

Minutes of the  
MEETING OF THE FACULTY SENATE  
September 26, 2011

APPROVED

PRESENT: Monika Brannick, Melinda Carrillo, Haydn Davis, Jenny Fererro, Katy French, Marty Furch, Lori Graham, Barb Kelber, Greg Larson, Teresa Laughlin, Jackie Martin-Klement, Pam McDonough, Christina Moore, Linda Morrow, Wendy Nelson, Patrick O'Brien, Lillian Payn, Perry Snyder, Fari Towfiq

ABSENT: Bruce Bishop, Diane Studinka

GUESTS: Rocky Brady (ASG), Judy Wilson

CALL TO ORDER: The meeting was called to order by the President, Monika Brannick, at 2:04 p.m., in Room SU-30.

Approval of Minutes:

Motion 1 MSC Snyder, Morrow: Faculty Senate approval of the minutes of September 19, 2011, as amended. The motion carried.

Public Comments: There were no public comments.

Announcements: Marty Furch announced that she and Katy French attended a WASC workshop on assessment last week. When the group discussed student responsibility, Furch shared information about Palomar's GRAD (Goals, Responsibility, Attitude, Determination) Program and received a positive response from the group. Monika Brannick added that the information posted on the Senate's website would be updated soon.

Monika Brannick indicated that she recently received an email from a student who is interested in forming a club on campus on Christian Fellowship. The intent is to let students know about Jesus Christ and their own experiences by inviting them to large group gatherings each Wednesday evening and to bible studies that would be held here on campus.

Brannick added that a faculty member is needed to serve as an advisor for the group. Senate members discussed the position of faculty advisor, and it was noted that although a part-time faculty member could volunteer, a full time faculty member must oversee the club.

Agenda Changes: Because there was a guest present to discuss an information item on the agenda, Senators agreed to suspend the agenda to discuss Information Item J, Service Learning.

Service Learning: Judy Wilson distributed the following information on Service Learning:

Service Learning at Palomar College

History

2007-09 – Service Learning Workgroup met and worked on a plan to establish Service Learning program at Palomar

9/2008 - Reassigned time (20%) granted by Faculty Senate for Service Learning coordinator for four years

- 2009-10 - Judy Wilson served as SL Coordinator
  - Established community partnerships with 11 agencies
  - Recruited 15 faculty members
- 2010-11- Kathy Grove served as SL Coordinator
  - Rachel Horn works as SL Assistant
  - Student worker set up new SL website
  - Online registration system developed
  - NCHEA grant to work with CSUSM and Mira Costa on SL development
  - Expanded community partnerships and faculty involvement

#### Program Success

In the last three years, the Service Learning Workgroup has continued to build the program by connecting faculty members to community partners through workshops, panel presentations, and classroom meetings. We have been a member of a national service learning organization and a local network of colleges and universities with service learning programs. Rachel Horn and Judy Wilson have authored articles on service learning that have been published online and in a peer-reviewed journal. We have heard stories of how students benefit from their service learning experiences as they reflect on what they have done to serve others and make connections to what they are learning in the classroom. We have a service learning office, a website, and faculty members in a wide variety of disciplines who continue to be involved on a regular basis. We are able to keep track of student hours so that they can receive credit for their service when they transfer to other colleges or universities.

#### Leadership

The Service Learning Program has continued to be a cooperative effort of the faculty members on the Service Learning Workgroup with leadership being provided by Judy Wilson and then Kathy Grove. Rachel Horn works in the Service Learning Office to coordinate our contact with community partners and help students get signed up. Judy and Kathy have recruited and supported faculty members as they begin using service learning.

#### Future Plans

Over the next year we would like to continue working towards institutionalizing the Service Learning program by getting the faculty coordinator position approved as a permanent assigned time position and continuing to expand the number of faculty members and community partners so that students have more varied choices for their service.

#### Service Learning Assigned Time Issue

1. Service learning assigned time (20%) given for four years beginning Sept. 2008 and expiring in May 2010 by Faculty Senate.
2. Kathy Grove was appointed to the position in Spring, 2010.
3. Kathy Grove went on sabbatical and did not resign the position (a mistake on her part).
4. Kathy Grove submitted her resignation to Monika (Brannick) when she realized her error (September 1, 2011).
5. Faculty Senate Council used Service Learning assigned time to cover other positions without contacting Kathy or notifying the Senate (an error on the part of the Council).
6. Judy met with Monika to discuss the problem. Monika claims that the assigned time was available to be used by others because Kathy never came to the Senate or made a report on Service Learning. Monika admits that there was never any formal request for either of these actions.
7. The Service Learning Coordinator position (20% assigned time) should be continued until the end of the original term granted by the Senate. A new call should be put out for the position. Specific directions from the Senate should be included in the position description regarding the required reporting to the Senate.

Brannick provided a brief recap of the recent events that brought this item before the Senate today. The 20% assigned time for the chair position of NCHEA (North County Higher Education Alliance), which is rotated between colleges, was utilized for the position of the Service Learning Coordinator. Kathy Grove was appointed to that position for a term of one year from Spring 2010 to Spring 2011. When Kathy Grove's position became vacant and neither the Faculty Council nor the Senate were informed about its renewal or about filling the position, the 20% assigned time became available.

Members of the Faculty Council met and agreed to distribute the 20% assigned time to those council members who they believed did not have sufficient assigned time according to the PFF contract. Wilson is disagreeing with the action taken by the Council, indicating that she is willing to take over the position and that she should receive the 20% assigned time until the end of Spring 2012 when this assigned time rotates back to the chair of NCHEA.

To provide a brief history, the Senate did discuss the issue of Service Learning at several meetings in April, May, August, and September of 2008, including a motion endorsing Service Learning in concept. There are some varying opinions on how long the position was to receive the 20% release time. The job announcement for the position listed the length of the position from Spring of 2010 to the end Spring of 2011.

Brannick noted that the Senate did not receive any reports, updates, or information on the progress or success of Service Learning, therefore the future of the program or its status was unknown. Some Senators did note that they attended several of the Service Learning activities overseen by Kathleen Grove, which were extremely successful.

Discussion followed on the issue, and Wilson and Brannick responded to questions by Senate members. Teresa Laughlin indicated that the issue could be possibly resolved by creating a MOU (Memorandum of Understanding) with the district to cover the assigned time for the position. She stated, though, that the process may not be completed in time to provide any for this semester. One Senator also suggested that the Palomar College Foundation could be approached for funding; and Senators supported this recommendation.

One Senator requested that the issue of whether the Senate will continue to fund the release time for the position of Service Learning Coordinator be brought back for formal action at next week's meeting.

Committee  
Appointments:

Motion 2

MSC Kelber, O'Brien: Faculty Senate approval of the following committee appointments:

Tenure & Evaluations Review Board Evaluation Appeals Committee  
(2011-12)

Jenny Ferrero  
Wendy Nelson  
Pam McDonough  
Haydn Davis (Alternate)  
Diane Studinka (Alternate)

The motion carried.

Barb Kelber noted that when the call goes out to fill these positions next year, it will be distributed to all full time faculty members.

Curriculum: Copies of the following Curriculum items were provided electronically:

**PALOMAR COLLEGE CURRICULUM COMMITTEE MEETING ACTIONS**  
Wednesday, September 21, 2011

**I. ACTION ITEMS**

**Details of all program and course proposals can be viewed at:** <http://www.curricunet.com/palomar>

- Select "track,"
- From the list of pending proposals, select the Check Status button for the program or course you wish to view.
- Select the Pencil icon in order to navigate through the various pages of the proposal, or
- Select the "COR" or "WR" icon to view the Course Outline of Record or Program Report, or
- Select the "CC" icon to view a report that displays proposed changes for the course outline of record or program
- Select the "CR" icon to view a report that displays ALL proposed changes for the course

**To View Packages**

- Select Packages under Create/edit Proposals, select the Pencil icon to see individual proposals included in the Package. Various icons will be accessible for creating Reports or viewing the pages of each proposal.

**II. CONSENT CALENDAR**

There will be no separate discussion of these items unless a Curriculum Committee member or guest requests that a particular item be removed from the Consent Calendar. Items so removed will be considered separately. All matters remaining under Consent Calendar are considered to be **routin**e and will be approved by **one motion**.

The following curricular changes, pending appropriate approvals, will be effective FALL 2012:

**A. Credit Course/Program Packages**

1. There are no Credit Course/Program Packages for this agenda.

**B. Non-Credit Course/Program Packages**

1. There are no Credit Course/Program Packages for this agenda.

**C. New Programs**

1. There are no New Programs for this agenda.

**D. New Vocational Programs**

1. There are no new Vocational Programs for this agenda.

**E. Program Reactivations**

1. There are no Program Reactivations for this agenda.

**F. Vocational Program Reactivations**

1. There are no Vocational Program Reactivations for this agenda.

**G. Program Changes**

1. There are no Program Changes for this agenda.

**H. Vocational Program Changes**

1. There are no Vocational Program Changes for this agenda.

**I. Program Deactivations**

1. There are no Program Deactivations for this agenda.

**J. Vocational Program Deactivations**

1. Package Title: EMET Deactivate Program  
Discipline: Electro-Mechanical Equipment Technician (EMET)  
Description: Deactivate: Mail Processing Equipment Mechanic and Maintenance Mechanic. EMET had low enrollment and has no market value.

*Mollie R. Smith*

**i. EMET Program Deactivations**

- a. Program Title: Mail Processing Equipment Mechanic

Discipline: Electro-Mechanical Equipment Technician (EMET)  
Award Type: Certificate of Achievement  
Total Units: 19  
Reason for Deactivation: Low enrollment/no market value.  
*Mollie R. Smith*

b. Program Title: Maintenance Mechanic  
Discipline: Electro-Mechanical Equipment Technician (EMET)  
Award Type: Certificate of Proficiency  
Total Units: 6  
Reason for Deactivation: Low enrollment/no market value.  
*Mollie R. Smith*

**K. Credit Courses - New**

1. There are no New Credit Courses for this agenda.

**L. Credit Courses - Change**

1. Course Number and Title: AP AC 207 Suspended Ceilings  
Discipline: AP Acoustical Installer (AP AC)  
Prerequisites: AP AC 206  
Repeatability: May be taken 2 times.  
Changes: catalog description, objectives, outline, textbooks, assignments and assessment methods.  
*Mollie R. Smith*

2. Course Number and Title: PSYC 255 / SOC 255 / AODS 255 Case Management, Law and Ethics  
Discipline: Psychology (PSYC) / Sociology (SOC) / Alcohol and Other Drug Studies (AODS)  
Course Included in the following programs:  
i. Alcohol and Other Drug Studies, A.A. Degree Major or Certificate of Achievement  
Changes: title, catalog description, objectives, outline, and assignments.  
*Maria Miller*

**M. Credit Courses – Reactivations**

1. There are no Credit Course Reactivations for this agenda.

**N. Credit Courses - Deactivations**

1. Course Number and Title: COUN 180 Orientation for International Students  
Short Title: Orientation for Int'l Students  
Discipline: Counseling (COUN)  
Transfer Acceptability: CSU  
Grading Basis: Pass/No Pass Only  
Reason for Deactivation: Course has not been offered for several years.  
*Patricia J. DeMaris*

2. Course Number and Title: COUN 185 Peer Advising  
Discipline: Counseling (COUN)  
Transfer Acceptability: CSU  
Grading Basis: Pass/No Pass Only  
Reason for Deactivation: Course has not been offered for several years.  
*Patricia J. DeMaris*

3. Course Number and Title: NURS 120 Pharmacology For Nurses I  
Discipline: Nursing Education (NURS)  
Transfer Acceptability: CSU  
Distance Learning Offering(s): Telecourse  
Reason for Deactivation: Course has not been offered for several years. No plans to offer in the near future.  
*Judith G. Eckhart*

4. Course Number and Title: NURS 121 Pharmacology for Nurses II  
Discipline: Nursing Education (NURS)  
Transfer Acceptability: CSU  
Distance Learning Offering(s): Telecourse  
Reason for Deactivation: Course has not been offered for several years. No plans to offer in the near future.  
*Judith G. Eckhart*

5. Course Number and Title: NURS 140 Adult Health Assessment

Discipline: Nursing Education (NURS)  
Transfer Acceptability: CSU  
Reason for Deactivation: Course has not been offered for several years. No plans to offer in the near future.  
*Judith G. Eckhart*

**O. Non Credit Course - New**

1. There are no New Non Credit Courses for this agenda.

**P. Non Credit Course - Change**

1. There are no Non Credit Course Changes for this agenda.

**Q. Non Credit Course - Deactivation**

1. There are no Non Credit Course Deactivations for this agenda.

**R. Distance Learning\***

The following courses may be offered as distance learning and meet Title 5 Regulations 55200-55210, effective Fall 2012.

**Catalog/Subject Number Distance Learning Offerings (s)**

*\*underline indicates new, strikethrough indicates deletion, plain text indicates no change*

**S. Requisites and Advisories\***

The establishment of the following advisories meets Title 5 Regulation 55003, effective Fall 2012

Catalog Number	Type	Description	Proposal Type
AP AC 207	Prerequisite	AP AC 206	Change

*\*underline indicates new, ~~strikethrough~~ indicates deletion, plain text indicates no change*

**VII. RESUMPTION OF REGULAR AGENDA**

**A. TECHNICAL CORRECTIONS**

1. The **Architecture A.A. Degree**, approved by the Curriculum Committee April 7, 2010 and the Faculty Senate April 19, 2010, was also granted approval by the Chancellor's Office as a Certificate of Achievement. The A.A. and C.A are both effective beginning fall 2011.

Program Title: Architecture  
Discipline: Architecture (ARCH)  
Award Type: A.A. Degree Major or Certificate of Achievement  
Total Units: 39.00  
Added program student learning outcomes and assessment timeline.  
*Kenneth E. Swift*

**B. INFORMATION**

1. Status of Course Outline Reviews

The following courses have completed the course outline review process between April 28, 2011 and September 14, 2011 and are effective Fall 2011.

PSYC 115 The Psychology of Personal Growth and Development

2. 2011-2012 Curriculum Activity Summary

	Current Agenda	2011-12 Cumulative
New Courses	0	0
Course Revisions	1	1
Course Deactivations	5	5
Course Reviews (4/28/2011– (9/14/2011)	1	1
New Programs	0	0
Program Revisions	0	0
Program Deactivations	2	2
<b>Total Activity</b>	<b>9</b>	<b>9</b>

**C. DISCUSSION**

1. Gainful Employment Disclosure Requirements (Attachment)
2. Converting S.T.E.M. degrees from A.A. to A.S. (Attachment)

Curriculum Committee Attachments:

[Defining the AA and AS.pdf](#)  
[Defining the AA and AS.pdf](#)  
[Attachment D Example Gainful Employment LT.pdf](#)  
[Attachment E AA-AS Conversions.pdf](#)

These items will be brought back for Faculty Senate ratification at next week's meeting.

Accreditation:

Monika Brannick reported that a draft of the Accreditation Mid-term Report addressing Recommendations #2 – Integrated Planning/Planning Agenda #3 (Rec. #2.2) – Budget Development - Draft, Recommendation #4/Planning Agenda #2 – Program Review & Planning – Draft, and Planning Agenda #9 – Emergency Preparedness – Draft is now available for review on the college's website. All faculty and staff are encouraged to review the document and provide input.

Policies &  
Procedures:

Copies of the following Policies & Procedures were provided to Senators electronically:

AP 4101 Independent Study (Exhibit A)  
AP & BP 4231 Grade Changes (Exhibits B & C)  
AP & BP 4030 Academic Freedom (Exhibits D & E)

Discussion occurred in AP & BP 4030, Academic Freedom. Monika Brannick indicated that the Statewide Academic Senate recently passed a resolution urging all local senates to review their current policies on academic freedom to determine if they are aligned with the latest AAUP (American Association of University Professors) perspective. Senators were provided with a copy of the District's Article 3 – Academic Freedom:

- 3.1 The District and the Federation agree that faculty members have a right to express their professional opinions in learning environments with students. Faculty members shall make every effort to offer differing points of view on controversial subjects that may be reviewed or discussed in learning environments with students. Faculty members shall promote an atmosphere in learning environments with students that is conducive to free and open inquiry.
- 3.2 Faculty members retain their freedom of expression under both the federal and state constitutions. Faculty members shall have the following rights and responsibilities:
  - 3.2.1 To use the normal channels of campus communications free of prior censorship;
  - 3.2.2 To accept responsibility for the substance and manner of their campus communications;
  - 3.2.3 To speak or write publicly, free of prior censorship or subsequent discipline by the College or District, as a citizen on matters of public concern;
- 3.2.4 To make reasonable efforts to be accurate in public statements about college and District matters, and to indicate that they write or speak as public citizens and not as spokespersons of the institution; and
- 3.2.5 To associate with those individuals or groups of one's choice without prior restraint or subsequent discipline, unless such association is forbidden by law.
- 3.3 Faculty members shall not engage in any political activity in learning environments with students that is proscribed by §7050-7055 of the Education Code.

Brannick suggested sending the issue of reviewing the document to the Academic Standards & Practices Committee. Teresa Laughlin added that the document is part of the

Contract and is negotiated. It has not been sunshined so it is unlikely that it will be negotiated this round unless a particular request is made.

Brannick further noted the wording in AP 4030 that states: *This procedure is optional as long as there is a Board Policy in place which complies with Title 5 and the accreditation standard. Local practice may be inserted here to implement the Board Policy, if necessary.* It was recommended that AP 4030 be deleted and that wording be added to BP 4030 referring to Article 3 – Academic Freedom.

One Senator expressed Concern with the sentence...“Faculty members shall make every effort to offer differing points of view on controversial subjects that may be reviewed or discussed in learning environments with students...” Laughlin indicated that it was added in-line with the Students Bill of Rights.

Both policies will be forwarded on to the Policies & Procedures Task Force.

POD Access  
Guidelines:

Marty Furch distributed copies of a draft of the Palomar Outcomes Database SLOAC Access and Reporting Guidelines. Senators reviewed the document and some amendments were made. This will be brought back for Action at next week’s meeting.

F/FW Grade:

Monika Brannick reminded Senators of discussion held at the August 29, 2011, meeting where a faculty member reported about a recent incident in which she had an email exchange with a staff member of Admissions and Records regarding the final grade of a student. She had given an international student an “F,” and the staff member questioned whether that grade should have been an “FW.” Snow was eventually informed that international students’ grades are sent to Homeland Security, and “W” and “FW” raise issues because students need to be accountable for their time. In this instance, paperwork was filed in error with Homeland Security because the student thought that she/he was receiving a “FW” when instead she/he received an “F.” When the faculty member met with the staff member in Admissions and Records she was informed that she was using the policy improperly as outlined in the Palomar College Catalog. Upon further review of the policy, Herman Lee could find no improper use of the policy by the faculty member. Because issues have been raised concerning F verses FW, it was suggested that this issue come to the Faculty Senate for further discussion.

Brannick added that this issue seems to come up every few years for reconsideration. Providing some history, she stated that members of the Academic Standards and Practices Committee provided a report to the Senate in May of 2005, and some changes were made to BP 417.7, Conditions for Petition to Withdraw. In April of 2006, members of the Academic Standards & Practices committee provided a recommendation to keep the FW grade as an option, and recommended minor amendments to the Board Policy. Brannick noted the following wording which was brought forward at that time: Professors may or may not issue an FW; however, if they choose to issue an FW, all of the following conditions must apply: one, the student who has ceased to participate in a course after before or on the last day to officially drop, or withdraw without having achieved a passing grade. And two, the student neglected to officially drop the course, and three, the student did not achieve a passing grade. The “FW” grade shall be used in determining academic standing.

Brannick noted that if these are guidelines that faculty wish to have in place, they need to be more visible to both students and faculty.

After brief discussion, it was recommended that the issue regarding the F/FW grade be forwarded to the Academic Standards & Practices Committee for review.

Service Points: Monika Brannick referred to some emails that she received over the summer and recently regarding Service Points awarded to faculty working on advisory and working groups. Several of the standing working and advisory groups provide Service Points, but many of the newer ones do not. In order to provide consistency, Senate members discussed the need for a review of this, either by the Faculty Senate, or by the appropriate committee. This item will be brought back for further discussion and/or action at next week's meeting.

ADJOURNMENT: The meeting was adjourned at 3:37 p.m.

Respectfully submitted,

Melinda Carrillo, Secretary

EXHIBIT A

**Palomar Community College District Procedure**

**CCLC No. 4101**

**Instructional Services**  
DRAFT as of 2/28/08

**AP 4101 INDEPENDENT STUDY**

**References:**

Title 5 Sections 55230 et seq.

**Note:** *Local practice may be inserted here, but must include the following:*

- Procedures for approval of independent study programs
- Academic standards for independent study that are the same as those applied to other credit courses or noncredit courses
- Procedures for evaluation of student progress and
- Access to the instructor at least equivalent to that commonly available to students in courses conducted by other instructional methods

Office of Primary Responsibility: \_\_\_\_\_

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**NOTE:** *This procedure is **legally required**. The language in **red ink** is recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The information in **blue ink** is additional language to consider including in this procedure. There does not appear to be a current Palomar Procedure that addresses this issue.*

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**Date Approved:**

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

**Legal Citation for AP 4101 Independent Study**

**Title 5 Sections 55230 et seq.**

5 CCR § 55230  
Cal. Admin. Code tit. 5, § 55230

TITLE 5. EDUCATION  
DIVISION 6. CALIFORNIA COMMUNITY COLLEGES  
CHAPTER 6. CURRICULUM AND INSTRUCTION  
SUBCHAPTER 3. ALTERNATIVE INSTRUCTIONAL METHODOLOGIES  
ARTICLE 3. INDEPENDENT STUDY

§ 55230. Purpose.

The provisions of this article should be read in conjunction with the provisions of sections 58051 and 58003.1 concerning attendance in approved courses and programs designed and conducted as independent study.

Note: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

5 CCR § 55232  
Cal. Admin. Code tit. 5, § 55232

TITLE 5. EDUCATION  
DIVISION 6. CALIFORNIA COMMUNITY COLLEGES  
CHAPTER 6. CURRICULUM AND INSTRUCTION  
SUBCHAPTER 3. ALTERNATIVE INSTRUCTIONAL METHODOLOGIES  
ARTICLE 3. INDEPENDENT STUDY

§ 55232. Academic Standards.

Academic standards applicable to courses of independent study shall be the same as those applied to other credit or noncredit courses, as appropriate, at the college.

Note: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

5 CCR § 55234  
Cal. Admin. Code tit. 5, § 55234

TITLE 5. EDUCATION  
DIVISION 6. CALIFORNIA COMMUNITY COLLEGES  
CHAPTER 6. CURRICULUM AND INSTRUCTION  
SUBCHAPTER 3. ALTERNATIVE INSTRUCTIONAL METHODOLOGIES  
ARTICLE 3. INDEPENDENT STUDY

§ 55234. Student Progress.

Procedures for evaluation of student progress shall be in accordance with regulations established by the college. A report by an instructor on appropriate records bearing the student's name for purposes of state apportionment shall certify that adequate and proper progress toward accomplishment of the course objectives is being maintained by the student.

Note: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

5 CCR § 55236  
Cal. Admin. Code tit. 5, § 55236

TITLE 5. EDUCATION  
DIVISION 6. CALIFORNIA COMMUNITY COLLEGES  
CHAPTER 6. CURRICULUM AND INSTRUCTION  
SUBCHAPTER 3. ALTERNATIVE INSTRUCTIONAL METHODOLOGIES  
ARTICLE 3. INDEPENDENT STUDY

§ 55236. Availability of Instructor.

The college shall provide access to the instructor for the students enrolled in courses offered pursuant to this article at least equivalent to that commonly available to students enrolled in courses conducted by other instructional methods in addition to regularly scheduled office hours as practiced at that college.

Note: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

5 CCR § 55238  
Cal. Admin. Code tit. 5, § 55238

TITLE 5. EDUCATION  
DIVISION 6. CALIFORNIA COMMUNITY COLLEGES  
CHAPTER 6. CURRICULUM AND INSTRUCTION  
SUBCHAPTER 3. ALTERNATIVE INSTRUCTIONAL METHODOLOGIES  
ARTICLE 3. INDEPENDENT STUDY

§ 55238. Eligibility for State Funds.

In order for attendance in a course of independent study to be eligible for state apportionment pursuant to the provisions of this article, the course must be reported as required by this article, and meet all other requirements of statute and regulation relative to eligibility for state apportionment.

Note: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 78310, Education Code.

5 CCR § 55240  
Cal. Admin. Code tit. 5, § 55240

TITLE 5. EDUCATION  
DIVISION 6. CALIFORNIA COMMUNITY COLLEGES  
CHAPTER 6. CURRICULUM AND INSTRUCTION  
SUBCHAPTER 3. ALTERNATIVE INSTRUCTIONAL METHODOLOGIES  
ARTICLE 3. INDEPENDENT STUDY

§ 55240. Instruction.

The instructor assigned to a course conducted pursuant to this article shall:

- (a) Be qualified to provide service in that capacity during the period in which that service is rendered;
- (b) Be responsible for the supervision, control, and evaluation of the course and the enrolled students;
- (c) Provide orientation, guidance, and information regarding course content materials and services for each student as soon as possible subsequent to the student's official enrollment by the college; and
- (d) Provide each student with the instructor's consultation schedule for the semester, quarter, or other prescribed

term of the course. This schedule is to be included in the written record of student progress required by section 55234.

Note: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

EXHIBIT B

**AP 4231 GRADE CHANGES**

**References:**

Education Code Sections 76224 and 76232;  
Title 5 Section 55025

*Note: This procedure is legally required. The following language is provided as a sample. Local practice may be inserted but must comply with the Education code and Title 5 and address the following:*

**Changing Grades**

- The instructor of the course shall determine the grade to be awarded to each student.
- The determination of the student's grade by the instructor is final in the absence of mistake, fraud, bad faith, or incompetence. "Mistake" may include, but is not limited to, errors made by an instructor in calculating a student's grade and clerical errors. "Fraud" may include, but is not limited to, inaccurate recording or change of a grade by any person who gains access to grade records without authorization.
- The removal or change of an incorrect grade from a student's record shall only be done pursuant to Education Code Section 76232 or by an alternative method that ensures that each student shall be afforded an objective and reasonable review of the requested grade change.
- If the procedure requires that a student first request a grade change from the instructor, provisions shall be made to allow another faculty member to substitute for the instructor if the student has filed a discrimination complaint, if the instructor is not available, or where the District determines that it is possible that there may have been gross misconduct by the original instructor.
- In the case of fraud, bad faith, or incompetence, the final determination concerning removal or change of grade will be made by the [designated position].
- In all cases, the instructor who first awarded the grade will be given written notice of the change.

**Security of Grade Records**

- The District shall implement security measures for student records that assure no one without proper authorization may obtain access to student grade records. These measures shall be installed as part of any computerized grade data storage system.
- The measures implemented by the District shall include, but not necessarily be limited to, password protection for all student grade data bases, locking mechanisms for computer stations from which grade data bases can be viewed, and strict limits on the number of persons who are authorized to change student grades.
- Persons authorized to change grades shall be designated by the [insert designated position, e.g. "Director of Admissions and Records"]. No more than five District employees may be authorized to change student grades. Only regular full-time employees of the District may be authorized to change grades. Student workers shall not have access to or change grades at any time.
- Any person who discovers that grades have been changed by someone other than the persons authorized to do so shall notify the [insert designated position] immediately. The [insert designated position] shall immediately take steps to lock the grade storage system entirely while an investigation is conducted.
- If any student's grade record is found to have been changed without proper authorization, the District will notify 1) the student; 2) the instructor who originally awarded the grade; 3) any educational institution to which the student has transferred; 4) the accreditation agency; and 5) local law enforcement authorities.

- Whenever a grade is changed for any reason, corrected transcripts will be sent to any educational institution to which the student has transferred.
- Any student or employee who is found to have gained access to grade recording systems without proper authorization or who is found to have changed any grade without proper authority to do so, shall be subject to discipline in accordance with the District's policies and procedures.
- Any person who is found to have gained access to grade recording systems without proper authorization or who is found to have changed any grade without proper authority to do so, shall be reported to the appropriate law enforcement agency having jurisdiction over the college where the incident occurred.

**NOTE:** *The District may insert its procedures related to processes for seeking grade changes, time limits if any, and appeals to the Superintendent/President. Suggested procedures for doing so are contained in AP 5530 titled Student Grievance Procedures.*

❖ **From Current Palomar AP 411.3 titled Grade Changes**

All grades are final in the absence of mistake, fraud, bad faith, or incompetency (Title V 51308). No grade that has been placed in a student's record may be changed unless the instructor submits a Grade Change Form to the Records Office stating the reason for the change as listed above.

All changes or modifications to a student's record must be requested no later than one year from the semester in question. Registration records are maintained for only a three-year period.

❖ **From Current Palomar AP 411.4 titled Grading Procedures**

Final grades must be submitted on the appropriate paper forms with authorized signatures, or faculty may submit grades on line at the ~~College~~ [District](http://www.palomar.edu) web site: www.palomar.edu. Grade rosters will be issued/activated toward the end of the semester for assignment of final grades.

[Also see BP 3310 titled Records Retention and Destruction](#)

[Office of Primary Responsibility:](#) \_\_\_\_\_

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**NOTE:** *This procedure is **legally required**. The language in **red ink** is recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The information in **blue ink** is additional language to consider including in this procedure. The language in **black ink** is current Palomar APs 411.3 titled Grade Changes with no date and 411.4 titled Grading Procedures with no date.*

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**Date Approved:**

*(Replaces current Palomar Procedures 411.3 and 411.4)*

## Legal Citation for AP 4231 Grade Changes

### Education Code Sections 76224 and 76232; Title 5 Section 55025

#### California Education Code

**76224.** (a) 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.

(b) No grade of a student participating in a physical **education** class, however, may be adversely affected due to the fact that the student does not wear standardized physical **education** apparel where the failure to wear such apparel arises from circumstances beyond the control of the student.

**76232.** (a) Any student may file a written request with the chief administrative officer of a community college district to correct or remove information recorded in his or her student records which 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.

(b) Within 30 days of receipt of the request, the chief administrative officer, or his or her designee, shall meet with the student and the employee who recorded the information in question, if any, if the employee is presently employed by the community college district. The chief administrative officer or his or her designee shall then sustain or deny the allegations.

If the chief administrative officer, or his or her designee, sustains any or all of the allegations, he or she shall order the correction or removal and destruction of the information.

If the chief administrative officer, or his or her designee, denies any or all of the allegations and refuses to order the correction or removal of the information, the student, within 30 days of the refusal, may appeal the decision in writing to the governing board of the community college district.

(c) Within 30 days of receipt of an appeal, the governing board shall, in closed session with the student and the employee who recorded the information in question, if any, and if that employee is presently employed by the community college district, determine whether to sustain or deny the allegations.

If the governing board sustains any or all of the allegations, it shall order the chief administrative officer, or his or her designee, to immediately correct or remove and destroy the information.

The decision of the governing board shall be final.

Records of these administrative proceedings shall be maintained in a confidential manner and shall be destroyed one year after the decision of the governing board unless the student initiates legal proceedings relative to the disputed information within the prescribed period.

(d) If the final decision of the governing board is unfavorable to the student or if the student accepts an unfavorable decision by the chief administrative officer, the student shall have the right to submit a written statement of his or her objections to the information. This statement shall become a part of the student's record until the information objected to is corrected or removed.

**5 CCR s 55025**

Cal. Admin. Code tit. 5, s 55025

TITLE 5. EDUCATION  
DIVISION 6. CALIFORNIA COMMUNITY COLLEGES  
CHAPTER 6. CURRICULUM AND INSTRUCTION  
SUBCHAPTER 1. PROGRAMS, COURSES AND CLASSES  
ARTICLE 2. GRADING AND ACADEMIC RECORD SYMBOLS

s 55025. Grade Changes.

(a) In any course of instruction in a community college district for which grades are awarded, the instructor of the course shall determine the grade to be awarded each student in accordance with this article. The determination of the student's grade by the instructor shall be final in the absence of mistake, fraud, bad faith, or incompetency.

(b) For purposes of this section, "mistake" may include, but is not limited to, clerical errors and errors made by an instructor in calculating a student's grade.

(c) Procedures for the correction of grades shall be consistent with Education Code section 76232 or provide an alternative mechanism which will ensure that students receive a reasonable and objective review of the requested grade change. If the procedure requires the student to first request a grade change from the instructor, provisions shall be made for another faculty member to substitute for the instructor if the instructor is not available, the student has filed a discrimination complaint or the district determines that it is possible there has been gross misconduct by the original instructor.

(d) Procedures shall also include expunging the incorrect grade from the record.

(e) When grade changes are made as a result of course repetition in accordance with article 4 of this subchapter, appropriate annotations of any courses repeated shall be entered on the student's permanent academic record in such a manner that all work remains legible, insuring a true and complete academic history.

Note: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 76224, Education Code.

EXHIBIT C

Palomar Community College District Policy

CCLC No. 4231

Instructional Services  
DRAFT as of 2/25/08

**BP 4231 GRADE CHANGES**

**References:**

Education Code Sections 76224 and 76232;  
Title 5 Section 55025

The Superintendent/President shall implement procedures to assure the accuracy and integrity of all grades awarded by faculty. The procedures shall include, but not necessarily be limited to, the following:

- Assurance that in the absence of mistake, bad faith, fraud, or incompetence, the grades awarded by faculty shall be final.
- Procedures for students to challenge the correctness of a grade.
- The installation of security measures to protect grade records and grade storage systems from unauthorized access.
- Limitations on access to grade records and grade storage systems.
- Discipline for students or staff who are found to have gained access to grade records without proper authorization or to have changed grades without proper authorization.
- Notice to students, faculty, transfer institutions, accreditation agencies and law enforcement agencies if unauthorized access to grade records and grade storage systems is discovered to have occurred.

Also see BP 3310 titled Records Retention and Destruction, AP 4231 titled Grade Changes, and BP/AP 5040 titled Student Records.

Office of Primary Responsibility: \_\_\_\_\_

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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 information in **blue ink** is additional language to consider including in this policy.

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**Date Adopted:**

(This is a new policy recommended by the CC League and the League's Legal Counsel)

EXHIBIT D

**Palomar Community College District Procedure**

**CCLC No. 4030**

**Instructional Services**  
DRAFT as of 11/28/06

**AP 4030            ACADEMIC FREEDOM**

**References:**

Title 5 Section 51023:  
Accreditation Standard II.A.7

**Note:** *This procedure is optional as long as there is a Board Policy in place which complies with Title 5 and the accreditation standard. Local practice may be inserted here to implement the Board Policy, if necessary.*

❖ **From current Palomar AP 300 titled Academic Freedom**

Palomar College considers academic freedom defined by its attendant rights and responsibilities as a vital, primary force in the achievement of the aims and objectives of the institution.

Academic freedom involves inherently the following rights and responsibilities:

- To research to the limit of competence and training the assigned teaching area and its references-
- To survey, probe, and question the relation of humans to their environment within the guidelines of research techniques and intelligent discussion-
- To question and challenge, without fear of censorship or discipline, those actions originating from within the institution which seriously affect the total academic environment-
- To introduce within the assigned teaching area controversial concepts, issues, and systems, subjecting these ideas to the test of objective reasoning-
- To create an unhampered and clear intellectual atmosphere, democratically maintained, encouraged, and supported by students, staff, administration, and members of the Governing Board-
- To associate with those individuals or groups of one's choice without fear of censorship or discipline, unless such association is forbidden by law-

At no time will the inherent right of the staff to use any of the normal channels of campus communication be abridged, nor will individual staff members be singled out for special prior censorship of their use of such channels of communication. It is understood that staff members exercising this right will accept responsibility for both the substance and the manner of their messages.

College or university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As persons of learning and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Therefore, they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not institutional spokespersons.

Office of Primary Responsibility: \_\_\_\_\_

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**NOTE:** *This procedure is **suggested as good practice**. The language in **red ink** is recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The information in **blue ink** is additional language to consider including in this procedure. The language in black ink is current Palomar Procedure 300 titled Academic Freedom with no date.*

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**Date Approved:**

*(Replaces current Palomar Procedure 300)*

**Legal Citations for AP 4030 Academic Freedom**

**Title 5 Section 51023; Accreditation Standard II.A.7**

Cal. Admin. Code tit. 5 Section 51023

TITLE 5. EDUCATION  
DIVISION 6. CALIFORNIA COMMUNITY COLLEGES  
CHAPTER 2. COMMUNITY COLLEGE STANDARDS  
SUBCHAPTER 1. MINIMUM CONDITIONS

**s 51023. Faculty.**

The governing board of a community college district shall:

- (a) adopt a policy statement on academic freedom which shall be made available to faculty and be filed with the Chancellor;
- (b) adopt procedures which are consistent with the provisions of Sections 53000-53206, regarding the role of academic senates and faculty councils and are filed with the Chancellor;
- (c) substantially comply with district adopted policy and procedures adopted pursuant to Subsections (a) and (b).

**Accreditation Standard II.A.7: Student Learning Programs and Services**

7. In order to assure the academic integrity of the teaching-learning process, the institution uses and makes public governing board adopted policies on academic freedom and responsibility, student academic honesty, and specific institutional beliefs or worldviews. These policies make clear the institution's commitment to the free pursuit and dissemination of knowledge.

- a. Faculty distinguish between personal conviction and professionally accepted views in a discipline. They present data and information fairly and objectively.
- b. The institution establishes and publishes clear expectations concerning student academic honesty and the consequences for dishonesty.
- c. Institutions that require conformity to specific codes of conduct of staff, faculty, administrators, or students, or that seek to instill specific beliefs or worldviews, give clear prior notice of such policies, including statements in the catalog and/or appropriate faculty or student handbooks.

EXHIBIT E

**INSTRUCTIONAL SERVICES**

BP 4030 ACADEMIC FREEDOM

**References:**

Title 5 Section 51023;  
Accreditation Standard II.A.7

The instructional program at Palomar College shall be conducted in accordance with principles of academic freedom of inquiry. The educational program must encourage freedom of expression and freedom of inquiry within the framework of responsibility.

Palomar College considers academic freedom, defined by its attendant rights and responsibilities, as a vital, primary force in the achievement of the aims and objectives of the institution. Academic freedom involves inherently the following rights and responsibilities:

- To research to the limit of competence and training, the assigned teaching area and its references
- To survey, probe, and question the relationship of humans to their environment within the guidelines of research techniques and intelligent discussion
- To question and challenge, without fear of censorship or discipline, those actions originating from within the institution which seriously affect the total academic environment
- To introduce, within the assigned teaching area, controversial concepts, issues, and systems, subjecting these ideas to the test of objective reasoning
- To create an unhampered and clear intellectual atmosphere democratically maintained, encouraged, and supported by students, staff, administration, and members of the Governing Board
- To associate with those individuals or groups of one's choice without fear of censorship or discipline, unless such association is forbidden by law

At no time will the inherent right of staff to use any of the normal channels of campus communication be abridged, nor will individual staff members be singled out for special prior censorship of their use of such channels of communication. It is understood that staff members exercising this right will accept responsibility for both the substance and the manner of their messages.

The college or university teacher is a citizen, a member of a learned profession, and an officer of an educational institution. When he/she speaks or writes as a citizen, he/she should be free from institutional censorship or discipline, but his/her special position in the community imposes special obligations. As a person of learning and an educational officer, he/she should remember that the public may judge his/her profession and institution by his/her utterances. Therefore, he/she should at all times be accurate, show respect for the opinions of others, and make every effort to indicate that he/she is not an institutional spokesperson.

Palomar College encourages freedom of expression and the free flow and exchange of information and ideas. The College seeks to protect academic freedom and supports free and unfettered scholarly inquiry. In compliance with these requirements, the College encourages faculty, staff, and student involvement with others in support of candidates for offices or in the furtherance of other political activities.

Also see BP/AP 7370 titled Use of District Resources for Political Activity and BP 2716 titled Political Activity.