3. Include any documentation to support your claim
4. Include your citation or reminder notice
5. Include your full name
6. Include your mailing address
7. Make copies of all documents for your records (documents will not be returned)
8. Mail all information to: Office of Parking Violations SMCCD College of San Mateo PO Box 9003 Redwood City, CA 94065-9003

The student, staff, or person will receive a written response from the citation processing agency reflecting the results of the appeal.

If you are dissatisfied with the results of the appeal, you may obtain an administrative hearing. The directions for obtaining an administrative hearing are included on the written response to the citation appeal. You will receive a written response from the citation processing agency reflecting the results of the administrative hearing.

If you are dissatisfied with the outcome of the administrative hearing you can obtain a hearing before a judge. The directions for obtaining a judicial hearing are included on the written response to the administrative hearing.

ADMINISTRATIVE PROCEDURE
San Mateo County Community College District

Subject: AP 7.73.1 Student Grievance and Appeals

Revision Date:

Policy References: Education Code Section 76224(a); Title IX, Education Amendments of 1972

Students are encouraged to pursue their academic studies and become involved in other college sponsored activities that promote their intellectual growth and personal development. The college is committed to the concept that, in the pursuit of these ends, students should be free of unfair and improper actions on the part of any member of the academic community. If, at any time, a student feels that he or she has been subject to unjust actions or denied his or her rights, redress can be sought through the filing of a grievance, or an appeal of the decision/action taken in response to a grievance, within the framework of policy and procedure set forth below.

Informal Resolution: *Initial College Review*

Each student who has a grievance shall make a reasonable effort to resolve the matter on an informal basis prior to pursuing a formal grievance which includes a grievance hearing, and shall attempt to solve the problem with the person with whom the student has the grievance, that person's immediate supervisor, or the local college administration. The student may also seek the assistance of a friend in attempting to resolve a grievance informally.

The chart below summarizes the appropriate college channels to be utilized by any student wishing to seek redress. For further information concerning any aspect of student grievances or rights of appeal, students should contact the Office of the Vice President, Student Services. Students may elect to grieve any decisions or actions taken. All grievances, or appeals of the decision/action taken in response to a grievance, will be dealt with in a timely manner.

Informal Student Grievance Procedure		
Area	First Level of action	Second Level of action
Academic Matters: Grades ¹ , Testing, Class Content, Assignments, Attendance, Prerequisite Challenge	Instructor	Division Dean
Admissions/Late Withdrawal	Dean, Enrollment Services	Vice President, Student Services
Discrimination Matters	Vice Chancellor, Human Resources	Chancellor
Fee Payments or Refunds	Lead Cashier	Director, Business Services (Canada and Skyline) Vice President Student Services (CSM)
Financial Aid	Director of Financial Aid	Dean, Enrollment Services
Academic or Progress Dismissal	Dean, Enrollment Services (Dean of Counseling at Cañada)	Vice President, Student Services
Registration	Registrar	Dean, Enrollment Services

Residency Determination	Registrar	Dean, Enrollment Services
Security, Public Safety and Parking	Supervisor, Campus Public Safety	Director, Campus Public Safety
Sexual Harassment	Vice Chancellor, Human Resources	Chancellor
Student Records	Assistant Registrar	Dean, Enrollment Services
Time, Place and Manner	Coordinator of Student Activities	Vice President, Student Services
Waiver of Academic Requirements	DSPS Director	Vice President, Student Services

Section A: Formal Process for Academic and Non-Academic Grievances (excluding grade grievances)

Note: For grade grievances, see Section B, Process for Grade Grievances

Step 1. Filing a Grievance

- a. Any student who believes, after the informal process, that he or she continues to have a grievance shall file a Statement of Grievance available on the college website or from the Office of the Vice President, Student Services. The form shall be filed with the Grievance Officer (Vice President, Student Services) within one year of the incident on which the grievance is based). In presenting a grievance, the student shall submit a written statement to include, where appropriate, the following information:
 1. A statement describing the nature of the problem and the action which the student desires taken.
 2. A statement of the steps initiated by the student to resolve the problem by informal means.
 3. A description of the general and specific grounds on which the grievance is based.
 4. A listing, if relevant, of the names of all persons involved in the matter at issue and the times, places, and events in which each person so named was involved.
- b. The Statement of Grievance must be filed whether or not the student has already initiated efforts at informal resolution, if the student wishes the grievance to become official.

Step 2. Review of Grievance

Within five days following receipt of the Statement of Grievance Form, the Vice President, Student Services shall advise the student of his or her rights and responsibilities under these procedures. In general, the requirements for the Statement of Grievance to present sufficient grounds for a hearing shall be based on the following:

- The statement contains facts which, if true, would constitute a grievance under these procedures;
- The grievant is a student which includes applicants and former students;
- The grievant is personally and directly affected by the alleged grievance;
- The grievance was filed in a timely manner; The grievance is not clearly frivolous, clearly without foundation, or clearly filed for purposes of harassment.
- For a grade grievance, the grade given to a student shall be the grade determined by the instructor. In the absence of mistake, fraud, bad faith or incompetency (according to Education Code 76224) the grade issued by the instructor may not be changed. The appropriate Division Dean and Vice President of Instruction will assist in determining if the student's grievance meets the criteria established by the Education Code. For the specific steps for filing grade grievances, see Section B, Grade Grievances.

If at the end of 10 days following the student's first formal meeting, there is no informal resolution of the complaint which is satisfactory to the student, the student shall have the right to request a

grievance hearing. The hearing will be scheduled within 14 days following the decision to grant a Grievance Hearing. All parties to the grievance shall be given not less than 4 days notice of the date, time and place of the hearing.

Step 3. Grievance Hearing Process

Grievance Committee

Membership: The Grievance Committee shall consist of one faculty member, one staff member and one student. Faculty members for the pool will be identified by the Academic Senate, students will be identified by the Associated Students and staff members will be identified by CSEA and the Management Group. No person shall serve as a member of a Grievance Committee if that person has been personally involved in any matter giving rise to the grievance, has made any statement on the matters at issue, or could otherwise not act in a neutral manner. Any party to the grievance may challenge for cause any member of the hearing committee prior to the beginning of the hearing by addressing a challenge to the Vice President, Student Services.

Grievance Officer: The Vice President, Student Services shall appoint a staff member to serve as the Grievance Officer for the Grievance Committee. This individual shall not serve as a member nor vote. The Grievance Officer shall serve to assist all parties and the Grievance Committee to facilitate a full, fair and efficient resolution of the grievance.

Hearing Process

- a. Prior to the scheduled Grievance Hearing, the Grievance Committee shall meet in private and without the parties present to select a chair and review the grounds for a hearing.
- b. The members of the Grievance Committee shall be provided with a copy of the grievance and any written response provided by the respondent before the hearing begins.
- c. Each party to the grievance may call witnesses and introduce oral and written testimony relevant to the issues of the matter.
- d. Any relevant information shall be admitted. Formal rules of evidence shall not apply.
- e. Participants: Each party to the grievance represents himself or herself, and may also be accompanied by a person of his or her choice who is an observer only. Each person present will be asked to identify themselves by name.
- f. Parties are not allowed to be represented by legal counsel.
- g. Hearings shall be closed and confidential.
- h. Witnesses: In a closed hearing, witnesses shall be present at the hearing only when testifying.
- i. Recording: The hearing may be recorded by the college and shall be the only recording made. If recorded, no witness who refuses to be recorded may be permitted to give testimony.
- j. Attendance: If the individual filing the grievance fails to appear at the hearing, only the written information will be used to make a recommendation.
- k. Committee Recommendation: Within 5 calendar days following the close of the hearing, the Grievance Committee shall prepare and send to the Vice President, Student Services a written decision. The decision shall include specific factual findings regarding the grievance, and shall include specific conclusions regarding whether a grievance has been established as defined above. 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 matter outside of that record. The record consists of the original grievance, any written response, and the oral and written evidence produced at the hearing.

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- I. Within 7 days following receipt of the Grievance Committee's decision and recommendation(s), the Vice President, Student Services shall send to all parties his or her written decision.
- m. The student may choose to appeal if he/she meets the criteria in Step 4.

Step 4 Appeal to the President

- a. The student may appeal to the President within five days after receipt of the decision by the Vice President, Student Services.
- b. The President shall provide the student with a hearing, if requested, and shall review the appeal. The appeal shall be limited to a review of supporting documents and based only on the following:
 - Due Process: To determine whether the Grievance Committee was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures giving the complaining party a reasonable opportunity to prepare and to present information and that all parties were given a reasonable opportunity to prepare and to present a response to those allegations. Deviations from designated procedures will not be a basis for sustaining an appeal unless significant prejudice results.
 - New Information: To consider new information, sufficient to alter a decision, or other relevant facts not brought out in the original hearing, because such information and/or facts were not known to the person appealing at the time of the original Grievance Committee.
- c. A written notice of the President's decision shall be provided to the student within ten days of the hearing.

Step 5. Appeal to the Chancellor

The student may appeal, in writing, to the Chancellor- within five days after receipt of the decision of the President. The Chancellor-, or his/ her designee, shall provide the student with a hearing, if requested, and shall review the appeal. A written notice of the decision of the Chancellor-Superintendent shall be provided to the student within five days of the review of the student's written appeal.

Step 6. Appeal to the Board of Trustees

The student may appeal, in writing, to the Board of Trustees, or its designee, within five days after receipt of the decision of the Chancellor. The Board of Trustees shall provide the student with a hearing, if requested, and shall review the appeal. A written notice of the decision of the Board shall be mailed to the student and to appropriate staff members, within twenty days following the review. The decision of the Board of Trustees is final.

Definitions:

Party – The student or any persons claimed to have been responsible for the student's alleged grievance, together with their representatives. "Party" shall not include the Grievance Hearing Committee or the College Grievance Officer.

Student – A currently enrolled student, 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.

Day – Unless otherwise provided, day shall mean a day during which the college is in session and regular classes are held, excluding Saturdays and Sundays.

Section B: Process for Grade Grievances

In the absence of mistake, fraud, bad faith or incompetency (according to Education Code 76224) the grade issued by the instructor may not be changed. There is a deadline of year from the date that the grade is posted for a student to initiate a grade grievance.

Informal Resolution

- a. Any student who has a grievance shall make reasonable effort to try to resolve the matter on an informal basis prior to pursuing a formal grievance, which includes a hearing, and shall attempt to solve the problem directly with the instructor. The student may bring a person of his/her choosing who is an observer only to meet with the instructor.
- b. If the grade grievance is not resolved informally with the instructor, the appropriate division dean will review the student's grievance and obtain information from the instructor.
- c. In attempting to resolve the grade grievance at the informal level, the student should be prepared to provide a written statement to the division dean to include the following information:
 1. A statement describing the nature of the problem and the action which the student desires taken.
 2. A statement of the steps initiated by the student to resolve the problem by informal means.
 3. A description of the general and specific grounds on which the grievance is based. The student must be able to demonstrate mistake, fraud, bad faith or incompetency in accordance with Education Code 76224. In the absence of mistake, fraud, bad faith or incompetency, the grade issued by the instructor may not be changed.
- d. A written notice of the division dean's decision shall be provided to the student within 20 days of the student's meeting with the division dean or as soon as the division dean has completed his/her investigation.

Formal Process for Grade Grievances

Step 1. Filing A Grievance

- a. Any student who believes, after the informal process, that he or she continues to have a grievance shall file a Statement of Grievance Form available on the college website or from the division dean. The form shall be filed with the Vice President, Instruction within one year from the date the grade was issued. The student should attach to the Grievance Form any documentation to support the grievance.
- b. The Statement of Grievance must be filed whether or not the student has already initiated efforts at informal resolution, if the student wishes the grievance to become official.

Step 2. Review of Grievance

- a. Within five days following receipt of the Statement of Grievance Form, the Vice President, Instruction shall advise the student of his or her rights and responsibilities under these procedures.
- b. In general, the requirements for the Statement of Grievance to present sufficient grounds for a hearing shall be based on the following:
 - The grievance shall allege specific facts, which, if true, show that the grade was issued based on mistake, fraud, bad faith, incompetence;
 - The grievant is a student which includes applicants and former students;

- The grievant is personally and directly affected by the alleged grievance;
 - The grievance was filed in a timely manner;
 - The grievance is not clearly frivolous, clearly without foundation, or clearly filed for purposes of harassment.
 - For a grade grievance, the grade given to a student shall be the grade determined by the instructor. In the absence of mistake, fraud, bad faith or incompetency (according to Education Code 76224) the grade issued by the instructor may not be changed. The appropriate Division Dean and Vice President of Instruction will assist in determining if the student's grievance meets the criteria established by the Education Code.
- c. The Vice President of Instruction will schedule a Hearing with the Grievance Committee within 14 days following receipt of the Statement of Grievance Form. All parties shall be given not less than 14 days notice of the date, time and place of the hearing.

Step 3. Grievance Hearing Process

Grievance Committee

Membership: The Grievance Committee shall consist of three faculty members and two students. Faculty members for the pool will be identified by the Academic Senate and students will be identified by the Associated Students. No person shall serve as a member of a Grievance Committee if that person has been personally involved in any matter giving rise to the grievance, has made any statement on the matters at issue, or could otherwise not act in a neutral manner. Any party to the grievance may challenge for cause any member of the hearing committee prior to the beginning of the hearing by addressing a challenge to the Vice President, Instruction.

Grievance Officer: The Vice President, Instruction shall appoint a staff member to serve as the Grievance Officer for the Grievance Committee. This individual shall not serve as a member nor vote. The Grievance Officer shall serve to assist all parties and the Grievance Committee to facilitate a full, fair and efficient resolution of the grievance.

Prior to scheduling the Grievance Hearing, the Vice President, Instruction shall collect the following information:

1. The Statement of Grievance Form filed by the student
2. A written response to the grievance by the instructor who issued the grade. The instructor will provide this to the Vice President, Instruction, within 5 days of the request.
3. Any materials relating the division dean's review and decision.

Copies of these materials will be provided to the student, the instructor and members of the Grievance Committee.

Hearing Process

- a. Prior to the scheduled Grievance Hearing, the Grievance Committee shall meet in private and without the parties present to select a chair and review the grounds for a hearing.
- b. The members of the Grievance Committee shall be provided with a copy of the grievance filed by the student, the written responses provided by the instructor and the division dean's review and decision before the hearing begins.
- c. Each party to the grievance may call witnesses and introduce oral and written testimony relevant to the issues of the matter.
- d. Any relevant information shall be admitted. Formal rules of evidence shall not apply.

- e. Participants: Each party to the grievance represents himself or herself, and may also be accompanied by a friend of his or her choice who is an observer only. Each person present will be asked to identify themselves by name.
- f. Parties are not allowed to be represented by legal counsel. The instructor may request to be accompanied by a union representative.
- g. Hearings shall be closed and confidential.
- h. Witnesses: In a closed hearing, witnesses shall be present at the hearing only when testifying.
- i. Recording: The hearing may be recorded by the college and shall be the only recording made. If recorded, no witness who refuses to be recorded may be permitted to give testimony.
- j. Attendance: If the individual filing the grievance fails to appear at the hearing, only the written information will be used to make a recommendation.

Step 4. Decision

- a. Committee Recommendation: Within 5 days following the close of the hearing, the Grievance Committee shall prepare and send to the Vice President, Instruction a written decision. The decision shall include specific factual findings regarding the grievance, and shall include specific conclusions regarding whether a grievance has been established as defined above. 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 grievance, any written response, and the oral and written evidence produced at the hearing. In the absence of mistake, fraud, bad faith or incompetency (according to Education Code 76224) the grade issued by the instructor may not be changed.
- b. A written notice of the Vice President's decision shall be provided to the student within ten days of receipt of the Grievance Committee's recommendation. The decision of the Vice President, Instruction, is final.

Definitions:

Party – The student or any persons claimed to have been responsible for the student's alleged grievance, together with their representatives. "Party" shall not include the Grievance Hearing Committee or the College Grievance Officer.

Student – A currently enrolled student, 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.

Day – Unless otherwise provided, day shall mean a day during which the college is in session and regular classes are held, excluding Saturdays and Sundays.