



**SBVC Academic Senate Legislative Committee Report
October 30, 2024**

A. PPAC Meeting 10/17/24 Agenda Topics (A. Hecht attended at proxy for J. Lemieux)

1. Review of Final Input from Academic Senate - Level 3 (5/15/24 AS Agenda, 11/14/24 BoT Agenda first read)
 - a. 5075 Course Adds, Drops, and Withdrawals
 - i. A. Hecht and C. Olivera confirmed that respective AS bodies approved this item in the Spring.
 - ii. Approved for 11/14/24 BoT first read.
2. Review of Feedback from Constituents and Initial Input from Academic Senate - Level 3 (10/2/16 and 10/16/24 AS Agenda, 11/21/24 PPAC Agenda for first final AS input)
 - a. **4300 Field Trips and Excursions**
 - i. A. Hecht shared feedback from the SBVC Academic Senate regarding the requirement for advance approval by an administrator and/or adherence to AP 7400 possibly discouraging fieldtrips.
 - ii. N. Ornelas will look into any conflicts issues or inconsistencies with 4300 and 7400.
3. Feedback from Constituents and Academic Senate - Level 2 (10/2/16 and 10/16/24 AS Agenda, 11/14/24 BoT Agenda first read)
 - a. 3720 Computer and Network Use – No feedback
 - b. **3725 Information and Communications Technology Accessibility & Acceptable Use**
 - i. AS feedback, concerns about related workload and potential punitive action upon a mistake or an oversight in accessible materials shared.
 - ii. Workload concerns referred to SBCCDTA.
 - iii. Concerns about punitive actions allayed stating that faculty accessibility requests will be handed by SAS notification, not punitive.
 - c. 3726 Information Security Data Classification – No feedback
 - d. 3727 Information Security Access Control – No feedback
 - e. 3728 Information Security Physical Security – No feedback
 - f. 3729 Information Security Logging & Monitoring – No feedback
 - g. 3730 Information Security Remote Access – No feedback
 - h. 3731 Information Security Internally Developed Systems Change Control – No feedback
 - i. 3732 Information Security-Security Incident Response – No feedback
 - j. 3733 Information Security-Security Secure Operations – No feedback
 - k. 3734 Information Security-Security Network Security – No feedback
 - l. 3735 Information Security Disaster Recovery – No feedback
 - m. **3736 Information Security Cloud Storage**



- i. AS requested clarity on requirement for District approved cloud storage and current common usage of Google Drive/ Dropbox and transition for compliance with this AP.
- ii. Andrea requested a change in language to 4.b. The committee members and Nohemy were fine with this adjustment. “The district will provide support and opportunities for users faculty, staff, and students to familiarize themselves with the security requirements of the data in their custody to make appropriate, informed decisions about data storage.”
- iii. L. Bixler advised that communication of this rollout will be made in conjunction campus technology and professional development committees for information and training.
- n. 3737 Information Security Payment Card Industry Requirements– No feedback
- o. 5030 Fees**
 - i. A. Hecht asked if the \$20 BookSaver fee indicated permanency.
 - ii. Nohemy advised that if there are changes in the future, the AP will be modified. The ability for students to have their financial aid pay this and all fees is still being worked on.
- p. 6925 Refreshments or Meals Served at Meetings– No feedback

B. Academic Senate Legislative Committee 1st Read 10/30 Summary

1. Level 2: MINOR REVIEW (NON 10+1)-Feedback Needed for 11/21 PPAC Meeting

Generally consists of Chapter Lead Recommendations on:

- Existing P&Ps which are simple and non-controversial.
- New P&Ps that are simple and non-controversial.

a. 3250 Institutional Planning

2. Level 3: EXTENSIVE REVIEW - Feedback Needed for 11/21 PPAC Meeting

Generally consists of Chapter Lead Recommendations on:

- Existing P&Ps with substantial changes and/or subject to 10+1.
- New P&Ps that are controversial, complex and/or subject to 10+1.
- May return to PPAC if Chancellor’s Council is unable to reach consensus

a. 4010 Academic Calendar

b. 4020 Program, Curriculum, and Course Development

c. 4100 Graduation Requirements

d. 4230 Grading and Academic Record Symbols

e. 5012 International Students

f. 5035 Withholding of Student Records

g. 5055 Enrollment Priorities

h. 5530 Student Rights and Grievances

BP 3250 Institutional Planning



Non 10+1 ♦ CCLC | Legally Required ♦ Chapter Lead Torres ♦ Both BP & AP Exist

Reasons for Review

- > Legal Update 43: The Service updated this policy to align with changes in the Title 5 regulations.
- > Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standards and add supporting language pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Level 2 Review Schedule

- 10/06/2024 ♦ Recommendation Received
- 10/17/2024 ♦ PPAC Approves Review Level
- 10/18/2024 ♦ Level 2 to Constituents and AS for Feedback
- 11/06/2024 ♦ AS Reviews Level 2 for Feedback and Level 3 for Initial Input
- 11/21/2024 ♦ PPAC Hears Feedback on Level 2 and AS Initial Input on Level 3
- 12/13/2024 ♦ BOT 1st Read
- 01/09/2025 ♦ BOT Final Approval

Begin Recommendation for BP 3250 Institutional Planning

The Chancellor shall ensure that the District has and implements a broad-based comprehensive, systematic and integrated system of planning that involves appropriate segments of the college community and is supported by institutional effectiveness research.

The Chancellor shall ensure the Board has an opportunity to assist in developing the general institutional mission and goals for the comprehensive plans. The institution's mission directs resource allocation, innovation, and continuous quality improvement through ongoing systematic planning and evaluation of programs and services.

The institution's mission and goals are the foundation for financial planning. Financial information is disseminated to support effective planning and decision-making and provide opportunities for stakeholders to participate in the development of plans and budgets

The planning system shall include all plans required by law and or policy, including, but not limited to:

- A. Long Range Educational or Academic Master Plan, which shall be updated periodically as deemed necessary by the Board of Trustees
- B. Facilities Plan
- C. Safety Plan
- D. Equal Employment Opportunity Plan
- E. Student equity Plan
- F. Student Success and Support Program Plan
- G. Transfer Center Plan
- H. ~~Cooperative Work Experience Plan~~
- I. Extended Opportunity Programs and Services (EOPS) Plan
- J. District Technology Strategic Plan

The Chancellor shall submit those plans to the Board for which Title 5 requires Board approval.

The Chancellor shall inform the Board about the status of planning and the various plans.

~~The Chancellor shall ensure the Board has an opportunity to assist in developing the general institutional mission and goals for the comprehensive plans.~~

BP 3250 Institutional Planning



Non 10+1 ♦ CCLC | Legally Required ♦ Chapter Lead Torres ♦ Both BP & AP Exist

References:

ACCJC Accreditation Standards [I.B.9, III.B.4, III.C.2, III.D.2, IV.B.3, and IV.D.5 \(formerly I.B\);1.4 and 3.5](#)
Title 5 Sections 51008, 51010, 51027, 53003, 54220, 55080, 55190, ~~55250~~, 55510, and 56270 et seq.

End Recommendation for BP 3250 Institutional Planning

AP 3250 Institutional Planning



Non 10+1 ♦ CCLC | Legally Required ♦ Chapter Lead Ornelas ♦ Both BP & AP Exist

Reasons for Review

> Legal Update 44: The Service updated this procedure to revise the reference to the ACCJC Accreditation Standards pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Begin Recommendation for AP 3250 Institutional Planning

- A. The colleges and District Office, through established committees with representation from faculty, administration, classified staff, and students, will review and recommend planning decisions related to human, physical, technological, and financial resources.

Applying the criteria of accreditation standards, the planning process will be guided by adopted mission, vision, and values and will develop specific goals, objectives, and strategies, which have measurable outcomes and specific accountability.

Action plans will be reviewed and revised annually and approved by the respective planning bodies.
- B. Academic Senate will be the representative body in all academic and professional matters, as defined by Title 5 Section 53200.
- C. Institutional effectiveness research, program reviews, and individual unit plans are utilized in the planning process, which is intended to complement and inform the resource allocation process.
- D. The Board may assist in developing the general institutional mission and goals for the comprehensive plans through a variety of means.
- E. Planning documents will be submitted to the California Community College Chancellor's Office in a timely manner when required.

References:

ACCJC Accreditation Standards ~~I.B.9, III.B.4, III.C.2, III.D.2, IV.B.3, and IV.D.5 (formerly I.B)~~; 1.4 and 3.5
Title 5 Sections 51008, 51010, 51027, 53003, 54220, 55080, 55190, 55510, and 56270 et seq.

End Recommendation for AP 3250 Institutional Planning

BP 4010 Academic Calendar



10+1 ♦ CCLC | Legally Required ♦ Chapter Lead Ornelas ♦ Both BP & AP Exist

Reasons for Review

> FYI Only: No Changes

Level 3 Review Schedule

- 10/06/2024 ♦ Recommendation Received
- 10/17/2024 ♦ PPAC Approves Review Level
- 10/18/2024 ♦ Level 2 to Constituents and AS for Feedback
- 11/06/2024 ♦ AS Reviews Level 2 for Feedback and Level 3 for Initial Input
- 11/21/2024 ♦ PPAC Hears Feedback on Level 2 and AS Initial Input on Level 3
- 12/04/2024 ♦ AS Reviews Level 3 for Final Input
- 12/20/2024 ♦ PPAC Reviews Final AS Input
- 01/09/2025 ♦ BOT 1st Read
- 02/13/2025 ♦ BOT Final Approval

Begin Recommendation for BP 4010 Academic Calendar

The Chancellor shall, in consultation with the appropriate groups, develop an annual academic calendar.

Reference:

Education Code Section 70902(b)(12)

End Recommendation for BP 4010 Academic Calendar

AP 4010 Academic Calendar



10+1 ♦ CCLC | Legally Required ♦ Chapter Lead Ornelas ♦ Both BP & AP Exist

Reasons for Review

> Legal Update 44 - Updated to identify optional language pursuant to changes in the Education Code.

Begin Recommendation for AP 4010 Academic Calendar

The traditional academic calendar is composed of at least 175 scheduled days of instruction and evaluation. Mandated holidays are determined by the State Chancellor's Office. The Board of Trustees may declare other days to be holidays and close the colleges and offices when good reason exists.

A districtwide subcommittee meets to coordinate the academic calendar for the District. The deliberations from this subcommittee are shared with the Academic Senates for both colleges before they are reported to the Institutional Effectiveness Advisory Committee (IEAC). The IEAC will review recommendations and submit to the Chancellor's Council and Chancellor for approval followed by Board action.

Holidays include:

New Year's Day (January 1)
 Dr. Martin Luther King, Jr. Day (third Monday in January)
 Lincoln Day (February 12 or see note below)
 Washington Day (third Monday in February)
 Memorial Day (last Monday in May)
 Juneteenth (June 19)
 Independence Day (July 4)
 Labor Day (first Monday in September)
 Veterans Day (November 11)
 Thanksgiving Day (fourth Thursday in November)
 Christmas Day (December 25)

The following are local options if collectively bargained (Education Code Sections 79020 subdivision (k); 79020 subdivision (l), 79020 subdivision (m), and 79020 subdivision (n):

- Cesar Chavez Day ~~and~~
- Native American Day
- Genocide Remembrance Day (April 24)
- Lunar New Year

Lincoln Day is selected from the dates provided by the State Chancellor's Office.

Other Holidays—The Board of Trustees may declare other days to be holidays and close the colleges and offices when good reason exists. (These holidays traditionally have been New Year's Eve day, the day after Thanksgiving, and Christmas Eve day.)

References:

Education Code Sections 79020; ~~and 88203~~;
 Title 5 Sections 55700 et seq. and Section 58142

AP 4010 Academic Calendar



10+1 ♦ CCLC | Legally Required ♦ Chapter Lead Ornelas ♦ Both BP & AP Exist

End Recommendation for AP 4010 Academic Calendar

BP

4020 Program, Curriculum, and Course Development



10+1 ♦ CCLC | Legally Required ♦ Chapter Lead Ornelas ♦ Both BP & AP Exist

Reasons for Review

> Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Level 3 Review Schedule

10/06/2024 ♦ Recommendation Received

10/17/2024 ♦ PPAC Approves Review Level

10/18/2024 ♦ Level 2 to Constituents and AS for Feedback

11/06/2024 ♦ AS Reviews Level 2 for Feedback and Level 3 for Initial Input

11/21/2024 ♦ PPAC Hears Feedback on Level 2 and AS Initial Input on Level 3

12/04/2024 ♦ AS Reviews Level 3 for Final Input

12/20/2024 ♦ PPAC Reviews Final AS Input

01/09/2025 ♦ BOT 1st Read

02/13/2025 ♦ BOT Final Approval

Begin Recommendation for BP 4020 Program, Curriculum, and Course Development

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

Furthermore, these procedures, following the guidelines of Title 5, shall include:

- appropriate involvement of the faculty and Academic Senate in all processes;
- regular review and justification of programs and course descriptions;
- opportunities for training for persons involved in aspects of curriculum development; and
- consideration of job market and other related information for career and technical education programs.

The Board acknowledges that District faculty, the college curriculum committees, and the college Academic Senates have the shared responsibility to ensure that curriculum review committee members and discipline experts work together to provide Diversity, Equity, Inclusion, and Anti-Racism (DEIA) frameworks and principles in curriculum review and approval processes for credit and noncredit, including programs and curricula in ethnic studies that encompass instruction and infusion of perspectives of African American, Asian American, Native American, and Latinx people. The curriculum process is supported by Administrators and classified professionals throughout the District who will collaborate to work with faculty to implement equity-minded practices.

All new programs and program discontinuances shall be approved by the Board of Trustees.

BP**4020 Program, Curriculum, and Course Development**

10+1 ♦ CCLC | Legally Required ♦ Chapter Lead Ornelas ♦ Both BP & AP Exist

All new programs shall be submitted to the California Community College Chancellor's Office for approval as required.

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

Credit Hour

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

The Chancellor shall establish procedures:

- which prescribe the definition of "credit hour" consistent with applicable federal regulations, as they apply to community college districts.
- to assure that curriculum at the District complies with the definition of "credit hour" or "clock hour," where applicable.
- for using a clock-to-credit hour conversion formula to determine whether a credit hour program is eligible for federal financial aid. The conversion formula is used to determine whether such a credit hour program has an appropriate minimum number of clock hours of instruction for each credit hour it claims.

References:

Education Code Sections 70901(b), 70902(b), and 78016; Title 5 Sections 51000, 51022, 55002.5, 55100, 55130 and 55150; U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid Programs under Title IV of the Higher Education Act of 1965, as amended; 34 Code of Federal Regulations Sections 600.2, 602.24, 603.24, and 668.8; ACCJC Accreditation Standards [II.A and II.A.9 2](#)

End Recommendation for BP 4020 Program, Curriculum, and Course Development

AP

4020 Program, Curriculum, and Course Development



10+1 ♦ CCLC | Legally Required ♦ Chapter Lead Ornelas ♦ Both BP & AP Exist

Reasons for Review

- > Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.
- > Legal Update 43: The Service updated this procedure to clarify that Title 5 regulations require districts to develop and offer programs and curricula in ethnic studies, but districts have the option to develop and offer programs and curricula that infuse a global perspective into the curricular offerings and programs and curricula that include instruction on the perspectives of persons with low socioeconomic status in the topic.
- > Legal Update 42: The Service updated this procedure to align with updated Title 5 regulations.

Begin Recommendation for AP 4020 Program, Curriculum, and Course Development

Note: This procedure is legally required in an effort to show good faith compliance with the applicable federal regulations

District faculty, the college curriculum committees, and the college Academic Senates have the shared responsibility to ensure that curriculum review committee members and discipline experts work together to provide Diversity, Equity, Inclusion, and Anti-Racism (DEIA) frameworks and principles in curriculum review and approval processes for credit and noncredit, including programs and curricula in ethnic studies that encompass instruction and infusion of perspectives of African American, Asian American, Native American, and Latinx people. The curriculum process is supported by Administrators and classified professionals throughout the District who will collaborate to work with faculty to implement equity-minded practices.

Curriculum development procedures for each college are developed by the campus curriculum committees under the purview of the academic senates. The respective curriculum handbooks prepared and revised by each campus committee are posted on the college's curriculum committee webpage.

- One hour of classroom or direct faculty instruction and a minimum of two hours of out of class student work each week for approximately [15 weeks for one semester or trimester hour of credit], [or 10 to 12 weeks for one quarter hour of credit], or the equivalent amount of work over a different amount of time; or
- At least an equivalent amount of work as required in the paragraph above, of this definition for other academic activities as established by the institution including laboratory work, internships, practica, studio work, and other academic work leading to the award of credit hours.

[The District shall develop and offer programs and curricula in ethnic studies. The District shall develop programs and curricula that infuse a global perspective into the curricular offerings, and programs and curricula that include instruction on the perspectives of persons with low socioeconomic status in the topic.](#)

Curriculum development procedures for each college in the District are documented in the respective curriculum handbooks prepared by each campus.

Faculty, the college curriculum committees, and the college Academic Senates have the shared responsibility to ensure that Ethnic Studies course materials and curriculum:

- Are written by and for Native American, Black and African American, Latinx, and Asian American communities rather than only about those communities.
- Address structural and institutional racism, discrimination, oppression, and privilege.
- Focus on the eleven principles of Ethnic Studies:
 1. Love
 2. Respect
 3. Reflection

AP

4020 Program, Curriculum, and Course Development



10+1 ♦ CCLC | Legally Required ♦ Chapter Lead Ornelas ♦ Both BP & AP Exist

- 4. Hope
- 5. Solidarity
- 6. Critical Consciousness
- 7. Community
- 8. Interconnection
- 9. Wellness
- 10. Healing
- 11. Transformation

References:

Title 5 Sections 51021, 55000 et seq., and 55100 et seq.;

34 Code of Federal Regulations Part 600.2; ACCJC Accreditation Standard [II.A; 2](#)

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.

End Recommendation for AP 4020 Program, Curriculum, and Course Development

BP

4100 Graduation Requirements for Degrees and Certificates



10+1 ♦ CCLC | Legally Required ♦ Chapter Lead Ornelas ♦ Both BP & AP Exist

Reasons for Review

- > At 5/13/2024 PPAC, the impact of Legal Update 44 on the recommendation was substantial and it was decided to bring this item to 2024-25 as a new recommendation.
- > Legal Update 44: Updated to remove the requirement regarding publishing graduation requirements in the District's catalog pursuant to changes in the Title 5 regulations.
- > Chapter Lead suggestions

Level 3 Review Schedule

- 10/06/2024 ♦ Recommendation Received
- 10/17/2024 ♦ PPAC Approves Review Level
- 10/18/2024 ♦ Level 2 to Constituents and AS for Feedback
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- 12/04/2024 ♦ AS Reviews Level 3 for Final Input
- 12/20/2024 ♦ PPAC Reviews Final AS Input
- 01/09/2025 ♦ BOT 1st Read
- 02/13/2025 ♦ BOT Final Approval

Begin Recommendation for BP 4100 Graduation Requirements for Degrees and Certificates

~~(Replaces current SBCCD BP 4100)~~

The District grants the degrees of Associate in Arts, Associate in Arts-Transfer, Associate in Science and Associate in Science-Transfer to those students who have completed the subject requirements for graduation. ~~The District also grants Certificates of Achievement and Certificates of Completion. and who have maintained a 2.0 grade point average in degree-applicable courses/subjects attempted unless otherwise stipulated by the major. Students must also complete the general education residency and competency requirements set forth in Title 5 regulations and Education Code.~~

~~Students may be awarded a Certificate of Achievement upon successful completion with a grade of C or higher of a minimum of 16 or more semester units or 27 or more quarter units of degree-applicable coursework designed as a pattern of learning experiences designed to develop certain capabilities that may be oriented to career or general education.~~

The Chancellor shall establish procedures to determine degree and certificate requirements that include appropriate involvement of the local curriculum committee. ~~The procedures shall assure that graduation requirements are published in the college catalog(s) and included in other resources that are convenient for students.~~

References:

Education Code Section ~~66746 (a) and (b)~~, 70902 subdivision (b)(3);
Title 5, Sections ~~55002(b), 55070, 55800, et seq.~~ 55060 et seq.

End Recommendation for BP 4100 Graduation Requirements for Degrees and Certificates

AP

4100 Graduation Requirements for Degrees and Certificates



10+1 ♦ CCLC | Legally Required ♦ Chapter Lead Ornelas ♦ Both BP & AP Exist

Reasons for Review

- > At 5/13/2024 PPAC, the impact of Legal Update 44 on the recommendation was substantial and it was decided to bring this item to 2024-25 as a new recommendation.
- > Legal Update 44: Updated to revise associate degree requirements to align with changes in the Title 5 regulations.
- > Legal Update 42: The Service updated this procedure to align with updated Title 5 regulations.
- > Legal Update 40: The Service updated this procedure to reflect new Title 5 Regulations regarding direct assessment competency-based education. (2022-23 carryover)

Begin Recommendation for AP 4100 Graduation Requirements for Degrees and Certificates

~~(Replaces current SBCCD AP 4100)~~

Graduation Requirements for Degrees and Certificates

~~for graduating with a~~ Degree or Certificate ~~graduation requirements~~ are developed through collegial consultation on each campus, approved by the Board of Trustees, and published in the respective college catalogs.

For ~~the Associate in Arts or Associate in Science~~ Degrees (AA/AS), the requirements include: ~~a student must~~

- ~~D~~emonstrate competence in reading, in written expression, and in mathematics.
- ~~The student must~~ satisfactorily complete at least 60 semester units of college work and have maintained a 2.0 grade point average in subjects attempted unless otherwise stipulated by the major. Students must also complete the general education residency and competency requirements set forth in Title 5 regulations and Education Code.
- Complete least 18 semester units in general education and at least 18 semester units in a major listed in the State Chancellor's Taxonomy of Programs.
- Complete at least 12 semester units of study in residence; exceptions to the residence requirement can be made by the Governing Board when an injustice or under hardship would result.
- Complete a minimum of general education course work in the natural sciences, the social and behavioral sciences, humanities and language and rationally..

College work includes all courses acceptable toward the associate degree that have been properly approved pursuant to Title 5 Section 55002(a), or, if completed at other than a California community college, would reasonably be expected to meet the standards of that section.

~~The work must include at least 18 semester units in general education, (Note: SBVC requires at least 24 units) and at least 18 semester units in a major listed in the Community Colleges "Taxonomy of Programs".~~

~~The work must include at least 12 semester units of study in residence; exceptions to the residence requirement can be made by the Scholastic Standards Committee when an injustice or undue hardship would result.~~

~~The general education requirements must include a minimum of work in the natural sciences, the social and behavioral sciences, humanities, and language and rationality, (note: ethnic studies must be offered in at least one of these four areas), communication and analytical thinking, and lifelong learning and self-development as applicable. In addition, the general education transfer requirements may apply.~~

Students may petition to have noncredit courses counted toward the satisfaction of requirements for an associate degree.

The District must offer ethnic studies as part of the general education curriculum.

District policies and procedures regarding general education and degree requirements must be published in the college catalog and must be filed with the State Chancellor's Office.

AP

4100 Graduation Requirements for Degrees and Certificates



10+1 ♦ CCLC | Legally Required ♦ Chapter Lead Ornelas ♦ Both BP & AP Exist

Certificates

Successful completion of a course of student or curriculum that consists of 16 or more semester units of degree-applicable credit coursework for a certificate of achievement shall be designed to demonstrate that the students has completed coursework and developed capabilities relating to a career or general pathway.

~~For a certificate of achievement, a student must successfully complete a course of study or curriculum that consists of 16 or more semester units of degree-applicable credit coursework. The certificate of achievement shall be designed to demonstrate that the student has completed coursework and developed capabilities relating to career or general education.~~

Requirements for the District include:

- Shorter credit programs that lead to a certificate may be established by the District.
- Content and assessment standards for certificates shall ensure that certificate programs at either college are consistent with the mission of the college, meet a demonstrated need, are feasible, and adhere to guidelines on academic achievement.
- The District may obtain approval of a direct assessment competency-based program from the California Community College Chancellor's office.

~~Certificates for which State Chancellor's Office approval is not sought may be given any name or designation deemed appropriate except for certificate of achievement, certificate of completion, or certificate of competency.~~

References:

[Education Code Section 70902\(b\)\(3\):](#)

Title 5, Sections [55070, 55800, et seq.](#) 55060 et seq. [and 55270 et seq.](#)

End Recommendation for AP 4100 Graduation Requirements for Degrees and Certificates



4230 Grading and Academic Record Symbols



10+1 ♦ CCLC | Legally Required ♦ Chapter Lead Ornelas ♦ Both BP & AP Exist

Reasons for Review

> Per discussion at 5/13/2024 PPAC requesting Chapter Lead clarification of "Intervention Program" and the impact of the "FW" grade.
 > Legal Update 39: The Service updated this policy to reflect additions to Title 5 Regulations requiring districts to grant students credit for satisfactory completion of International Baccalaureate or College Level Examination Program examinations and requiring districts to ensure that students' academic records clearly annotate credit earned through such examinations. (Title 5 Section 55052.5) To the extent that districts grant students prior credit for successful completion of other prior learning experiences or examinations, such as Advanced Placement examinations, the Service recommends that districts use the same academic record symbol. (2022-23 carryover)

Level 3 Review Schedule

10/06/2024 ♦ Recommendation Received

10/17/2024 ♦ PPAC Approves Review Level

10/18/2024 ♦ Level 2 to Constituents and AS for Feedback

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11/21/2024 ♦ PPAC Hears Feedback on Level 2 and AS Initial Input on Level 3

12/04/2024 ♦ AS Reviews Level 3 for Final Input

12/20/2024 ♦ PPAC Reviews Final AS Input

01/09/2025 ♦ BOT 1st Read

02/13/2025 ♦ BOT Final Approval

Begin Recommendation for BP 4230 Grading and Academic Record Symbols

~~(Replaces current SBCCD BP 4230, BP 4232, and BP 4233)~~

Courses shall be graded using the grading system established by Title 5.

The grading system shall be published in the college catalogs and made available to students.

~~Withdrawal/Military Withdrawal~~

~~The grading symbols used in the District shall include Withdrawal. The Chancellor is responsible for establishing administrative procedures to implement this policy specifying when it may be assigned.~~

Reference:

Title 5 Section 55023 [and 55050 et seq.](#)

End Recommendation for BP 4230 Grading and Academic Record Symbols

AP 4230 Grading and Academic Record Symbols



10+1 ♦ CCLC | Legally Required ♦ Chapter Lead Ornelas ♦ Both BP & AP Exist

Reasons for Review

- > Per discussion at 5/13/2024 PPAC requesting Chapter Lead clarification of "Intervention Program" and the impact of the "FW" grade.
- > Legal Update 42: The Service updated this procedure to align with updated Title 5 regulations.
- > Legal Update 39: The Service updated this procedure to reflect additions to Title 5 Regulations requiring districts to grant students credit for satisfactory completion of International Baccalaureate or College Level Examination Program examinations and requiring districts to ensure that students' academic records clearly annotate credit earned through such examinations. (Title 5 Section 55052.5) To the extent that districts grant students prior credit for successful completion of other prior learning experiences or examinations, such as Advanced Placement examinations, the Service recommends that districts use the same academic record symbol for such purposes. (2022-23 carryover)

Begin Recommendation for AP 4230 Grading and Academic Record Symbols

(Replaces current SBCCD AP 4230, AP 4232, and AP 4233)

Grade assignments can only be made by an instructor. Grades assigned are final except in cases of mistake, fraud, bad faith, or incompetence. No grade will be changed for any reason or under any circumstance after three (3) years from the end of the term in which the grade was assigned. The following evaluative and non-evaluative symbols shall be used to denote a student's academic progress.

1.

Evaluative Symbols

Symbol	Definition	Grade Points
A	Excellent	4
B	Good	3
C	Satisfactory	2
D	Less than Satisfactory	1
F	Failing	0
FW	Failing Withdrawal	0
P	Passing (at least Satisfactory) - units awarded not counted in GPA	0
	No Pass (less than Satisfactory, or failing – units not counted in GPA)	
NP	SP – Satisfactory Progress towards completion of the course (Used for noncredit courses only and is not supplanted by any other symbol)	0
SP	<u>Satisfactory Progress towards completion of the course (used for noncredit courses only and is not supplanted by any other symbol)</u>	

~~2. Non-Evaluative Symbols~~

Symbol	Definition
I	Incomplete
W	Withdrawal
MW	Military Withdrawal
IP	In Progress
RD	Report Delayed



4230 Grading and Academic Record Symbols



10+1 ♦ CCLC | Legally Required ♦ Chapter Lead Ornelas ♦ Both BP & AP Exist

Incomplete

The grading symbols used in the District shall include Incomplete. The Chancellor is responsible for establishing administrative regulations to implement this policy specifying when it may be assigned and how it may be removed.

Failing Withdrawal

The use of the "FW" grade symbol to indicate that a student has both ceased participating in a course some time after the last day to officially withdraw from the course without having achieved a final passing grade, and that the student has not received district authorization to withdraw from the course under extenuating circumstances. The "FW" symbol may not be used if a student has qualified for and been granted military withdrawal. If "FW" is used, its grade point value shall be zero (0).

Non-Evaluative Symbols

I – Incomplete: Incomplete academic work for unforeseeable, emergency and justifiable reasons. The condition for the removal of the "I" shall be stated by the instructor in a written record. The record shall contain the conditions for the removal of the "I" and the grade assigned in lieu of its removal. The record must be given to the student with a copy on file with the registrar until the "I" is made up or the time limit has passed. A final grade shall be assigned when the work stipulated has been completed and evaluated, or when the time limit for completing the work has passed. The "I" may be made up no later than one year following the end of the term in which it was assigned. The "I" symbol shall not be used in calculating units attempted nor for grade points.

IP – In Progress: The "IP" symbol shall be used only in courses that extend beyond the normal end of an academic term. It indicates that work is "in progress," but that assignment of an evaluative symbol (grade) must await its completion. The appropriate evaluative symbol (grade) and unit credit shall be assigned and replace the IP symbol once the course is completed.

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

W – Withdrawal: The "W" symbol may be used to denote withdrawal in accordance with the requirements of Title 5 Section 55024.

MW – Military Withdrawal: The "MW" symbol may be used to denote military withdrawal in accordance with Title 5 Section 55024.

EW – Excused Withdrawal: The "EW" symbol may be used to denote withdrawal in accordance with Title 5 Section 55024.

Refer to Administrative Procedure 5075 Course add, drops, and withdrawals for more information.

CPL- Credit for Prior Learning

The "CPL" symbol may be used to denote credit earned through successful completion of International Baccalaureate (IB), College Level Examination Program (CLEP), Advanced Placement (AP) examinations, or other prior learning experiences, in accordance with Title 5 Section 55052.5. The district shall ensure that students' academic records clearly annotate credit earned through these experiences. The same academic record symbol, "CPL", shall be used for all prior learning credits to maintain consistency.

A. Assignment of Grade

The Incomplete grade may be assigned at the discretion of the instructor when a substantial portion of the class work has been completed by the student but some part of student's work remains to be completed at the end of the term.

B. Removal of Grade

In order to have the Incomplete removed from ~~his/her~~ their record, a student must complete the work as prescribed by the instructor of record

AP**4230 Grading and Academic Record Symbols**

10+1 ♦ CCLC | Legally Required ♦ Chapter Lead Ornelas ♦ Both BP & AP Exist

within one year of the end of the term in which it was assigned.

C. Conditions for Removal of Grade

Each instructor shall provide an Incomplete Grade Report form for each student whose work is incomplete. The instructor will indicate what the student must do to complete the course and what grade the student will receive if the work is not completed in the time prescribed by this procedure.

D. Records Requirement

The Records Office will notify students of an incomplete grade and will keep a copy of the form on file. The instructor will also keep a copy of the form on file.

Reference: Title 5 Section 55023, [55024](#), [55051](#), [55052](#), and [55052.5](#).

End Recommendation for AP 4230 Grading and Academic Record Symbols

BP 5012 International Students



10+1 ♦ Non CCLC ♦ Chapter Lead Ornelas ♦ Both BP & AP Exist

Reasons for Review

> Chapter Lead recommendation to adopt.

Level 3 Review Schedule

- 10/06/2024 ♦ Recommendation Received
- 10/17/2024 ♦ PPAC Approves Review Level
- 10/18/2024 ♦ Level 2 to Constituents and AS for Feedback
- 11/06/2024 ♦ AS Reviews Level 2 for Feedback and Level 3 for Initial Input
- 11/21/2024 ♦ PPAC Hears Feedback on Level 2 and AS Initial Input on Level 3
- 12/04/2024 ♦ AS Reviews Level 3 for Final Input
- 12/20/2024 ♦ PPAC Reviews Final AS Input
- 01/09/2025 ♦ BOT 1st Read
- 02/13/2025 ♦ BOT Final Approval

Begin Recommendation for AP 5012 International Students

The District admits international students in approved study programs in accordance with regulations established by the United States Bureau of Citizenship and Immigration Service. The District will maintain specific admission criteria, requirements, and procedures that govern the selection of international student applicants for admission.

End Recommendation for AP 5012 International Students

AP 5012 International Students



10+1 ♦ CCLC | Legally Required ♦ Chapter Lead Ornelas ♦ Both BP & AP Exist

Reasons for Review

> SBCCD has not yet adopted this legally required process. This needs to be reviewed and adopted.

Level 3 Review Schedule

10/06/2024 ♦ Recommendation Received

10/17/2024 ♦ PPAC Approves Review Level

10/18/2024 ♦ Level 2 to Constituents and AS for Feedback

11/06/2024 ♦ AS Reviews Level 2 for Feedback and Level 3 for Initial Input

11/21/2024 ♦ PPAC Hears Feedback on Level 2 and AS Initial Input on Level 3

12/04/2024 ♦ AS Reviews Level 3 for Final Input

12/20/2024 ♦ PPAC Reviews Final AS Input

01/09/2025 ♦ BOT 1st Read

02/13/2025 ♦ BOT Final Approval

Begin Recommendation for AP 5012 International Students

Enrollment Process for Prospective International (F-1) Students

Prospective students shall submit an international application package that includes the following documents:

- High School diploma, or proof of high school graduation.
- Submit a district application via CCCApply and an International Student Application which includes a processing fee.
- California Department of Health Tuberculosis Risk Assessment. Submit TB Risk Assessment and TB test result (dated within the past 6 months) or get tested at the campus Student Health Services.
- If the student's home country's official language is not English, applicants must provide of English language proficiency demonstrated by the Test of English as a Foreign Language (TOEFL) score of 45-46 on the internet-based exam or by the International Testing System (IELTS) band score of 5.0.
- English proficiency may also be demonstrated through the following proficiency waivers: 1) High/Secondary school completion in countries where English is the primary language of Instruction. 2) Completion of 3+ years at an international high/secondary school where English is the primary language of instruction. 3) Completed college-level English at a College or University where English is the primary of Instruction.
- Official transcript(s) or official academic records from high school and college/university attended, accompanied by a notarized translation if the originals are not in English. Applicants with higher education need to have a minimum of C grade average from college/university in order to be considered for admission.
- Financial documents and bank certification letter showing proof of sufficient funds to cover a minimum of one year of studies. This includes the financial ability to obtain housing.
- Affidavit of Support Form (for sponsors outside of the US to complete).

AP 5012 International Students



10+1 ♦ CCLC | Legally Required ♦ Chapter Lead Ornelas ♦ Both BP & AP Exist

- I-134/Affidavit of Support and Instructions for Form I-134 (for sponsors in the US to complete)

Additional requirements:

- Applicants applying for Admissions who currently hold an F-1 visa are considered “Transfer” International Students. In addition to the requirements stated for prospective applicants, international transfer students must provide a copy of current passport, Visa with an I-94 stamp and current Form I-20.
- Students who will be attending pursuant to an F-1 visa, submission of paperwork to substantiate issuance by the District of Form I-20.
- Exemptions from nonresident tuition as authorized by Education Code Section 76140 subdivision (a)(2) for financial need.
- Students must complete the college’s general application through CCC Apply.

If an applicant is admitted to the college, a letter of acceptance and an I-20 Form (used to apply for a student visa in an American embassy) will be mailed to the applicant.

International student program rules:

- Must enroll in a minimum of twelve (12) units per semester (Spring and Fall semesters) to maintain full-time status for their F-1 visa but may choose to enroll in more than twelve (12) units at current non-resident rate per unit. Enrolling in summer courses is optional.
- Must maintain a minimum of a 2.0 GPA at all times.
- Maintain a current passport valid for at least six months into the future at all times.
- Request authorization from the Designated School Official before dropping below full-time enrollment.
- Report all address changes within 10 days.
- Report a change in program of study to the Designated School Official and request a new I-20.
- Request transferring to another accredited school as soon as possible.
- Request travel signature before you depart the US.
- Request an I-20 Extension at least two weeks before the program end date.
- Maintain valid medical insurance during your attendance at the college.

International Student Employment

F-1 Students may not work off campus during the first academic year but may accept on-campus employment subject to certain conditions and restrictions. After the first academic year, F-1 students may engage in three types of, off campus employment:

- Curricular Practical Training (CPT)
- Optional Practical Training (OPT) (pre-completion)
- Science, Technology, Engineering, Mathematics (STEM) Optional Practical Training Extension (OPT)

F-1 students may also be eligible to work off campus on a case-by-case result of special situations such as severe economic hardship or special student relief.

Fee Assessment:

- Nonresident Tuition: All international students will be charged nonresident tuition for each unit of credit coursework they enroll in.
- Capital Outlay fee may also be charged to cover infrastructure costs. This fee shall not exceed 50% of the nonresident tuition fee in accordance with Education Code Section 76141
- Student Services fee: international students are required to pay all regular college fees applicable to non-resident students, including health services, student representation and technology fees, as outlined in AP 5030 (Fees)
- Health Insurance: international students must purchase a medical insurance plan that is approved by the District and maintain this insurance throughout their period of study.

AP 5012 International Students



10+1 ♦ CCLC | Legally Required ♦ Chapter Lead Ornelas ♦ Both BP & AP Exist

Exemptions: International students will be exempt from paying international student application fee in case of demonstrated economic hardship, as defined by the California Education Code section 76142. Additionally, students exempt from paying nonresident tuition as per Education Code section 76140 will also be exempt from paying the international student application fee.

References:

- Education Code Sections 76141 and 76142;
- Title 5 Section 54045;
- Title 8 U.S. Code Sections 1101 et seq.

End Recommendation for AP 5012 International Students



5035 Withholding of Student Records



10+1 ♦ CCLC | Legally Advised ♦ Chapter Lead Ornelas ♦ Both BP & AP Exist

Reasons for Review

> Legal Update 42: The Service updated this policy to include an additional citation to the Education Code and clarify when a district may withhold registration privileges or transcripts.

Level 3 Review Schedule

- 10/06/2024 ♦ Recommendation Received
- 10/17/2024 ♦ PPAC Approves Review Level
- 10/18/2024 ♦ Level 2 to Constituents and AS for Feedback
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- 11/21/2024 ♦ PPAC Hears Feedback on Level 2 and AS Initial Input on Level 3
- 12/04/2024 ♦ AS Reviews Level 3 for Final Input
- 12/20/2024 ♦ PPAC Reviews Final AS Input
- 01/09/2025 ♦ BOT 1st Read
- 02/13/2025 ♦ BOT Final Approval

Begin Recommendation for BP 5035 Withholding of Student Records

Students or former students who have been provided with written notice that they have failed to pay a proper financial obligation may have registration privileges withheld until the outstanding obligation is paid or otherwise settled.

District must provide a student or former student with written notice that he/she/they have failed to pay a financial obligation due to the District before the District commences any activity to collect the debt.

The District may not withhold grades or transcripts for a student or former student as a consequence of the student's outstanding financial obligation to the District. The District may not withhold registration privileges for a student or former student as a consequence of defaulting on a loan or loans under the Federal Family Education Loan Program only. The District may withhold diplomas as a consequence for a student or former student of defaulting on a loan.

Reference:

Education Code Section 66022;
Title 5 Section 59410

End Recommendation for BP 5035 Withholding of Student Records

AP**5035 Withholding of Student Records**

10+1 ♦ CCLC | Legally Required ♦ Chapter Lead Ornelas ♦ Both BP & AP Exist

Reasons for Review

> FYI Only

Begin Recommendation for AP 5035 Withholding of Student Records

The Director of Admissions & Records or designee may withhold registration privileges from any student or former student who fails to pay a proper financial obligation to the District. The student shall be given written notification and the opportunity to explain if the financial obligation is in error.

The definition of proper financial obligation shall include, but is not limited to: student fees; obligations incurred through the use of facilities, equipment or materials; library fines; unreturned library books; materials remaining improperly in the possession of the student; and/or any other unpaid obligation a student or former student owes to the District. A proper financial obligation does not include any unpaid obligation to a student organization.

For additional information see Board Policy/Administrative Procedure 5030 Fees or visit the campus websites.

Reference:

Title 5 Section 59410

End Recommendation for AP 5035 Withholding of Student Records

BP 5055 Enrollment Priorities



10+1 ♦ CCLC | Legally Required ♦ Chapter Lead Ornelas ♦ Both BP & AP Exist

Reasons for Review

> FYI only to support Legal Update 43 review of AP.

Level 3 Review Schedule

10/06/2024 ♦ Recommendation Received

10/17/2024 ♦ PPAC Approves Review Level

10/18/2024 ♦ Level 2 to Constituents and AS for Feedback

11/06/2024 ♦ AS Reviews Level 2 for Feedback and Level 3 for Initial Input

11/21/2024 ♦ PPAC Hears Feedback on Level 2 and AS Initial Input on Level 3

12/04/2024 ♦ AS Reviews Level 3 for Final Input

12/20/2024 ♦ PPAC Reviews Final AS Input

01/09/2025 ♦ BOT 1st Read

02/13/2025 ♦ BOT Final Approval

Begin Recommendation for BP 5055 Enrollment Priorities

All courses of the District shall be open to enrollment, subject to a priority system that may be established. Enrollment also may be limited to students meeting properly validated prerequisites and co-requisites, or due to other, practical considerations.

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

References:

Title 5, Sections 51006, 58106; and 58108

End Recommendation for BP 5055 Enrollment Priorities

AP 5055 Enrollment Priorities



10+1 ♦ CCLC | Good Practice/Optional ♦ Chapter Lead Ornelas ♦ Both BP & AP Exist

Reasons for Review

- > Legal Update 43: The Service updated this procedure to align with revised Title 5 regulations
- > Legal Update 42: The Service updated this procedure to include an additional category of students eligible for priority for enrollment pursuant to changes in the Education Code.

Begin Recommendation for AP 5055 Enrollment Priorities

Enrollment in courses and programs may be limited to students meeting properly established prerequisites and co-requisites. (See BP and AP 4260 titled Prerequisites and Co-requisites.)

Enrollment may be limited due to the following:

- health and safety considerations;
- facility limitations;
- faculty workload;
- availability of qualified instructors;
- funding limitations;
- regional planning;
- legal requirements; and
- contractual requirements.

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.

The following students will have the highest and equal priority for enrollment:

- A member of the armed forces or a veteran pursuant to Education Code section 66025.8
- A foster youth, former foster youth, or homeless youth pursuant to Education Code section 66025.9;
- A student who has been determined to be eligible for Student Accessibility Services or Extended Opportunity Programs and Services; and
- A student who is receiving services through CalWORKS;
- A student parent who has a child or children under 18 years of age who will receive more than half of their support from that student;
- A verified homeless youth or former homeless youth under 25 years of age at the commencement of the academic year, as specified in Education Code Section 66025.9;

The following students will have priority for enrollment:

- First time students who have completed orientation, assessment, and developed student education plans.
- Continuing students, who has not lost registration priority, as defined in these policies and procedures.

Registration priority specified above shall be lost at the first registration opportunity after a student:

- 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
- Has earned one hundred (100) or more degree-applicable semester or quarter equivalent units at the district.

AP

5055 Enrollment Priorities



10+1 ♦ CCLC | Good Practice/Optional ♦ Chapter Lead Ornelas ♦ Both BP & AP Exist

For purposes of this section a unit is earned when a student receives a grade of A, B, 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 of Instruction, or students enrolled in high unit majors or programs as designated by the Vice President of Instruction.

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.

Appeal of Loss of Enrollment Priority

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 Director of Admission and Records or his/her designee will determine the appeal in his/her sole discretion.

[Note: Districts may allow students who have demonstrated significant academic improvement to appeal the loss of priority enrollment status. Significant academic improvement is defined as achieving no less than the minimum grade point average and progress standard established in Administrative Procedure 4250].

Appeal of Loss of Enrollment Priority

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 appeal will be determined by the appropriate authority designated by the college,

Additionally, students who have demonstrated significant academic improvement may appeal the loss of priority enrollment status. Significant academic improvement is defined as achieving no less than the minimum grade point average and progress standard established in Administrative Procedure 4250. The appeals process for academic improvement will follow the same procedure as for extenuating circumstances, with the decision made by the designated authority at each college.

These mandated enrollment priorities will be effective in the Fall, 2014 term. 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.

- limiting enrollment to first come, first served, or other non-evaluative selection techniques;
- in the case of intercollegiate completion, honors courses, or public performance courses, allocating available seats to those students judged most qualified;
- limiting enrollment to any selection procedure expressly authorized by statute;
- limiting enrollment in one or more sections to students enrolled in one or more other courses, provided that a reasonable percentage of all sections of the course do not have such restrictions.

A. General Access

AP

5055 Enrollment Priorities

10+1 ♦ CCLC | Good Practice/Optional ♦ Chapter Lead Ornelas ♦ Both BP & AP Exist

Every course for state apportionment, wherever offered and maintained by the District, shall be fully open to enrollment and participation by any person who has been admitted to the colleges and who meets such prerequisites as may be established in compliance with Title V 5 of the California Administrative Code.

B. Priorities for Enrollment

Each college shall establish procedures that set priorities for enrollment and publish them in their Class Schedules. Such procedures shall be made available to students during the registration process.

Priority for enrollment must be granted to any member or former member of the Armed Forces of the United States for any academic term within two years of leaving active duty.

C. Matriculation

All students shall be subject to the requirements of the matriculation process at each college. Recommendations for class enrollment based upon testing and evaluation shall be strongly recommended to students but shall be advisory only.

References:

Education Code Sections 66025.8 and 66025.9;
Title 5 Sections 58106 and 58108

End Recommendation for AP 5055 Enrollment Priorities



5530 Student Rights and Grievances



10+1 ♦ Non CCLC ♦ Chapter Lead Ornelas ♦ Both BP & AP Exist

Reasons for Review

> Chapter Lead Recommendation

Level 3 Review Schedule

10/06/2024 ♦ Recommendation Received

10/17/2024 ♦ PPAC Approves Review Level

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12/20/2024 ♦ PPAC Reviews Final AS Input

01/09/2025 ♦ BOT 1st Read

02/13/2025 ♦ BOT Final Approval

Begin Recommendation for BP 5530 Student Rights and Grievances

~~Students may initiate grievance proceedings against a district employee under the procedures provided by the Chancellor.~~

It is the policy of the District that there shall be an appeal process by which a dispute in the assigned final grade received by a student may be resolved in a fair and efficient manner according to State law. (See BP and AP 4231 titled Grade Changes).

References:

Education Code Section 76224(a);

Title 5 Section 55025

Title IX, Education Amendments of 1972

End Recommendation for BP 5530 Student Rights and Grievances



5530 Student Rights and Grievances



10+1 ♦ CCLC | Legally Advised ♦ Chapter Lead Ornelas ♦ Both BP & AP Exist

Reasons for Review

> Chapter Lead Recommendation

Level 3 Review Schedule

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12/20/2024 ♦ PPAC Reviews Final AS Input

01/09/2025 ♦ BOT 1st Read

02/13/2025 ♦ BOT Final Approval

Begin Recommendation for AP 5530 Student Rights and Grievances

The purpose of this procedure is to provide a prompt and equitable means of resolving student grievances. These procedures shall be available to any student who reasonably believes a college decision or action by an instructor, college official, or by another student has adversely affected their status, rights or privileges as a student. The procedures shall include, but not be limited to, grievances regarding:

- **Academic Grievances:** When grades are given for any course of instruction taught in a community college district, the grade given to each student shall be the grade determined by the instructor of the course and the determination of the student's grade by the instructor, in the absence of mistake, fraud, bad faith, or incompetency shall be final (Education Code Section 76224). If a student files a grievance relative to grade, he/she/they must prove that "mistake, fraud, bad faith, or incompetency" as the reason for the grade assignment.
- **Non-Academic Grievances:** Grounds for a non-academic grievance include, but are not limited to:
 - Any act or threat of intimidation;
 - Any act or threat of physical aggression;
 - Arbitrary action, violation of student rights, or imposition of sanctions without proper regard to College policy as specified in the Education Code, Board Policies, and/or Administrative Procedures;
 - **Course Repetition, Withdrawals, and Enrollment Fees:** Students may file complaints related to course repetition, withdrawals or enrollment fees based on evidence of extenuating circumstances. Students should use the Petition for Exceptional Action form and provide supporting documentation. Action will be taken by the appropriate administrator or by the Board of Appeals. Petition for Exceptional Action forms can be found in the offices of Counseling, Admissions and Records, and Student Life. Petitions may be submitted through the Office of the Dean, Student Services for review by the Board of Appeals;
- ~~For grievances related to sexual harassment, sexual assault, or illegal d~~**Discrimination Complaints:** (i.e. age, ancestry, citizenship status, color, disability, ethnic group identification, gender, marital status, medical condition, national origin, parental status, race, religion, sexual orientation, or veteran status), students should contact the Human Resources Department and/or the San Bernardino Community College Police. Staff members in those areas will assist students with the correct processes for resolution. Complaint and investigation procedures related to harassment and discrimination (including sexual assault, sexual violence, dating violence, stalking, and domestic violence) can be found in Administrative Procedure 3435.



5530 Student Rights and Grievances



10+1 ♦ CCLC | Legally Advised ♦ Chapter Lead Ornelas ♦ Both BP & AP Exist

- Financial ~~a~~Aid Challenge: Financial aid students wishing to file a complaint regarding the financial aid process and/or determination should refer to ~~(see AP 5130 Financial Aid for appeals~~ ~~appeals~~ relating to financial aid);
- ~~Course grades, to the extent permitted by Education Code Section 76224(a) (see AP 4231 Grade Changes for appeals relating to course grades)~~
- The exercise of rights of free expression protected by state and federal constitutions and Education Code Section 76120.

In addition to San Bernardino Community College District Procedures, a student may address a grievance directly to the California Community Colleges Chancellor's Office by accessing the following website:

<https://www.cccco.edu/complaint-process-notice>

This procedure does not apply to:

- Student disciplinary actions, which are covered under separate Board Policies and Administrative Procedures.
- Police citations (i.e. "tickets"); complaints about citations must be directed to the County Courthouse in the same way as any traffic violation.

Definitions of Terms

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.

Chancellor/President – The Chancellor/President or a designated representative of the Chancellor/President.

Grievant – A student who has viled a Grievance.

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.

Business 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.

Informal Resolution

Each student who has a grievance shall make a reasonable effort to resolve the matter on an informal basis prior to requesting 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~~ District administration.

Deans of Student Services shall assist students in seeking resolution by informal means. This person shall be also be known as the Grievance Officer. The Grievance Officer and the student may also seek the assistance of the Associated Student Organization in attempting to resolve a Grievance informally.

Informal meetings and discussion between persons directly involved in a grievance are essential at the outset of a dispute and should be encouraged at all stages. An equitable solution should be sought before persons directly involved in the case have stated official or public positions that might tend to polarize the dispute and render a solution more difficult. At no time shall any of the persons directly or indirectly involved in the



5530 Student Rights and Grievances



10+1 ♦ CCLC | Legally Advised ♦ Chapter Lead Ornelas ♦ Both BP & AP Exist

case use the fact of such informal discussion, the fact that a grievance has been filed, or the character of the informal discussion for the purpose of strengthening the case for or against persons directly involved in the dispute or for any purpose other than the settlement of the grievance.

Formal Process

If informal resolution through discussion or mediation does not resolve the conflict, the student shall have the right to request a grievance hearing, in writing, to the Vice president of Student Services. The request for a hearing must be made within 180 calendar days of the incident being grieved.

The determination of whether the Statement of Grievance presents 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 as defined in these procedures, which include 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.

If the grievance does not meet each of the requirements, the Vice president of Student Services shall notify the student in writing of the rejection of the Request for a Grievance Hearing, together with the specific reasons for the rejection and the procedures for appeal. This notice will be provided within five days of the date the decision is made.

If the Request for Grievance Hearing satisfies each of the requirements, the Vice president of Student Services shall schedule a grievance hearing. The hearing will begin within ten days following the decision to grant a Grievance Hearing. All parties to the grievance shall be given not less than five days notice of the date, time and place of the hearing.

Grievance Hearing

The formal grievance hearing will be scheduled within 10 days (during which the college is in session) of receipt of the request. The grievance hearing committee will be composed of the following:

- One student appointed by the Student Senate president.
- One faculty member appointed by the Academic Senate president if the grievance is against a faculty member.
- One staff member appointed by the Classified Senate president if the grievance is against a staff member.
- Vice president of Student Services, who will chair the committee if the grievance is non-academic, or the Vice president of Instruction if the grievance is academic.

No person shall serve as a member of a Grievance Hearing 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 chair, who shall determine whether cause for disqualification has been shown. If the chair feels that sufficient ground for removal of a member of the committee has been presented, they shall remove the challenged member or members and substitute a member or members from the panel described above. This determination is subject to appeal as defined below.

The chair will conduct the hearing. Possible protective measures that may be utilized include, but are not limited to, no-contact orders, remote participation during the hearing (telephone, videoconferencing, use of a privacy screen, etc.), separate waiting areas during hearing, safety escorts, and prohibitions against retaliation.

The members of the grievance hearing committee will be provided a copy of the grievance and any written response to the grievance.



5530 Student Rights and Grievances



10+1 ♦ CCLC | Legally Advised ♦ Chapter Lead Ornelas ♦ Both BP & AP Exist

Each party to the grievance may call witnesses and introduce oral and written testimony. ~~Witnesses unable to be present may submit written statements. All witnesses must testify under oath; the Grievance Hearing Committee Chair will administer the oath. The Grievance Hearing Committee will only admit written statements of witnesses under penalty of perjury if the witness is unavailable to testify. A witness who refuses to be tape-recorded shall be considered to be unavailable.~~

Although the hearing is formal, rules of evidence do not apply as they would in a court of law.

Each party to the grievance will be permitted to make an opening statement; thereafter, the grievant will present evidence followed by the respondent.

The student may bring an advocate or attorney to the hearing provided the Vice President of Student Services is notified at least five calendar days in advance of the hearing. In the event the student serves notification that they will have representation, the respondent has the right to legal counsel and a right to receive notification that the student will have counsel present.

The hearing will be recorded, and the recording shall remain in the custody of the Vice president of Student Services. Any party to the grievance may request a copy of the recording.

Hearings shall be closed and confidential unless all parties request that they be open to the public. Any such request must be made no less than three calendar days prior to the date of the hearing. In a closed hearing, witnesses will testify and be excused.

The grievance hearing committee will recommend a resolution of the grievance after listening to all of the participants. The committee will inform the student and the respondent in writing about its recommendation within 10 days of the hearing. 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.

Within five days following the close of the hearing, the Grievance Hearing Committee shall prepare and send to the ~~President~~ Chancellor a written ~~decision recommendation~~. The recommendation shall include specific factual findings regarding the grievance. The recommendation shall also include ~~relief afforded to the student, if any~~ a specific recommendation regarding the relief for the Grievant, if any. The Grievance Hearing Committee will base its recommendation 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.

~~Within five days following receipt of the Grievance Hearing Committee's decision and recommendation(s), the President shall send to all parties their written decision, together with the Hearing Committee's decision and recommendations. The Chancellor may accept or reject the findings, decisions and recommendations of the Hearing Committee. The factual findings of the Hearing Committee shall be accorded great weight; and if the President does not accept the decision or a finding or recommendation of the Hearing Committee, the President shall review the record of the hearing, and shall prepare a new written decision which contains specific factual findings and conclusions. The decision of the President shall be final, subject only to appeal as provided below~~

Appeals

The student may appeal the recommendation of the grievance hearing committee by writing to the president within 10 calendar days of being notified of the grievance hearing committee's recommendation. The president will send the student a final decision in writing within 10 calendar days of receiving the appeal.

Any appeal relating to a Grievance Hearing Committee decision that the Statement of Grievance does not present a grievance as defined in these procedures shall be made in writing to the president within five days of that decision. The president shall review the Statement of Grievance and Request for Grievance Hearing in accordance with the requirements for a grievance provided in these procedures, but shall not consider any other matters. The Chancellor's decision whether or not to grant a grievance hearing shall be final and not subject to further appeal.

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

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

The written appeal shall be sent to all concerned parties. All parties may submit written statements on the appeal.

The Chancellor or designee shall review the record of the hearing and the documents submitted in connection with the appeal, but shall not consider any matters outside of the record. Following the review of the record and appeal statements, the Chancellor's designee, if any, shall make a written recommendation to the Chancellor regarding the outcome of the appeal.

The Chancellor's Decision Within five days following receipt of the Grievance Hearing Committee's decision and recommendation(s), the Chancellor shall send to all Parties his/her/their written decision, together with the Hearing Committee's decision and recommendations. The Chancellor may accept or reject the findings, decisions, and recommendations of the Hearing Committee. The factual findings of the Hearing Committee shall be accorded great weight; and if the Chancellor does not accept the decision or a finding or recommendation of the Hearing Committee, the Chancellor shall review the record of the hearing, and shall prepare a new written decision which contains specific factual findings and conclusions. The decision of the Chancellor shall be final.

Time Limits

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

References:

Education Code Section 76224 subdivision (a);
ACCJC Accreditation Eligibility Requirement 20;
ACCJC Accreditation Standard 4

End Recommendation for AP 5530 Student Rights and Grievances