



## STRATEGIC PLANNING COUNCIL AGENDA

Date: November 6, 2007  
Starting Time: 2:00 p.m.  
Ending Time: 3:45 p.m.  
Place: **SU-18**

**CHAIR:** Deegan

**MEMBERS:** Barton, Claypool, Cuaron, Dowd, Eichelberger, Faulkner, Fernandez, Gowen, Gropen, Halttunen, Hogan-Egkan, Ivey, Kovrig, Lienhart, Lyn, Madrigal, McCluskey, O'Brien, Owens, Sheahan, Talmo, Tortarolo

**RECORDER:** Ashour

|                                                               | Attachments | Time   |
|---------------------------------------------------------------|-------------|--------|
| <b>A. <u>MINUTES</u></b>                                      |             | 5 min  |
| 1. Approve minutes of October 16, 2007                        |             |        |
| <b>B. <u>ACTION ITEMS/FIRST READING</u></b>                   |             | 0 min  |
| 1. Policies & Procedures Chapter 5                            | Exhibit B1  |        |
| <b>C. <u>DISCUSSION/INFORMATION ITEMS</u></b>                 |             | 60 min |
| 1. Facilities Review Committee<br>Governance Structure        | Exhibit C1  |        |
| <b>D. <u>REPORTS OF PLANNING COUNCILS</u></b>                 |             | 15 min |
| 1. Administrative Services Planning Council – Bonnie Ann Dowd |             |        |
| 2. Human Resource Services Planning Council – John Tortarolo  |             |        |
| 3. Instructional Planning Council – Berta Cuaron              |             |        |
| 4. Student Services Planning Council – Joe Madrigal           |             |        |
| <b>E. <u>REPORT FROM ACCREDITATION SELF-STUDY</u></b>         |             | 10 min |
| <b>F. <u>REPORT FROM RAC</u></b>                              |             | 10 min |
| <b>G. <u>REPORT FROM TRC</u></b>                              |             | 10 min |
| <b>H. <u>REPORTS OF CONSTITUENCIES</u></b>                    |             | 15min  |
| 1. Administrative Association – Laura Gropen                  |             |        |
| 2. Associated Student Government – Jesse Lyn                  |             |        |
| 3. Confidential/Supervisory Team –                            |             |        |
| 4. CCE/AFT – Neill Kovrig                                     |             |        |
| 5. Faculty Senate – Brent Gowen                               |             |        |
| 6. PFF/AFT – Shannon Lienhart/Julie Ivey                      |             |        |
| <b>I. <u>OTHER ITEMS</u></b>                                  |             |        |



**STRATEGIC PLANNING COUNCIL  
MEETING MINUTES  
November 6, 2007**

The regular meeting of the Palomar College Strategic Planning Council was held on Tuesday, November 6, 2007, in SU-18. The meeting was called to order at 2:00 p.m. by Robert Deegan.

**ROLL CALL**

Members Present: Barboa, Barton, Dowd, Fernandez, Gowen, Gropen, Halttunen, Ivey, Kovrig, Lienhart, Lyn, Madrigal, McCluskey, Owens, Sheahan, Talmo, Titus  
Recorder: Cheryl Ashour  
Members Absent: Debbi Claypool, Berta Cuaron, Robert Deegan, Molly Faulkner, Theresa Hogan-Egkan, Patrick O'Brien, John Tortarolo  
Guests: Chris Wick for Ms. Claypool

**A. MINUTES**

**1. Approve Minutes of October 16, 2007**

MSC (Kovrig/Gropen) to approve the Minutes of October 16, 2007 with revisions

**B. ACTION ITEMS/FIRST READING**

**1. Policies and Procedures Chapter 5 (Exhibit B1)**

Paul Barboa stated that he was recently appointed the ASG representative to the Policies and Procedures Committee. After review of Chapter 5, ASG has some questions and revisions, specifically with 5015, 5040, 5400, 5420, 5500, and 5550. He requested Chapter 5 be brought back to the Policies and Procedures committee. Discussion ensued. Joseph Madrigal said he would let President Deegan know of ASG's desire to place Chapter 5 on the Policies & Procedures Committee December agenda for a continuation of discussion. There were no other questions or comments on Chapter 5.

This item will come back for a second reading at the next meeting. At that time, if ASG has not had their questions resolved, they could make a motion to postpone the second reading.

**C. DISCUSSION/INFORMATION ITEMS**

**1. Facilities Review Committee Governance Structure (Exhibit C1)**

Bonnie Ann Dowd reported that the meeting day and time of the Facilities Review Committee has changed to the second and fourth Wednesday of each month from 3:00 p.m. to 4:00 p.m.

**D. REPORTS OF PLANNING COUNCILS**

**1. Administrative Services Planning Council**

Due to the fires, ASPC did not meet. Their next meeting is November 8; it will be the last meeting of the semester.

**2. Human Resource Services Planning Council – no report**

**3. Instructional Planning Council – no report**

**4. Student Services Planning Council**

Due to the fires, SSPC did not meet.

**E. ACCREDITATION SELF-STUDY – no report**

**F. RESOURCE ALLOCATION COUNCIL**

Due to the fires, RAC did not meet. Their next meeting is November 13. The last RAC meeting for the semester will be November 27.

**G. REPORT FROM TECHNOLOGY RESOURCE COMMITTEE**

Due to the fires, TRC did not meet. Their next meeting is November 8; this will be the last meeting of the semester.

**H. REPORTS OF CONSTITUENCIES****1. Administrative Association**

Laura Gropen reported that she attended the Disaster Preparedness Conference in Anaheim the week before the fires. She was appreciative in being invited and included in the training and felt it was very helpful. She attended the communications sessions because that is the focus of the Administrative Association Executive Council. Ms. Gropen complimented the administrators on their reaction to the fires, particularly in communications. She specifically gave kudos to Mark Oggel, Tom Plotts, Mike Ellis, and the other administrators who spent hours assisting during this time. An Executive Council meeting is scheduled for November 9. A Meet and Confer is scheduled for November 14.

**2. Associated Student Government**

Jesse Lyn introduced their new ASG Vice President, Paul Barboa. She reported that Comet Days and Halloween Escape were a great success. The Languages Department won the decorating contest with the Transfer Center winning runner-up. They have a new member on the ASG Board who is now in probation and will be a great asset. They are working on their by-laws. ICC is going to have a workshop next week on event planning. Next week is Black History Month; they are organizing it on with the faculty and staff. November 9-11 will be the Statewide Student Senate in San Jose. ASG has nominated a member to serve on the ICOC Committee. The Governing Board will make a decision at their November 13 Governing Board meeting. Region 10 had an informal meeting to review the bylaws and resolutions that will be presented at the Statewide Student Senate. Ms. Lyn said that the Disaster Preparedness conference was timely and interesting. She attended the Communications and Institutions sessions.

**3. CAST – no report****4. CCE**

Neill Kovrig reported that it has been a busy month. Debbie Claypool was CCE's representative at the Disaster Preparedness Conference. She brought back a great deal of information that was shared with the E-Council and will be shared further with the classified employees. He looks forward to working with the other constituency groups on strengthening disaster preparedness on this campus. A few members of E-Council and Mr. Kovrig attended the CCE Conference in San Diego. They were able to gather a lot of information about Prop 92 and various programs that are available through the CCE at the state level. Mr. Kovrig was pleased to see an improvement in communications the week of the fires. Two classified staff members lost their homes. The CCE is investigating options to assist them. They are also looking into the possibility of making a donation to the Foundation. A general classified staff meeting which was scheduled to be held during the fire week will be rescheduled. A regular union members meeting is scheduled for November 15. He looks forward to working with the constituent groups on Prop 92. The next negotiations session is scheduled for this Thursday.

**5. Faculty Senate**

Brent Gowen reported that the Faculty Senate is concerned with advancing the Accreditation Self Study. In upcoming weeks they will discuss the feasibility of developing a service learning program at this College. They also plan to discuss the ROP transition after the ROP workgroup meeting has met.

**6. PFF**

Shannon Lienhart reported that eight or nine faculty members lost their homes due to the fires. PFF was able to quickly make a donation to them. They also secured donations for union members through AFT. They recently bought a table at the Interfaith Committee for Worker's Justice Breakfast scheduled for November 28. They also bought one table for the Jerry Buckowitz tribute luncheon. PFF is working with the other constituent groups to raise help raise \$58,000 which Palomar College needs to contribute for Prop 92. PFF is now in its 13<sup>th</sup> month of negotiating their second contract. Seven months after presenting their compensation proposal, they are at a stalemate. They are still waiting for a counter offer.

**I. OTHER**

Sherry Titus announced they are doing a fundraiser for students affected by the fire on Thursday. They are encouraging everyone to send students to her office who have been affected by the fire. So far, 12 students have lost their homes; they have provided replacement textbooks. The Foundation is offering them \$500. Richard Talmo reported that the Foundation has received \$43,000 to date in donations. They are getting ready to give out a second round of grants. It was suggested that a flyer be posted in each classroom informing students of the help available. Discussion ensued on sick leave donations.

**J. ADJOURNMENT**

There being no remaining items the meeting was adjourned at 2:40 p.m.

# **PALOMAR COLLEGE PROCEDURES**

## **Chapter 5 – Student Services**

### **Table of Contents**

|         |                                                                                 |
|---------|---------------------------------------------------------------------------------|
| AP 5000 | Student Responsibility                                                          |
| AP 5010 | Admissions and Concurrent Enrollment                                            |
| AP 5011 | Admission and Concurrent Enrollment of H.S. & Other Young Students              |
| AP 5012 | International Students                                                          |
| AP 5013 | Students in the Military                                                        |
| AP 5015 | Residence Determination                                                         |
| AP 5020 | Nonresident Tuition                                                             |
| AP 5030 | Fees                                                                            |
| AP 5031 | Instructional Materials Fees                                                    |
| AP 5035 | Withholding of Student Records                                                  |
| AP 5040 | Student Records and Privacy                                                     |
| AP 5045 | Student Records: Challenging Content and Access Log                             |
| AP 5050 | Matriculation                                                                   |
| AP 5052 | Open Enrollment                                                                 |
| AP 5055 | Enrollment Priorities                                                           |
| AP 5070 | Attendance                                                                      |
| AP 5075 | Course Adds and Drops                                                           |
| AP 5110 | Counseling Services                                                             |
| AP 5120 | Transfer Center                                                                 |
| AP 5130 | Financial Aid                                                                   |
| AP 5140 | Disability Resource Center (DRC)/Disabled Students Programs and Services (DSPS) |
| AP 5150 | Extended Opportunity Programs and Services (EOPS)                               |
| AP 5160 | GEAR UP Program                                                                 |
| AP 5170 | TRIO Program                                                                    |
| AP 5200 | Health Services                                                                 |
| AP 5210 | Communicable Disease                                                            |
| AP 5300 | Student Equity                                                                  |
| AP 5400 | Associated Students Organization                                                |
| AP 5410 | Associated Students Elections                                                   |
| AP 5420 | Associated Students Finance                                                     |
| AP 5500 | Standards of Conduct                                                            |

|         |                                             |
|---------|---------------------------------------------|
| AP 5520 | Student Discipline Procedures               |
| AP 5530 | Student Rights and Grievances               |
| AP 5550 | Speech: Time, Place, and Manner             |
| AP 5570 | <a href="#"><u>Solicitors on Campus</u></a> |
| AP 5610 | Voter Registration                          |
| AP 5700 | Athletics                                   |

As of 9/14/07

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

**~~AP 5000~~ STUDENT RESPONSIBILITY**

~~Students have the right to challenge prerequisite requirements as well as recommended course placement.~~

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

Office of Primary Responsibility: **Enrollment Services**

-----  
**NOTE:** This policy is **suggested as good practice**. The wording in **blue ink** is additional language to consider including in this procedure. The language in **green ink** reflects suggested revisions from Student Services. The language in **black ink** is current Palomar College AP 401.1 titled Student Rights and Responsibilities with no date and AP 410 titled Student Responsibility with no date. This procedure was reviewed at the February 23, 2007 Policy and Procedure Task Force Meeting.

---

**Date Approved:**

*(Replaces current Palomar College  
Procedures 401.1 and 410)*

## **AP 5010 ADMISSIONS AND CONCURRENT ENROLLMENT**

### **References:**

Education Code Section 76000

### **Admission**

The District will designate:

- Authority and responsibility for the admissions process
- Admission procedures for students over 18 with a high school diploma
- Admission criteria and procedures for students over 18 without a high school diploma
- Admission procedures for nonresident students that include a determination of residency status (Procedure 5015 titled Residence Determination)
- Publication of admissions policies and procedures

### **❖ From current Palomar College Procedure 400 titled Admissions**

Admission to Palomar College shall conform to existing Education Code and Administrative Code regulations and requirements. Unless exempted by Statute, every course, course section, or class, the FTE 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 District and who meets such prerequisites as may be established pursuant to Chapter II, Division 2, Part VI, Title 5 of the California Administrative Code, commencing with Section 51820.

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 benefit 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~~ District 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~~ enrolled 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.

## Denial of Admission

If the Governing Board denies a request for special fulltime or part-time enrollment by a pupil who is identified as highly gifted, the Board will record its findings and the reason for denying the request in writing within 60 days.

The written recommendation and denial shall be issued at the next regularly scheduled Governing Board meeting that occurs at least 30 days after the pupil submits the request to the District.

Office of Primary Responsibility: Enrollment Services

**NOTE:** The language in **black ink** is from current Palomar College Procedure 400 titled Admissions with no date. 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 procedure. The language in **green ink** reflects suggested revisions from Student Services. This procedure is **legally required**. This procedure was reviewed at the February 23, 2007 Policy and Procedure Task Force Meeting.

---

## Date Approved:

(Replaces current Palomar College Procedure 400)

**AP 5011 ADMISSION AND CONCURRENT ENROLLMENT OF HIGH SCHOOL AND OTHER YOUNG STUDENTS**

**References:**

Education Code Section 76000 and cites below

To be considered for admission, minors under 18 years of age 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 District 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).

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

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

- The application for admission
- written and signed parental or guardian consent on the K-12 Minor Form
- written and signed approval of the principal or designee on the K-12 Minor Form and (Note: A parent or guardian of a pupil who is not enrolled in a public or private school may petition directly without the signature of a principal.)
- demonstration that the student is capable of profiting from instruction (Enrollment Services has the authority to make the final decision whether a student can benefit from instruction.)

To be considered for admission as a special fulltime student (over 12 units), the student must meet the eligibility standards as established in Education Code Section 48800.05 and complete the same form as for special part-time students.

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

The student must submit:

- written and signed parental or guardian consent on the K-12 Minor Form
- written and signed approval of the principal or designee that the student has availed himself or herself of all opportunities to enroll in an equivalent course at the school of attendance and
- demonstration that the student has adequate preparation in the disciplines to be studied

All required documents must be submitted to the Office of Enrollment Services.

**High School Students:** For students attending high school, the guidance counselor will review the materials and will determine if the student has the abilities and sufficient preparation to benefit from instruction at a community college. The decision of the guidance counselor shall be final. This determination may be done by one or more of the following options:

- a review of the materials submitted by the student
- meeting with the student and the parent or guardian
- consultation with the Director of Enrollment Services or designee
- consideration of the welfare and safety of the student and others and/or
- consideration of local, state and/or federal laws

Students will not be admitted unless they have availed themselves of all opportunities to enroll in equivalent courses at their schools of attendance. Courses in which high school and other young students are permitted to enroll will be open to the entire District population and will be taught with the rigor appropriate to college-level courses in accordance with the approved course outline.

If a request for special part-time or fulltime enrollment is denied for a pupil who has been identified as highly gifted, the Governing Board shall provide written findings and reasons for the denial within 60 days. A recommendation regarding the request for admission and the denial shall be submitted to the Governing Board at a regularly scheduled meeting that falls at least 30 days after the request for admission has been submitted.

Office of Primary Responsibility: Enrollment Services

**NOTE:** *There does not appear to be a current Palomar College Procedure that addresses this issue. 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 procedure. The language in **green ink** reflects suggested revisions from Student Services. This procedure is **legally required**.*

---

**Date Approved:**

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

## **AP 5012 INTERNATIONAL STUDENTS**

### **References:**

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

### **❖ From current Palomar College Procedure 400.1 titled International Students (F-1)**

Palomar College admits international students who have an F-1 or M-1 visa permitting them to study in the United States. International students, who come from all over the world, must comply with certain requirements imposed both by Palomar College and the Immigration and Naturalization Service. They pay nonresident tuition and a capital outlay fee in addition to college enrollment fees (see AP 5020 titled Nonresident Tuition and AP 5030 titled Fees for more information on fees and exemptions). The International Student Office of Palomar College monitors the students' academic progress. Non-native speakers of English who are permanent residents of the United States and students who hold other types of visas are not considered international students.

The following is required for admission into the regular District program:

- Completion of an international student application with passport-size photograph
- A Test of English as a Foreign Language (TOEFL) score of 470 (PBT)/150 (CBT) or more
- Verification of high school graduation. Official transcripts of all secondary and college course work must be provided with a certified English translation
- Satisfactory recommendation if attending a English language school or another college in the United States
- One letter of reference and
- A doctor's health certification or health examination(TB skin test)

International students who do not meet the minimum requirements for regular District admission may attend the intensive English language program. For more information, contact the California English School at Palomar College.

Office of Primary Responsibility: Enrollment Services

**NOTE:** The information in **black ink** is current Palomar College Procedure 400.1 titled International Students (F-1) with no date. 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 procedure. The language in **green ink** reflects suggested revisions from Student Services. This procedure is **legally required**.

---

**Date Approved:**

(Replaces current Palomar College Procedure 400.1)

## **AP 5013 STUDENTS IN THE MILITARY**

### **References:**

Education Code Sections 68074, 68075, and 68075.5;  
Title 5 Sections 55023, 55024, 54041, 54042, 54050, and 58620

### **Residence Determinations for Military Personnel and Dependents**

A student who is a member of the armed forces of the United States stationed in California on active duty, except a member of the armed forces assigned for educational purposes to a state-supported institution of higher education, is entitled to resident classification.

Students who natural or adopted children, stepchildren, or spouse who is a dependent of a member of the armed forces of the United States stationed in this state on active duty shall be entitled to resident classification.

A student who was a member of the armed forces of the United States stationed in California on active duty for more than one year immediately prior to being discharged from the armed forces is entitled to resident classification for the length of time he or she lives in California after being discharged up to the minimum time necessary to become a resident.

A parent who is a federal civil service employee and his or her natural or adopted dependent children are entitled to resident classification if the parent has moved to this state as a result of a military mission realignment action that involves the relocation of at least 100 employees. This classification shall continue until the student is entitled to be classified as a resident, so long as the student continuously attends an institution of public higher education.

A student claiming the residence classifications provided for in this procedure must provide a statement from the student's commanding officer or personnel officer providing evidence of the date of the assignment to California and that the assignment to active duty in California is not for educational purposes. A student claiming the residence classifications provided for here for the dependent of military personnel shall provide a statement from the military person's commanding officer or personnel officer that the military person's duty station is in California on active duty as of the residence determination date, or has been transferred outside of California on active duty after the residence determination date, or that the military person has retired from active duty after the residence determination date. (Title 5 Sections 54041 and 54042)

### **Withdrawal Policies for Members of the Military**

A student who is a member of an active or reserve United States military service and who receives orders compelling a withdrawal from courses shall be permitted to withdraw upon verification of such orders. A withdrawal symbol may be assigned which may be a "W" or a "MW." Military withdrawal shall not be counted in progress probation or dismissal calculations. In no case may a military withdrawal result in a student being assigned an "FW" grade.

#### **❖ From current Palomar College Procedure 417 titled Withdrawal**

##### ***Official Withdrawal***

~~Students who must withdraw from College during the semester are responsible for withdrawing over PAR. Refer to "Dates and Penalties" below for any penalties which may be imposed.~~

##### ***Unofficial Withdrawal:***

~~Students who simply stop attending class and do not drop via PAR have unofficially withdrawn. These students may receive an "F" or "FW" grade in every class they stop attending.~~

##### ***Administrative Withdrawal:***

~~Administrative withdrawals may occur for academic or disciplinary reasons, or for non-payment of fees. If the administrative withdrawal occurs after the refund period, the student will not be entitled to a refund of registration fees.~~

##### ***Military Withdrawal:***

~~Members of an active or reserve military service who receive orders compelling a withdrawal from courses will be permitted withdrawal at any time during the semester. Upon verification of such orders, the grade symbol "MW," will be assigned after the "no notation" period or after the first four weeks of the semester. The "MW" will not be counted in progress probation or dismissal calculations and will not have any adverse effect on the academic record or enrollment status. Upon petition, the student will also receive a refund of the entire enrollment fee.~~

[Also see AP 4230 titled Grading Symbols](#)

[Office of Primary Responsibility: Enrollment Services](#)

**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 procedure. The language in **black ink** is from current Palomar College Procedure 417 titled Withdrawal with no date. This procedure is **suggested as good practice**. This procedure was reviewed at the February 23, 2007 Policy and Procedure Task Force Meeting. The language in **green ink** reflects revisions recommended from the League and the League's legal counsel as a result of Update #13 distributed on September 21, 2007.

---

##### **Date Approved:**

(Replaces current Palomar College Procedure 417)

***Palomar Community College District Procedure***

---

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

**AP 5015 RESIDENCE DETERMINATION**

**References:**

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

**Residence Classification**

Residency classifications shall be determined for each student at the time of each registration and whenever a student has not been in attendance for more than one semester. A student's residency is a union of act and intent. Residence classifications are to be made in accordance with the following provisions:

- A residence determination date is that day immediately preceding the opening day of instruction for any session during which the student proposes to attend.
- Residence classification is the responsibility of Enrollment Services.
- Students must be notified of residence determination within 14 calendar days of submission of application.
- A person can only have one permanent place of residence at any given time. Some examples of demonstrated residence are:
  - o Residing in California on a continuous basis for one year
  - o Owning residential property
  - o Registering to vote and voting in California
  - o Obtaining a license from California for professional practice
  - o Holding active membership in service or social clubs
  - o Showing a California address on federal tax returns
  - o Having spouse, children or other close relative reside in California
  - o Filing California state tax return as a resident
  - o Possessing a California driver's license
  - o Possessing a California motor vehicle registration
  - o Maintaining California as legal state on Leave and Earnings Statement and W-2 Form while in the armed forces
  - o Establishing and maintaining active California bank accounts
  - o Petitioning for divorce in California

Some examples of intent inconsistent with a claim of California residency:

- o Maintaining voter registration in another state
- o Petitioning for divorce in another state
- o Attending an out-of-state institution as a resident of that state



- o Declaring nonresidency for state income tax purposes
- o Maintaining a driver's license and/or vehicle registration in another state

### **Right To Appeal**

Students who have been classified as nonresidents have the right to a review of their classification (Title 5 Section 54010 (a)). Any student, following a final decision of residence classification by the Enrollment Services Office, may make written appeal to the Enrollment Services Office within 30 calendar days of notification of final decision by the District regarding classification.

### **Appeal Procedure**

The appeal must be submitted to Enrollment Services Office. Copies of the original application for admission, the residency questionnaire, and evidence or documentation provided by the student, with a cover statement indicating upon what basis the residence classification decision was made, must be forwarded with the appeal.

The Enrollment Services Office shall review all the records and have the right to request additional information from either the student or the Admissions Office. The Enrollment Services Office will render a final decision.

Within 30 calendar days of receipt, the Enrollment Services Office shall send a written determination to the student. The determination shall state specific facts on which the appeal decision was made.

### **Reclassification**

A student previously classified as a nonresident may be reclassified as of any residence determination date. A residence determination date is that day immediately preceding the opening day of instruction for any session during which the student proposes to attend.

Students must submit petitions to the Admissions Office.

Students must submit petitions prior to the session for which the reclassification becomes effective. Extenuating circumstances may be considered in cases where a student failed to petition for reclassification prior to the residency determination date. In no case, however, may a student receive a nonresident tuition refund after the date of the first census.

Written documentation may be required of the student in support of the reclassification request.

A questionnaire to determine financial independence must be submitted with the petition for reclassification. Determination of financial independence is not required for students who were classified as nonresidents by the University of California, the California State University, or another community college district (Education Code Section 68044).

A student shall be considered financially independent for purposes of residence reclassification if the applicant meets all of the following requirements:

- Has not and will not be claimed as an exemption for state and federal tax purposes by the parent(s) in the calendar year prior to the year the reclassification application is made
- Has not lived and will not live for more than six weeks in the home of the parent(s) during the calendar year the reclassification application is made

A student who has established financial independence may be reclassified as a resident if the student has met the requirements of Title 5 Sections 54020, 54022, and 54024.

Failure to satisfy all of the financial independence criteria listed above does not necessarily result in denial of residence status if the one year requirement is met and demonstration of intent is sufficiently strong.

Financial dependence in the current or preceding calendar year shall weigh more heavily against finding California residence than financial dependence in the preceding second and third calendar years. Financial dependence in the current or preceding calendar year shall be overcome only if (1) the parent on whom the student is dependent is a California resident or (2) there is no evidence of the student's continuing residence in another state.

The Enrollment Services Office will make a determination, based on the evidence and notify the student not later than 14 days of receipt of the petition for reclassification.

Students have the right to appeal according to the procedures above.

### **Non-Citizens**

The District will admit any non-citizen who is 18 years of age or a high school graduate.

If non-citizens are present in the United States illegally or with any type of temporary visa, they will be classified as nonresidents and charged nonresident tuition unless they meet the exceptions contained below.

If, for at least one year and one day prior to the start of the semester in question, a non-citizen has possessed any immigration status that allows him or her to live permanently in the United States and she or he meets the California residency requirements, the student can be classified as a resident.

A student who is without lawful immigration status may be classified as a resident if he or she meets the following requirements:

- high school attendance in California for three or more years
- graduation from a California high school or attainment of the equivalent thereof
- registration for classes not earlier than the fall semester or quarter of 2001-2002

- the filing of an affidavit that the student has filed an application to legalize his or her immigration status, or will file an application as soon as he or she is eligible to do so

The initial residency classification will be made at the time the student applies for admission. Students may file residency questionnaire forms through the third week of the semester to request a review of their residency status. Final residency determination is made by the Enrollment Services Office. Students may appeal the decision in writing to the Enrollment Services Office if additional evidence can be provided.

Office of Primary Responsibility: Enrollment Services

**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 procedure. The language in **green ink** reflects suggested revisions from Student Services. There does not appear to be a current Palomar College Procedure that addresses this issue. This procedure is **legally required**. This procedure was reviewed at the February 23, 2007 Policy and Procedure Task Force Meeting.

---

**Date Approved:**

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

## **AP 5020 NONRESIDENT TUITION**

### **References:**

Education Code Sections 76140 et seq.

The nonresident tuition fee will be established not later than February 1 for the succeeding fiscal year according to one of the following bases:

- Statewide basis
- District basis
- District basis with 10% or more noncredit FTES
- No more than a contiguous district
- No more than the District basis and no less than the statewide basis

The computation of the nonresident tuition per unit charge is based on the expense of education for the base year, the annual attendance (FTES), and the U.S. Consumer Price Index.

Education Code Section 76141

The computation of the nonresident capital outlay fee is not to exceed the amount expended for capital outlay in the preceding year divided by the total fulltime equivalent students.

Education Code Section 76142

The application processing fee for citizens and residents of a foreign country is not to exceed the lesser of (1) the actual cost of processing an application and other documentation required by the federal government, or (2) \$100, which may be deducted from the tuition fee at the time of enrollment.

District practice for calculating the nonresident tuition fee will include:

- Determination of exemptions, if any
- A requirement that the nonresident tuition fee be set not later than February 1 of each year
- A requirement that the calculation reflect the current expense of education calculated according to the Budget and Accounting Manual
- Exemptions, if any, due to reciprocity with bordering states
- Processing fees, if any, for international students

- A requirement that the calculation include the expense of education in the preceding fiscal year
- A requirement that the calculation reflect fees in contiguous districts
- A requirement that the calculation provide for students enrolled in more or less than 15 units per term
- Completion of the California Community Colleges Nonresident Tuition Fee Worksheet (per Education Code Section 76140) that sets the fee rate in relation to the fee at other districts.

Office of Primary Responsibility: Fiscal Services

**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 procedure. The language in **green ink** reflects suggested revisions from Student Services. There does not appear to be a current Palomar College Procedure that addresses this issue. This procedure is **legally required**. This procedure was reviewed at the February 23, 2007 Policy and Procedure Task Force Meeting.

---

**Date Approved:**

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

## **AP 5030 FEES**

### **References:**

Education Code Sections 66025.3, 70902(b)(9), 76300, and 76355;  
Title 5 Sections 51012, 54704, 54706, and 54708;  
Chancellor's Student Fee Handbook

### **❖ From current Palomar College Procedure 403 titled Fees**

~~Palomar College Community District will charge fees according to the California Department of Education bylaws.~~

### **Required fees include:**

#### **Enrollment Fee:**

Education Code Section 76300; Title 5 Sections 58500-58509

A state mandated fee for enrolling in classes will be charged as determined by enrollment status.

#### **Nonresident Tuition Fee:**

(Education Code Sections 76140 and 76140.5)

See BP 5020 titled Nonresident Tuition and AP 5020 titled Nonresident Tuition

#### **Auditing Fee:**

Education Code Section 76370

Persons auditing a course shall be charged an established fee. 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.

### **❖ From current Palomar AP 5030.3 titled Student Health Fee**

#### **Student Health Fee:**

Education Code Sections 66025.3, 70902(b), 76355

~~A state-mandated student health fee is charged~~ to all students for operation of the Health Center or Centers as authorized in Education Code Section 76355. ~~The~~

maximum student health fee allowable will be charged to all students enrolled in credit and non-credit classes offered through Palomar College, except the following:

The following students are eExempt by law:

- Students who are taking only apprenticeship classes.
- Students who depend exclusively upon prayer for healing in accordance with the teachings of a bona fide religious sect, denomination, or organization.
- ~~Students who are d~~Dependent children and surviving spouses of members of the California National Guard who are killed or permanently disabled while in active service.

Other exemptions students include:

- Students who are aActive military students taking classes at only Camp Pendleton.
- Students who in attend Community Services Seminars.
- Students who are taking Worksite Education specifically as employees of companies Worksite Education training for company employees only.
- Students who are enrolled in nNon-credit classes at sites other than the San Marcos Campus and the Escondido Center.

### **Student Center Fee:**

Education Code Section 76375

A fee is assessed to all students attending classes at the San Marcos campus for the purpose of financing, constructing, enlarging, remodeling, refurbishing, and operating a student center. The fee is \$1 per unit up to a maximum of \$10 per student per year. Noncredit students are not required to pay the fee, nor can recipients of Temporary Assistance to Needy Families, SSI/SSP, or general assistance.

### **Transcript/Student Record Fee:**

Education Code Section 76223

The District shall furnish at no charge up to two transcripts of students' records or two verifications of various records. After two copies, the District shall charge a fee. The District shall not charge for searching or retrieving any student record. Students may request special processing or rush processing of a transcript for an additional fee.

(See the Palomar Class Schedule for exact fee amount)

### **Other Fees Include:**

#### **Parking Fee:**

Education Code Section 76360

A parking fee will be assessed per semester or session to park on District property parking lots for automobiles and motorcycles. See the class schedule for the specific amount.

The following students are exempt by law from parking fee that exceed twenty dollars (\$20) per semester:

- Students who receive financial assistance (i.e., Board of Governor Enrollment Fee Waiver-A, B, C). Special categories BOGW with the exception of students who are dependent children and surviving spouses of members of the California Veteran or National Guard who are killed or permanently disable while in active services.

### **Student Activities Fee (optional):**

The optional student activities fee offers students a number of benefits including discounts to campus events and purchases with local merchants. Please contact the Comet Center or the Student Affairs Office for more information. See class schedule for the specific fee amount. The fee is nonrefundable after the drop deadline.

### **Student Identification Card Fee (optional):**

The student ID card allows access to a variety of District support services and activities. The fee is nonrefundable after the drop deadline.

### **Collection and Refund of Fees**

#### **Non-Sufficient Funds Fee:**

The District shall charge a fee for personal checks returned for insufficient funds.

#### **Enrollment Fee Refunds:**

The District shall refund upon request any enrollment fee paid by a student in excess of that computed pursuant to Education Code 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.

No student suspended or expelled shall be refunded any fees paid by or for the student. (Education Code Sections 41302 and 76037)

Any past due debt will be subject to collection through the Chancellor's Office Tax Offset Program. A 33% collection fee will be added to the amount owed the District.

### **Enrollment Fee Waivers**



Any private or public elementary or secondary school pupil admitted to Palomar College as a special part-time student for credit classes is exempt from the enrollment fee. The attendance of the student must be authorized by a letter of permission from the school principal.

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.

(Education Code Sections 72252 and 76001)

Nonresident special part-time students are subject to nonresident tuition if classes are taken for college credit.

The following students are exempt by law:

- Students who receive financial assistance (i.e., Board of Governor Enrollment Fee Waiver-A, B, C). Special categories BOGW such as students who are dependent children and surviving spouses of members of the California Veteran or National Guard who are killed or permanently disable while in active services, recipient of Congressional Medal of Honor or child of recipient, surviving dependent of individual killed in 9/11/01 Terrorist Attack, and eligible dependent of a deceased law enforcement/fire suppression personnel killed in the line of duty.

Office of Primary Responsibility: Enrollment Services

**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 procedure. The language in **green ink** reflects suggested revisions from Student Services. The language in **black ink** is current Palomar College Procedure 403 titled Fees with no date and Procedure 5030.3 titled Student Health Fee with no date. This procedure was reviewed by Student Services in January 2007. This procedure is **legally required**. This procedure was reviewed at the February 23, 2007 Policy and Procedure Task Force Meeting.

---

**Date Approved:**

(Replaces Palomar College Procedures 403  
and 5030.3)

## **AP 5031 INSTRUCTIONAL MATERIALS FEES**

### **References:**

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

Students may be required to provide instructional and other materials required for a credit or non-credit course. Such materials shall be of continuing value to a student outside of the classroom setting and shall not be solely or exclusively available from the District.

### **DEFINITIONS:**

- **Instructional and Other Materials:** Any tangible personal property which is owned or primarily controlled by an individual student.
- **Tangible Personal Property:** Includes electronic data that the student may access during the class and store for personal use after the class in a manner comparable to the use available during the class.
- **Required Instructional and Other Materials:** Any instructional and other materials which a student must procure or possess as a condition of registration, enrollment, or entry into a class; or any such material which is necessary to achieve those required objectives of a course which are to be accomplished under the supervision of an instructor during class hours.
- **Solely or Exclusively Available from the District:** The material is not available except through the District or that the District requires that the material be purchased or procured from it. A material shall not be considered to be solely or exclusively available from the District if it is provided to the student at the District's actual cost; and 1) The material is otherwise generally available, but is provided solely or exclusively by the District for health and safety reasons or 2) The material is provided in lieu of other generally available but more expensive material which would otherwise be required.
- **Required Instructional and Other Materials which are of Continuing Value Outside of the Classroom Setting:** Materials which can be taken from the classroom setting and which are not wholly consumed, used up, or rendered

valueless as they are applied in achieving the required objectives of a course to be accomplished under the supervision of an instructor during class hours.

### **Establishing Required Materials and Related Fees**

The need for an instructional material fee is determined by the discipline faculty in consultation with the department chair, the division dean, and staff in the Office of Instructional Services. The instructional material fee is assessed if it complies with the definitions above.

All instructional material fees are published in the class schedule. The fees are paid to the Bookstore or the Cashier's Office, and the materials are provided by the department or by the Palomar College Bookstore.

#### **❖ From current Palomar College BP 403.3 titled Instructional Materials Fee (85-11216)**

~~Students may be required to provide instructional and other materials required for a credit or noncredit course. This requirement is limited to materials which are of continuing value to the student outside of the classroom setting.~~

~~Required materials may be available through the District; however, they shall not be solely or exclusively available from the District.  
EC 78930; GB 4-22-86~~

Office of Primary Responsibility: Instructional Services

**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 procedure. The language in **black ink** is current Palomar College Policy 403.3 titled Instructional Materials Fee (85-11216) dated 4-22-86. The language in **green ink** reflects suggested revisions from Student Services. This procedure is **legally required**.

---

#### **Date Approved:**

(Replaces current Palomar College Policy  
403.3)

## **AP 5035 WITHHOLDING OF STUDENT RECORDS**

**Reference:**

Title 5 Section 59410

The Director of Enrollment Services or designee shall withhold grades, transcripts, diplomas, and registration privileges from any student or former student who fails to pay a proper financial obligation to the District. The student shall be given written notification and the opportunity to explain if the financial obligation is in error.

The definition of proper financial obligation shall include, but is not limited to:

- student fees
- obligations incurred through the use of facilities, equipment or materials
- library fines
- unreturned library books
- materials remaining improperly in the possession of the student and/or
- any other unpaid obligation a student or former student owes to the District

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

Office of Primary Responsibility: Enrollment Services

**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 procedure. The language in **green ink** reflects suggested revisions from Student Services. If the District withholds student records due to non-payment of fees, this procedure is **legally required**. This procedure was reviewed at the February 23, 2007 Policy and Procedure Task Force Meeting.

---

**Date Approved:**

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

## **AP 5040 STUDENT RECORDS AND DIRECTORY INFORMATION**

### **References:**

Education Code Sections 76200 et seq.;  
Title 5 Sections 54600 et seq.,  
U.S. Patriot Act;  
Civil Code Section 1798.85

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

### **Release of Student Records**

No instructor, official, employee, or member of the Governing Board shall authorize access to student records to any person except under the following circumstances:

- Student records shall be released pursuant to a student's written consent. Student employees have access to student records only as necessary in the performance of their jobs. For example, a student employee under the supervision of a regular contract employee has access to student records on the basis of a "need to know."
- A student has access to review his/her own record and, with written permission, may receive a personal transcript or have the transcript sent to another individual or institution. Parents of minors do have access. Parents of non-minor students do not have access, except when written permission is received from the student.

"Directory information" may be released in accordance with the definitions in BP 5040 titled Student Records and Directory Information. Directory information is maintained which includes name, address, telephone number, date of birth, and class schedule information.

1. Student degrees and awards are publicized to recognize scholastic and athletic achievements in the school newspaper, or to the news media.
  2. Lists may be provided to other Palomar College departments or to colleges and universities for the expressed purpose of providing educational opportunities and financial assistance to students (names and addresses only).
- Student records shall be released pursuant to a judicial order or a lawfully issued subpoena. Each student whose record is requested under a subpoena is notified

in advance of compliance and will be offered an opportunity to introduce a motion to quash.

- Student records shall be released pursuant to a federal judicial order that has been issued regarding an investigation or prosecution of an offense concerning an investigation or prosecution of terrorism.

Student records may be released to officials and employees of the District only when they have a legitimate educational interest to inspect the record. The institution considers the following to be “legitimate educational interest:”

- Performing a task related to the student's education, related to the student's receipt of financial aid, or to the student's health and safety. For example, an agent of a financial aid funding agency, who is requesting information for determination of program eligibility, may have access to student-record information on the applicant.
- Performing tasks with written consent of the student. For example, a formal committee (e.g., Academic Review Committee) has access to student records in the conduct of its deliberations because the records are germane to rendering a decision by the committee. In this case, permission is granted when the student petitions the committee to act on his/her request.
- Performing current teaching or counseling duties directly affecting the student. For example, a member of the faculty seeking information about a student currently registered in a class taught by that faculty member is construed to have legitimate educational interest and is entitled to access the student's record. The request for information about a student not registered, formerly registered, or registered in another faculty member's class, or who is a relative of the faculty member is not a legitimate educational interest and must have the written consent of the student to access the student's record. A counselor has legitimate educational interest and has implied permission to access a student's record when the student requests counseling or advising services.
- Research approved by the institution: For example, a task force, under the direction of the Superintendent/President, may have access to student records for purposes of research. Under these circumstances, the students' identities will be protected.
- Student records may be released to authorized representatives of the Comptroller General of the United States, the Secretary of Education, an administrative head of an education agency, state education officials, or their respective designees or the United States Office of Civil Rights, where that information is necessary to audit or evaluate a state or federally supported educational program or pursuant to state or federal law. Exceptions are that when the collection of personally identifiable information is specifically authorized

by federal law, any data collected by those officials shall be protected in a manner that will not permit the personal identification of students or their parents by other than those officials, and any personally identifiable data shall be destroyed when no longer needed for that audit, evaluation, and enforcement of federal legal requirements. Persons performing a task that is specified in his or her job description by contract agreement. For example, a contracted District auditor has access to student records in the performance of those duties related to the audit of a program. Likewise, a Department of Finance auditor or auditor from the Chancellor's Office has access to student records to conduct a comprehensive audit of compliance to program regulations.

- Student records may be released to officials of other public or private schools or school systems, including local, county, or state correctional facilities where education programs are provided, where the student seeks or intends to enroll or is directed to enroll. The release is subject to the conditions in Education Code Section 76225. For example, third-party contractual arrangements between the student and an agency for educational benefits may require transcripts to verify course completion. Military organizations, local fire and police agencies, and private businesses may reimburse the student or the District for enrollment fees. (See the Office of Enrollment Services for details.)
- Student records may be released to agencies or organizations in connection with a student's application for, or receipt of, financial aid, provided that information permitting the personal identification of those students may be disclosed only as may be necessary for those purposes as to financial aid, to determine the amount of the financial aid, or conditions that will be imposed regarding financial aid, or to enforce the terms or conditions of financial aid. (See the Office of Financial Aid/Veterans/Scholarships Services for details.)
- Student records may be released to organizations conducting studies for, or on behalf of, accrediting organizations, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering financial aid programs, and improving instruction, if those studies are conducted in such a manner as will not permit the personal identification of students or their parents by persons other than representatives of those organizations and the information will be destroyed when no longer needed for the purpose for which it is conducted. (See the Office of Enrollment Services for details.)
- Student records may be released to appropriate persons in connection with an emergency if the knowledge of that information is necessary to protect the health or safety of a student or other persons, subject to applicable federal or state law.
- The following information shall be released to the federal military for the purposes of federal military recruitment: student names, addresses, telephone listings, dates and places of birth, levels of education, degrees received, prior

military experience, and/or the most recent previous educational institutions enrolled in by the students.

The District may be required by law to release student records to external parties. For example, student records may be requested under the California Public Records Act. In these cases, students' identities shall be removed.

### **Use of Social Security Numbers**

Effective January 1, 2007, the District shall not do any of the following:

- Publicly post or publicly display an individual's social security number;
- Print an individual's social security number on a card required to access products or services;
- Require an individual to transmit his or her social security number over the internet using a connection that is not secured or encrypted;
- Require an individual to use his or her social security number to access an Internet Web site without also requiring a password or unique personal identification number or other authentication devise; or
- Print, in whole or in part, an individual's social security number that is visible on any materials that are mailed to the individual, except those materials used for:
- Application or enrollment purposes;
- To establish, amend, or terminate an account, contract, or policy; or
- To confirm the accuracy of the social security number.

### **❖ From current Palomar College Procedure 405 titled Access to Student Records**

~~The Family Educational Rights and Privacy Act of 1974 defines the conditions upon which individuals have access to student records. Under Section 99.6 of the regulations, educational institutions are required to formulate and adopt a written policy regarding how the institution meets the FERPA requirements. Within that policy, Palomar College has defined "school officials and employees" to be administrators, regular and adjunct faculty, and classified staff. The institution considers the following to be "legitimate educational interest":~~

- ~~A. Performing a task related to the student's education, related to the student's receipt of financial aid, or to the student's health and safety. For example, an agent of a financial aid funding agency, who is requesting information for determination of program eligibility, may have access to student-record information on the applicant.~~
- ~~B. Performing tasks with written consent of the student. For example, a formal committee (e.g., Academic Review Committee) has access to student records in the conduct of its deliberations because the records are germane to rendering a decision by the committee. In this case, permission is granted when the student petitions the committee to act on his/her request.~~



- ~~C. Performing current teaching or counseling duties directly affecting the student. For example, a member of the faculty seeking information about a student currently registered in a class taught by that faculty member is construed to have legitimate educational interest and is entitled to access the student's record. The request for information about a student not registered, formerly registered, or registered in another faculty member's class, or who is a relative of the faculty member is not a legitimate educational interest and must have the written consent of the student to access the student's record. A counselor has legitimate educational interest and has implied permission to access a student's record when the student requests counseling or advising services.~~
- ~~D. Performing educational research. For example, a task force, under the direction of the President of the college, may have access to student records for purposes of research. The students under these circumstances will remain anonymous.~~

#### ~~Student Access to Student Records~~

- ~~A. Student employees have access to student records only as necessary in the performance of their jobs. For example, a student employee under the supervision of a regular contract employee has access to student records on the basis of a "need to know."~~
- ~~B. A student has access to review his/her own record and, with written permission, may receive a personal transcript or have the transcript sent to another individual or institution.~~

#### ~~Others Who Have Access to Student Records~~

- ~~A. Performing a task that is specified in his or her job description or by contract agreement. For example, a contracted District auditor has access to student records in the performance of those duties related to the audit of the program. Likewise, a Department of Finance auditor or auditor from the Chancellor's Office has access to student records to conduct a comprehensive audit of compliance to program regulations.~~
- ~~B. Officials of other schools where the student is concurrently enrolled, intends to enroll, or is directed to enroll, and who have the written consent of the student.~~
- ~~C. Accrediting organizations, in order to carry out their accrediting functions.~~
- ~~D. Appropriate persons in connection with an emergency, if the knowledge of that information is necessary to protect the health or safety of a student or other persons or subject to any regulations issued by the Secretary of Health, Education, and Welfare.~~
- ~~E. The alleged victim of any sexual assault or physical abuse or any conduct that threatens the health and safety of the alleged victim, which is the basis of disciplinary action taken by the college, has limited access to student record information. The information provided shall be in the form of a notification of the results of the disciplinary action.~~
- ~~F. In compliance with a court order or subpoena.~~

#### ~~Students' Rights and Privacy of Student Records~~

~~Pursuant to CAC Title 5, Section 54606 and subsequent sections, you may request an opportunity to inspect any and all official school records, files, and data related to the student. If information in the file is inaccurate, misleading, or inappropriate, the student may request removal of the information, or include a statement disputing the material which he/she challenges.~~

~~Other provisions of the law restrict the people who have access to the information in student records.~~

~~School personnel with legitimate educational interests, schools of intended enrollment, specified federal and state educational administrators, or those who provide financial aid are entitled to access without the student's consent. Access may also be obtained without your consent pursuant to court order. Parents of minors do have access. Parents of non-minor students do not have access, except when written permission is received from the student.~~

~~Directory information is maintained which includes name, address, telephone number, date of birth, and class schedule information.~~

- ~~3. Student degrees and awards are publicized to recognize scholastic and athletic achievements in the school newspaper, or to the news media.~~
- ~~4. Lists may be provided to other Palomar College departments or to colleges and universities for the expressed purpose of providing educational opportunities and financial assistance to students (names and addresses only).~~

~~No directory information is released to individuals unless your permission is secured.~~

~~Students who are applying for or receiving student financial aid must disclose their social security number. Also, any student who wants to receive a tuition tax credit form (1098 T) to claim income tax credit for tuition and fees on their federal income tax return must provide the social security number.~~

~~All health information is confidential, and is not revealed to any person or persons, except those persons in Health Services directly connected with treatment of the student. Instructors, however, will be notified if a student has a health condition that may result in losing consciousness.~~

Regulations and procedures regarding student records are available in the Records Office.

Also see AP 5045 titled Student Records: Challenging Content and Access Log

Office of Primary Responsibility: Enrollment Services

**NOTE:** The information in **black ink** is current Palomar College Procedure 405 titled Access to Student Records with no date. 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 procedure. The language in **green ink** reflects suggested revisions from Student Services. This procedure is **legally required**. This procedure was reviewed at the February 23 and March 16, 2007 Policy and Procedure Task Force Meetings.

---

**Date Approved:**

*(Replaces current Palomar College Procedure  
405)*

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

**References:**

Education Code Sections 76222 and 76232;  
Title 5 Section 54630

**Challenging Content**

Students may file written requests with the Enrollment Services Office to correct or remove information recorded in their student records as described in the policy. Within 30 days of receipt of the request, the Enrollment Services Office shall meet with the student and the employee who recorded the information in question, if any, if the employee is presently employed by the District. The Enrollment Services Office shall then sustain or deny the allegations.

If the Enrollment Services Office sustains any or all of the allegations, the subject information shall be corrected, removed, or destroyed as applicable. If the Enrollment Services Office denies any or all of the allegations and refuses to order the correction or removal of the information, students, within 30 days of the refusal, may appeal the decision in writing to the Academic Review Committee for academic issues, the Financial Aid Appeals Committee for student financial aid record issues, or the Director of Student Affairs for disciplinary record issues.

A final appeal may be made to the Governing Board. The Governing Board shall, in closed session with the student and the employee who recorded the information in question, determine whether to sustain or deny the allegations. If the Governing Board sustains any or all of the allegations, it shall order the Superintendent/President or his or her designee, to immediately correct or remove and destroy the information. The decision of the Governing Board shall be final.

If the final decision is unfavorable to the student, 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.

Whenever there is included in any student record information concerning any disciplinary action, the student shall be allowed to include in such record a written statement or response concerning the disciplinary action.

Whenever there is included in any student record information concerning any disciplinary action in connection with any alleged sexual assault or physical abuse, or threat of sexual assault, or any conduct that threatens the health and safety of the alleged victim, the alleged victim of that sexual assault or physical abuse shall be informed within three days of the results of the disciplinary action and the results of any appeal. The alleged victim shall keep the results of that disciplinary action and appeal confidential.

### Access Log

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

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

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

### ❖ **From current Palomar College Procedure 405 titled Access to Student Records**

~~The Family Educational Rights and Privacy Act of 1974 defines the conditions upon which individuals have access to student records. Under Section 99.6 of the regulations, educational institutions are required to formulate and adopt a written policy regarding how the institution meets the FERPA requirements. Within that policy, Palomar College has defined "school officials and employees" to be administrators, regular and adjunct faculty, and classified staff. The institution considers the following to be "legitimate educational interest":~~

- ~~E. **Performing a task related to the student's education, related to the student's receipt of financial aid, or to the student's health and safety.** For example, an agent of a financial aid funding agency, who is requesting information for determination of program eligibility may have access to student-record information on the applicant.~~
- ~~F. **Performing tasks with written consent of the student.** For example, a formal committee (e.g., Academic Review Committee) has access to student records in the conduct of its deliberations because the records are germane to rendering a decision by the committee. In this case, permission is granted when the student petitions the committee to act on his/her request.~~
- ~~G. **Performing current teaching or counseling duties directly affecting the student.** For example, a member of the faculty seeking information about a student currently registered in a class taught by that faculty member is construed~~

~~to have legitimate educational interest and is entitled to access the student's record. The request for information about a student not registered, formerly registered, or registered in another faculty member's class, or who is a relative of the faculty member is not a legitimate educational interest and must have the written consent of the student to access the student's record. A counselor has legitimate educational interest and has implied permission to access a student's record when the student requests counseling or advising services.~~

- ~~H. **Performing educational research.** For example, a task force, under the direction of the President of the college, may have access to student records for purposes of research. The students under these circumstances will remain anonymous.~~

### **Student Access to Student Records**

- ~~C. Student employees have access to student records only as necessary in the performance of their jobs. For example, a student employee under the supervision of a regular contract employee has access to student records on the basis of a "need to know."~~
- ~~D. A student has access to review his/her own record and, with written permission, may receive a personal transcript or have the transcript sent to another individual or institution.~~

### **Others Who Have Access to Student Records**

- ~~G. Performing a task that is specified in his or her job description or by contract agreement. For example, a contracted District auditor has access to student records in the performance of those duties related to the audit of the program. Likewise, a Department of Finance auditor or auditor from the Chancellor's Office has access to student records to conduct a comprehensive audit of compliance to program regulations.~~
- ~~H. Officials of other schools where the student is concurrently enrolled, intends to enroll, or is directed to enroll, and who have the written consent of the student.~~
- ~~I. Accrediting organizations, in order to carry out their accrediting functions.~~
- ~~J. Appropriate persons in connection with an emergency, if the knowledge of that information is necessary to protect the health or safety of a student or other persons or subject to any regulations issued by the Secretary of Health, Education, and Welfare.~~
- ~~K. The alleged victim of any sexual assault or physical abuse or any conduct that threatens the health and safety of the alleged victim, which is the basis of disciplinary action taken by the college, has limited access to student record information. The information provided shall be in the form of a notification of the results of the disciplinary action.~~
- ~~L. In compliance with a court order or subpoena.~~

### **Students' Rights and Privacy of Student Records**

~~Pursuant to CAC Title 5, Section 54606 and subsequent sections, you may request an opportunity to inspect any and all official school records, files, and data related to the student. If information in the file is inaccurate, misleading, or inappropriate, the student~~

~~may request removal of the information, or include a statement disputing the material which he/she challenges.~~

~~Other provisions of the law restrict the people who have access to the information in student records.~~

~~School personnel with legitimate educational interests, schools of intended enrollment, specified federal and state educational administrators, or those who provide financial aid are entitled to access without the student's consent. Access may also be obtained without your consent pursuant to court order. Parents of minors do have access. Parents of non-minor students do not have access, except when written permission is received from the student.~~

~~Directory information is maintained which includes name, address, telephone number, date of birth, and class schedule information.~~

~~Student degrees and awards are publicized to recognize scholastic and athletic achievements in the school newspaper, or to the news media.~~

~~Lists may be provided to other Palomar College departments or to colleges and universities for the expressed purpose of providing educational opportunities and financial assistance to students (names and addresses only).~~

~~No directory information is released to individuals unless your permission is secured.~~

~~Students who are applying for or receiving student financial aid must disclose their social security number. Also, any student who wants to receive a tuition tax credit form (1098 T) to claim income tax credit for tuition and fees on their federal income tax return must provide the social security number.~~

~~All health information is confidential, and is not revealed to any person or persons, except those persons in Health Services directly connected with treatment of the student. Instructors, however, will be notified if a student has a health condition that may result in losing consciousness.~~

~~Regulations and procedures regarding student records are available in the Records Office, room SSC 54.~~

[Also see AP 5040 titled Student Records and Directory Information](#)

[Office of Primary Responsibility: Enrollment Services](#)

**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 procedure. The language in **green ink** reflects suggested revisions from Student Services. This procedure was reviewed at the March 16, 2007 Policy and Procedure Task Force Meeting. The information in **black ink** is current Palomar College Procedure 405 titled Access to Student Records with no date. This procedure is **legally required**.

---

**Date Approved:**

*(Replaces current Palomar College Procedure  
405)*



## **AP 5050 MATRICULATION**

### **References:**

Education Code Sections 78210 et seq.;  
Title 5 Section 55500

Matriculation brings students and the District into agreement regarding the student's educational goal through the District's established programs, policies, and requirements. The agreement is implemented by means of a student educational plan.

Students, in entering into a student educational plan, will do all of the following:

- express at least a broad educational intent upon admission
- declare a specific goal no later than the term after which each student completes 15 semester units of degree applicable credit coursework
- diligently attend class and complete assigned coursework
- complete courses and maintain progress toward an educational goal and
- cooperate in the development of a student educational plan

Matriculation services include, but are not limited to, all of the following:

- Processing of the application for admission
- Orientation and pre-orientation services designed to provide to students, on a timely basis, information concerning campus procedures, academic expectations, financial assistance, and any other appropriate matters and
- Assessment and counseling upon enrollment, which shall include, but not be limited to, all of the following:
  - o The use of multiple measures to assess students' academic skills and abilities
  - o Administration of assessment instruments to determine student competency in computational and language skills
  - o Assistance to students in the identification of aptitudes, interests, and educational objectives, including, but not limited to, associate of arts degrees, transfer for baccalaureate degrees, and career/technical certificates and licenses
  - o Evaluation of study and learning skills
  - o Referral to specialized support services as needed, including, but not limited to, federal, state, and local financial assistance; health services; campus employment placement services; extended opportunity programs

- and services; campus child care services programs that teach English as a second language; and disabled student services
- o Advisement concerning course selection
- o Ongoing institutional research program
- o Post-enrollment evaluation of students' progress and required advisement or counseling for students who are enrolled in remedial courses, who have not declared an educational objective as required, or who are on academic probation
- o Faculty and staff training and
- o Prerequisite validation and enforcement

The District shall not use any assessment instrument except one specifically authorized by the Board of Governors of the California Community Colleges.

#### ❖ From current Palomar College Procedure 401 titled Matriculation

~~Matriculation is a process that brings the College and a student who enrolls for credit into an agreement for the purpose of realizing the student's educational goal through the College's established programs, policies, and requirements. The responsibilities of a college under this agreement will entail providing appropriate matriculation services which shall require:~~

- ~~• The processing of applications for admission;~~
- ~~• Orientation and pre-orientation services;~~
- ~~• The use of multiple measures to assess student's academic skills and abilities;~~
- ~~• Counseling and advising to include the development of educational plans;~~
- ~~• Follow-up system to detect and correct early signs of academic difficulty;~~
- ~~• Referral of students to additional student services;~~
- ~~• Ongoing institutional research program;~~
- ~~• Faculty and staff training;~~
- ~~• Prerequisite validation and enforcement.~~

Office of Primary Responsibility: Dean of Counseling Services

**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 procedure. The language in **green ink** reflects suggested revisions from Student Services. The language in **black ink** is current Palomar College Procedure 401 titled Matriculation with no date. This procedure was reviewed at the March 16, 2007 Policy and Procedure Task Force Meeting. This procedure is **legally required**.

---

#### **Date Approved:**

(Replaces current Palomar College Procedure 401)

## **AP 5052 OPEN ENROLLMENT**

### **References:**

Title 5 Sections 51006, 58106, and 58108

All courses of the District shall be open to enrollment in accordance with BP 5052 titled Open Enrollment and a priority system consistent with AP 5055 titled Enrollment Priorities. Enrollment may be limited to students meeting properly validated prerequisites and co-requisites, or due to other non-evaluative, practical considerations as determined by the Vice President of Instruction.

Student are not required to confer or consult with or required to receive permission to enroll in any class offered by the District, except as provided for in AP 5055 titled Enrollment Priorities and apprenticeship, dental assisting, medical assisting, nursing, fire, police, and paramedic academy programs.

Students are not required to participate in any pre-registration activities not uniformly required, and no registration procedures are used that result in restricting enrollment to a specialized clientele, except as provided for in Procedure 5055 titled Enrollment Priorities and apprenticeship, dental assisting, medical assisting, nursing, fire, police, and paramedic academy programs.

Students may challenge an enrollment limitation on any of the following grounds:

- The limitation is unlawfully discriminatory or is being applied in an unlawfully discriminatory manner
- The District is not following its enrollment procedures
- The basis for the limitation does not in fact exist

Students have the right to challenge any prerequisite. A prerequisite or co-requisite challenge requires written documentation, explanation of alternative course work, background, abilities, or other evidence which has adequately prepared you for the target course. A Prerequisite or Co-requisite Challenge Petition may be obtained from the Admissions & Records Office, the Counseling Center, or an Education Center or Site.

The challenge petition may include one or more of the following:

1. A prerequisite or co-requisite has not been made reasonably available.

2. A prerequisite or co-requisite has not been established in accordance with the District's process for establishing prerequisites and co-requisites.
3. Provide evidence of having the knowledge or ability needed to succeed in the course despite not meeting the prerequisite or co-requisite.
4. Challenge other limitations on enrollment.
5. Challenge a prerequisite or co-requisite established to protect the health and safety of himself, herself, and/or others.
6. A prerequisite, co-requisite, or limitation on enrollment is discriminatory or applied in a discriminatory manner.
7. A prerequisite or co-requisite is in violation of Title 5.

If space is available in the target course when a challenge is filed about the prerequisite or co-requisite, the District shall reserve a seat and resolve the challenge within five working days. If the challenge is upheld or the District fails to resolve the challenge within the five working day period, the student will be allowed to enroll in the course. If no space is available in the course when a challenge is filed, the challenge shall be resolved prior to the beginning of registration for the next term, and if the challenge is upheld, the student will be permitted to enroll if space is available when registering for the subsequent term.

Prerequisite and co-requisite challenges are addressed by the appropriate academic discipline/department.

Office of Primary Responsibility: Enrollment Services

**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 procedure. The language in **green ink** reflects suggested revisions from Student Services. This procedure was reviewed at the March 16, 2007 Policy and Procedure Task Force Meeting. This procedure is **legally advised**.

---

**Date Approved:**

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

## **AP 5055 ENROLLMENT PRIORITIES**

### **Reference:**

Title 5 Section 58106

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

Enrollment may be limited due to the following:

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

### **❖ 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 registration appointments in the following priority scheme:

1. DISABILITY RESOURCE CENTER, EOP&S, and TRIO/SSS Students who are
  - a. Continuing students or,

- 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

❖ **From current Palomar College Procedure 402 titled Registration**

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

❖ **From current Palomar College Procedure 402.1 titled Wait List**

Some classes may have waiting lists for students wanting to enroll:

- A. The department chair and the dean will establish the wait list size. The practice of establishing an unlimited wait list as a measure of demand for a course is to be minimized.
- ~~B. A student will not be allowed to register in another section of a course while on a wait list for the same course.~~
- C. B. All instructors should follow the wait list system. However, if an instructor will not follow the wait list system, no wait list will be established for those sections taught by that instructor. ~~In the event an instructor has made an "informal" arrangement to allow a student into a class, the decision should not penalize wait list students.~~
- D. C. Admittance into a closed class will occur only with permission of the instructor.

Office of Primary Responsibility: Enrollment Services

**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 procedure. The language in **green ink** reflects suggested revisions from Student Services. The language in **black ink** is current Palomar College Policy 402 titled Registration adopted on 7-19-77; 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; Procedure 402 titled Registration with no date; and current Palomar College Procedure 402.1 titled

Wait List with no date. The language in **green ink** reflects suggested revisions from Student Services. This procedure was reviewed at the March 16, 2007 Policy and Procedure Task Force Meeting. This procedure is **suggested as good practice**.

---

**Date Approved:**

(Replaces current Palomar College Policies  
402 and 402.1 as well as Procedures 402 and  
402.1)

## **AP 5070 ATTENDANCE**

### **References:**

Title 5 Sections 58000 et seq.

Pursuant to Education Code Section 84040, the Department of Finance, the Auditor General, and the California Community Colleges Chancellor's Office, documentation requirements are maintained to promote standardized, accurate reporting of data use for calculating the state general fund apportionment and to facilitate annual audits required of the District. Appropriate support records include the following:

- Computation of units of fulltime equivalent student (FTES) based on the type of course, the way the course is scheduled, and the length of the course
- Selection of a single primary term length for credit courses
- Reporting of FTES during the "first period" (between July 1 and December 31) and "second period" (between July 1 and April 15)
- Compliance with census procedures prescribed by the state Chancellor's Office for all credit courses, including work experience, independent study, and credit courses being reported on an actual attendance basis
- Preparation of census day procedure tabulations
- Preparation of actual student contact hours of attendance procedure tabulations
- Preparation (as applicable) of actual apprentice hours of teaching procedure tabulations
- Preparation of support documentation regarding all course enrollment, attendance and disenrollment information
- Computation of FTES that includes only the attendance of students while they are engaged in educational activities required of students and while they are under the immediate supervision and control of an academic employee of the District authorized to render service in the capacity and during the period in which he or she served
- Maintenance of the colleges in the District for at least 175 days during the fiscal year

Also see new AP 5075 titled Course Adds and Drops

Office of Primary Responsibility: Enrollment Services



**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 procedure. This procedure is **legally required**.

---

**Date Approved:**

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

## **AP 5075 COURSE ADDS AND DROPS**

### **References:**

Title 5 Sections 55758 and 58004

### **Adding Courses**

Students may add classes through the registration period. If a class is closed because the enrollment maximum is reached, the permission of the instructor is required for entry. (See the class schedule for details or AP 5052 titled Open Enrollment for other enrollment conditions.)

Students are not registered in a class if their name does not appear on the class roster. Students on a waiting list are not officially registered in a course. Students' schedule of classes also indicates whether students have officially registered for a class.

### **Withdrawals**

- Withdrawals, or drops, are authorized through the eighth week of the term or 50% of the length of a class. No notation will appear on the student's record for drops during the first 30% of the term or class.
- A drop between the first 30% of a course and 50% of a course will have a "W" assigned.
- Drops after 50% of the course is completed will not be authorized. An evaluative grade (A, B, C, D, F, FW) or an "I" must be given.

### **❖ From current Palomar College Procedure 418.2 titled Disenrollment Procedures**

While the primary responsibility for class attendance and maintaining an accurate registration record rests with the student, the instructor has the responsibility for maintaining accurate and proper accountability records for state apportionment requirements. rests with the instructor and the Records Office. Consequently, each student is responsible for adding or dropping of courses to the student's schedule of classes. Each instructor shall clear the class roster(s) of inactive students not later than the end of the last business day before the census day.

As such, the instructor:

- Must drop any student identified as a “no show” (students registered who have never attended class) by reporting these students on the drop roster through Faculty eServices.
- May elect to drop a student for the following reasons:
  1. Excessive absences (normally defined as more than the number of times the class is scheduled to meet per week);
  2. Failure to take examinations;
  3. Failure to complete class assignments.

The instructor must indicate a last activity date (the date of the last active participation in the class) when the student is dropped (GB 11/24/87, rev. PAC 9-18-96). Such records should be kept a minimum of three years in accordance with Title 5 regulations. Veteran/Financial Aid students must be reported no later than two (2) weeks after their last date of activity. Veteran/Financial Aid students are identified on the class roster with an asterisk (\*\*). Each instructor should maintain adequate records to support a student's last activity date (e.g. last paper submitted, last exam taken, last date of attendance, last electronic transmission).

### **“No Show”**

A “no show” is a student who has registered for a class but who has never appeared. “No shows” must be reported on the paper Drop Roster or on line through Faculty eServices. “No shows” may not be reported on the Instructor Notice of Drop card.

### **Excessive Absence**

The following procedure should be followed if a student is excessively absent:

1. Complete the paper or on line Drop Roster and submit to the Admissions Office. Please indicate the last date of activity.
2. If, after being dropped from a class, a student desires to be reinstated he/she must file a Change of Program - Add. The application for reinstatement requires the signature of the instructor and the division dean.
3. Each instructor should maintain adequate records to reflect a student's last activity date (last papers submitted, last exam taken, last date of attendance). Such records should be kept a minimum of three years in accordance with Title V regulations. Veteran/Financial Aid students must be reported no later than two (2) weeks after their last date of activity. Veteran/Financial Aid students are identified on your class roster with an asterisk (\*\*).

### **Dropping a Class**

It is the student's responsibility to execute a drop.

- Drops during the first 30% of a course do not require an instructor's signature and no notation will appear on the student's record.
- Drops between the first 30% of a course and 50% of a course do not require an instructor's signature. A "W" will be assigned.
- Drops after 50% of the course is completed will not be authorized. An evaluative grade (A, B, C, D, F, FW) or an "I" must be given.

~~The instructor should indicate the last date of activity.~~

### **Adding a Class**

~~Do not accept a student in a class if his/her name does not appear on the class roster unless he/she presents a computer printed schedule. A wait list number does not indicate official registration in a course. The student's schedule indicates that the student has officially registered for the class.~~

## **❖ From current Palomar College Procedure 417 titled Withdrawal**

### Types of Withdrawals/Drops

**Official Withdrawal:** ~~Students who must withdraw from College during the semester are responsible for withdrawing over PAR. Refer to "Dates and Penalties" below for any penalties which may be imposed.~~ A student who formally withdraws or is dropped by a faculty member from a class prior to the drop deadline.

**Unofficial Withdrawal:** Students who simply stop attending class and do not drop via PAR have are considered unofficially withdrawn. These students may receive an "F" or "FW" grade for the class ~~in every class they stop attending.~~

**Administrative Withdrawal:** Administrative withdrawals may occur for academic or disciplinary reasons, or for non-payment of fees. If the administrative withdrawal occurs after the refund period, the student will not be entitled to a refund of registration fees.

**Military Withdrawal:** Members of an active or reserve military service who receive orders compelling a withdrawal from courses will be permitted withdrawal at any time during the semester. Upon verification of such orders, the grade symbol "MW," will be assigned after the "no notation" period or after the first four weeks of the semester. The "MW" will not be counted in progress probation or dismissal calculations and will not have any adverse effect on the academic record or enrollment status. Upon petition, the student will also receive a refund of the entire enrollment fee.

## **❖ From current Palomar College Procedure 417.1 titled Conditions to Petition to Withdraw**

**Conditions for Petition to Withdraw:** Students who have verifiable extenuating circumstances beyond their control may petition for an exception to withdraw from a class after the eighth week of a full semester course, or 50% of a short-term course. The student may petition the Director of Enrollment Services for authorization to receive a withdrawal (W) in the following manner:

- A formal petition must be submitted to the Director of Enrollment Services by the student, or the student's representative.

- Proof of the extenuating circumstances being cited as reasons for withdrawal, or unsuccessful course completion, must be submitted.
- The instructor of each course in question must be consulted. In the event the instructor of record cannot be contacted, or is unavailable, the department chair will act on his/her behalf of the instructor of record.

Palomar College defines extenuating circumstances as serious and compelling reasons which are limited to the following:

- Illness, hospitalization, or medical reasons
- Employment
- Relocation
- Illness or death of a family member or loved one
- Incarceration

### ❖ From current Palomar College Procedure 418.1 titled Rosters

#### **First Day Rosters**

- ~~Will be issued the day before classes begin for each semester.~~
- ~~Will indicate students who are officially registered in the class.~~
- ~~Are for information purposes only and do not need to be returned to the Admissions and Records Office.~~

#### **First Census Rosters**

- ~~Will be the permanent rosters which indicate the official registration upon which legal attendance is based.~~
- ~~Are for information purposes only and do not need to be returned.~~

#### **Drop Rosters**

- ~~Faculty may now submit drops on line at Faculty eServices. Access to the web site requires use of the faculty member's Employee ID and 6-digit PIN number.~~
- ~~Instructor Notice of Drop cards should be used to drop students after the Drop Roster period.~~

~~Drops after the 50% deadline may be reported only for Veteran/Financial Aid students. These students must be reported no later than two (2) weeks after their last date of activity. Veteran/Financial Aid students are identified on your class roster with an asterisk (\*\*).~~

#### **Grade Rosters**

- ~~Are the final rosters of the semester issued/activated on Monday of the fifteenth week of instruction.~~
- ~~Grades will be issued to students on this roster. Appropriate grading symbols must be used from the list shown in the grading policy.~~

- ~~• This roster must be submitted to the Records Office before the last day of the semester or within 48 hours after the last final examination. Faculty may now submit grades on line through Faculty eServices. Access to the web site requires the use of the faculty member's Employee ID and 6-digit PIN number.~~

[Also refer to the Palomar College Catalog](#)

[Office of Primary Responsibility:](#) [Enrollment Services](#)

**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 procedure. The language in **green ink** reflects suggested revisions from Student Services. The information in **black ink** is from current Palomar College Procedures 417 titled Withdrawal with no date, 417.1 titled Conditions to Petition to Withdraw with no date, 418 titled Rosters, and 418.2 titled Disenrollment Procedures with no date. This procedure was reviewed at the March 16, 2007 Policy and Procedure Task Force Meeting. This procedure is **legally required**.

---

**Date Approved:**

(Replaces current Palomar College  
Procedures 417, 417.1, 418, and 418.2)

## **AP 5110 COUNSELING SERVICES**

### **References:**

Education Code Section 72620;  
Title 5 Section 51018

The counseling services available in the District's counseling program include at least the following:

- Academic and career/technical counseling, in which students are assisted in assessing, planning, and implementing their immediate and long-range academic goals. Academic and career/technical counseling is available to students seeking assistance with scheduling or clarification of requirements for graduation or transfer.
- Career counseling and courses, in which students are assisted in assessing, understanding, and developing their aptitudes, abilities, skills, values, and interests, and are advised concerning the current and future employment trends and services.
- Personal counseling, in which students are provided assistance related to their educational progress.
- Coordination with the counseling aspects of other services to students which exist on campus, including but not limited to those services provided in programs for students with special needs, skills testing programs, financial assistance programs, and job placement services.

### **Confidentiality of Counseling Information**

Information of a personal nature disclosed by a student 12 years of age or older in the process of receiving counseling from a counselor is confidential, and shall not become part of the student record without the written consent of the person who disclosed the confidential information. However, the information shall be disclosed when permitted by applicable law, including but not limited to disclosure as necessary to report child abuse or neglect; reporting to the Superintendent/President or other persons when the counselor has reason to believe that disclosure is necessary to avert a clear and present danger to the health, safety, or welfare of the student or other persons living in the College District community; reporting information to the Superintendent/President or other persons as necessary when the student indicates that a crime involving the likelihood of personal injury or significant or substantial property losses will or has been committed; reporting information to one or more persons specified in a written waiver by the student.

**❖ From current Palomar College Procedure 418.2 titled Disenrollment Procedures**

**~~COUNSELING, GUIDANCE, AND CAREER DEVELOPMENT~~**

- ~~• In accordance with Title V, section 519765, counseling services are provided according to the needs of each student in the following ways:~~
- ~~• To determine the student's educational goals and plans~~
- ~~• To make a self-appraisal on the progress toward the student's goals~~
- ~~• To provide counseling and guidance services to entering students on proper course selection using an assessment of student skills, abilities, aptitudes, and interests~~
- ~~• Individual counseling and guidance services shall be provided to each student who is on probation and dismissal, including the regulation of the student's program according to the student's aptitude and achievements~~

**~~Counseling Center~~**

~~Academic, assessment, vocational, and personal counseling are provided.~~

**~~Career Center~~**

~~The Career Center has a reference library and 33 computers with databases that provide current career, college, and scholarship search information. Internet access is also available. The Center provides computerized career assessment, programs, and short-term career planning courses. Career counseling and employment services are also provided. The Career Center is located in the Student Services Center next to Counseling.~~

**~~Academic Counseling~~**

~~Academic Counseling is available to students seeking assistance with scheduling or clarification of requirements for graduation or transfer. Inasmuch as careful course selection is a key to a successful college experience and is subject to change, it is wise for students to consult a counselor prior to each registration period.~~

**~~Personal Counseling~~**

~~A student may seek the assistance of a trained counselor in finding solutions to problems that may be affecting his/her academic progress. A counselor may also provide further assistance in helping students understand their attitudes, feelings, academic potentials, and special aptitudes; thereby enabling them to make decisions realistically.~~

[Also refer to the Palomar College Catalog and Schedule of Classes.](#)

[Office of Primary Responsibility: Counseling Services](#)



**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 procedure. The language in **green ink** reflects suggested revisions from Student Services. The information in **black ink** is from current Palomar College Procedure 418.2 titled Disenrollment Procedures with no date. This procedure was reviewed at the March 16, 2007 Policy and Procedure Task Force Meeting. This procedure is **legally advised** since all counseling programs must meet the same minimum requirements.

---

**Date Approved:**

(Replaces current Palomar College Procedure  
418.2)

## **AP 5120 TRANSFER CENTER**

### **References:**

Education Code Sections 66720-66744;  
Title 5 Section 51027

The District has a Transfer Center Plan that complies with the requirements of Title 5. The Plan identifies appropriate target student populations and is designed to increase the transfer applications of all students including underrepresented students among transfer students.

Plan components include, but are not limited to:

- Services to be provided to students
- Facilities
- Staffing
- An advisory committee
- Evaluation and reporting
- Transfer path requirements for each articulated baccalaureate major

❖ **From current Palomar College Procedure 418.2 titled Transfer Center (under the Disenrollment Procedures Section)**

The Transfer Center contains offers information resources and staff to assist students with transfer planning.

~~The Center contains an extensive catalog library, articulation agreements, and other transfer planning guides. The staff provides advising, program planning, and workshops on admissions and scholarship information. Representatives from four-year universities are also available in the Center for appointments.~~

Also refer to the Palomar College Catalog and Schedule of Classes

Offices of Primary Responsibility: Transfer Center and Counseling Services

**NOTE:** The information in **black ink** is current Palomar College Procedure 418.2 titled Transfer Center (under the Disenrollment Procedures Section) with no date. 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 procedure. The language in **green ink** reflects suggested revisions from Student Services. This procedure was reviewed at the March 16, 2007 Policy and Procedure Task Force Meeting. This procedure is **legally required**.

---

**Date Approved:**

(Replaces current Palomar College Procedure  
418.2)

**Student Services**  
**DRAFT as of 4/13/07**

**AP 5130 FINANCIAL AID, VETERANS' & SCHOLARSHIPS SERVICES**

**References:**

Education Code Section 76300;  
Title 5 Sections 58600 et seq.  
20 U.S. Code Sections 1070 et seq.;  
34 Code of Federal Regulations Section 668

**Financial Aid programs available:**

- BOGW – Board of Governors Enrollment Fee Waiver Program for California residents
- Cal Grants (Cal Grant B, C)
- Federal Pell Grants
- Federal Supplemental Educational Opportunity Grant (FSEOG)
- Federal Work Study (FWS)
- William D. Ford Federal Direct Student Loan Program
- Institutional Emergency Student Loans

Application Process: Applications are available on eServices and information available at [www.palomar.edu/fa](http://www.palomar.edu/fa).

**Scholarship information**

- Internal Foundation Scholarships (online application through eServices)
- External Scholarships (separate application)

**Veterans Educational Benefits Program**

Federal Veterans Educational Benefits Program and Department of Defense Educational Benefits Program is available at the District. Students can apply to receive their benefits at the San Marcos campus. Information is available at [www.palomar.edu/fa](http://www.palomar.edu/fa)

**Compliance**

All financial aid, scholarships, and Veterans Educational Benefits Program must adhere to guidelines, procedures, and standards issued by federal and state laws and regulations and institutional policies.

- ❖ From current Palomar College Procedure 418.2 titled Disenrollment Procedures (On-Campus Student/Federal Work Study/Internship Placement Services Section)

## **~~ON-CAMPUS STUDENT/FEDERAL WORK STUDY/INTERNSHIP PLACEMENT SERVICES~~**

The ~~On Campus Student/Federal Work Study/Internship Placement Services~~ Employment Office assists currently enrolled eligible financial aid students with employment needs.

## **~~FINANCIAL AID AND SCHOLARSHIPS~~**

The ~~Financial Aid & Scholarships Office~~ hopes that the faculty and staff members of the college continue to encourage students to stop by the office to obtain information and the necessary forms needed to receive financial assistance in the pursuit of their program of study at Palomar College.

~~Financial Aid is available to assist with your fees, tuition, books and supplies, and other educational expenses. Applications for Fall, 2001, and Spring, 2002, are available.~~

## **~~Financial Aid Programs Available~~**

- ~~Board of Governors Waiver (BOGW) - waives enrollment fee and health service fee~~
- ~~Pell Grant~~
- ~~Federal Supplemental Educational Opportunity Grant (FSEOG)~~
- ~~Federal Work Study (FWS) - part-time employment on and off campus~~
- ~~William D. Ford Federal Direct Student Loan~~
- ~~Emergency Student Loans~~
- ~~Required Orientation to Financial Aid~~
- ~~CASHE scholarship search program~~
- ~~Monthly scholarship newsletters from September through April~~

## **~~Key Eligibility Requirements (not limited to)~~**

- ~~U.S. Citizen or Eligible Non-Citizen~~
- ~~High School Diploma or G.E.D.~~
- ~~Declared Program of Study~~
- ~~Determined to have financial need~~
- ~~Not on default on a student loan or owe a refund to a grant~~

## **~~Required Application Form~~**

~~Submit a "Free Application for Federal Student Aid form (FAFSA)~~

## **~~Standard Requirements and Documents/Forms (not limited to)~~**

- ~~Palomar College Financial Aid Information Sheet~~
- ~~Financial Aid Guidelines - Statement of Understanding~~

- ~~Satisfactory Academic Progress Policy Agreement~~
- ~~Financial Aid Transcript (FAT) from previous colleges—required for mid-year transfer~~
- ~~If required/requested, prior year's 1040 tax form and W-2 statements~~
- ~~Educational Advisement Certification~~

### **Scholarships**

~~A list of scholarships available is routinely posted throughout the campus. For additional information and web sites, contact the Financial Aid Office.~~

### **Student Employment Processing**

~~This department is primarily responsible for processing all student employment paperwork for the District.~~

~~A student must be enrolled in at least 6 units for fall and spring semesters to qualify for employment.~~

~~Student employees must not work until our office has completed their employment papers.~~

### **Location and Hours**

~~The Financial Aid & Scholarships Office is located in the Student Services building.~~

~~Service Hours: Monday & Thursday 9 a.m. to 4 p.m.~~

~~Tuesday & Wednesday 9 a.m. to 7 p.m.~~

~~Friday 10 a.m. to 2 p.m.~~

Office of Primary Responsibility: Financial Aid, Veterans' & Scholarships Services

**NOTE:** The information in **black ink** is from current Palomar College Procedures 418.2 titled Disenrollment Procedures with no date. 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 procedure. The language in **green ink** reflects suggested revisions from Student Services. This procedure is **legally required**. This procedure was reviewed at the April 13, 2007 Policy and Procedure Task Force Meeting.

---

### **Date Approved:**

*(Replaces current Palomar College Procedure 418.2)*

Student Services  
**DRAFT as of 9/14/07**

**AP 5140 DISABILITY RESOURCE CENTER (DRC)/  
DISABLED STUDENT PROGRAMS AND SERVICES (DSPS)**

**References:**

Title 5 Sections 56000 et seq.

The District maintains a plan for and a vehicle to provide programs and services to students with disabilities designed to assure that they have equality of access to District classes and programs.

This plan includes:

- long-range goals and short term objectives for the program
- definitions of disabilities and students eligible for the program
- support services and instruction that is provided
- verification of disability
- student rights and responsibilities
- student educational contract or plan that is developed by a designated person in consultation with the student
- academic accommodations
- provisions for course substitution and waivers
- staffing
- advisory committee

❖ **From current Palomar College Procedure 418.2 titled Disenrollment Procedures**

**~~DISABLED STUDENT PROGRAMS AND SERVICES (DISABILITY RESOURCE CENTER)~~**

Under the provisions of federal and state legislation, Disability Resource Center (DRC/Disabled Students Programs and Services (DSPS)) provides special counseling, services and instruction for those with physical, learning, developmental, vision, hearing, acquired brain injuries, and communication disabilities. Post-secondary institutions shall take whatever steps necessary not to discriminate or have the effect of discrimination on the basis of handicap against a student with a disability. This prohibits the institution from denying any necessary items such as dog guides in buildings, tape recorders, or anything else that limits the student with a disability from full participation.

Examinations and other auxiliary aids ~~will~~ must be made available and flexible to fit the requirements of the student with a disability upon the student's formal request to the Office of DRC (DSPS).

The following is available to ~~qualified disabled~~ students with verifiable disabilities:

- Adapted physical education
- Counseling
- Educational guidance
- English support classes
- Math support classes
- On-campus transportation
- Orientation
- Priority registration
- Reading support classes
- Instruction in personal adjustment
- ~~Special BP 30~~
- Speech/language services
- Testing accommodations
- Learning disability assessment
- Adapted computer instruction
- Interpreters-for-the-deaf
- Readers
- Note takers
- Mobility assistance
- Other specially designed equipment

~~An adapted computer instruction program provides varied instruction for those with specific disabilities. Interpreters for the deaf, readers, notetakers, and mobility assistance are also offered.~~

~~A wide variety of special equipment, including individual mobility carts, CCTVs, Braille writers, computer adaptations, tape recorders, talking calculators, and other equipment, is part of the support services offered to students with disabilities.~~

In general, the ~~DISABILITY RESOURCE CENTER~~ DRC (DSPS) program acts as an advocate for students with disabilities ~~the disabled~~ by representing their interests on campus as well as with various state and local agencies including the State Department of Rehabilitation.

- ❖ **From current Palomar College Policy 409 titled Degree/Certificate Requirement Change to Comply with the Americans with Disabilities Act of 1990**



## **Degree/Certificate Requirement Change to Comply with the Americans with Disabilities Act of 1990**

~~Palomar Community College~~ The District acknowledges that a disability may preclude a student from demonstrating required competencies or from completing the requisite courses for an Associate degree or certificate in the same manner that non-disabled students are expected to. ~~Palomar Community College~~ The District also recognizes its responsibility to accommodate students with documented disabilities to the greatest extent possible without compromising a disabled student's course of study as well as maintaining the standards of academic rigor relative to degree and certificate programs.

In order to accommodate students with documented disabilities, ~~Palomar Community College~~ The District will use the following criteria in evaluating a student's request: documentation of a disability, evidence of the student's good-faith effort to meet the requirement, evidence that the student is otherwise qualified for success in the degree or certificate, evidence that the objectives of the course in question may be fulfilled in some other way that is consistent with the academic requirements of the program, and evidence that the request would not require a fundamental alteration to an essential component of an academic requirement.

GB 10-10-95

### **❖ From current Palomar College Procedure 409 titled Degree/Certificate Requirement Change to Comply with the Americans with Disabilities Act of 1990**

#### **The following criteria will be used in evaluating a student's request:**

- Documentation of Disability with specific test scores and/or medical documentation and a description of the degree of educationally related functional limitations in the academic area under discussion and
- Evidence of the student's good-faith effort to meet the Degree/Certificate requirement such as:
  - o Consistent and persistent effort in attempting course work as shown by academic transcripts
  - o Regular attendance, completion of all assignments
  - o Use of all appropriate and available services such as tutorial assistance or instructional support classes
  - o Use of all appropriate and available academic adjustments such as test accommodations.

(Such accommodations include extended test-taking time, provision of a quiet room for test taking, or provision of a reader.)

The student's good faith effort may also be validated in a written statement from the instructor and a ~~DISABILITY RESOURCE CENTER~~ DRC (DSPS) Specialist.

If a student with a documented disability can demonstrate to the ~~DISABILITY RESOURCE CENTER~~ DRC (DSPS) Specialist that his/her disability is of such magnitude that any attempt at completing the course would be futile, the student need not provide evidence of good faith effort as described in (B) above.

and

- Evidence that the student is otherwise qualified such as:
  - o Sstudent's success in completing course work in all other areas required for the degree or certificate
  - o Success in courses that demonstrate equivalent skills to the courses under consideration
  - o Success in employment.

and

- Evidence that the objectives of the course in question can be met in some other way (course substitution or other.)

and

- Evidence that the request would not require a fundamental alteration to an essential component of an academic requirement. ("Academic requirements that the College District can demonstrate are essential to the program of instruction being pursued by the students, or directly related to licensing requirements, will not be regarded as discriminatory." Volume 34 of the Code of Federal Regulations 104.44(a).)

#### **Documentation to be Submitted:**

The student shall submit all of the following to the ~~DISABILITY RESOURCE CENTER~~ DRC (DSPS) ~~Coordinator~~ Director a minimum of two semesters before the proposed degree or certificate completion date:

- Completion of Section A of the Request for Degree/Certificate Requirement Change. These forms are available at ~~DISABILITY RESOURCE CENTER~~ DRC (DSPS) or at an Admissions counter.
- Aa letter written by student addressing the criteria A-E (listed above).
- Eevidence from a specialist on disabilities (from ~~Palomar College~~ the DISABILITY RESOURCE CENTER DRC (DSPS) or other recognized professional source) verifying the disability as it relates to student's request.
- Aan informal academic evaluation by a ~~Palomar Community College~~ District counselor of degree or certificate requirements which student still needs to complete.
- Aa current academic transcript. An informal transcript is available in Counseling.

- Documentation from instructor(s) outlining evidence of persistent and consistent effort in attempting the course.

or

documentation from a specialist on disabilities that the student's disability is of such nature or magnitude that any attempt at completing the course would be futile.

- Documentation from instructional support faculty or staff outlining evidence of use of all appropriate and available services and academic adjustments.

The ~~Disability Resource Center~~ DRC (DSPS) Coordinator Director will complete section B of the request and, upon receipt of items A-G, will call a meeting of a committee comprised of:

- The Dean from the academic area(s) involved
- The ~~DISABILITY RESOURCE CENTER~~ DRC (DSPS) Coordinator Director, or designee
- An advocate of the student's choice (non-voting)
- The department chair from the academic area(s) involved
- A representative from the Faculty Senate (preferably from the concerned academic area.)

Minutes of the meeting will be taken. The Committee will review all evidence presented by the student.

The Committee's decision will be determined by a majority vote. In the event of a tie, the request will be referred to the Vice President for Instruction. If the Committee recommends a course substitution, the Committee will request the department for the course in question to identify appropriate course substitutions.

If the request for change is approved by the committee and later granted by the department for the course in question, the student must fulfill all other requirements for the associate degree or certificate.

Any Decisions ~~which~~ that affects a transfer-level course may not be recognized by the educational institution where the student intends to transfer.

The committee will forward its decisions in writing to the student and Director ~~Dean~~ of Student Affairs within three 3 weeks of receiving the original completed petition.

If the student is dissatisfied with the committee's decision, he/she may appeal to the Vice President for Instruction. Further appeals may be made to:

Office of Civil Rights  
Coordination and Review Section  
Civil Rights Division

U.S. Department of Justice  
P.O. Box 66118  
Washington, D.C. 20035-6118

Also refer to the Palomar College Catalog and class schedule

Offices of Primary Responsibility: Disability Resource Center (DSPS)  
Counseling Services

**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 procedure. The language in **green ink** reflects suggested revisions from Student Services. The information in **black ink** is from current Palomar College Policy 409 titled Degree/Certificate Requirement Change to Comply with the Americans with Disabilities Act of 1990 adopted on 10-10-95 as well as Palomar College Procedure 409 titled Degree/Certificate Requirement Change to Comply with the Americans with Disabilities Act of 1990 and Procedure 418.2 titled Disenrollment Procedures with no date. This procedure is **legally required**. This procedure was reviewed at the April 13, 2007 Policy and Procedure Task Force Meeting.*

---

**Date Approved:**

*(Replaces current Palomar College Policy 409  
and Procedures 409 and 418.2)*

## **AP 5150 EXTENDED OPPORTUNITY PROGRAMS AND SERVICES**

### **References:**

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

The Extended Opportunity Programs and Services (EOPS) Annual Plan includes the following:

- Establishment of goals and objectives
- Staffing and program management
- Documentation and data collection system
- An EOPS advisory committee
- A director
- Eligibility criteria
- Student responsibility requirements
- Recruitment and outreach services
- Cognitive and non-cognitive assessment, advising, orientation services and registration assistance
- Director's Waivers
- Counseling and retention services
- Transfer services
- Direct aid
- Program review, evaluation, and reporting

❖ **From current Palomar College Procedure 418.2 titled Disenrollment Procedures**

### **~~EXTENDED OPPORTUNITY PROGRAMS AND SERVICES (EOP&S)~~**

**~~EOP&S is a state-funded program which provides~~**

- ~~Book awards~~
- Counseling – (academic, vocational career/technical, and personal)
- Tutoring
- ~~Book loans awards~~ services
- Pre-enrollment advisement
- Transfer services
- ~~Blue books~~

- Educational workshops
- Meal tickets
- EOP&S/Ccollege orientation
- Food pantry
- Parking permits or bus passes
- PIC cards
- Priority registration
- ~~Testing materials~~
- ~~Scantrons~~
- Single-parent support services
- Summer classes and coordinate with instructors
- ~~Summer Academy~~
- Four-year college fee waivers
- Child care assistance
- Graduation cap and gown
- Other educational supportive services to make it possible for students who are financially disadvantaged and educationally under-prepared to obtain a college education.

Also refer to the Palomar College Catalog

Offices of Primary Responsibility: EOP&S/CARE/CalWORKs  
Counseling Services

**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 procedure. The language in **green ink** reflects suggested revisions from Student Services. The information in **black ink** is from current Palomar College Procedure 418.2 titled Disenrollment Procedures with no date. This procedure is **legally required**. This procedure was reviewed at the April 13, 2007 Policy and Procedure Task Force Meeting.

---

**Date Approved:**

(Replaces current Palomar College Procedure 418.2)

## **AP 5160 GEAR UP PROGRAM**

### **References:**

Education Code Section 70902

### **❖ From current Palomar College Procedure 418.2 titled Disenrollment Procedures (GEAR UP Program Section)**

Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP) is a A federal program funded by the U.S. Department of Education to help raise expectations, provide college preparatory insights, and develop academic skills and plans ~~and~~ to ensure that low-income middle school students are well prepared for college.

The Palomar College GEAR UP Project partners include local educational institutions and community organizations. ~~is in partnership with San Marcos Middle School, San Marcos High School, the Boys and Girls Club of San Marcos, Cox Communications and the North County Times. It proposes to serve 2,750 students as they gain critically needed college preparatory insights and develop academic skills and plans for entrance into post-secondary education.~~

~~The following is an overview of the programs and services that will address the identified needs of San Marcos Unified School District Students:~~

#### The GEAR UP Program provides:

- Specialized academic enrichment through support activities college courses, (e.g. Spelling Bee/Math Competitions)
- Off-track/after school enrichment programs
- Instruction in critical thinking skills, study skills, SAT Preparations, etc.
- Tutoring
- Academic, Career, Personal Counseling
- Mentoring Programs
- Parent Workshops ~~(Financial Aid, Post-secondary Opportunities, etc.)~~
- Computerized Scholarship Search
- College Campus Visits/Tours
- Academic Needs Assessment
- Personal Education Plans
- Cultural Enrichment Trips
- Cultural Diversity Training

- Professional Development and training for staff, teachers, counselors, tutors, mentors and volunteers

Also refer to the Palomar College Catalog and class schedule

Offices of Primary Responsibility: Grant Funded Student Programs  
Counseling Services

**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 procedure. The language in **green ink** reflects suggested revisions from Student Services. The information in **black ink** is from current Palomar College Procedure 418.2 titled Disenrollment Procedures with no date. This procedure was reviewed at the April 13, 2007 Policy and Procedure Task Force Meeting.*

---

**Date Approved:**

*(Replaces current Palomar College Procedure  
418.2)*



## **AP 5170 TRIO PROGRAMS**

### **References:**

Education Code Section 70902

- ❖ **From current Palomar College Procedure 418.2 titled Disenrollment Procedures**

The TRIO Program is a federal program funded by the U.S. Department of Education to For over 30 years, America's federally funded TRIO Programs have been helping students from low income families and first generation background to finish high school, enter college, and successfully graduate. ~~These programs help assure that students from disadvantaged backgrounds have a realistic chance to enter college and graduate from a postsecondary institution.~~

~~Currently, there are 7 federally funded TRIO Programs and are hosted at Palomar College. They are~~ The District hosts the following TRIO Programs: Educational Opportunity Center, Student Support Services, and Upward Bound.

### **TRIO/North County Educational Opportunity Center (NCEOC)**

NCEOC staff provides information and advising to qualified adults (low income and or first-generation college) who want to enter or continue attending:

- an adult school (GED program)
- a community college (including ESL, career/technical, certificate and degree programs)
- other educational institutions (after high school)

The program staff provides the following services:

- academic advisement
- career advisement
- financial aid information
- access to postsecondary tutoring
- test preparation
- workshops designed to support student success

**TRIO/Student Support Services**  
**TCB #4 Bldg., Ext 2761**

TRIO/Student Support Services at Palomar College is designed to provide support services to potential transfer college students and enhance their chances for successful completion as they pursue their baccalaureate degree.

In order to receive assistance through TRIO/Student Support Services, students must be enrolled at Palomar College and need the services of the program. Program services include:

- academic advising
- tutoring
- priority registration
- personal
- career and transfer counseling
- college/university visits
- student success workshops
- financial aid information
- cultural events.

All participants must be either low income, first-generation, and/or disabled.

### **TRIO/Upward Bound Escondido Center, Ext. 8158**

The Upward Bound (UB) Program is an outreach and retention program for eligible high school students who are motivated to attend and succeed in college. Services offered to student participants include:

- academic advising
- after-school tutoring
- college-admissions and financial-aid information
- study-skills and SAT workshops
- college-campus visits
- cultural and educational programs
- supplemental instruction in subjects such as English, math, science, and foreign language on UB College Saturdays
- summer residential program

In order to participate in the Upward Bound Program, students must meet the low-income and first-generation eligibility criteria and be ninth graders enrolled in the following high schools: Escondido High School, Orange Glen High School, San Pasqual High School, San Marcos High School, Oceanside High School, and El Camino High School.

[Also refer to the Palomar College Catalog and class schedule](#)

[Offices of Primary Responsibility: Grant Funded Student Programs  
Counseling Services](#)

**NOTE:** The information in **black ink** is from current Palomar College Procedure 418.2 titled Disenrollment Procedures with no date. The wording in **blue ink** is additional language to consider including in this procedure. The language in **green ink** reflects suggested revisions from Student Services. This procedure was reviewed at the April 13, 2007 Policy and Procedure Task Force Meeting.

---

**Date Approved:**

(Replaces current Palomar College Procedure  
518.2)

## **AP 5200 HEALTH SERVICES**

### **References:**

Education Code Sections 76401 and 76355;  
Title 5 Sections 53411 and 54702

### **The services provided by Health Services:**

- Clinical Care Services -- basic primary care, health assessments, screening for short-term episodic care and services necessary for the treatment of acute illness, injuries and emergencies
- Mental Health Services -- direct and/or referral services by a registered nurse including crisis management, short-term personal counseling, alcohol/drug counseling, stress management, suicide prevention, mental health assessment and eating disorders counseling
- Laboratory Services -- provided by a licensed, contracted laboratory
- Prescriptions -- provided for what is not available through Health Services
- Community Referrals -- radiology, dental, optometric, and other services
- Health Education and Wellness Programs -- provided by registered nurses and health education personnel
- Physical Examinations -- the required pre-admission history and physical for students to enter academic programs

The Health Services facilities and environment shall comply with all applicable local, state, and federal building codes and regulations.

### **❖ From current Palomar College BP 450 titled Health Services (82-9212)**

~~Health Services should be open during hours that students are scheduled to be on campus, and a registered nurse should be available for emergency first aid and illness care.~~

~~The three components of Health Services are: Nursing Services, Psychological Counseling Services, and Medical Services.~~

~~Nursing Services shall include, but not be limited to, health education, health appraisal, health screening, health counseling and referral, first aid and emergency care for~~

~~accidents and illness, control of communicable diseases, environmental health, and coordination of health programs.~~

~~Non-prescription medications, TB skin testing, immunizations, venipuncture for lab tests, allergy injections, and emergency procedures shall be administered by a registered nurse following standardized procedures established and maintained by the Director and a physician.~~

~~A Psychology Internship program shall provide individual and group counseling for students. The director and the chairperson of the Counseling Department will interview all prospective candidates. These interns will be supervised by Psychologists or Marriage and Family Counselors who hold the appropriate current state licenses.~~

~~The Medical Care Program provides primary care for acute short-term medical problems by licensed physicians. This service provides limited and immediate assessment, diagnosis, treatment, and referral.~~

~~GB 11-9-82~~

#### **❖ From current Palomar College Procedure 418.2 titled Disenrollment Procedures**

### **HEALTH SERVICES**

~~HS Bldg., San Marcos, Ext. 2380~~

~~Health Office, Escondido, Ext. 8105~~

~~Health Services is committed to supporting student success and retention by providing easy access to health care on the San Marcos campus in the HS Building and at the Escondido Center. All currently enrolled students who have paid a health fee qualify for a variety of low-cost or free health services.~~

~~Registered Nurses are available during operational hours to assist with health needs, evaluate health concerns, and provide treatment and/or community referrals. Services include: first-aid care, immunizations, TB tests, screening for hearing, vision, and blood pressure, over-the-counter medications, and cholesterol blood testing. Health education is also offered to assist students and staff with healthy lifestyle choices and to help promote student success.~~

~~Appointments are necessary for Registered Nurses, Nurse Practitioners, and Doctor visits. Office hours at the San Marcos campus are Monday, Wednesday, Thursday, 7:30 a.m. to 6:00 p.m.; Tuesday, 7:30 a.m. to 8:00 p.m.; and Friday, 7:30 a.m. to 3:00 p.m. (Hours may vary due to staff availability. Please call the Health Services Office located at the Escondido Center for their hours. For more information, visit our web site at <http://www.palomar.edu/healthservices>. You can phone the San Marcos campus at (760) 744-1150 x2380 or the Escondido Center at (760) 432-0624.~~

Also refer to the Palomar College Catalog and class schedule

Office of Primary Responsibility: Health Services

**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 procedure. The language in **green ink** reflects suggested revisions from Student Services. The language in **black ink** is current Palomar College BP 450 titled Health Services adopted on 11-9-82 and current Palomar College Procedure 418.2 titled Disenrollment Procedures with no date. This procedure was reviewed by Student Services in January 2007. This procedure is **suggested as good practice**. This procedure was reviewed at the April 13, 2007 and September 14, 2007 Policy and Procedure Task Force Meetings.*

---

**Date Approved:**

*(Replaces current Palomar College Policy 450  
and current Palomar College Procedure  
418.2)*

## **AP 5210 COMMUNICABLE DISEASE**

### **References:**

Education Code Section 76403  
California Code of Regulations Title 17  
California Department of Health Services  
Center for Disease Control (CDC)  
County of San Diego Health and Human Services Agency

The following are the minimum standards required by law:

- Cooperation with local health officers in measures necessary for the prevention and control of communicable diseases in students.
- Compliance with any immunization program required by State Department of Health Services regulations.
- Compliance with all academic program and transfer student immunization requirements.

Health Services provides:

1. Health education and intervention for communicable disease prevention, including disease reporting to County of San Diego Health and Human Services.
2. Tuberculosis (TB) testing, Hepatitis B vaccination, Measles, Mumps, Rubella (MMR) vaccination, and Tetanus, Diphtheria, and Pertussis vaccinations, and influenza vaccinations.
3. Community resources for meningitis vaccination, Human Papilloma Virus (HPV) vaccination, varicella vaccination, pneumonia vaccination, and travel vaccinations.
  - a. Community partnerships on campus for HIV and Chlamydia testing.
  - b. Screening for Sexually Transmitted Infections (STI), including but not limited to gonorrhea, chlamydia, herpes, hepatitis, HPV, and syphilis.
  - c. Screening for West Nile Virus, Severe Acute Respiratory Syndrome (SARS), and varied strains of influenza.
  - d. Screening and treatment for Methicillin Resistant Staphylococcal Aureus (MRSA).

Office of Primary Responsibility: Health Services

**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

procedure. The language in **green ink** reflects suggested revisions from Student Services. This procedure is **legally advised**.

---

**Date Approved:**

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



## **AP 5300 STUDENT EQUITY**

### **References:**

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

### The District's Student Equity Plan will include

- the active involvement of the groups on campus
- involvement by appropriate people from the community who can articulate the perspective and concerns of historically underrepresented groups
- campus-based research as to the extent of student equity
- institutional barriers to equity
- goals for access, retention, degree and certificate completion, English as a Second Language (ESL) and basic skills completion, and transfer for each historically underrepresented group
- activities most likely to be effective to attain the goals, including coordination of existing student equity related programs
- sources of funds for the activities in the plan
- a schedule and process for evaluation of progress towards the goals
- an executive summary that describes the groups for whom goals have been set, the goals, the initiatives that the District will undertake to achieve the goals, the resources budgeted for that purpose, and the District officer or employee who can be contacted for further information

Office of Primary Responsibility: Vice President of Student Services

**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 procedure. The language in **green ink** reflects suggested revisions from Student Services. This procedure is **legally required**.*

---

### **Date Approved:**

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

**Student Services**  
**DRAFT as of 9/14/07**

## **AP 5400 ASSOCIATED STUDENT GOVERNMENT**

### **References:**

Education Code Section 76060

The District shall have one Associated Students Organization known as the Associated Student Government (ASG).

A governing body shall be elected that shall keep an account of its meetings, expenditures, authorizations, and policies established.

A simple majority of the elected voting members of the ASG shall constitute a quorum.

### **❖ From current Palomar College Procedure 418.2 titled Disenrollment Procedures**

#### **~~The Director of Student Affairs is responsible for:~~**

- ~~• Associated Student Government~~
- ~~• Clubs/Organizations~~
- ~~• Co-curricular activities~~
- ~~• Student discipline~~
- ~~• Student Union usage~~
- ~~• Administration of Free-Speech Policy~~
- ~~• Regulating Solicitors on Campus~~

#### **~~Associated Student Government~~**

~~The Associated Student Government (ASG) is elected by students taking credit courses and is the official means of communication between the students and other members of the college community.~~

#### **~~Inter-Club Council~~**

~~The Inter-Club Council is comprised of club representatives from all campus clubs and organizations.~~

#### **~~Student Participation in Governance~~**

Both day and evening students shall be encouraged to participate in ASG.

The Palomar College governance structure provides for representation and participation of students.

Students are appointed to college District committees by the ASG ~~Associated Student Government~~.

Also refer to the Palomar College Catalog and class schedule

Office of Primary Responsibility: Student Affairs

**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 procedure. The language in **green ink** reflects suggested revisions from Student Services. The information in **black ink** is current Palomar College Procedure 418.2 titled Disenrollment Procedures with no date. This procedure is **legally advised** if the Governing Board has established a student body organization under Education Code Section 76060.*

---

**Date Approved:**

*(Replaces current Palomar College Procedure 418.2)*

**Student Services**  
**DRAFT as of 5/11/07**

**AP 5410 ASSOCIATED STUDENT GOVERNMENT ELECTIONS**

**References:**

Education Code Section 76061

The Associated Student Government (ASG) shall conduct annual officer elections.

Any student elected as an officer in the ASG shall meet the requirements in Board Policy and the constitution and bylaws of the ASG.

Office of Primary Responsibility: Student Affairs

**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 procedure. The language in **green ink** reflects suggested revisions from Student Services. This procedure is **legally required** if the District has an Associated Students Organization created by the Governing Board pursuant to Education Code Section 76060.*

---

**Date Approved:**

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

**AP 5420 ASSOCIATED STUDENT GOVERNMENT FINANCIAL MANAGEMENT**

**References:**

Education Code Sections 76063-76065

Associated Student Government (ASG) Funds are maintained in accordance with the following procedures:

- ASG Fund's financial records and procedures are subject to annual audit.
- Audit information and financial records, except that containing personnel or other confidential information, shall be released to the ASG by the Director of Student Affairs.
- ASG Funds shall be deposited with the Cashier's Office in Student Services and disbursed through the District's Fiscal Services Office.
- The Funds shall be deposited, loaned, or invested in:
  - o Deposits in trust accounts of the centralized State Treasury System pursuant to Sections 16305 to 16305.7, inclusive, of the Government Code or in a bank or banks whose accounts are insured by the Federal Deposit Insurance Corporation.
  - o Investment certificates or withdrawable shares in state-chartered savings and loan associations and savings accounts of federal savings and loan associations, if the associations are doing business in this state and have their accounts insured by the Federal Savings and Loan Insurance Corporation and if any money so invested or deposited is invested or deposited in certificates, shares, or accounts fully covered by the insurance.
  - o Purchase of any of the securities authorized for investment by Government Code Section 16430 or investment by the Treasurer in those securities.
  - o Participation in funds that are exempt from federal income tax pursuant to Internal Revenue Code Section 501(c)(3) and that are open exclusively to nonprofit colleges, universities, and independent schools.
  - o Investment certificates or withdrawable shares in federal or state credit unions, if the credit unions are doing business in this state and have their accounts insured by the National Credit Union Administration and if any money so invested or deposited is invested or deposited in certificates, shares, or accounts fully covered by the insurance.

- o Investment of money in permanent improvements to any community college district property including, but not limited to, buildings, automobile parking facilities, gymnasiums, swimming pools, stadia and playing fields, where those facilities, or portions thereof, are used for conducting student extracurricular activities or student spectator sports, or when those improvements are for the benefit of the student body.

All Funds shall be expended subject to such procedures as may be established by the **ASG** subject to the approval of each of the following three persons. Approval shall be obtained each time before any funds may be expended:

- the Superintendent/President or his/her designee
- the officer or employee of the District who is the designated advisor of the particular student body organization and
- a representative of the student body organization

❖ **From current Palomar College Procedure 527 titled Associated Student Funds**

- ~~A. Income for the Associated Students Funds comes from the Bookstore transfer, sale of student activity cards, and various club and social events.~~
- ~~B. Funds are used to pay for programs which include speech contests, student social affairs, receptions, school newspaper, school yearbook, art purchase, and Awards and Honors Day.~~
- ~~C. Student organizations shall deposit their moneys to the Associated Students Fund at the Cashier's window in Fiscal Services.~~

Office of Primary Responsibility: Student Affairs

**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 procedure. The language in **green ink** reflects suggested revisions from Student Services. The language in **black ink** is current Palomar College Procedure 527 titled Associated Student Funds with no date. This procedure is **legally required** if the Governing Board has established an associated students organization in accordance with Education Code Section 76060.

---

**Date Approved:**

*(Replaces current Palomar College Procedure 527)*

**Student Services**  
**DRAFT as of 5/11/07**

**AP 5500 STANDARDS OF CONDUCT**

**References:**

Education Code Sections 66300, 66301, 76030 et seq.;  
Accreditation Standard II.A.7.b

The Superintendent/President shall designate the Director of Student Affairs with the responsibility to administer the Standards of Conduct as described in Board Policy 5500.

Office of Primary Responsibility: Student Affairs

-----  
**NOTE:** This procedure 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.

---

**Date Approved:**

*(This is a new procedure)*

## **AP 5520 STUDENT DISCIPLINE PROCEDURES**

### **References:**

Education Code Sections 66017, 66300, 69810-69813, 72122, 76030, 76032, 76120, 76210, and 76220 et seq.;  
Penal Code Sections 626.2 and 626.4;  
Title 5 Sections 41303 and 54600 et seq.

The purpose of this procedure is to provide a prompt and equitable means to address violations of the Standards of Student Conduct, which guarantees to the student or students involved the due process rights guaranteed them by state and federal constitutional protections. This procedure will be used in a fair and equitable manner, and not for purposes of retaliation. It is not intended to substitute for criminal or civil proceedings that may be initiated by other agencies.

These Administrative Procedures are specifically not intended to infringe in any way on the rights of students to engage in free expression as protected by the state and federal constitutions, and by Education Code Section 76120 and will not be used to punish expression that is protected.

### **Definitions**

**District** -- The Palomar Community College District

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

**Instructor** -- Any academic employee of the District in whose class a student subject to discipline is enrolled, or counselor who is providing or has provided services to the student, or other academic employee who has responsibility for the student's educational program.

**Short-term Suspension** -- Exclusion of the student by the instructor of record in consultation with the Director of Student Affairs for good cause from one or more classes for a period of up to ten consecutive days of instruction.

**Long-term Suspension** -- Exclusion of the student by the Director of Student Affairs for good cause from one or more classes for the remainder of the school term, or from all classes and activities of the District for one or more terms.



**Expulsion** – Upon the recommendation of the Superintendent/President, exclusion of the student by the Governing Board from the District for one or more terms.

**Removal from class** -- Exclusion of the student by an instructor for the day of the removal and the next class meeting.

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

**Withdrawal of Consent to Remain on Campus** -- Withdrawal of consent by the Director of Student Affairs for any person to remain on campus in accordance with California Penal Code Section 626.4 where the Director of Student Affairs has reasonable cause to believe that such person has willfully disrupted the orderly operation of the campus.

**Day** -- Days during which the District is in session and regular classes are held, excluding Saturdays and Sundays.

### **Short-term Suspensions, Long-term Suspensions, and Expulsions**

Before any disciplinary action to suspend or expel is taken against a student, the following procedures will apply:

- **Notice** -- The Director of Student Affairs will provide the student with written notice of the conduct warranting the discipline. The written notice will include the following:
  - o the specific section of the Standards of Student Conduct that the student is accused of violating
  - o a short statement of the facts supporting the accusation
  - o the responsibility of the student to meet with the Director of Student Affairs or designee to discuss the accusation
  - o the nature of the discipline that is being considered
- **Time limits** -- The notice must be provided to the student within fourteen (14) days of the date on which the conduct took place, or from the date the District became aware of the conduct; in the case of continuous, repeated or ongoing conduct, the notice must be provided within fourteen (14) days of the date on which conduct occurred which led to the decision to take disciplinary action.
- **Meeting** -- The meeting must occur no later than twenty-one (21) days after the notice is provided. At the meeting, the student must again be told the facts leading to the accusation, and must be given an opportunity to respond verbally or in writing to the accusation.

**Short-term Suspension** -- Within seven (7) days after the meeting described above, the Director of Student Affairs shall decide whether to impose a short-term suspension,

whether to impose some lesser disciplinary action, or whether to end the matter. Written notice of the decision shall be provided to the student. The notice will include the length of time of the suspension, or the nature of the lesser disciplinary action.

**Long-term Suspension** -- Within seven (7) days after the meeting described above, the Director of Student Affairs shall decide whether to impose a long-term suspension. Written notice of the Director of Student Affairs' decision shall be provided to the student. The notice will include the right of the student to request a formal hearing before a long-term suspension is imposed, and a copy of this policy describing the procedures for a hearing.

**Expulsion** -- Within seven (7) days after the meeting described above, the Director of Student Affairs shall decide whether to recommend expulsion to the Superintendent/President and the Governing Board. Written notice of the Director of Student Affairs' decision shall be provided to the student. The notice will include the right of the student to request a formal hearing before expulsion is imposed, and a copy of this policy describing the procedures for a hearing.

## **HEARING PROCEDURES**

### **Request for Hearing**

Within ten (10) days after receipt of the Director of Student Affairs' decision regarding a long-term suspension or expulsion, the student may request a formal hearing. The request must be made in writing to the Director of Student Affairs.

### **Schedule of Hearing**

The formal hearing shall be held within fourteen (14) days after a formal request for hearing is received.

**Hearing Panel** -- The hearing panel for any disciplinary action shall be composed of the Director of Student Affairs (non-voting), one administrator at large, one fulltime faculty member, and one student. The Director of Student Affairs, the President of the Faculty Senate, and the ASG President shall each, at the beginning of the academic year, establish a list of at least five persons who will serve on student disciplinary hearing panels. The Director of Student Affairs shall appoint the hearing panel from the names on these lists. However, no administrator, faculty member or student who has any personal involvement in the matter to be decided, who is a necessary witness, or who could not otherwise act in a neutral manner shall serve on a hearing panel.

### **Hearing Panel Chair**

The Director of Student Affairs shall serve as the chair. The decision of the hearing panel chair shall be final on all matters relating to the conduct of the hearing unless there is a vote by other members of the panel to the contrary.

### **Conduct of the Hearing**

The members of the hearing panel shall be provided with a copy of the accusation against the student and any written response provided by the student before the hearing begins. The facts supporting the accusation shall be presented by a District representative who shall be the **Director of Student Affairs**. The District representative and the student may call witnesses and introduce oral and written testimony relevant to the issues of the matter. Formal rules of evidence shall not apply. Any relevant evidence shall be admitted.

Unless the hearing panel determines to proceed otherwise, the District representative and the student shall each be permitted to make an opening statement. Thereafter, the District representative shall make the first presentation, followed by the student. The District representative may present rebuttal evidence after the student completes his or her evidence. The burden shall be on the District representative to prove by substantial of evidence that the facts alleged are true.

The student may represent himself or herself, and may also have the right to be represented by a person of his or her choice except that the student shall not be represented by an attorney unless, in the judgment of the hearing panel, complex legal issues are involved. If the student wishes to be represented by an attorney, a request must be presented not less than five days prior to the date of the hearing. If the student is permitted to be represented by an attorney, the District representative may request legal assistance. The hearing panel may also request legal assistance; any legal advisor provided to the panel may sit with it in an advisory capacity to provide legal counsel but shall not be a member of the panel nor vote with it.

Hearings shall be closed and confidential unless the student requests that it be open to the public. Any such request must be made no less than **ten (10)** days prior to the date of the hearing.

In a closed hearing, witnesses shall not be present at the hearing when not testifying, unless all parties and the panel agree to the contrary.

The hearing shall be recorded by the District either by tape recording or stenographic recording, and shall be the only recording made. No witness who refuses to be recorded may be permitted to give testimony. In the event the recording is by tape recording, the hearing panel chair shall, at the beginning of the hearing, ask each person present to identify themselves by name, and thereafter shall ask witnesses to identify themselves by name. Tape recording shall remain in the custody of the District at all times, unless released to a professional transcribing service. The student may request a copy of the tape recording.

All testimony shall be taken under oath; the oath shall be administered by the hearing panel chair. Written statements of witnesses under penalty of perjury shall not be used unless the witness is unavailable to testify. A witness who refuses to be tape recorded is not unavailable.

Within **ten (10)** days following the close of the hearing, the hearing panel shall prepare and send to the Superintendent/President a written decision. The decision shall include specific factual findings regarding the accusation, and shall include specific conclusions regarding whether any specific section of the Standards of Student Conduct were violated. The decision shall also include a specific recommendation regarding the disciplinary action to be imposed, if any. The decision shall be based only on the record of the hearing, and not on matter outside of that record. The record consists of the original accusation, the written response, if any, of the student, and the oral and written evidence produced at the hearing.

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

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

**Expulsion** -- Within **ten (10)** days following receipt of the hearing panel's recommended decision, the Superintendent/President shall render a written recommended decision to the Governing Board. The Superintendent/President may accept, modify or reject the findings, decisions and recommendations of the hearing panel. If the Superintendent/President modifies or rejects the hearing panel's decision, he or she shall review the record of the hearing, and shall prepare a new written decision which contains specific factual findings and conclusions. The Superintendent/President's decision shall be forwarded to the Governing Board.

**Governing Board Decision** -- The Governing Board shall consider any recommendation from the Superintendent/President for expulsion at the next regularly scheduled meeting of the Board after receipt of the recommended decision. The Governing Board shall consider an expulsion recommendation in closed session, unless the student has requested that the matter be considered in a public meeting in accordance with these procedures. (Education Code Section 72122)

The student shall be notified in writing, by registered or certified mail or by personal service, at least three days prior to the meeting, of the date, time, and place of the Governing Board's meeting. The student may, within forty-eight hours after receipt of the notice, request that the hearing be held as a public meeting. Even if a student has requested that the Governing Board consider an expulsion recommendation in a public meeting, the Governing Board will hold any discussion that might be in conflict with the right to privacy of any student other than the student requesting the public meeting in closed session.

The Governing Board may accept, modify or reject the findings, decisions and recommendations of the Superintendent/President and/or the hearing panel. If the Governing Board modifies or rejects the decision, the Board shall review the record of the hearing and shall prepare a new written decision which contains specific factual findings and conclusions. The decision of the Governing Board shall be final. The final action of the Governing Board on the expulsion shall be taken at a public meeting, and the result of the action shall be a public record of the District.

**Immediate Interim Suspension** (Education Code Section 66017) -- The **Director of Student Affairs** may order immediate suspension of a student where he or she concludes that immediate suspension is required to protect lives or property and to ensure the maintenance of order. In cases where an interim suspension has been ordered, the time limits contained in these procedures shall not apply, and all hearing rights, including the right to a formal hearing where a long-term suspension or expulsion is recommended, will be afforded to the student within ten (10) days.

**Removal from Class** (Education Code Section 76032) -- Any instructor may order a student removed from his or her class for the day of the removal and the next class meeting. The instructor shall immediately report the removal to the **Director of Student Affairs**. The student shall not be returned to the class during the period of the removal without the concurrence of the instructor. Nothing herein will prevent the **Director of Student Affairs** from recommending further disciplinary procedures in accordance with these procedures based on the facts which led to the removal.

**Withdrawal of Consent to Remain on Campus** -- The **Director of Student Affairs** may notify any person for whom there is a reasonable belief that the person has willfully disrupted the orderly operation of the campus that consent to remain on campus has been withdrawn. If the person is on campus at the time, he or she must promptly leave or be escorted off campus. If consent is withdrawn by the **Director of Student Affairs** a written report must be promptly made to the Superintendent/President.

The person from whom consent has been withdrawn may submit a written request for a hearing on the withdrawal within the period of the withdrawal. The request shall be granted not later than seven days from the date of receipt of the request. The hearing will be conducted in accordance with the provisions of this procedure relating to interim suspensions. In no case shall consent be withdrawn for longer than ten (10) days from the date upon which consent was initially withdrawn. Any person as to whom consent to remain on campus has been withdrawn who knowingly reenters the campus during the period in which consent has been withdrawn, except to come for a meeting or hearing, is subject to arrest. (Penal Code Section 626.4)

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

❖ **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~~ District 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.~~

❖ **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.~~

Office of Primary Responsibility: Student Affairs

**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 procedure. The language in **green ink** reflects suggested revisions from Student Services. The language in **black ink** is current Palomar College Policy 430.1 titled Suspension by Instructor with no date, 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. This procedure is **legally required except where noted**.

---

**Date Approved:**

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



## **AP 5530 STUDENT RIGHTS AND GRIEVANCES**

### **References:**

[Education Code Section 76224\(a\);](#)  
[Title IX Education Amendments of 1972](#)

### **❖ From current Palomar College Procedure 426 titled Student Grievance**

#### **A. Definition of Terms**

**Grievance:** A claim that a student has been the subject of an unjust action or has been denied his/her rights by an employee of the District or another student. Excluded from the grievance process are any matters for which a specified method of complaint resolution is provided by law or by District policy (such as the Americans with Disabilities Act Complaint Procedure, ~~and~~ the Sexual Harassment Complaint Procedure, and Student Final Grade Appeal Procedure). The grievance process may not be used to change a District policy.

**Complaint:** A statement of dissatisfaction with a procedure, policy, application of a policy, or actions of an individual through which a student's rights were not violated or denied. Complaints are excluded from the grievance process and should be resolved with the individuals involved and the next level of supervision.

**Appeal:** An action taken to request a review of and possible change to the recommended resolution of the grievance.

**Day:** A day is a school day when classes are offered or exams scheduled, excluding Saturday.

#### **B. Informal Grievance Resolution Procedures**

Before initiating formal grievance procedures, the student shall attempt to resolve the dispute informally with the appropriate staff member and supervisor at the point of initial decision. The student should use the Informal Grievance Resolution Chart to informally resolve his/her grievance.

1. The initial request must be made to the person in the area in which the dispute arose. This individual is identified in the First Level of the Informal Grievance Resolution Chart.

2. If the student still has not resolved his/her dispute at the First Level s/he should present his/her grievance to the administrator or administrative committee indicated in the Second Level on the Informal Grievance Resolution Chart.
3. The designated administrator or committee chairperson shall review and investigate the request and provide the student with a verbal or written notice of the decision within ten days of receipt of the request.

#### C. Formal Grievance

1. If a dispute is not satisfactorily resolved through the informal resolution process, the student may submit a formal grievance to the Director of Student Affairs. The formal grievance must be submitted to the Director of Student Affairs within ninety (90) days of the student becoming aware of the dispute. The student should obtain a Student Grievance form from the Student Affairs Office. The formal grievance submitted to the Director of Student Affairs must include the following:
  - a. A clear and concise statement of the grievance
  - b. The name/s of the individual/s against whom the grievance is being filed
  - c. Identification of the resolution, corrective action, or remedy being sought
  - d. A summary of actions already taken to resolve the issue
2. Following review of the formal grievance, the Director of Student Affairs shall make a determination as to the appropriateness of allowing the grievance to go forward. The following criteria should be taken into consideration when making this determination:
  - a. Is the resolution sought by the student reasonable given the circumstances of the grievance articulated by the student?
  - b. Can the grievance be resolved through established process? That is, will a grievance committee have the authority to remedy the injustice or restore the rights of the student in line with the remedy being sought by the student?
  - c. Is the grievance timely? That is, has the student initiated the process within ninety (90) days of becoming aware of the injustice?
3. If any of the above criteria are answered in the negative, the Director of Student Affairs shall notify the student that the process cannot appropriately address their grievance. This notice shall be delivered to the student either in person or by U.S. mail within fourteen (14) days of receipt of the grievance by the Director of Student Affairs. The student shall be allowed to revise and resubmit the formal grievance for reconsideration.
4. Should the student desire to appeal the decision of the Director of Student Affairs, he/she may write a letter to the Vice President for Student Services requesting examination of the case and reversal of the Director's decision. This appeal letter must be received by the Vice President for Student Services within

twenty-one (21) days of the date of the notice sent by the Director of Student Affairs.

5. The Vice President for Student Services shall decide within fourteen (14) days of receipt of the student's appeal whether to allow the grievance to go forward. The student shall be notified either in person or by U.S. mail of the decision of the Vice President. The Director of Student Affairs will be notified to allow the grievance to move forward.
6. The Director of Student Affairs will appoint an ombudsperson. If the grievance is against the Director of Student Affairs, the Assistant Superintendent/Vice President for Student Services will appoint an ombudsperson acceptable to both the student and the Director. If the grievance is against the Assistant Superintendent/Vice President for Student Services, the Assistant Superintendent/Vice President for Instruction will assume responsibility for resolution.
7. Within ten days after receipt of the Formal Grievance, the Ombudsperson will meet with the parties involved in the grievance prior to convening a conciliation conference. The Ombudsperson will attempt to reach resolution with the parties prior to or during the conciliation conference. If agreement is reached between the parties, a written statement signed by both parties shall be filed with the Director of Student Affairs.
8. If no agreement is reached, a written request for a formal hearing may be filed with the Director of Student Affairs. If neither party submits a request for formal hearing within ten days after the conciliation conference, the matter will be considered closed. The Director of Student Affairs will notify each party in writing of closure.

#### D. Formal Hearing

1. Within ten days of receiving a written request for a formal hearing, the Director of Student Affairs will convene a Student Grievance Committee to conduct the hearing. The committee shall be composed as follows:
  - a. Two students appointed by the ASG President.
  - b. Two faculty members appointed by the Faculty Senate President.
  - c. One educational or classified administrator appointed by the Administrative Association President.
  - d. If the grievance is against a classified employee, two classified employees will be appointed by the Grievance Officer for the CCE/AFT in lieu of two faculty members.
  - e. The committee will select a chairperson.

Each party will be permitted challenges to committee members for cause and one peremptory challenge. In the establishment of the Committee, the Director

of Student Affairs will serve to coordinate the formation of the Committee, provide information needed to assist parties to the dispute in challenges to membership on the Committee and, if necessary, rule on challenges for cause.

2. The Student Grievance Committee shall:
  - a. Receive a signed written statement from each party involved in the grievance specifying all relevant facts.
  - b. Hear testimony, examine witnesses, and receive all evidence pertaining to the case.
  - c. Allow each party the right to be represented at the hearing by a student or staff member of the District and to question witnesses and testimony.
  - d. Evaluate the relevance and weight of testimony evidence; limit its investigation to matters identified in the formal grievance.
  - e. Make recommendations for disposition of the case.
  - f. Provide a transcript of the proceeding which shall be kept in a confidential file and shall be available at all times to the parties to the grievance.
  - g. Submit its findings of fact and recommended action to each party and the Director of Student Affairs within ten days of the formal hearing.
3. The formal hearing shall be closed to the public unless mutually agreed upon by the parties to the grievance.

#### E. Appeal

1. Upon receipt of the Student Grievance Committee's decision, either party, within five days, may submit a written appeal of the decision to the appropriate Assistant Superintendent/Vice President. The appeal must contain a clear and concise statement of the reason(s) for the appeal and include copies of the original grievance and all proposed resolutions and recommended decisions. The Assistant Superintendent/Vice President may:
  - a. Affirm the recommendation of the Student Grievance Committee.
  - b. Modify the recommended decision.

#### F. Final Action

1. Upon receipt of the recommendation of the appropriate Assistant Superintendent/Vice-President, the parties to the grievance have five days to appeal the decision to the Superintendent/President.
2. If neither party submits a request for appeal within five days, the matter will be considered closed. The documentation will be kept by the Director of Student Affairs.
3. If an appeal is submitted to the Superintendent/President, it must contain clear, concise reason(s) for the appeal and include copies of the original grievance and all proposed resolutions and recommended decisions.

4. Within thirty days of receipt of the request for appeal, the Superintendent/ President will review the written record and issue a written decision. The Superintendent/ President may:
  - a. Affirm the recommendation of the Student Grievance Committee
  - b. Affirm the recommendation of the appropriate Assistant Superintendent/ Vice President
  - c. Modify the recommended action

#### G. Governing Board Appeal

1. If either party wishes to appeal the decision of the Superintendent/President, she/he must submit a request for an appeal to the Governing Board within ten days of receipt of the Superintendent/President's decision. The Governing Board reviews all written records and shall render a final decision within sixty days.
2. Requests for appeal must contain the following:
  - a. A clear and concise statement of the reason(s) for the appeal.
  - b. A file containing copies of the original grievance and all proposed resolutions and recommended decisions.
3. The decision of the Governing Board is final.
4. Documentation of the appeal will be kept by the Director of Student Affairs.

TIME LINES MAY BE EXTENDED BY MUTUAL AGREEMENT OF PARTIES TO THE GRIEVANCE AND DURING INTERSESSIONS AND THE SUMMER SESSION WHEN INSTRUCTORS MIGHT NOT BE AVAILABLE.

~~Rev. PAC 11-7-00~~

**INFORMAL GRIEVANCE RESOLUTION CHART  
BOARD POLICY 426**

| <b>SUBJECT</b>                   | <b>FIRST-LEVEL RESOLUTION</b>                                           | <b>SECOND-LEVEL RESOLUTION</b>                                           |
|----------------------------------|-------------------------------------------------------------------------|--------------------------------------------------------------------------|
| Academic Matters                 | 1) Instructor<br>2) Department Chair/Director                           | 3) Division Dean<br>4) Vice President, Instruction                       |
| Admissions and Registration      | 1) Supervisor, Admissions                                               | 2) Director, Enrollment Services<br>3) Vice President, Student Services  |
| Discipline                       | 1) Instructor<br>2) Director, Student Affairs                           | 3) Disciplinary Hearing Committee                                        |
| Discrimination Matters           | 1) Director, Student Affairs                                            | 2) Vice President, Human Resource Services                               |
| Financial Aid                    | 1) Director, Financial Aid                                              | 2) Dean, Student Support Programs<br>3) Vice President, Student Services |
| Matriculation                    | 1) Director, Matriculation                                              | 2) Vice President, Student Services                                      |
| Residency Determination          | 1) Supervisor, Admissions                                               | 2) Director, Enrollment Services<br>3) Vice President, Student Services  |
| Security and Parking             | 1) Director, Campus Police                                              | 2) Vice President, Administrative Services                               |
| Sexual Harassment                | 1) Director, Student Affairs or Vice President, Human Resource Services | 2) Vice President, Human Resource Services                               |
| Palomar College Student Petition | 1) Counselor                                                            | 2) Academic Review Committee                                             |
| Student Records                  | 1) Supervisor, Evaluations and Records                                  | 2) Director, Enrollment Services<br>3) Vice President, Student Services  |

❖ **From current Palomar College Procedure 430.3 titled Notice Letter**

~~Written notice of the suspension or expulsion shall be given or mailed to the student (and parent/guardian if the student is a minor) by the College Superintendent/President or designee. This notice shall:~~

- ~~A. include a statement of the charges.~~
- ~~B. notify the student of his/her right to a hearing and the time and place of the hearing.~~
- ~~C. notify the student that he/she may be accompanied at the hearing by an advisor of his/her choice, who may act on his/her behalf, and who may be an attorney, and that if the advisor is to be an attorney, the student must inform the College Superintendent/President or designee of the name and address of the attorney at least 3 days before the time set for the commencement of the hearing.~~
- ~~D. inform the student that he/she must waive rights to privacy as to student records before a student member may sit on the Disciplinary Hearing Committee.~~
- ~~E. include a copy of this policy.~~

~~The notice letter may be amended at any time with respect to the information described above. In the event the amendments would require the student to prepare a substantially different defense, the College Superintendent/President or designee shall postpone the hearing for a reasonable time not to exceed ten days.~~

❖ **From current Palomar College Procedure 430.311 titled Hearing Procedures for Long-Term Suspensions and Expulsions Procedures**

- ~~A. If the student is uncertain as to the meaning of any allegation or any other information set forth in the notice letter, he/she shall raise that issue at the time of the hearing.~~
- ~~B. When a complaint has been filed against a student, the parties involved in the incident leading to the allegation shall make reasonable effort to resolve the matter on an informal basis. The student may accept the sanction without admitting that he/she engaged in the conduct charged. Should the student not accept the sanction, the matter shall proceed to hearing.~~
- ~~C. If the student desires to be represented by an attorney, the College will also be represented by an attorney, and the matter will be heard by a hearing officer designated for such purposes by the College Superintendent/President or designee. The student must give the College Superintendent/President or designee written notice of the name and address of the attorney at least three days before the time set for the commencement of the hearing.~~
- ~~D. The hearing officer shall be admitted to practice law in California and shall be qualified by professional experience in presiding at judicial or quasi-judicial adversary proceedings, or shall have practiced law in California for at least five years.~~
- ~~E. The student may waive his/her right to be represented by an attorney. In such event, the matter shall be heard by the Disciplinary Hearing Committee.~~
- ~~F. The hearing shall be convened within ten days of the date written notice of disciplinary action is mailed to the student.~~

~~G. If the student wishes to have a student member on the Disciplinary Hearing Committee, the student must waive his/her rights to privacy to any student records presented in evidence or admitted at the hearing. In this case, the Disciplinary Hearing Committee shall consist of one student, one faculty member, and one administrator.~~

~~H. If the student does not wish to waive his/her rights to privacy to any student records presented in evidence or admitted at the hearing, the Disciplinary Hearing Committee shall consist of two faculty members and one administrator.~~

~~I. At the beginning of every academic year, a Disciplinary Hearing Committee shall be formed. The Associated Student Government, Faculty Senate, and Administrative Team shall each submit a list of two or more candidates. The College Superintendent/President or designee shall select persons from these lists to constitute a Disciplinary Hearing Committee. Any panel member may disqualify himself/herself in the interest of a fair procedure.~~

~~J. The hearing officer or committee shall, within two days after the hearing, present its findings of fact and recommendations in writing to the College Superintendent/President or designee and to the student. These findings must be based upon other than hearsay evidence.~~

~~K. The College Superintendent/President or designee shall review the report of the hearing officer or committee. The Superintendent/President or designee may accept the recommended sanction; refer the matter back to the hearing officer or committee; or adopt a more severe sanction. It is desired and anticipated that the Superintendent/President or designee shall be governed by the recommendation of the committee.~~

~~L. The College President or designee shall render the decision within three (3) days of the receipt of the recommendation of the hearing officer or committee. This decision shall be sent to the student and to the hearing officer or committee.~~

~~M. Prior to any suspension or expulsion, the College Superintendent/President or designee shall notify the appropriate law enforcement authorities of any acts of the student which may be in violation of Penal Code Section 245. (76038)~~

#### **❖ From current Palomar College Procedure 430.312 titled Hearing Preparation**

~~A. The College Superintendent/President or designee shall appoint the three member Disciplinary Hearing Committee as provided for in Section 430.311, i. The College Superintendent/President or designee shall be responsible for making the necessary arrangements for the hearing.~~

~~Arrangements shall include scheduling a room, providing for a tape recorder, providing notice to the student, and notifying members of the Disciplinary Hearing Committee.~~

~~B. Prior to the commencement of the actual hearing, the Disciplinary Hearing Committee members, having received copies of these procedures, shall meet alone and select a chairperson. If the members cannot reach mutual agreement on a chairperson, the College Superintendent/President or designee shall designate a member to serve as chairperson. The chairperson shall preside over the hearing and make rulings as to~~



~~its conduct. All rulings of the chairperson shall be final unless overruled by a majority of the committee.~~

~~C. The student may challenge any member of the Disciplinary Hearing Committee for cause.~~

~~Grounds for cause include any personal involvement in the situation giving rise to the disciplinary problem or any statement indicating that a person could not act in a neutral manner. The College Superintendent/President or designee shall decide challenges. If the College Superintendent/President or designee upholds the challenge, the College Superintendent/President or designee shall make a replacement from the pool.~~

### **❖ From current Palomar College Procedure 430.313 titled The Hearing**

~~Hearings shall be closed and confidential and all witnesses shall be excluded when they are not testifying unless the College Superintendent/President or designee, the student, and the committee, all agree to the contrary. Both the College Superintendent/President or designee and the student shall be entitled to call witnesses and to question witnesses presented by the other. A member of the committee may ask questions at any time upon recognition by the chairperson. Either side may recall a witness, who again may be questioned by both parties and the committee.~~

~~A. Opening: The chairperson shall call the hearing to order, introduce the participants, and announce the purpose of the hearing; e.g., "this committee meets pursuant to Governing Board policy to hear charges against \_\_\_\_\_ and to make findings of fact and recommendations for action to the College Superintendent/President or designee."~~

~~B. Charges: The chairperson shall distribute copies of the charges to the members of the committee, read the charges aloud, and ask the student if he/she has received the charges. If the answer is in the negative, the College President or designee may present evidence to rebut the student's denial of notice. The chairperson shall decide whether or not to proceed with the hearing. If the hearing must be rescheduled, it shall be held within five days.~~

~~C. Plea: The student shall admit or deny each charge. If the student admits each charge and wishes to present no evidence or mitigating circumstances or other defense, the committee shall retire to make its decision. If the student denies any or all of the charges, or wishes to present evidence of mitigating circumstances, the hearing shall proceed.~~

~~D. Burdens of Proof and of Producing Evidence: The College Superintendent/President or designee has the burden of proving that each charge is true. The student shall be regarded as innocent of the charges until the contrary is established by the College Superintendent/President or designee by a preponderance of the evidence.~~

~~"Established by a preponderance of the evidence" means that the College Superintendent/President or designee must persuade the committee that it is more probable than not that the charges are true. The College Superintendent/President or designee has the initial burden of producing evidence to prove each charge. The College Superintendent/President or designee must present the evidence in support of the charges first, and then the student must present evidence to refute the College Superintendent/President or designee's evidence.~~

~~E. Arguments: First the College Superintendent/President or designee, and then the student, shall be afforded the opportunity to make or waive an opening statement; i.e., give an outline of the charges and the facts to be proven. The student may reserve his/her opening statement until after the College Superintendent/President or designee has finished presenting the case for the College. After the opening statements, first the College Superintendent/President or designee, and then the student, shall have the opportunity to present witnesses and other relevant evidence in support of the cases presented.~~

~~F. Evidence: Formal rules of evidence shall not apply. All relevant evidence is admissible, including but not limited to testimony of witnesses, physical objects, police reports, photographs, copies of documents, and signed and dated declarations of witnesses shown to be unavailable.~~

~~G. Conclusion: First the College Superintendent/President or designee, and then the student, shall be afforded the opportunity to make or waive a closing argument. The committee shall retire to deliberate with only the members of the committee present. The hearing committee shall reach its decision based only upon the record of the hearing and shall not consider matters outside of that record. Within two days after the hearing, the chairperson shall deliver to the College Superintendent/President or designee a written report giving specific findings of fact as to each charge, and making recommendations for action arrived at by a majority vote of the committee.~~

#### **❖ From current Palomar College Procedure 430.314 titled Appeal**

~~A. The student may appeal the decision of the College Superintendent/President or designee regarding any long-term suspension to the Governing Board. Any such appeal shall be submitted in writing within five days following receipt of the College Superintendent/President or designee's decision and shall state specifically the grounds for appeal. Appeal shall be based only on the record of the hearing committee and the decisions of the hearing committee and the College Superintendent/President or designee.~~

~~B. Upon review, the Governing Board will either confirm, modify, or reject the decision of the College Superintendent/President or designee. The Governing Board's action shall be limited to a review of the record of the hearing committee, and the decisions of the hearing committee and the College Superintendent/President or designee. The~~

~~Governing Board shall not consider any evidence outside that record. The Board's action shall be final and binding on all parties.~~

~~C. The Governing Board shall be provided with copies of the decision, with all documentation and related data.~~

~~D. The Governing Board shall consider student disciplinary appeals at any regularly scheduled public meeting held within 30 days of receipt of the appeal by the College Superintendent/President or designee.~~

~~E. The Governing Board shall, unless otherwise requested by the student involved, hold closed sessions if the Governing Board is considering a suspension or disciplinary action or any other action except expulsion if a public hearing upon such question would lead to the giving out of information concerning students which would be in violation of Education Code Section 76240 et seq. protecting the privacy of student records. The Governing Board of the District, before calling such a closed session to consider these matters, shall notify the student (and the parent or guardian if the student is a minor) by registered or certified mail of the intent of the Governing Board of the District to call and hold such closed session.~~

~~Unless the student, parent, or guardian shall, in writing, within 48 hours after receipt of such written notice of intention, request that the hearing of the Governing Board be held as a public meeting, then the hearing to consider such matters shall be conducted by the Governing Board in closed session. If such written request is served upon the clerk or secretary of the Governing Board, the meeting shall be public except that any discussion at such meeting that might be in conflict with the right to privacy of any student other than the student requesting the public meeting or on behalf of whom such meeting is requested, shall be in closed session. Whether the matter is considered at a closed session or at a public meeting, the final action of the Governing Board of the College District shall be taken at a public meeting and the result of such action shall be a public record of the College District.~~

~~EG 72122~~

### ***Definitions***

~~A. Days. Days during which the College is in session and regular classes are held.~~

~~B. Expulsion. A permanent denial of all campus privileges, including class attendance.~~

~~C. Mail. Whenever this policy calls for or permits a notice or other communication to be delivered by mail, the mailing of such communication by return receipt requested mail, postage paid and addressed to the last known address of the student, shall be deemed to be a sufficient compliance with the provision, and it shall be presumed to have been received. A student's failure or refusal to sign a receipt of the communication shall not cause a notice to be defective.~~

~~D. Probation. Probation may include exclusion from participation in privileges or extracurricular college activities for a specified period of time. Student organizations as well as individual students may be subject to disciplinary probation. If a student violates~~

~~any condition or probation, or again is charged with a violation of the standards of student conduct during the probationary period, it shall be grounds for revocation of the student's probationary status and for further disciplinary action. The imposition of disciplinary probation includes notification in writing of the reason for and conditions of probation to the student.~~

~~E. Reprimand. A censure for violation of specific rules of conduct.~~

~~F. Suspension. Temporary exclusion from student status, or other privileges or activities, for a specified period of time. If a minor student is suspended, the parent or guardian shall be notified in writing of such action. (EC 76040)~~

~~G. Warning. Verbal or written notice to the student that continuation or repetition of specified conduct may be cause for disciplinary action.~~

~~H. Withdrawal of consent to remain on campus. Action taken by the Superintendent/President or the officer or employee designated by the Superintendent/President to maintain order when there is reasonable cause to believe that the continued presence of the student constitutes a substantial and material threat of significant injury to persons or property. In no event is such consent to be withdrawn for longer than fourteen (14) calendar days from the date on which the consent is initially withdrawn. (PC 626.4)~~

Additional informal grievance resolution information is available in the Office of Student Affairs.

Office of Primary Responsibility: Student Affairs

**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 procedure. The language in **green ink** reflects suggested revisions from Student Services. This procedure is **legally required**. The language in **black ink** is current Palomar College Procedure 426 titled Student Grievance dated 11-7-00; Procedure 430.3 titled Notice Letter with no date; Procedure 430.311 titled Hearing Procedures for Long-Term Suspensions and Expulsions with no date; Procedure 430.312 titled Hearing Preparation with no date; Procedure 430.313 titled The Hearing with no date; and Procedure 430.314 titled Appeal with no date.

---

**Date Approved:**

(Replaces current Palomar College  
Procedures 426, 430.3, 430.311, 430.312,  
430.313, and 430.314)

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

**References:**

[Education Code Sections 76120 and 66301](#)

**❖ From current Palomar College Procedure 434.1 titled Guest Speakers**

~~One of the objectives of Palomar College is to serve as an educational and cultural center for the people of Northern San Diego County. This objective may be furthered through public forums and invited guest speakers.~~

This ~~policy~~ procedure has been developed as a guide to those responsible for the selection and scheduling of speakers to appear at Palomar College. It is applicable to student organizations on campus in their recruitment of guest speakers and is not intended to apply to instructors inviting speakers into their classes.

A The ~~e~~College has the responsibility to develop informed, critical, and objective thinking. Such thinking can best be encouraged in an atmosphere assuring free interchange of ideas. ~~Those responsible for scheduling speakers will attempt to obtain speakers who will present diverse views in the best tradition of the American forum. Speakers should be intellectually stimulating and educationally justifiable.~~

Opportunities for balancing viewpoints must be provided:

- A. On the same program at the discretion of the sponsoring organization, or
- B. At another hour designated by the Director of Student Affairs, or
- C. At any date in the Free-Speech Area in accordance with the code of the Free-Speech Area.

No speaker or topic shall be in violation of the Education Code or any local, state, or federal law. (See Item 2 on procedures below). The Director of Student Affairs shall seek, from any speaker, agreement on the following provisions:

- A. That the speaker's background be made known to his/her audience as accurately and completely as possible.
- B. That if a question period is provided, the speaker attempts to answer questions from the floor that have both relevance and propriety.
- C. That the speaker's presentation and/or question period be taped and recorded for library use.

## ❖ From current Palomar College Procedure 434.2 titled Scheduling Speakers

All off-campus speakers to be presented at Palomar College by student organizations must be cleared through the Student Affairs Office and placed on the Master Calendar. Forms for scheduling speakers are available in the Student Affairs Office and must be submitted at least three weeks prior to the presentation. The Director of Student Affairs will determine adherence to Board policy regarding all off campus speakers.

The following procedures must be followed when inviting speakers to the campus:

- A. Obtain approval of the Club Advisor.
- B. Obtain clearance from the Director of Student Affairs to determine intended adherence to Education Code. Before rendering a decision, the Director of Student Affairs may consult the respective club, or other resources. (One week to be allotted for decision).
- C. Obtain a form in the Student Affairs Office for scheduling a speaker and request a "tentative" date and room on the Master Calendar.
- D. Extend a written invitation to the speaker.
- E. After the speaker accepts the invitation, confirmation must be obtained from the Student Affairs Office.
- F. The Governing Board will be apprised of the speaker prior to presentation.
- G. Failure to comply with the above procedures will result in cancellation of an activity.

Office of Primary Responsibility: Student Affairs

**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 procedure. The language in **green ink** reflects suggested revisions from Student Services. The language in **black ink** is current Palomar College Procedure 434.1 titled Guest Speakers with no date and Procedure 434.2 titled Scheduling speakers with no date. This procedure is **legally advised**. This procedure was reviewed at the September 14, 2007 Policy and Procedure Task Force Meeting.

---

### **Date Approved:**

(Replaces current Palomar College  
Procedures 434.1 and 434.2)

**Student Services**  
**DRAFT as of 9/14/07**

**AP 5570 SOLICITORS ON CAMPUS**

**References:**

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

All solicitors must obtain approval from the Office of Student Affairs to conduct business on campus via the application process.

Palomar College addresses student credit card solicitation in the following manner:

- Sites at which student credit cards are marketed must be registered with the campus administration
- The number of sites allowed on campus may be limited
- Marketers of student credit cards are prohibited from offering gifts to students for filling out credit card applications
- Credit card and debt education and counseling sessions are offered to students (such as during financial aid eligibility interviews)

Office of Primary Responsibility: Student Affairs

**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 procedure. The language in **green ink** reflects suggested revisions from Student Services. This procedure is **legally advised**. This procedure was reviewed at the September 14, 2007 Policy and Procedure Task Force Meeting.

---

**Date Approved:**

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

**Student Services**  
**DRAFT as of 9/14/07**

## **AP 5610 VOTER REGISTRATION**

### **References:**

20 U.S. Code Section 1094(a)(23)(A);  
34 CFR Section 668.14(d)(1)

### The District will ensure that:

- a good faith effort will be made to distribute a mail voter registration form to each student enrolled in a degree or certificate program and physically in attendance at the institution
- forms will be widely available to students at the institution

Office of Primary Responsibility: Student Affairs

**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 procedure. The language in **green ink** reflects suggested revisions from Student Services. This procedure is **legally advised**. This procedure was reviewed at the September 14, 2007 Policy and Procedure Task Force Meeting.*

---

### **Date Approved:**

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



## **AP 5700 ATHLETICS**

### **References:**

Education Code Sections 66271.6, 66271.8, and 67360 et seq.;  
Title IX Education Amendments of 1972

### **Athletic Drug Testing**

Athletic Drug Testing is not mandated.

- ❖ **From current Palomar College Procedure 418.2 titled Disenrollment Procedures**

### **~~Intercollegiate Programs~~**

**~~Palomar College has intercollegiate teams in the following sports:~~**

- ~~• Baseball~~
- ~~• Basketball~~
- ~~• Football~~
- ~~• Golf~~
- ~~• Soccer~~
- ~~• Swimming~~
- ~~• Tennis~~
- ~~• Volleyball~~
- ~~• Water Polo~~
- ~~• Wrestling~~

**~~Women can compete intercollegiately in the following sports:~~**

- ~~• Basketball~~
- ~~• Cross Country~~
- ~~• Soccer~~
- ~~• Softball~~
- ~~• Swimming~~
- ~~• Tennis~~
- ~~• Volleyball~~
- ~~• Water Polo~~

Also refer to the Palomar College Catalog, class schedule, and Athletics web site

Office of Primary Responsibility: Athletics

**NOTE:** *The information in **black ink** is from current Palomar College Procedure 418.2 titled Disenrollment Procedures with no date. 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 procedure. The language in **green ink** reflects suggested revisions from Student Services. This procedure is **legally advised**. This procedure was reviewed at the September 14, 2007 Policy and Procedure Task Force Meeting.*

---

**Date Approved:**

*(Replaces current Palomar College Procedure 418.2)*



## GOVERNANCE STRUCTURE GROUP REQUEST

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                |          |                  |            |                                          |               |                   |               |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------|------------------|------------|------------------------------------------|---------------|-------------------|---------------|--|
| <b>Request submitted by</b><br>Dr. Bonnie Ann Dowd                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                |          |                  |            | <b>Date: 11/06/07</b><br>3/9/06/10-18-05 |               |                   |               |  |
| <b>Proposed Name of Requested Group</b><br>Facilities Review Committee                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                |          |                  |            |                                          |               |                   |               |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>Council</b> | <b>x</b> | <b>Committee</b> |            | <b>Subcommittee</b>                      |               | <b>Task Force</b> |               |  |
| <b>Action Requested:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                |          |                  | <b>Add</b> |                                          | <b>Delete</b> |                   | <b>Change</b> |  |
| <b>Role, Products, Reporting Relationships:</b><br><p><b>Role:</b> The Facilities Review Committee generates the 20-Year Facilities Master Plan and keeps the plan current. It develops policy and plans to increase the quality and effective use of College facilities. It recommends the Scheduled Maintenance Plan and the Five-Year Capital Outlay Plan. It reviews requests for changes to the physical plant and the impact on various operations of Palomar College. It reviews (and recommends environmental impact studies by qualified consultants if significant environmental resources are potentially endangered by proposed earth movements or alterations of the natural habitat) the impact of the environment of all proposed earth movements or alterations of the natural habitat prior to the beginning of any project, work, or activity. It recommends measures for mitigating the impact within the mandated guidelines of the California Environmental Quality Act of 1970. Decisions will be made by majority vote. The committee will utilize an agenda which identifies and separates information and action items and requires that items be identified before being moved to action.</p> <p><b>Products</b></p> <ul style="list-style-type: none"> <li>Five-year Capital Outlay Plan</li> <li>Scheduled Maintenance Plan</li> <li>Resource impact analysis of recommended policies and plan</li> </ul> |                |          |                  |            |                                          |               |                   |               |  |
| <b>Reporting Relationship</b><br>Administrative Services Planning Council/Strategic Planning Council                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                |          |                  |            |                                          |               |                   |               |  |
| <b>Meeting Schedule:</b><br>2 <sup>nd</sup> & 4 <sup>th</sup> Wednesday – 3:00 to 4:00                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                |          |                  |            |                                          |               |                   |               |  |
| <b>Chair:</b><br>Vice President, Finance and Administrative Services                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                |          |                  |            |                                          |               |                   |               |  |
| <b>Members:</b> <ul style="list-style-type: none"> <li>Facilities Director</li> <li>One Senior/Executive Administrator (Instruction)</li> <li>One Senior/Executive Administrator (Student Services)</li> <li>Facilities Planning Manager</li> <li>One Classified Unit Member</li> <li>Four Faculty Members from different divisions</li> <li>One Administrative Association Member</li> <li>One Student appointed by ASG</li> <li>One Confidential/Supervisory Team Member</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                |          |                  |            |                                          |               |                   |               |  |

Reviewed by Strategic Planning Council:

4/1/03 First Reading

4/1/03 Approved

11/6/07 Revised

Comments: