

# **PALOMAR COLLEGE POLICIES**

## **Chapter 5 – Student Services**

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**Student Services**  
**DRAFT as of 2/23/07**

**BP 5000 STUDENT RESPONSIBILITY**

Each ~~Student~~ Students are is responsible for his/her registration in classes and for attending classes. Furthermore, students are ~~each student~~ is responsible for following the rules and regulations in the Catalog. The College is not at fault if students ~~the student~~ fails to read and understand the rules.

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**NOTE:** This policy is **suggested as good practice**. The wording in **blue ink** is additional language to consider including in this policy. The language in **green ink** reflects suggested revisions from Student Services. The language in **black ink** is current Palomar Policy College 410 titled Student Responsibility with no date. This policy was reviewed at the February 23, 2007 Policy and Procedure Task Force Meeting.

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**Date Adopted:**

*(This is current Palomar College Policy 410  
just re-numbered)*

Student Services  
DRAFT as of 2/23/07

**BP 5010 ADMISSIONS AND CONCURRENT ENROLLMENT**

**References:**

Education Code Sections 76000, 76001, 76002;  
Labor Code Section 3077

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

- Any person over the age of 18 and possessing a high school diploma or its equivalent.
- Other persons who are over the age of 18 years and who, in the judgment of the Superintendent/President or his or her designee are capable of benefiting from the instruction offered. Such persons shall be admitted as provisional students, and thereafter shall be required to comply with the District's rules and regulations regarding scholastic achievement and other standards to be met by provisional or probationary students as a condition to being readmitted in any succeeding semester.
- Persons who are apprentices as defined in Labor Code Section 3077.

Any student whose age or class level is equal to grades 8 through 12 is eligible to attend as a special part-time student for advanced scholastic or vocational courses.

Any student whose age or class level is equal to grades 8 through 12 is eligible to attend as a special fulltime student.

Any student enrolled in K through 12 may attend summer session.

The Superintendent/President shall establish procedures for the following:

- ability to benefit and admission of high school and younger students;
- evaluation of requests for special fulltime or part-time enrollment by a pupil who is identified as highly gifted;
- compliance with statutory and regulatory criteria for concurrent enrollment.

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

❖ ~~Current Palomar College Policy 400 titled Admissions~~

~~Admissions (76-5932, 94-16816, 97-18616, 00-20695)~~

~~It is the policy of the District that, unless specifically exempted by statute, every course, course section, or class, the average daily attendance of which is to be reported for State aid, wherever offered and maintained by the District, shall be fully open to enrollment and participation by any person who has been admitted to the College and who meets such prerequisites as may be established pursuant to regulations contained in Article 1 (commencing with section 58100) at Chapter 2, Division 9, of Title V, of the California Administrative Code, 5 CAD 51006, 58100; GB 1-25-77.~~

~~Palomar College admits any person who is 18 years of age or older, who holds a high school diploma or equivalent, or minors who may profit from instruction. To be considered for admission, minors must have completed the eighth grade or reached the age of 15 and have permission of the local accredited school district. Home-schooled minors may enroll with permission of the local accredited school district or provide the Private School Affidavit from the County Office of Education. Minors under 15 years of age, with permission from an accredited public or private school and the Palomar faculty member(s), may enroll only in courses specified by the local school district or private school. Otherwise, minors under 15 years of age are limited to enrolling in special classes devoted to children, such as child development lab classes or youth orchestra. Admission to the College does not guarantee enrollment in a class. The final decision as to whether a minor under the age of fifteen (15) may be enrolled in a class rests with the instructor. (California Education Code, Sections 76000-76002).~~

*Classroom Participation*

~~Only registered students are allowed into classes. Others are considered visitors and may attend a class session only with permission of the instructor. District employees may attend classes as necessary to perform assigned duties. 5 CAC 51006, 58100; GB 1-25-77, 1-17-95, 10-28-97, 7-10-01.~~

[See Procedure 5010 titled Admissions as well as BP 5500 titled Standards of Conduct which addresses issues of admission and reinstatement](#)

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**NOTE:** This policy is **legally required**. The language in **red ink** is recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The wording in **blue ink** is additional language to consider including in this policy. The language in **green ink** reflects suggested revisions from Student Services. The language in **black ink** is current Palomar BP 400 titled Admissions dated 1-25-77, 1-17-95, 10-28-97, and 7-10-01. This policy was reviewed at the February 23, 2007 Policy and Procedure Task Force Meeting.

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**Date Adopted:**

*(Replaces current Palomar College Policy 400)*

Student Services  
DRAFT as of 2/23/07

**BP 5015 RESIDENCE DETERMINATION**

**References:**

Education Code Sections 68040, and 76140;  
Title 5 Sections 54000 et seq.

Students shall be classified at the time of each application for admission or registration as a resident or nonresident student.

A resident is any person who has been a bona fide resident of California for at least one year on the residence determination date. The residence determination date shall be the day immediately preceding the first day of a class session for which the student applies to attend.

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

The Superintendent/President shall enact procedures to assure that residence determinations are made in accordance with Education Code and Title 5 regulations.

See Procedure 5015 titled Residence Determination

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**NOTE:** This policy is **legally required**. The language in **red ink** is recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The wording in **blue ink** is additional language to consider including in this policy. The language in **green ink** reflects suggested revisions from Student Services. There does not appear to be a current Palomar Policy related to this issue. This policy was reviewed at the February 23, 2007 Policy and Procedure Task Force Meeting.

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**Date Adopted:**

*(This is a new policy recommended by the CC League and the League's legal counsel)*

Student Services  
DRAFT as of 3/15/07

**BP 5020 NONRESIDENT TUITION**

**References:**

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

Nonresident students shall be charged nonresident tuition for all units enrolled, unless specifically required otherwise by law.

Not later than February 1 of each year, the Superintendent/President shall bring to the Governing 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.

The Superintendent/President shall establish procedures regarding collection, waiver, and refunds of nonresident tuition.

The Superintendent/President is authorized to implement a fee, to be determined not later than February 1 of each year for the following fiscal year, to be charged only to persons who are both citizens and residents of foreign countries. The Governing 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.

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 county of which they are a citizen and resident, or if they demonstrate economic hardship.

Students shall be deemed victims of persecution or discrimination if they present evidence that they are citizens and residents of a foreign country and that they have been admitted to the United States under federal regulations permitting such persons to remain in the United States. Students shall be deemed to have demonstrated economic hardship if they present evidence that they are citizens and residents of a foreign country and that they are receiving Temporary Assistance for Needy Families Program, Supplemental Income/State Supplementary benefits, or general assistance.

See Procedure 5020 titled Nonresident Tuition

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**Date Adopted:**

*(This a new policy recommended by the CC League and the League's legal counsel)*

Student Services  
**DRAFT as of 2/23/07**

**BP 5030 FEES**

**References:**

Education Code Sections 76300 et seq. and references cited below;  
Title 5 Sections 51012, 54702, 54704, 54706, 54708, and 54710;  
Chancellor's Office Student Fee Catalog

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

**Required fees include:**

**Enrollment Fee:**

Education Code Section 76300

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

~~❖ From current Palomar College BP 403.1 titled Enrollment Fee Refund (84-10418)~~

~~The Palomar Community College District shall refund upon request any enrollment fee paid by a student in excess of that computed pursuant to Section 58501 for program changes made during the first two weeks of instruction.~~

~~The District shall not refund any enrollment fee paid by a student for program changes made after the first two weeks of instruction unless the program change is a result of action by the District to cancel or reschedule a class.~~

~~When refunding an enrollment fee under this policy, the Palomar Community College District will retain once each semester an amount not to exceed \$10.00. 5 CAC 58508; GB 11-27-84, 5-14-85~~

~~❖ From current Palomar College BP 423.3 titled Fees~~

No student suspended or expelled shall be refunded any fees paid by or for the student.  
EC 41302, 76037

Also see ~~Policy 5500 titled Standards of Conduct~~

❖ ~~From current Palomar College BP 403.2 titled Enrollment Fee Waiver (85-11299, 94-16817, 97-18584)~~

~~The Governing Board of the Palomar Community College District shall, effective for classes which begin after March 9, 2005, exempt from the enrollment fee any private or public elementary or secondary school pupil admitted to Palomar College as a special part-time student for credit classes. The attendance of the student must be authorized by a letter of permission from the school.~~

~~For purposes of this policy, a special part-time student is a student who registers in 12 units or less per semester at Palomar College. Credit for courses completed shall be at the college level but may be transferred back to the school district for fulfillment of graduation requirements.~~

~~EC 72252, 76001;~~

~~GB 6-10-86, GB 1-17-95, GB 10-14-97, 03-08-05~~

**Auditing Fee:**

Education Code Section 76370

An established auditing fee shall be charged. Students enrolled in classes to receive credit for 10 or more semester credit units shall not be charged this fee to audit three or fewer units per semester.

**Student Health Fee:**

Education Code Sections 66025.3, 70902(b), 76355

The Superintendent/President shall present to the Governing Board for approval a fee to be charged to each fulltime student for student health services. See AP 5030 for details.

❖ ~~From current Palomar College BP 5030.3 titled Health Fee~~

~~The District shall charge all students the state-mandated Health Fee for the operation of a student health center or centers, including direct or indirect medical services and health supervision.~~

~~Education Code Section 76355~~

GB-12-09-03

**Student Center Fee:**

Education Code Section 76375

A Student Center Fee is required of all students attending the community college where the center is located. The Board of Governors has adopted section 58510 of CAC Title 5 to implement this provision.

**Transcript Fees:**

Education Code Section 76223

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

**Other Fees Include:**

**Parking Fee:**

Education Code Section 76360

The Superintendent/President shall present fee information for parking for students to the Governing Board for approval.

**Instructional Materials:**

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

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

**Physical Education Facilities:**

Education Code Section 76395

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

**Student Representation Fee:**  
Education Code Section 76060.5

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

~~❖ From current Palomar College BP 403.5 titled Student Activity Fee (00-20573)~~

~~All students registered at Palomar College will be offered the opportunity to pay a voluntary semester student activity fee of \$10.00 commencing in the Fall semester, 2001. Payment of this fee will entitle students to a variety of benefits on campus and special discounts from off-campus merchants.  
GB-4-10-01~~

**International Students Application Processing Fee:**  
Education Code Section 76142

The District shall charge students who are both citizens and residents of a foreign country a fee to process his or her application for admission. This processing fee and regulations for determining economic hardship may be established by the Superintendent/President. The fee shall not exceed the lesser of 1) the actual cost of processing an application and other documentation required by the U.S. government; or 2) one hundred dollars (\$100), which shall be deducted from the tuition fee at the time of enrollment.

~~❖ From current Palomar College BP 5030.6 titled Fee Exemption for International Students~~

~~Palomar College shall charge a nonresident capital outlay fee and an application processing fee to citizens and residents of a foreign country per Education Code 76141 and 76142. A student who demonstrates economic hardship is exempt from the capital outlay fee and the application processing fee. The exemption is authorized, on a per semester basis, when a student meets the eligibility criteria for benefits under the Aid to Families of Dependent Children program, the Supplemental Income/State Supplementary Program, or a general assistance program.  
GB-5-11-04~~

[See Procedure 5030 titled Fees](#)

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**NOTE:** This policy is **legally required**. The language in **red ink** is recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The wording in **blue ink** is additional language to consider including in this policy. The language in **green ink** reflects suggested revisions from Student Services. The language in **black ink** is current Palomar College Policy 403.1 titled Enrollment Fee Refund adopted on 11-27-84 and revised on 5-14-85; Policy 403.2 titled Enrollment Fee Waiver adopted on 6-10-86 and revised on 1-17-95, 10-14-97, and 3-08-05; Policy 403.5 titled Student Activity Fee adopted on 4-10-01; Policy 423.3 titled Fees with no adoption date indicated; Policy 5030.3 titled Student Health Fee adopted on 12-9-03, and Policy 5030.6 titled Fee Exemption for International Students adopted on 5-11-04. This policy was reviewed at the February 23, 2007 Policy and Procedure Task Force Meeting.

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**Date Adopted:**

*(Replaces Palomar College Policies 403.1, 403.2, 403.5, 423.2, 5030.3, and 5030.6)*

Student Services  
DRAFT as of 2/23/07

**BP 5035 WITHHOLDING OF STUDENT RECORDS**

**Reference:**

Title 5 Section 59410

Students or former students who have been provided with written notice that they have failed to pay a proper financial obligation to the District shall have grades, transcripts, diplomas, and registration privileges withheld.

See Procedure 5035 titled Withholding of Student Records

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**Date Adopted:**

*(This a new policy recommended by the CC League and the League's legal counsel)*

Student Services  
**DRAFT as of 2/23/07**

**BP 5040 STUDENT RECORDS AND DIRECTORY INFORMATION**

**References:**

Education Code Sections 76200 et seq.;  
Title 5 Sections 54600 et seq.

The Superintendent/President shall assure that student records are maintained in compliance with applicable federal and state laws relating to the privacy of student records.

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.

No District representative shall release the contents of a student record to any member of the public without the prior written consent of the student, other than directory information as defined in this policy and information sought pursuant to a court order or lawfully issued subpoena, or as otherwise authorized by applicable federal and state laws.

Students shall be notified of their rights with respect to student records, including the definition of directory information contained here, and that they may limit the information.

Directory information shall include:

- Student participation in officially recognized activities and sports including weight, height and high school of graduation of athletic team members.
- Degrees and awards received by students, including honors, scholarship awards, athletic awards and Dean's List recognition.
- Names, address, telephone number, and dates of attendance.

**Is there a provision whereby students can limit their name/address/telephone number???**

- ❖ ~~From current Palomar College Policy 405 titled Access to Student Records (92-15301)~~

~~The Palomar Community College District will adopt procedures consistent with California Administrative Code, Title V, Regulations Section 54600 et al., regarding information on students and access to student records.~~

~~GB 10-13-92~~

See Procedure 5040 titled Student Records and Directory Information as well as Procedure 5045 titled Student Records: Challenging Content and Access Log

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**NOTE:** This policy is **legally advised**. The language in **red ink** is recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The wording in **blue ink** is additional language to consider including in this policy. The language in **black ink** is current Palomar College Policy 405 titled Access to Student Records adopted on 10-13-92. This policy was reviewed at the February 23, 2007 Policy and Procedure Task Force Meeting.

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**Date Adopted:**

*(Replaces current Palomar College Policy 405)*

Student Services  
DRAFT as of 3/16/07

**BP 5045 STUDENT RECORDS: CHALLENGING CONTENT AND  
ACCESS LOG**

**References:**

Education Code Sections 76222 and 76232;  
Title 5 Section 54630

Any student may file a written request with Enrollment Services to correct or remove information recorded in the student's records that the student alleges to be: (1) inaccurate; (2) an unsubstantiated personal conclusion or inference; (3) a conclusion or inference outside of the observer's area of competence; or (4) not based on the personal observation of a named person with the time and place of the observation noted.

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**NOTE:** This policy is **suggested as good practice**. The wording in **blue ink** is additional language to consider including in this policy. The language in **green ink** reflects suggested revisions from Student Services. This policy was reviewed at the March 16, 2007 Policy and Procedure Task Force Meeting.

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**Date Adopted:**

*(This is an optional policy that corresponds  
with AP 5045)*

Student Services  
DRAFT as of 3/16/07

**BP 5050 MATRICULATION**

**References:**

Education Code Sections 78210 et seq.;

Title 5 Section 55500

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 that include admission; assessment orientation academic career, transfer, and personal counseling; advising; and follow-up services.

❖ **From current Palomar College Policy 5050 titled Counseling and Matriculation**

~~The District shall provide counseling and matriculation services to students for the purpose of furthering equality of educational opportunity and academic success. Palomar College will provide counseling and matriculation services to all students who enroll in credit courses. Counseling and matriculation will assist students in optimizing their opportunities for successfully completing their educational goals through the District's established programs, policies, and requirements. This will provide enhanced admission, assessment, orientation, academic career, transfer and personal counseling, advising and follow-up services.~~

~~The Superintendent/President shall establish procedures to assure implementation of counseling and matriculation services that comply with the Title 5 regulations.~~

~~Education Code sections 78210, et seq.; Title 5, Section 55500~~

~~GB 1-14-03~~

[See Procedure 5050 titled Matriculation as well as Policy 5110 titled Counseling](#)

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**NOTE:** This policy is **legally advised**. The language in **red ink** is recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The wording in **blue ink** is additional

language to consider including in this policy. The language in **black ink** is current Palomar College Policy 5050 titled Counseling and Matriculation adopted on 1-14-03. The language in **green ink** reflects suggested revisions from Student Services. This policy was reviewed at the March 16, 2007 Policy and Procedure Task Force Meeting. **Note:** Placed current Palomar Policy 5050 language in BOTH BP 5050 as well as BP 5110 for comparison. Divide into two policies or keep as one policy??

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**Date Adopted:**

*(Replaces current Palomar College Policy 5050)*

Student Services  
DRAFT as of 3/16/07

## BP 5052 OPEN ENROLLMENT

### Reference:

Title 5 Section 51006

The policy of the Palomar Community College District is that, unless specifically exempted by statute or regulation, every course, course section, or class, reported for state aid, wherever offered and maintained by the District, shall be fully open to enrollment and participation by any person who has been admitted to the College and who meets such prerequisites as may be established pursuant to regulations contained in Article 2.5 (commencing with Section 55200) of Subchapter 1 of Chapter 6 of Division 6 of Title 5 of the California Code of Regulations.

The Superintendent/President shall assure that this policy is published in the catalog and schedule of classes. Joe and Berta will check the catalog/schedule of classes and confirm

See Procedure 5052 titled Open Enrollment

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**NOTE:** This policy is **legally advised**. The language in **red ink** is recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The wording in **blue ink** is additional language to consider including in this policy. The language in **green ink** reflects suggested revisions from Student Services. This policy was reviewed at the March 16, 2007 Policy and Procedure Task Force Meeting. There does not appear to be a current Palomar College Policy that addresses this issue.

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### Date Adopted:

(This a new policy recommended by the CC League and the League's legal counsel)

Student Services  
DRAFT as of 3/16/07

**BP 5055 ENROLLMENT PRIORITIES**

**References:**

Title 5 Sections 51006, 58106, and 58108

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

❖ ~~From current Palomar College Policy 402 titled Registration (77-6279)~~

~~No registration procedures shall be used that result in restricting enrollment to a specialized clientele.~~

~~Special registration assistance may be given to disabled students. It may also be given to a limited number of disadvantaged students upon specific recommendation of the Assistant Superintendent/Vice President for Student Services.~~

~~5 CAC 58108, 56026; GB 7-19-77~~

❖ ~~From current Palomar College Policy 402.1 titled Registration Priority System (89-13819, 94-16943, 94-17035, 98-19411, 00-20570)~~

~~Students will be assigned phone-in registration appointments in the following priority scheme:~~

~~1. DISABILITY RESOURCE CENTER, EOP&S, and TRIO/SSS Students~~

~~a. Continuing students.~~

~~b. New, returning, and transfer students who submit an application and complete assessment and orientation prior to the deadline date.~~

~~2. New, returning, transfer, and continuing students who complete orientation and assessment in the immediate period of time prior to the deadline date.~~

- ~~3. Continuing students (students who are actively registered at census the prior semester or actively registered in a course as of the deadline date) are assigned appointments on the basis of units completed at Palomar College.~~
  - ~~4. New, returning, or transfer students who are not in category 2.~~
  - ~~5. Non-high school graduates age 15 to 18.~~
- ~~GB 5-22-90, Rev. 3-28-95, Rev. 5-23-95, Rev. 3-23-99, Rev. 4-10-01~~

[See Procedure 5055 titled Enrollment Priorities](#)

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**NOTE:** This policy is **legally advised**. The language in **red ink** is recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The wording in **blue ink** is additional language to consider including in this policy. The language in **black ink** is current Palomar College Policy 402 titled Registration adopted on 7-19-77 and Policy 402.1 titled Registration Priority System adopted on 5-22-90 and revised on 3-28-95, 5-23-95, 3-23-99, and 4-10-01. The language in **green ink** reflects suggested revisions from Student Services. This policy was reviewed at the March 16, 2007 Policy and Procedure Task Force Meeting.

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**Date Adopted:**

*(Replaces current Palomar College Policies 402 and 402.1)*

**BP 5075 COURSE ADDS AND DROPS**

**Reference:**

Education Code Section 70902

❖ **From current Palomar College Policy 418 titled Enrollment/Disenrollment (87-12098)**

The primary responsibility for class attendance and maintaining an accurate registration record rests with the student. Consequently, each student must process all adds or drops to the registration schedule and is held responsible for the updating of their Official Study Program.

GB 11-24-87

❖ **From current Palomar College Policy 417 titled Withdrawal (83-9859, 95-17481)**

~~If a student withdraws during the first four (4) weeks or 30% of a class, whichever is less, no grade is assigned, and no notation will appear on the student's record. After the fourth week or 30% of a class, whichever is less, through the eighth week or 50% of a class, whichever is less, a student, at his or her discretion, may withdraw from a class and receive a "W." After the eighth week or 50% of a class, whichever is less, only evaluative grades (A, B, C, D, F, FW) or I shall be assigned. Students who have verifiable extenuating circumstances beyond their control may petition for an exception to withdraw from a class after the eighth week or 50% of a class, whichever is less.~~

~~GB 12-6-83, Rev. 3-12-96~~

[See Procedure 5075 titled Course Adds and Drops](#)

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**NOTE:** This policy is **legally advised**. The wording in **blue ink** is additional language to consider including in this policy. The language in **black ink** is current Palomar College Policy 417 titled Withdrawal adopted on 12-6-83 and revised on 3-12-96 and Policy 418 titled Enrollment/Disenrollment adopted on 11-24-87. This policy was reviewed at the March 16, 2007 Policy and Procedure Task Force Meeting.

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**Date Adopted:**

(Replaces current Palomar College Policies 417 and 418)



Student Services  
DRAFT as of 3/16/07

BP 5110 COUNSELING SERVICES

References:

Education Code Sections 78210 et seq.;

Title 5 Section 51018

Counseling services are an essential part of the educational mission of the District.

The Superintendent/President shall assure the provision of counseling services including academic, career, and personal counseling that is related to the student's education.

Counseling shall be required for all first time students enrolled for more than six units in an academic term, students enrolled provisionally, and students on academic or progress probation.

❖ **From current Palomar College Policy 5050 titled Counseling and Matriculation**

~~The District shall provide counseling and matriculation services to students for the purpose of furthering equality of educational opportunity and academic success. Palomar College will provide counseling and matriculation services to all students who enroll in credit courses. Counseling and matriculation will assist students in optimizing their opportunities for successfully completing their educational goals through the District's established programs, policies, and requirements. This will provide enhanced admission, assessment, orientation, academic career, transfer and personal counseling, advising and follow-up services.~~

~~The Superintendent/President shall establish procedures to assure implementation of counseling and matriculation services that comply with the Title 5 regulations.~~

~~Education Code sections 78210, et seq.; Title 5, Section 55500~~

~~GB 1-14-03~~

See Procedure 5110 titled Counseling as well as Policy 5050 titled Matriculation

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**NOTE:** This policy is **legally advised**. The language in **red ink** is recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The wording in **blue ink** is additional language to consider including in this policy. The language in **black ink** is current Palomar College Policy 5050 titled Counseling and Matriculation adopted on 1-14-03. The language in **green ink** reflects suggested revisions from Student Services. This policy was reviewed at the March 16, 2007 Policy and Procedure Task Force Meeting. **Note:** Placed current Palomar Policy 5050 language in BOTH BP 5050 as well as BP 5110 for comparison. Divide into two policies or keep as one policy??

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**Date Adopted:**

*(Replaces current Palomar College Policy 5050)*

Student Services  
DRAFT as of 3/16/07

BP 5120 TRANSFER CENTER

References:

Education Code Sections 66720-66744;  
Title 5 Section 51027

The District incorporates as part of its mission the transfer of its students to baccalaureate level institutions. The District further recognizes that students who have historically been underrepresented in transfer to baccalaureate level institutions are a special responsibility.

The Superintendent/President shall assure that a Transfer Center Plan is implemented that identifies appropriate target student populations, is designed to increase the transfer applications of all students including underrepresented students and complies with law and regulations.

❖ ~~From current Palomar College Policy 5120 titled Transfer Center~~

~~The District recognizes transfer of its students to baccalaureate level institutions as one of its primary missions. The District further recognizes that students who have historically been underrepresented in transfer to baccalaureate level institutions are a special responsibility.~~

~~The Superintendent/President, in cooperation with the appropriate campus constituencies, shall assure that a transfer center plan is implemented that identifies appropriate target student populations, is designed to increase the transfer applications of underrepresented students, and complies with law and regulations.~~

~~Title 5, Section 51027~~

~~GB 1-14-03~~

See Procedure 5120 titled Transfer Center

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**NOTE:** This policy is **legally advised**. The language in **red ink** is recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The wording in **blue ink** is additional language to consider including in this policy. The language in **black ink** is current Palomar College

Policy 5120 dated 1-14-03. The language in **green ink** reflects suggested revisions from Student Services. This policy was reviewed at the March 16, 2007 Policy and Procedure Task Force Meeting.

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**Date Adopted:**

*(Replaces current Palomar College Policy 5120)*

Student Services  
DRAFT as of 2/21/07

BP 5130 FINANCIAL AID, VETERANS' & SCHOLARSHIPS SERVICES

References:

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

The Financial Aid, Veterans' & Scholarships Services Office is responsible for the administration of federal, state, and institutional financial aid programs (i.e., fee waiver, grants, federal work study and loans), internal and external scholarships, and the Veterans Educational Benefits program.

All financial aid programs will adhere to guidelines, procedures, and standards issued by federal and state laws and other applicable regulatory and institutional requirements.

The Financial Aid, Veterans' & Scholarships Services Office shall establish, publicize, and apply satisfactory academic progress standards for participants in Title IV student aid programs.

❖ **From current Palomar College Policy 423.2 titled Financial Aid**

Any student suspended or expelled from the College shall be ineligible for scholarships, loans, grants-in-aid, or any other financial aid given or guaranteed by the College, state, or federal government, during the period of the suspension or expulsion.  
EC 76037

See Procedure 5130 titled Financial Aid as well as Policy 5500 titled Standards of Conduct

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**NOTE:** This policy is **legally advised**. The language in **red ink** is recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The wording in **blue ink** is additional language to consider including in this policy. The language in **green ink** reflects suggested revisions from Student Services. The language in **black ink** is current Palomar College Policy 423.2 titled Financial Aid with no adoption date.

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**Date Adopted:**

(Replaces current Palomar College Policy  
423.2)

Student Services  
DRAFT as of 2/21/07

**BP 5140 DISABLED STUDENT PROGRAMS AND SERVICES**  
**(DISABILITY RESOURCE CENTER)**

**References:**

Education Code Sections 67310 and 84850;  
Title 5 Sections 56000 et seq.

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

The Disabled Students Programs and Services (DSPS)/Disability Resource Center (DRC) program shall be the primary provider for support programs and services that facilitate equal educational opportunities for disabled students who can profit from instruction as required by federal and state laws.

DSPS/DRC services shall be available to students with verified disabilities. The services to be provided include, but are not limited to, reasonable accommodations, academic adjustments, accessible facilities, equipment, instructional programs, rehabilitation counseling, and academic counseling.

No student with disabilities is required to participate in the Disabled Students Programs and Services Program/Disability Resource Center.

The Superintendent/President shall assure that the DSPS Program conforms to all requirements established by the relevant law and regulations.

See Procedure 5140 titled Disabled Student Programs and Services

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**NOTE:** This policy is **legally advised**. The language in **red ink** is recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The wording in **blue ink** is additional language to consider including in this policy. The language in **green ink** reflects suggested revisions from Student Services.

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**Date Adopted:**

*(This is a new policy recommended by the CC League and the League's legal counsel)*

Student Services  
DRAFT as of 2/21/07

**BP 5150 EXTENDED OPPORTUNITY PROGRAMS AND SERVICES**

**References:**

Education Code Sections 69640 – 69656;  
Title 5 Sections 56200 et seq.

Support services and programs that are “above and beyond” the traditional student services programs shall be provided in order to assist students who have language, social, and economic disadvantages to succeed academically in the District.

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

The Superintendent/President shall assure that the EOPS Program conforms to all requirements established by the relevant law and regulations.

See Procedure 5150 titled Extended Opportunity Programs and Services

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**NOTE:** This policy is **legally advised**. The language in **red ink** is recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The wording in **blue ink** is additional language to consider including in this policy. The language in **green ink** reflects suggested revisions from Student Services. There does not appear to be a current Palomar College Policy that addresses this issue.

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**Date Adopted:**

*(This is a new policy recommended by the CC League and the League’s legal counsel)*

Student Services  
DRAFT as of 2/21/07

BP 5200 STUDENT HEALTH SERVICES

References:

Education Code Sections 76401 and 76355;

Title 5 Sections 53411 and 54702;

Americans with Disabilities Act (ADA);

Board of Registered Nursing;

Business and Professions Code;

California Health Information Association;

Civil Code;

Family Code;

Family Education Rights and Privacy Act (FERPA);

Health and Safety Code;

Health Insurance Portability and Accountability Act (HIPAA);

Occupational Safety Health Administration (OSHA);

Penal Code;

Welfare and Institutions Code

Health Services shall be provided in order to contribute to the physical and emotional well being of the campus community. The Health Services programs are directed at facilitating educational goals, student retention, and academic success. Health Services is an integral part of the College, supports its objectives, and receives support from the college in performing its responsibilities.

Refer to the Palomar College Catalog.

See Procedure 5200 titled Student Health Services

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**NOTE:** This policy is **legally advised**. The language in **red ink** is recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The wording in **blue ink** is additional language to consider including in this policy. The language in **green ink** reflects suggested revisions from Student Services.

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**Date Adopted:**

*(This is a new policy recommended by the CC League and the League's legal counsel)*

Student Services  
DRAFT as of 2/21/07

**BP 5205 STUDENT ACCIDENT INSURANCE**

**References:**

Education Code Section 72506;  
Government Code Sections 989-991.2

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

See Procedure 5205 titled Student Accident Insurance

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**NOTE:** This policy is **legally advised**. The language in **red ink** is recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The wording in **blue ink** is additional language to consider including in this policy. This policy was reviewed by Student Services in January.

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**Date Adopted:**

*(This is a new policy recommended by the CC League and the League's legal counsel)*

Student Services  
DRAFT as of 2/21/07

## BP 5210 COMMUNICABLE DISEASE

### References:

[Education Code Section 76403;](#)  
[California Department of Health Services;](#)  
[Center for Disease Control;](#)  
[County of San Diego Health and Human Services Agency](#)

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

[See Procedure 5210 titled Communicable Disease](#)

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**NOTE:** This policy is **legally advised**. The language in **red ink** is recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The wording in **blue ink** is additional language to consider including in this policy. The language in **green ink** reflects suggested revisions from Student Services.

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### Date Adopted:

*(This is a new policy recommended by the CC League and the League's legal counsel)*

Student Services  
DRAFT as of 2/21/06

**BP 5300 STUDENT EQUITY**

**References:**

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

The Governing Board is committed to assuring student equity in educational programs and District services. The Superintendent/President shall establish and implement a Student Equity Plan that meets the Title 5 standards for such a plan.

See Procedure 5300 titled Student Equity

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**NOTE:** This policy is **legally advised**. The language in **red ink** is recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The wording in **blue ink** is additional language to consider including in this policy.

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**Date Adopted:**

*(This a new policy recommended by the CC League and the League's legal counsel)*

Student Services  
DRAFT as of 2/21/07

**BP 5400 ASSOCIATED STUDENTS ORGANIZATION**

**References:**

Education Code Sections 76060, 76061, and 76062

The students of the District are authorized to organize a student body association. The Governing Board hereby recognizes that the association as the Associated Students of the Palomar Community College District.

The Associated Students organization is recognized as the official voice for the students in District decision-making processes. It may conduct other activities as approved by the Superintendent/President. The Associated Students activities shall not conflict with the authority or responsibility of the Governing Board or its officers or employees.

The Associated Students shall conduct itself in accordance with state laws and regulations and administrative procedures established by the Superintendent/President.

The Associated Students shall be granted the use of District premises subject to such administrative procedures as may be established by the Superintendent/President. Such use shall not be construed as transferring ownership or control of the premises.

❖ **From current Palomar College Policy 475 titled Associated Student Government Constitution**

The Associated Student Government Constitution is available in the Associated Student Government Office and the Student Affairs Office.

[See Procedure 5400 titled Associated Students Organization](#)

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**NOTE:** This policy is **legally advised**. The language in **red ink** is recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The wording in **blue ink** is additional language to consider including in this policy. The language in **green ink** reflects suggested revisions from Student Services. The language in **black ink** is current Palomar College Policy 475 titled Associated Student Government Constitution with no adoption date.

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**Date Adopted:**

*(Replaces current Palomar College Policy  
475)*

Student Services  
DRAFT as of 2/21/07

BP 5410 ASSOCIATED STUDENTS ELECTIONS

Reference:

Education Code Section 76061

The Associated Students shall conduct annual elections to elect officers. The elections shall be conducted in accordance with procedures identified in the Associated Student Constitution and Bylaws.

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

1. The student shall be enrolled in the District at the time of election and throughout his or her term of office, with a minimum of five semester units or the equivalent.
2. The student shall meet and maintain the minimum standards of scholarship (see Board Policy 4220 titled Standards of Scholarship and related administrative procedures).

The Associated Students may identify additional requirements for participation in the organization.

See Procedure 5410 titled Associated Students Elections

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**NOTE:** This policy is **legally advised**. The language in **red ink** is recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The wording in **blue ink** is additional language to consider including in this policy. The language in **green ink** reflects suggested revisions from Student Services.

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**Date Adopted:**

*(This a new policy recommended by the CC League and the League's legal counsel)*

Student Services  
DRAFT as of 2/21/07

**BP 5420 ASSOCIATED STUDENTS FINANCE**

**References:**

Education Code Sections 76063-76065

Associated Student funds shall be deposited with and disbursed by the Superintendent/President.

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

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

- the Superintendent/President or designee;
- the employee who is the designated adviser of the particular student body organization; and
- a representative of the student body organization.

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

❖ **From current Palomar College Policy 527 titled Associated Student Government Funds**

Associated Student Government funds are to be used for projects and programs which benefit the students and the District.

[See Procedure 5420 titled Associated Students Finance](#)

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**NOTE:** This policy is **legally advised**. The language in **red ink** is recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The wording in **blue ink** is additional language to consider including in this policy. The language in **black ink** is current Palomar College Policy 527 titled Associated Student Government Funds with no adoption date indicated.

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**Date Adopted:**

*(Replaces current Palomar College Policy  
527)*

**Student Services**  
**DRAFT as of 3/15/07**

**BP 5500 STANDARDS OF CONDUCT**

**References:**

Education Code Sections 66300 and 66301;  
Accreditation Standard II.A.7.b

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

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

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

The procedures shall be made widely available to students through the College catalog and other means.

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

1. Causing, attempting to cause, or threatening to cause physical injury to another person.
2. Possession, sale, or otherwise furnishing any firearm, knife, explosive, or other dangerous object, including but not limited to any facsimile firearm, knife, or explosive, unless, in the case of possession of any object of this type, the student has obtained written permission to possess the item from a District employee, which is concurred by the Superintendent/President.
3. Unlawful possession, use, sale, offer to sell, or furnishing, or being under the influence of, any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the California Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind; or unlawful possession of, or

offering, arranging, or negotiating the sale of any drug paraphernalia, as defined in California Health and Safety Code Section 11014.5.

4. Committing or attempting to commit robbery or extortion.
5. Causing or attempting to cause damage to District property or to private property on campus.
6. Stealing or attempting to steal District property or private property on campus or knowingly receiving stolen District property or private property on campus.
7. Willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of the District.
8. Committing sexual harassment as defined by law or by District policies and procedures.
9. Engaging in harassing or discriminatory behavior based on race, sex, (i.e., gender) religion, age, national origin, disability, or any other status protected by law.
10. Willful misconduct which results in injury or death to a student or to District personnel or which results in cutting, defacing, or other injury to any real or personal property owned by the District or on campus.
11. Disruptive behavior, willful disobedience, habitual profanity or vulgarity, or the open and persistent defiance of the authority of, or persistent abuse of, District personnel.
12. Cheating, plagiarism (including plagiarism in a student publication), or engaging in other academic dishonesty.
13. Dishonesty; forgery; alteration or misuse of District documents, records or identification; or knowingly furnishing false information to the District.
14. Unauthorized entry upon or use of District facilities.
15. Lewd, indecent, or obscene conduct on District-owned or controlled property or at District-sponsored or supervised functions.
16. Engaging in expression which is obscene; libelous, or slanderous; or which so incites students as to create a clear and present danger of the commission of unlawful acts on District premises or the violation of lawful District administrative procedures or the substantial disruption of the orderly operation of the District.
17. Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.
18. Unauthorized preparation, giving, selling, transfer, distribution, or publication, for any commercial purpose, of any contemporaneous recording of an academic presentation in a classroom or equivalent site of instruction, including but not limited to handwritten or typewritten class notes, except as permitted by any District policy or administrative procedure.

❖ **From current Palomar College BP 305 titled Academic Integrity Code of Conduct (92-15739)**

Academic Integrity is a code of conduct for students that requires honest and ethical academic endeavor.

It is an integral part of the spirit embodied in an academic community. Violations of this code of conduct are considered serious and may result in penalties ranging from failing a test or assignment to expulsion from the College. The Governing Board of the Palomar Community College District supports the principles of the Academic Integrity Code and supports the efforts of faculty and staff to ensure that these principles are upheld.

GB 5-25-93

❖ **From current Palomar College Policy 420.1 titled General Application**

~~Palomar College students are responsible for regulating their own conduct and for respecting the rights and privileges of others. They are expected to conduct themselves in a manner compatible with the function of the College as an educational institution and respect and obey all civil and criminal laws.~~

~~Failure to abide by the standards as set forth by Palomar College is cause for disciplinary action.~~

~~EC 66300, 66017, 87708, 76030 et seq; 5 CAC 41301, 41302; PC 415.5;~~

~~GB 1-12-82~~

❖ **From current Palomar College Policy 420.2 titled Application of Policy to Conduct of Applicants for Admission or Readmission**

Admission or readmission may be denied to any person who, while not enrolled as a student, commits such acts which, were he/she enrolled as a student, would be the basis for disciplinary proceedings under this policy. In addition, admission or readmission may be denied to any person who, while a student, commits acts which are subject to disciplinary action pursuant to this policy. Any conduct for which admission or readmission may be denied must be College related.

5 CAC 41303

❖ **From current Palomar College Policy 421 titled Confidentiality**

Unless the student and the College determine otherwise, proceedings under this policy shall be confidential and all hearings held hereunder shall be closed to everyone other than the person(s) conducting the hearing, the student charged, the College representative, a single advisor of the person(s) conducting the hearing, an advisor for each of the parties, a witness while presenting evidence, and a person designated to record or otherwise make a record of the proceeding.

❖ **From current Palomar College Policy 422 titled Delegation**

Whenever a power or duty is granted to an employee or officer by this policy, the power or duty may be exercised or performed by another officer or employee who is authorized to do so by delegation from the first officer or employee. Notwithstanding this provision, the authority of an instructor to suspend a student from a class may not be delegated to any other person.

❖ **From current Palomar College Policy 423 titled Record of Disciplinary Action**

The fact of disciplinary action and the reasons therefore shall be recorded on the student discipline records subject to access, review, and comment by the student as authorized by the Federal Family Educational Rights and Privacy Act [20 U.S.C. 1232 (g)] and the administrative regulations adopted thereto (45 CFR Sections 99 et seq) and similar provisions of state law (Education Code Section 76200 et seq) and the administrative regulations adopted pursuant thereto.  
5 CAC 54600 et seq.

The information shall remain recorded on the student records unless expunged in accordance with state or federal law but shall not be released to prospective employers unless the student consents in writing to such release.  
EC 76210, 76220 et seq; 5 CAC 54600 et seq

In addition, such information will be released to other third parties, including law enforcement agencies, as required or authorized by the state and federal law referred to above.

For a period of two calendar years after the recording of such information, the information may be used by appropriate College officials in determining the appropriate sanction of any subsequent disciplinary action or for any other College-related purposes.

❖ **From current Palomar College Policy 423.1 titled Technical Departures**

Technical departures from this policy and errors in their application shall not be grounds to void the College's right to take disciplinary action against a student unless, in the opinion of the College President or designees, the technical departure or error prevented a fair determination of the issue.

[See Procedure 5500 titled Standards of Conduct as well as Policies 5030 titled Fees and 5130 titled Financial Aid which address consequences of disciplinary action.](#)

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**NOTE:** This policy is **legally advised**. The language in **red ink** is recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The wording in **blue ink** is additional

language to consider including in this policy. The language in **black ink** is current Palomar College Policy 305 titled Academic Integrity Code of Conduct adopted on 5-25-93; Policy 420.1 titled General Application adopted on 1-12-82; Policy 420.2 titled Application of Policy to Conduct of Applicants for Admission or Readmission with no adoption date; Policy 421 titled Confidentiality with no adoption date; Policy 422 titled Delegation with no adoption date; Policy 423 titled Record of Disciplinary Action with no adoption date; and Policy 423.1 titled Technical Departures with no adoption date.

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**Date Adopted:**

*(Replaces current Palomar College Policies 305, 420.1, 420.2, 421, 422, 423, 423.1)*

**BP 5530 STUDENT RIGHTS AND GRIEVANCES**

**References:**

Education Code Section 76224(a);  
Title IX Education Amendments of 1972

❖ **From current Palomar College Policy 426 titled Student Grievance (93-16511)**

It is the policy of the Palomar Community College District to authorize students to initiate grievance procedures when the student believes that he/she has been subject to unjust action or the denial of rights as stipulated in published District regulations, state laws, or federal laws. Such action may be instituted by a student against another student, a staff member, a faculty member, or an administrator. When a student believes an injustice has been done, the student may seek redress as outlined in the Student Grievance Policy and Procedures.

GB 6-28-94

❖ **From current Palomar College Policy 430.1 titled Suspension by Instructor**

An instructor is authorized to suspend a student for a good cause from his/her class for the day of the suspension and the following class meeting. Before or at the time of ordering the suspension of any student from class, the instructor shall give or make reasonable efforts to give the student an oral or written notice of the reasons for the proposed suspension. Immediately following the suspension, the instructor shall notify the College President or designee of the suspension and request that the student proceed to the College President or designee's office. The instructor's decision is final and may not be appealed under this policy.

EC 66017, 76032, 76030

❖ **From current Palomar College Policy 430.2 titled Administrative Suspension**

The Superintendent/President or designee is authorized to suspend a student for good cause for no more than five days. If the events upon which such a suspension is based are the same events that led an instructor to suspend a student from class, the length of the total suspension shall not exceed five days.

Before or at any time of imposing discipline as authorized by this policy, the Superintendent/President or designee shall give or make reasonable efforts to give the student an oral or written notice of the reasons for the proposed disciplinary action.

The decision of the Superintendent/President or designee is final and may not be appealed under this policy.  
EC 66017, 76037, 76031

❖ **From current Palomar College Policy 430.3 titled Right to Impose Long-term Suspensions or Recommend Expulsions**

The Superintendent/President or designee is authorized to suspend a student for good cause for a period of time not to exceed two calendar years; or The Superintendent/President or designee may recommend that the Governing Board expel a student from the College. Only the Governing Board shall be authorized to expel a student.

[See Procedure 5530 titled Student Rights and Grievances](#)

**NOTE:** The language in **red ink** is recommended by the Community College League and legal counsel (Liebert Cassidy Whitmore). The wording in **blue ink** is additional language to consider including in this policy. This policy is **legally required**. The language in black ink is current Palomar College Policy 3.06 Questions of Conduct or Grievance dated 6-28-94; Policy 426 titled Student Grievance adopted on 6-28-94; Policy 430.1 titled Suspension by Instructor with no date indicated; Policy 430.2 titled Administrative Suspension with no date; and Policy 430.3 titled Right to Impose Long-term Suspensions or Recommend Expulsions with no date.

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**Date Approved:**

*(Replaces current Palomar College Policies 3.06, 426, 430.1, 430.2, and 430.3)*

Student Services  
**DRAFT as of 3/15/07**

**BP 5550 SPEECH: TIME, PLACE, AND MANNER**

**References:**

Education Code Sections 66301 and 76120

The college(s) of the District is/are non-public forums, except for those areas that are generally available for use by students or the community, which are limited public forums. The Superintendent/President shall enact such administrative procedures as are necessary to reasonably regulate the time, place, and manner of the exercise of free expression in the limited public forums.

The administrative procedures promulgated by the Superintendent/President shall not prohibit the right of students to exercise free expression, including but not limited to the use of bulletin boards designated for such use, the distribution of printed materials or petitions in those parts of the District designated as areas generally available to students and the community, and the wearing of buttons, badges, or other insignia.

Students shall be free to exercise their rights of free expression, subject to the requirements of this policy.

Students will be held accountable and may be subject to disciplinary sanctions for engaging in speech that is defamatory, obscene according to current legal standards, or which so incites others as to create a clear and present danger of the commission of unlawful acts on District property or the violation of District policies or procedures, or the substantial disruption of the orderly operation of the District.

Nothing in this policy shall prohibit the regulation of hate violence, so long as the regulation conforms to the requirements of the First Amendment to the United States Constitution, and of Section 2 of Article 1 of the California Constitution. Students may be disciplined for harassment, threats, intimidation, or hate violence unless such speech is constitutionally protected.

❖ **From current Palomar College Policy 435 titled Speakers (68-2363)**

With the intent to serve as an educational and cultural center for the people of Northern San Diego County, Palomar College invites public forums, the Community Service Lecture Series and guest speakers. To ensure that speakers present diverse views in

the best traditions of the American forum, the Superintendent/President's designee will assure that speakers be intellectually stimulating and educationally justifiable.

When controversial topics are presented, balancing viewpoints will be presented as follows:

- A. On the same program at the discretion of the sponsoring organizations; or
- B. At another hour designated by the Superintendent/President's designee; or
- C. At any time, in accordance with the code of the free speaker area. No speaker or topic shall violate the Education Code or any local, state, or federal law.

The Student Affairs Office will seek agreement on the following topics:

- A. That the speaker accurately describe his/her background to the audience.
- B. That with relevance and propriety, the speaker answer unselected questions if a question period is provided.
- C. That the total presentation be recorded and taped for library use.

This policy is applicable to student organizations on campus in their recruitment of guest speakers and is not intended to apply to instructors inviting guest lecturers to their classes.

GB 3-11-69

❖ **From current Palomar College Policy 440 titled Student and Visitor Symbolic Expression (00-20426)**

The Palomar Community College District celebrates and encourages the open and honest discussion of ideas. ~~We welcome~~ the vigorous interchange of thoughts and opinions between all members of the campus community are welcomed, and ~~we recognize~~ the legal protections rightfully afforded to free speech in a public college are recognized. At the same time, ~~we expect~~ the members of ~~our~~ the community are expected to conduct their expressive activities in a manner that promotes and maintains the ideals of respect, equality, diversity, and freedom from harassment.

The Palomar Community College District will respect not only the right of student free expression, but also the right to be free from those actions that illegally harass, intimidate, and threaten the members of the college community and the educational process. Therefore, freedom of speech and the distribution and posting of printed materials shall be permitted "except that 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 on community college premises, or the disruption of the orderly operation of the college." (California Education Code, Article 7, Section 76120).

Palomar Community College District's procedures reflect the responsibility of adopting "rules and regulations relating to the exercise of free expression by students . . . which shall include reasonable provisions for the time, place, and manner of conducting such

activities.” The District recognizes: That such rules and regulations shall not prohibit the right of students to exercise free expression including, but not limited to, the use of bulletin boards, distribution of printed materials or petitions, and the wearing of buttons, badges, or other insignias.

(California Education Code, Article 7, Section 76120).

GB 12-12-00

[See Procedure 5550 titled Speech: Time, Place, and Manner](#)

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**NOTE:** This policy is **legally advised**. The language in **red ink** is recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The wording in **blue ink** is additional language to consider including in this policy. The language in **black ink** is current Palomar College Policy 435 titled Speakers dated 3-11-69 and Policy 440 titled Student and Visitor Symbolic Expression adopted on 12-12-00.

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**Date Adopted:**

*(Replaces current Palomar College Policies  
435 and 440)*

**BP 5570 STUDENT CREDIT CARD SOLICITATION**

**References:**

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

The Superintendent/President shall establish procedures that regulate the solicitation of student credit cards on campus.

❖ **From current Palomar College Policy 505 titled Solicitation of Funds by Outside Organizations**

All solicitation of funds from students, faculty, or staff by off-campus organizations or persons will be prohibited, except with the express approval of the executive administration and/or Governing Board.

GB 3-22-66

[See Procedure 5570 titled Student Credit Card Solicitation](#)

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**NOTE:** This policy is **legally advised**. The language in **red ink** is recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The wording in **blue ink** is additional language to consider including in this policy. The language in **black ink** is current Palomar College Policy 505 titled Solicitation of Funds by Outside Organizations adopted on 3-22-66.

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**Date Adopted:**

(Replaces current Palomar College Policy 505)

Student Services  
DRAFT as of 3/15/07

BP 5700 ATHLETICS

References:

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

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

The Superintendent/President shall assure that the athletics program complies with state law, the California Community Colleges Commission on Athletics Constitution, and Sports Guides, and appropriate Conference Constitution regarding student athlete participation.

❖ From current Palomar College Policy 470 titled Athletic Funding

The District shall assume financial responsibility for the Athletic Program.  
GB 8-10-05

See Procedure 5700 titled Athletics

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**NOTE:** This policy is **legally advised**. The language in **red ink** is recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The wording in **blue ink** is additional language to consider including in this policy. The language in black ink is current Palomar College Policy 470 titled Athletic Funding adopted on 8-10-05.

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**Date Adopted:**

(Replaces current Palomar College Policy 470)

**BP 5800 BOOKSTORE**

**References:**

Education Code Section 81676

The College bookstore shall be established and operated by a qualified vendor.

Contracts for outside vendors to operate bookstores shall be awarded by competitive bid, submitted to the Governing Board for approval, and awarded in the best interests of the students. Student organizations shall be encouraged to submit bids and given preference (if they meet all other bid criteria).

❖ **From current Palomar College Policy 560 titled Palomar College Bookstore**

~~Under the authority of Education Code Section 81676 (1970), the Governing Board authorizes and orders:~~

- ~~A. The establishment of a bookstore on the Palomar College campus to be known as the Palomar College Bookstore.~~
- ~~B. The establishment of a Bookstore Fund in the District budget to which the proceeds derived from the operation of the Bookstore shall be transferred.~~
- ~~C. That the Assistant Superintendent/Vice President for Finance and Administrative Services be designated to act as trustee for funds derived from the operation of the Palomar College Bookstore and instructed to receive such funds in accordance with procedures established by the Governing Board.~~
- ~~D. That all necessary expenses, including salaries, wages and other essential costs, shall be deducted from the sales of the Palomar College Bookstore.~~
- ~~E. That net profits from the operation of the Bookstore shall be transferred to the Associated Student Government for the general benefit of the student body in the following manner:
  - ~~1. Net profits of the previous year's operation of the Palomar College Bookstore shall be separated into an amount to be retained for future capital expansion of the bookstore building, and an amount to be transferred to the Associated Student Government.~~
  - ~~2. As a guideline, approximately 20% of the net profit of the previous year shall be retained in the Bookstore Fund for capital expansion.~~~~

3. ~~The remainder of the net profit shall be transferred to the Associated Student Government according to the following schedule: a) on July 1, \$5,000, b) on September 1, one third of balance, c) on November 1, one third of the balance and d) on January 1, one third of the balance.~~
  4. ~~The Governing Board, during the budget approval process shall determine the amounts of money to be separated for the two functions.~~
  5. ~~Effective June 30, 1974, and recurring on each June 30 thereafter, funds shown as the ending balance of the Associated Student Government (non-trust) in excess of \$5,000 shall be transferred to the savings account of the Bookstore Fund. The savings account of the Bookstore Fund is recognized to be the depository of money which shall, under Board policy, be used for capital outlay costs of expanding the bookstore building.~~
- F. ~~These policies shall not conflict with the presently adopted District Associated Student Government policy.~~
- G. ~~That a committee be established consisting of three faculty members, four students, all of whom are voting members and the Director of Bookstore Operations, in an advisory capacity and one administrator who is a voting member.~~

[See Procedure 5800 titled Bookstore](#)

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**NOTE:** This policy is **suggested** as **good practice**. The language in **red ink** is recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The wording in **blue ink** is additional language to consider including in this policy. The information in **black ink** is from current Palomar College BP 560 titled Palomar College Bookstore with no date. The language in **green ink** reflects suggested revisions from Student Services.

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**Date Adopted:**

*(Replaces current Palomar College Policy 560)*