

**Antelope Valley Community College District**  
**Administrative Procedures**  
**Chapter 5**  
**Student Services**

---

**PROCEDURES:**

AP 5010	Admissions	1-AP
AP 5011	Admission and Concurrent Enrollment of High School and Other Young Students	2-AP
AP 5012	International Students	6-AP
AP 5013	Students in the Military	7-AP
AP 5015	Residence Determination	8-AP
AP 5020	Non Resident Tuition	12-AP
AP 5030	Fees	13-AP
AP 5031	Instructional Materials Fees	17-AP
AP 5035	Withholding of Student Records	19-AP
AP 5040	Student Records, Directory Information, and Privacy	20-AP
AP 5041	Official Communication to Students	23-AP
AP 5045	Student Records - Challenging Content and Access Log	24-AP
AP 5050	Matriculation	26-AP
AP 5052	Open Enrollment	28-AP
AP 5055	Enrollment Priorities	29-AP
AP 5060	Enrollment Unit Load	32-AP
AP 5070	Attendance	33-AP
AP 5075	Course Adds and Drops	34-AP
AP 5110	Counseling	36-AP
AP 5120	Transfer Center	37-AP
AP 5130	Financial Aid	38-AP
AP 5140	Disabled Student Services and Programs	39-AP
AP 5150	Extended Opportunity Programs and Services	52-AP
AP 5200	Student Health Services	57-AP
AP 5210	Communicable Diseases	58-AP
AP 5300	Student Equity	59-AP
AP 5400	Associated Student Organization and Student Clubs and Organizations	60-AP
AP 5410	Associated Student Organization Elections	63-AP
AP 5420	Associated Student Organization and Student Clubs and Organization Finance	64-AP
AP 5520	Procedures for Discipline Related to Standards of Conduct	66-AP
AP 5530	Student Rights and Grievance	73-AP
AP 5550	Speech: Time, Place, and Manner	78-AP
AP 5570	Student Credit Card Solicitation	80-AP
AP 5610	Voter Registration	81-AP
AP 5700	Athletics	82-AP

## AP 5010 Admissions

Reference:

***Education Code 76000***

- Designated authority and responsibility for the following admissions processes resides with the Dean of Student Services (Admissions & Records).
- Admission procedures for students over 18 with a high school diploma and admission of any California resident under 18 years of age possessing a high school diploma or the equivalent thereof.
- Admission criteria and procedures for students over 18 without a high school diploma and admission of any California resident 18 years of age or older who can benefit from education.
- Admission procedures for non-resident students including a determination of residency status (AP 5015).
- Publication of admissions policies and procedures in the college catalog, schedule of classes, and the college Website.
- Concurrent enrollment of high school and other young students including special full-time and part-time students (AP 5011).
- Concurrent enrollment of high school and other young students including summer school students (AP 5011).
- Admission of all 16 and 17 year olds who have not completed high school and are eligible to be admitted by examination. Students successfully completing such examination will be awarded a "Certificate of Proficiency" by the State Board of Education that authorizes the student to enroll at Antelope Valley College with regular student status.

**2/6/06**

# AP 5011 Admission and Concurrent Enrollment of High School and Other Young Students

Reference:

***Education Code Sections 48800; 48800.5; 76001; 76002***

## Admission Criteria and Procedures for Younger Students

### Special Admission Packets

Special **full-time** and **part-time** students as defined in Board Policy 5010 are required to complete a special admit enrollment packet consisting of an admission application, special admit authorization form, and information pertaining to the guidelines and requirements for special admit students.

**Summer-school** students as defined in Board Policy 5010 are required to complete a special admit enrollment packet consisting of an admission application, special admit authorization form, and information pertaining to the guidelines and requirements for special admit students.

### Special Part-time Student Admission

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:

- district application for admission;
- written and signed parental or guardian consent;
- written and signed approval of his or her principal (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.);
- documentation to demonstrate that the student is capable of profiting from instruction. The Dean of Student Services (Counseling) has the authority to make the final decision whether a student can benefit from instruction.

### Special Full-time Student Admission

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

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

- district application for admission;
- written and signed parental or guardian consent;
- written and signed acknowledgment of his or her principal. (Note: a pupil who is not enrolled in a public or private school does not need to provide written acknowledgment from his/her school principal.);
- documentation to demonstrate that the student is capable of profiting from instruction;

- written approval of the governing board of the school district of attendance. The Dean of Student Services (Counseling) has the authority to make the final decision whether a student can benefit from instruction.

#### Special Summer Session Student Admission

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;
- written and signed approval of his or her principal that the student has availed himself or herself of all opportunities to enroll in an equivalent course at his or her school of attendance; and
- documentation to demonstrate that the student has adequate preparation in the disciplines to be studied.

All required documents shall be sent to the Dean of Student Services (Admissions & Records).

#### High School Student Admission

For students attending high school, the Admissions & Records Office will review the materials and determine if the student has the abilities and sufficient preparation to benefit from instruction at a community college. The decision of the Dean of Student Services (Counseling) shall be final. This determination may be made by applying one or more of the following criteria:

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

Special admit students who are 15 years of age and/or have completed the 8<sup>th</sup> grade may be eligible to take PE courses.

#### Middle and Lower School Student Admission

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

- a review of the materials submitted by the student;

- meeting with the student and his or her parent or guardian;
- consultation with Dean of Student Services (Counseling);
- consideration of the welfare and safety of the student and others;
- consideration of local, state and/or federal laws;
- review of the content of the class in terms of sensitivity and possible effects on the minor;
- requirements for supervision of the minor; and/or
- times the class(es) meet and the effect on the safety of the minor.

#### Other Special Admission Regulations

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 college population, and will be taught with the rigor appropriate to college-level courses in accordance with the approved course outline. Enrollment priority status for special admission students is conducted in accordance with AP 5500. Special admission students begin registration during the open registration period.

Records of enrollment of these students for apportionment purposes will be maintained in the Admissions & Records Office. All claims for state apportionment for K-12 students must meet all of the following criteria; the class is open to the general public and is advertised in one or more of the following:

- The college catalog
- The regular schedule of classes
- An addenda to the catalog or schedule

If the decision to offer a class on a high school campus is made after publication of the district's regular schedule of classes, and the class is only advertised to the general public through electronic media, the class must be advertised for a minimum of 30 continuous days prior to the first meeting of the class.

If the class is offered on a high school campus, the class may not be held during the time the campus is closed to the general public, as defined by the school board.

If the class is a physical education class, no more than 10 percent of the enrollment of the class may consist of special part-time or full time students.

ALL concurrent students will receive college credit for completed courses.

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

**2/6/06**

**Revised 5/6/06**

## AP 5012 International Students

Reference:

***76141; 76142; Title 5, Section 54045; Title 8, U.S.C. Section 1101. et seq.***

### International Student Admission Requirements and Procedures

The International Student application process includes submission of appropriate visa information from the country of residence, including INS forms, application for admission, student information form, high school diploma, official high school transcripts with notarized English translation, original letter of reference on letterhead, birth certificate or valid passport with recent photograph, notarized affidavit of financial support, notarized affidavit of sponsor, notarized affidavit of sponsor for free room and board, copy of deed lease agreement or rental agreement of property, and a medical insurance policy in English.

Students who will be attending pursuant to an F-1 visa, must submit all of the same paperwork required for the International Student application process stated above in order to substantiate issuance by the District of form I-20.

International Students must have a TOEFL (Test of English as a Foreign Language) score (minimum 133 on computer-based test or 450 if paper test), if applicable. Satisfactory SAT or ACT scores may be used to satisfy this requirement.

Residence determination includes review of whether student holds a visa that requires the student to have a residence outside of the U.S., or entered the U.S. under a visa that permits entry solely for a temporary purpose.

Nonresident tuition fees applicable to non-citizens who have not or cannot establish residence are determined by calculating an amount not to exceed the amount expended by the District for capital outlay in the preceding fiscal year divided by the total full-time equivalent students. This fee cannot exceed 50 percent of the nonresident tuition charged other nonresidents.

**2/6/06**

## AP 5013 Students in the Military

Reference:

***Education Code Sections 68074, 68075, 68075.5; Title 5, Section 55023, 55024, 54041, 54042, 54050, 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.

An undergraduate student who is a natural or adopted child, stepchild, or spouse who is a dependent of a member of the armed forces of the United States stationed in this state on active duty shall be entitled to resident classification.

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; 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.

**2/6/06**

**Revised: 1/8/07**

**Revised: 12/10/07**

## AP 5015 Residence Determination

Reference:

***Education Code Sections 68000 et seq., 68130.5, Title 5, Sections 54000 et seq.***

**Residence Classification.** Residency classifications shall be determined for each student at the time of admission and whenever a student has not been in attendance for more than one semester. 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 the Admissions & Records Office.

Students must be notified of residence determination within 14 calendar days of submission of application or 14 days after the start of the session the student applied for admission, whichever is later.

### **Resident Student Exceptions (From current board policy)**

A student who has been entirely self-supporting and actually present in California for one year and one day immediately preceding the residence determination date, with the intention to remain in California, shall be entitled to resident classification.

A student shall be entitled to resident classification if, immediately prior to enrolling at the College, the student has lived with and been under the continuous direct care and control of any adult or adults, other than a parent, for a period of not less than two years, providing that such adults have been domiciled in California during the year immediately prior to the residence determination date.

A student who is a member of the armed forces of the United States stationed in California on active duty, shall be entitled to resident classification.

A student who is a natural or adopted child, stepchild, or spouse and who is a dependent of a member of the armed forces of the United States stationed in California on active duty shall be entitled to resident classification.

A student who is an adult alien shall be entitled to resident classification if the student has been lawfully admitted to the United States for permanent residence, provided the parent has had residence in California for more than one year after such admission prior to the residence determination date.

A student who is a minor alien shall be entitled to resident classification if both he/she and his/her parents have been lawfully admitted to the United States for permanent residence, provided that the parents have had residence in California for more than one year after such admission prior to the residence determination date.

A student who is a full-time employee of the College or a student who is a child or spouse of a full-time employee of the College is entitled to resident classification.

A student holding a valid credential authorizing service in the public schools of this State who is employed by a school district in a full-time position requiring certification qualifications for

the college year in which the student enrolls shall be entitled to resident classification if the student meets requirements specified in California Administrative Code, Title V. Sec. 5404.

A student who is at least 16 years of age and who has entered into a written agreement called an "apprentice agreement" with an employer or his/her agent, an association of employers, or an organization of employees, or a joint committee representing both and which meets provisions of Labor Code Sec. 3078.

A student who has not been an adult resident of California for more than one year and is a dependent child of a California resident who has had residence in California for more than one year prior to the residence determination date, shall be entitled to resident classification. This exception shall continue until the student has resided in the state the minimum time necessary to become a resident, so long as continuous attendance is maintained at the college.

Students who are holders of valid A, E, O, I, K, L, or H-1 visas and refugees may be eligible for residence classification for fee payment purposes.

**Right To Appeal.** Students who have been classified as non-residents have the right to a review of their classification (Title 5, Section 54010 (a)). Any student, following a final decision of residence classification by the Admissions & Records Office, may make written appeal to the Dean of Student Services (Admissions & Records) within 30 calendar days of notification of final decision by the college regarding classification.

**Appeal Procedure.**

The appeal is to be submitted to Admissions & Records Office which must forward it to the Dean of Student Services (Admissions & Records) within five working days of receipt. Copies of the original application for admission, the residency questionnaire, and evidence or documentation provided by the student, with a cover statement indicating upon what basis the residence classification decision was made, must be forwarded with the appeal.

The Dean of Student Services (Admissions & Records) shall review all the records and have the right to request additional information from either the student or the Admissions Office.

Within 30 calendar days of receipt, the Dean of Student Services (Admissions & Records) 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 non-resident may be reclassified as of any residence determination date. A residence determination date is that day immediately preceding the opening day of instruction for any session during which the student proposes to attend.

Petitions are to be submitted to the Admissions and Records Office.

Petitions must be submitted prior to the semester for which reclassification is to be effective. Extenuating circumstances may be considered in cases where a student failed to petition for reclassification prior to the residency determination date. In no case, however, may a student receive a non-resident tuition refund after the date of the first census.

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 non-residents 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 his or her parent in the calendar year prior to the year the reclassification application is made;
- Has not lived and will not live for more than six weeks in the home of his or her parent 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 Dean of Student Services (Admissions & Records) 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 non-residents and charged non-resident 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 Dean of Student Services (Admissions & Records). Students may appeal the decision.

**2/6/06**

## AP 5020 Non Resident Tuition

Reference:

***Education Code Sections 76140 et seq.***

The nonresident tuition fee may not be set later than February 1 of each year by the Vice President of Business Services.

The calculation reflects the current expense of education calculated according to the Budget and Accounting Manual.

The calculation includes the expense of education in the preceding fiscal year. The calculation reflects fees in contiguous Districts.

The calculation provides for students enrolled in more or less than 15 units per term.

A nonresident student shall be liable for the nonresident tuition for all units enrolled.

There shall be no exemption from payment of the nonresident tuition for students who are classified as nonresidents. Non-resident tuition students may see the Vice President, Student Services and make arrangements for a tuition payment plan.

Nonresident students subject to payment of community college nonresident fee, who have been admitted to a class or classes in error without payment of the fee, shall be excluded from such class or classes upon notification pending payment of the fee. For the purpose of this rule only, notification consists of oral or written contact from the Office of Admission and Records prior to the end of the fourth week of the semester, session, or period of enrollment.

Nonresident students, who have been admitted to a class or classes without payment of the fee because of falsification of information submitted by or for them shall be excluded from such class or classes upon notification. For the purpose of this rule only, notification consists of oral or written contact from the Vice President, Student Services of the college of enrollment to the student and such notification may be given at any time. Students excluded because of falsification shall not be readmitted during the semester, academic quarter, or session from which they were excluded, nor shall they be admitted to any following semester, academic quarter or session until all previously incurred tuition obligations are paid.

It is the policy of the Antelope Valley Community College District and Board of Trustees vigorously to pursue collection of nonresident fees, payment of which was avoided by falsification. Following authorization by the Board, the Vice President Business Services, shall initiate action or request the County Counsel to initiate appropriate legal action in courts of law in order to collect fees.

**2/6/06**

## AP 5030 Fees

Reference:

***Education Code Sections 70902 (b)(9), 76300, 66025.3; Title 5, Section 51012;  
Chancellor's Student Fee Handbook***

### Required fees include:

Antelope Valley College will collect an enrollment fee (E.C. 76300; 5CCR 58500-58509) from each student to help defray the cost of education and instructional materials each semester and session. The enrollment fee may change without notice, subject to mandates issued by the State of California.

Additionally, nonresident students will be charged the enrollment fee plus tuition each semester and session. The Board of Trustees will establish this fee and publish the amount in the College Catalog and/or Class Schedule. The tuition fee may be changed without notice.

Antelope Valley College **is permitted** by law to charge for any of the fees listed below if approved by the Board of Trustees. The cost for each of these fees will be listed in the College Catalog and/or Class Schedule and can be obtained from the appropriate on-campus office. All fees are subject to change without notice.

Non-District physical education facilities (E.C. 76395)

Noncredit courses (E.C. 76385)

Community services courses (E.C. 78300)

Auditing of courses (E.C. 76370)

Instructional materials (E.C. 73365, 81457, 81458; 5 CCR 59400-59408)

Athletic insurance (E.C. 70902(b)(9))

Cross-Enrollment with CSU or UC (E.C. 66753)

Health (E.C. 76355)

Parking (E.C. 76360)

Transportation (E.C. 76361, 82305.6)

Student representation (E.C. 76060.5; 5 CCR 54801-54805)

Student Center (E.C. 76375; 5 CCR 58510)

Copies of student records (E.C. 76223)

Dormitory (E.C. 81670)

Child care (E.C. 79121 et seq., 66060)

Nonresident capital outlay (E.C. 76141)

Nonresident application processing (E.C. 76142)

Credit by Examination (E.C. 76300; 5 CCR 55753)

Use of facilities financed by revenue bonds (E.C. 81901(b)(3))  
Refund processing (5 CCR 58508)  
Telephone registration (E.C. 70902(a))  
Physical fitness test (E.C. 70902(b)(9))  
Instructional Tape Lease/Deposit (E.C. 70902(b)(9))  
Credit Card Use (E.C. 70902(b)(9))  
International Student Medical Insurance (E.C. 70902(b)(9))  
Antelope Valley College is **not permitted** by law to charge for any of the fees listed below:  
Late application (CCCCO Student Fee Handbook)  
Add/drop (CCCCO Student Fee Handbook)  
Mandatory student activities (CCCCO Student Fee Handbook)  
Student Identification Cards (CCCCO Student Fee Handbook)  
Student Body Organization (CCCCO Student Fee Handbook)  
Nonresident application (CCCCO Student Fee Handbook)  
Field trip (5 CCR 55450, 55451)  
For dependents of certain veterans (E.C. 66025.3)  
For dependents of certain victims of the September 11, 2001, terrorist attacks. (CCCCO Student Fee Handbook)  
For certain recipients of the Medal of Honor and certain children of the recipients of the Medal of Honor (E.C. 66025.3)  
Required or funded services (CCCCO Student Fee Handbook)  
Refundable deposits (CCCCO Student Fee Handbook)  
Distance education (other than the statutorily authorized enrollment fee) (CCCCO Student Fee Handbook)  
Mandatory mailings (CCCCO Student Fee Handbook)  
Rental of practice rooms (CCCCO Student Fee Handbook)  
Apprenticeship courses (E.C. 76350)  
Technology fee (CCCCO Student Fee Handbook)  
Late payment fee (5 CCR 58502, 59410)  
Nursing/healing arts student liability insurance (5 CCR 55234)  
Cleaning (CCCCO Student Fee Handbook)  
Breakage (CCCCO Student Fee Handbook)  
Test proctoring (CCCCO Student Fee Handbook)

## Collection and Refund of Fees

Antelope Valley College will refund student fees for the following reasons:

- Fees to be collected when enacted by the Legislature following registration by the student
- Fees collected in error
- Fees refundable because of a reduction in the educational program of the District
- Fees refundable because of the student's reduction in units or withdrawal from an education program
- Fees refundable because of changes in law or regulation authorizing and establishing enrollment fees

Antelope Valley College shall determine a refund policy for the following fees and publish the dates in the Schedule of Classes:

Enrollment Fee refunds for full-term length classes dropped during the first two weeks of instruction only. The first week of instruction is the first week of the semester. For short-term classes, summer and intersession the refund period is shorter and the time line is available from the Admission and Records Office.

Nonresident tuition fee refunds will be made only when the student totally withdraws from the College. The request must be in writing accompanied by the registration receipt. Refunds of the basic tuition fee will be made according to the following schedule:

### Regular Semesters

End of 1<sup>st</sup> week of instruction 90% of the tuition fee and enrollment fee

End of 2<sup>nd</sup> week of instruction 75% of the tuition fee and enrollment fee

End of 3<sup>rd</sup> week of instruction 50% of the tuition fee

End of 4<sup>th</sup> week of instruction 25% of the tuition fee

### Summer and Intersessions

End of 1<sup>st</sup> week of instruction 90% of the tuition fee and enrollment fee

End of 2<sup>nd</sup> week of instruction 75% of the tuition fee and enrollment fee

End of 3<sup>rd</sup> week of instruction 50% of the tuition fee

Instructional materials fee refunds are on a prorated basis. Requests for refunds must be in writing accompanied by a drop slip signed by the instructor with the amount of the material fees to be refunded. This is based on the date and the amount of the materials used.

Parking fees will be refunded in full to those students who totally withdraw from the semester within the first two weeks of instruction, shorter for summer and intersession. Requests must be in writing and accompanied by the student's parking permit, the receipt and drop slip. The request must be received by the Cashiers Office no later than the end of the 2<sup>nd</sup> week of instruction.

Associated Student Representation Fee will be refunded in full for students who in full-term length classes dropped during the first two weeks of instruction only. The first week of instruction is the first week of the semester. For short-term classes, summer and

intersession the refund period is shorter and the time line is available from the Admission and Records Office.

Associated Student Organization Sticker will be refunded in full to students who totally withdraw from the college within the first two weeks of instruction and request a refund in writing. Requests must be accompanied by the Student's ASO sticker, the receipt and drop slip.

All refunds will be mailed to the student's address on file with the Admission and Records Office.

Students receiving Title IV Federal Financial Aid may be required to repay a portion of the funds received based upon the withdrawal date from all classes. Students who owe a repayment to the Title IV programs are not eligible for funding at AVC or any other college or university. Contact the Financial Aid Office for additional information.

**2/6/06**

**Revised: 5/8/06**

**Revised: 1/8/07**

**Revised: 9/10/07**

## AP 5031 Instructional Materials Fees

Reference:

***Education Code Section 76365; Title 5 Section 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" means 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" means 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" means that 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" are 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**

#### Determination of Fees:

Division deans and discipline faculty will determine costs through a comparative approach that seeks to obtain material at the lowest cost possible without compromising quality. Whether a materials fee meets the criteria and are appropriate for a course will be determined by the Academic Policies and Procedures Committee. New or revised materials fees must be approved by the Academic Policies and Procedures Committee and the Board of Trustees.

Materials will be provided by faculty during course or lab sections.

### Announcement of Fees

Course material fees shall be printed in the semester schedule. Courses with fees will be properly flagged on records used in the Admissions Office. A fee policy and regulations will be included in the College Catalog.

### Collection of Fees

Course material fees will be collected at the time of registration and after courses have been selected by students. Registration in courses will be provisional until the cashier has received full payment. Checks returned by a student's bank for any reason will result in a suspension of enrollment until valid payment has been received.

### Refund of Fees

Material fees will be refunded on a prorated basis. Requests for refunds must be in writing accompanied by a drop slip signed by the instructor with the prorated amount of material fee to be refunded. Fees collected for classes cancelled by the District will be refunded.

### Allocation and Disbursement of Material Fees

Each term, material fees collected and deposited will be allocated to the respective line item budgets. Disbursement of the material fees will be based on purchasing guidelines.

Business Services is responsible for gathering related data and responding to the State Chancellor's Office inquiries regarding these fees.

**4/14/08**

## AP 5035 Withholding of Student Records

Reference:

***Title 5, Section 59410***

The Dean of Student Services (Admissions & Records) may 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.

Students are notified by mail that an outstanding balance is due by the Cashier's Office. Students are provided the opportunity to explain if the financial obligation is in error through the Petition for Extenuating Circumstances process which is submitted to the Dean of Student Services (Admissions & Records).

**2/6/06**

## AP 5040 Student Records, Directory Information, and Privacy

Reference:

***Education Code Section 76200 et seq.; Title 5, 54600 et seq., US 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 governing board member 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. "Directory information" may be released in accordance with the definitions in Board Policy 5040.
- Student records shall be released pursuant to a judicial order or a lawfully issued subpoena. Subpoenas for student records are released only after a 14 day notification period has elapsed from the date of receipt.
- 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.
- Student records may be released to authorized representatives of the Comptroller General of the United States, the Secretary of Education, an administrative head of an education agency, state education officials, or their respective designees or the United States Office of Civil Rights, where that information is necessary to audit or evaluate a state or federally supported educational program or pursuant to federal or state law. Exceptions are that when the collection of personally identifiable information is specifically authorized by federal law, any data collected by those officials shall be protected in a manner that will not permit the personal identification of students or their parents by other than those officials, and any personally identifiable data shall be destroyed when no longer needed for that audit, evaluation, and enforcement of federal legal requirements. All requests should be directed to the Dean of Student Services (Admissions & Records).
- 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 76225.
- 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.

- 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.
- 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.

**Charge for Transcripts or Verifications of Student Records.** A student/former student shall be entitled to two free copies of the transcript of his/her record or to two free verifications of various student records. Additional copies shall be made available to the student, or to an addressee designated by him/her, at the rate of \$1.00 per copy. Students may request special processing of a transcript.

#### **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.

If the District has, prior to January 1, 2004, used an individual's social security number in a manner inconsistent with the above restrictions, it may continue using that individual's social security number in that same manner only if:

- The use of the social security number is continuous;

- The individual is provided an annual disclosure that informs the individual that he or she has the right to stop the use of his or her social security number in a manner otherwise prohibited;
- District agrees to stop the use of an individual's social security number in a manner otherwise prohibited upon a written request by that individual;
- No fee shall be charged for implementing this request; and the district shall not deny services to an individual for making such a request.

**2/6/06**

**Revised: 4/14/08**

## AP 5041 Official Communication to Students

Reference:

Students are responsible for reading all official communications from Antelope Valley College (AVC). Methods of communication are students' AVC email, United States Postal Service and printed publications, including (but not limited to), the AVC Catalog, Schedule of Classes, and Student Handbook.

**11/10/08**

# AP 5045 Student Records—Challenging Content and Access Log

Reference:

***Education Code Section 76222, 76232; Title 5 Section 54630***

## Challenging Content

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

Within 30 days of receipt of the request, the Superintendent/President or designee shall meet with the student and the employee who recorded the information in question, if any, if the employee is presently employed by the community college District. The Superintendent/President or designee shall then sustain or deny the allegations.

If the Superintendent/President or designee sustains any or all of the allegations, he or she shall order the correction or removal and destruction of the information. If the Superintendent/President or designee denies any or all of the allegations and refuses to order the correction or removal of the information, the student, within 30 days of the refusal, may appeal the decision in writing to the governing board detailing reasons why the information in question should be corrected, removed or destroyed.

Within 30 days of receipt of an appeal, the governing board shall, in closed session with the student and the employee who recorded the information in question, determine whether to sustain or deny the allegations. If the governing board sustains any or all of the allegations, it shall order the 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.

Records of the proceeding shall remain confidential and shall be destroyed one year following the decision of the Board, unless the student institutes legal action relative to the disputed information within the prescribed period of one year.

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. Any written consent notice for access to records shall be kept permanently with the record file.

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 Superintendent/President or designee, 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.

Access may also be permitted for the following:

### Court Order

Information concerning a student shall be furnished in compliance with a court order. The student shall be notified of such compliance if lawfully possible within the requirements of the judicial order.

### Subpoena

The service of a subpoena upon a District employee, for the purpose of producing a student record, may be complied with in lieu of a personal appearance by the employee by submitting a copy of the record to the court. The copy of the record may be a photostat, microfilm, microcard or other photographic copy. The student will be notified that a subpoena has been served.

**2/6/06**

## AP 5050 Matriculation

Reference:

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

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

Each student, in entering into an 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 the 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
- cooperate in the development of the student educational plan

If a student fails to fulfill such responsibilities, the college may withhold matriculation services from students failing to cooperate in meeting the above expectations unless otherwise entitled under any other provision of law.

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

Assessment and counseling upon enrollment, which shall include, but not be limited to, all of the following:

- Administration of assessment instruments to determine student competency in computational and language skills
- Assistance to students in the identification of aptitudes, interests and educational objectives, including, but not limited to, associate of arts degrees, transfer for baccalaureate degrees, and vocational certificates and licenses
- Evaluation of student study and learning skills
- 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
- Advisement concerning course selection

- Post-enrollment evaluation of each student's progress, and required advisement or counseling for students who are enrolled in remedial courses, who have not declared an educational objective as required, or who are on academic probation.

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

**2/6/06**

**Revised: 4/14/08**

## AP 5052 Open Enrollment

Reference:

***Title 5, Sections 51006, 58106, 58108***

All courses of the District shall be open to enrollment in accordance with Board Policy 5052 and a priority system consistent with Administrative Procedure 5055. 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 Dean of Student Services (Counseling).

No student is required to confer or consult with or required to receive permission to enroll in any class offered by the District, except as provided for in Administrative Procedure 5055 and allied health 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 Administrative Procedure 5055 and allied health programs.

A student 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.

A student may challenge an enrollment limitation through the Petition for Extenuating Circumstances to the Dean of Student Services (Counseling).

**2/6/06**

## AP 5055 Enrollment Priorities

Reference:

***Title 5, Section 58106; Education Code Section 66025.8***

Enrollment in courses and programs may be limited to students meeting properly established prerequisites and co-requisites. (See Board Policy and Administrative Procedure 4260 regarding pre-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

When enrollment must be limited, priorities for determining who may enroll are:

- limiting enrollment to first come, first served, or other non-evaluative selection techniques;
- in the case of intercollegiate completion, honors courses, or public performance courses, allocating available seats to those students judged most qualified;
- limiting enrollment due to a selection procedure expressly authorized by statute;
- priority for registration for enrollment must be granted to any member or former member of the Armed Forces of the United States for any academic term within two years of leaving active duty; priority for the aforementioned members or former members of the Armed Forces will be the same as the priority given to EOPS/DSS students.
- limiting enrollment in one or more sections to students enrolled in one or more other courses, provided that a reasonable percentage of all sections of the course do not have such restrictions.

The following priority rules apply to each registration cycle:

1<sup>st</sup> Priority:

EOPS/DSS Students

The following categories must have completed all four of the Matriculation Components to be included in Priority 1. Otherwise, the priorities below will apply.

- Honor Students

- STAR (Trio students)
- CalWORKs Students
- Dual Admission Students
- Student Athletes
- Students certified by the Evaluation Technician to have filed for graduation with one semester remaining (Students who qualify under this exemption do not need to have completed the four components of matriculation).
- Students on the Academic Rise (SOAR) High School Students

2<sup>nd</sup> Priority: Must have completed all four of the Matriculation Components.

- High School Seniors- Summer and Fall Registration only.
- Continuing AVC Students
- New & Returning Students

3<sup>rd</sup> Priority: Must have completed any three of the Matriculation Components.

- Continuing AVC Students
- New & Returning Students
- Students with an Associate Degree or higher – are exempt from completing the four Matriculation Components

4<sup>th</sup> Priority: Must have completed any two of the Matriculation Components.

- Continuing AVC Students
- New & Returning Students

5<sup>th</sup> Priority: Must have completed any one of the Matriculation Components.

- Continuing AVC Students
- New & Returning Students

6<sup>th</sup> Priority: Must have completed none of the Matriculation Components.

- Continuing AVC Students- who are not in priority groups 1-5.
- New & Returning Students

7<sup>th</sup> Priority: Open Registration – Matriculation Components Not Applicable

- New & Returning Students- who apply after registration appointments have been mailed for the next registration period.
- Special Admittance Students- K-12 Non Home School & K-12 Home School

Priorities within categories 1-6 will be based on total units completed (descending order), then alphabetically (with alphabet rotation each term). The Four Matriculation Components include: Assessment, Orientation, Counseling, and Student Education Plan.

**2/6/06**

**Revised: 5/12/08**

## AP 5060 Enrollment Unit Load

Reference:

***Title 5, Sections 51006, 58106, 58108***

A student seeking to enroll in more than 19 units in fall and spring semesters or 9 units in intersession and summer session must complete a Petition for Extenuating Circumstances and submit to the Dean of Student Services (Counseling).

**2/6/06**

**Revised 1/8/07**

## AP 5070 Attendance

Reference:

***Title 5, Sections 58000 et seq.***

The responsibility of attendance accounting resides with the Office of Admissions & Records. The district follows the following requirements outlined in Title V:

- Computation of units of full time 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 dis-enrollment 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.

**2/6/06**

# AP 5075 Course Adds and Drops

Reference:

***Title 5, Sections 55024 and 58004***

## Adding Courses

Students may add classes through the registration period.

### Priority Registration

During priority registration, students register on or after an assigned appointment time *without instructor approval*. Appointment times are assigned based on completion of Matriculation components.

### Open Registration

Students may enroll in open classes *without instructor approval* through the end of open registration.

**Full-term courses:** Open registration ends as of the start of the regular semester.

**Short-term courses:** Open registration ends as of the day before the course begins.

Once open registration ends, a course is considered closed regardless of seat availability.

### Late Registration

Students may enroll in classes *with instructor signature*.

**Full-term courses:** During late registration, students may add a course(s) with instructor signature before the census date.

**Short-term courses:** During late registration, students may add a course(s) with instructor signature during the first week of the course.

### Registration after census

All adds after census require:

- 1) Instructor signature
- 2) First date of attendance
- 3) Dean of Enrollment Services authorization

After the registration period concludes, classes may only be added by formal request from the student to the Dean of Enrollment Services.

### Withdrawals

Withdrawals, or drops, are authorized through the last day of the fourteenth week of instruction or 75% of the term, whichever is less. Students who withdraw or drop classes during the first four weeks or 30% of the term, whichever is less, will receive no notation on their academic record.

Instructors shall clear their rolls of inactive students not later than the end of the last business day before the census day for all students.

“Inactive students” include:

- Students identified as no-shows,
- Students who officially withdraw,
- Students who are no longer participating in the courses and are therefore dropped by the instructor.

As of July 1, 2009, the District must establish the number of times that a student may withdraw from a class and receive a “W.” Students will not be permitted to withdraw and receive a “W” in a class more than four times. Students may be permitted to enroll in a class after having received the maximum authorized number of “W” symbols as long as the students will receive a grade or a nonevaluative symbol other than a “W” upon completion of the course, unless:

- The student withdraws from the class prior to the end of the fourth week of instruction or 30% of the term, whichever is shorter, or a shorter period established by the District; or
- If the District policy permits additional withdrawals for which it does not receive apportionment and the official designated in the District’s policy approves such withdrawal after a review of a petition submitted by the student which shows the withdrawal is justified because of extenuating circumstances.

**2/6/06**

**Revised: 1/12/09**

**Revised: 2/8/10**

## AP 5110 Counseling

Reference:

***Education Code Section 72620; Title 5, Section 51018***

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

- Academic counseling, in which the student is assisted in assessing, planning, and implementing his or her immediate and long-range academic goals
- Career counseling, in which the student is assisted in assessing his or her aptitudes, abilities, and interests, and is advised concerning the current and future employment trends;
- Personal counseling, in which the student is assisted with personal, family, or other social concerns, when that assistance is related to the student's education;
- 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 CEO or other persons when the counselor has reason to believe that disclosure is necessary to avert a clear and present danger to the health, safety, or welfare of the student or other persons living in the college community; reporting information to the CEO 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.

**2/6/06**

## AP 5120 Transfer Center

Reference:

***Title 5, Section 51027; Education Code section 66720-66744***

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

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

The Transfer Center Coordinator maintains and annually updates the Transfer Center Plan.

**2/6/06**

**Revised: 9/10/07**

## AP 5130 Financial Aid

Reference:

***20 U.S.C. Sections 1070 et seq.; 34 CFR Section 668; Education Code Section 76300; Title 5, Sections 58600 et seq.***

Financial Aid programs offered at Antelope Valley College include:

- Board of Governor's Fee Waiver (BOGFW)
- Cal Grants
- Federal Pell Grant
- Federal Supplemental Educational Grant (FSEOG)
- Federal Work Study (FWS)
- Federal Family Education Loan Program (FFELP)

Please refer to the Financial Aid Handbook, Financial Aid Disbursement Policy and the Financial Aid Policies and Procedures Manual that explain procedures including the following:

- Application procedures, including deadlines
- Student eligibility
- Payment procedures
- Overpayment recovery
- Accounting requirements
- Satisfactory Progress

**2/6/06**

# AP 5140 Disabled Student Services and Programs

Reference:

***Title 5, Sections 56000 et seq.***

## Antelope Valley College DSS Program Plan

The DSS Program Plan will serve as the outline for providing quality service to AVC's disabled students and will have built in systematic assessment and evaluation components to insure that improvement and innovation is constantly being strived for as a goal. The DSS Program Plan will include the following elements: long term and short term goals; student eligibility requirements; description of disabilities and means of verification; Student Education Contract (SEC) and Student Education plans (SEP); Special Courses and support services; student rights and responsibilities; academic accommodations; DSS advisory committee; and DSS staffing.

### Long Term Goals for the DSS Program

The Mission and program goals for the DSS Program will be to provide disabled students equal access to education by providing quality support services that directly relate to a student's limitations as a result of their disability; assist students with their understanding and acceptance of their limitations as a result of their disability; foster independence by helping students to articulate their needs to AVC instructors and staff; and contribute to the educational success of all students with disabilities on the AVC campus.

The DSS Program mission/goal will be accomplished in part by DSS staff and through the DSS program activities and support services that are provided to students with disabilities at AVC. Furthermore, the DSS Program will comply with all relevant Federal, State and AVC Board Policies that insure the rights of persons with disabilities.

### Short-term measurable objectives for the DSS program

The following are short-term student learning outcomes (SLO) that are currently being undertaken through the DSS program. This list of activities will be added to over time based on the needs of students with disabilities at AVC.

#1. SLO: Students will gain an increased awareness and understanding of their disability, or disabilities and their functional limitations that result from their disability.

Activities: During the initial student intake, as the medical records are reviewed, or at the conclusion of the LD testing process, as the results are interpreted for the student, DSS staff will explain orally and in writing what the students disabilities are, or how they manifest themselves and what functional limitations might typically be expected. DSS staff will utilize a disability awareness checklist to insure that the student understands their disability and their resulting possible limitations. Students will also sign and date the disability awareness checklist to document their understanding.

Evaluation/Assessment: Conduct an annual student survey administered during four weeks prior to either the fall or spring registration dates with the purpose to ascertain the degree to which students with disabilities understand their specific disability and their resulting functional limitations.

If after analyzing the student survey results and if 25% of the students surveyed do not adequately understand what their specific disability is, or how it limits them in an educational setting, DSS staff will undertake measures to improve the degree to which students understand their disability and resulting limitations.

#2. SLO: Students with disabilities will learn the specific support services/reasonable accommodations that have been recommended by DSS staff and that they are entitled to receive as a result of their disability. Increase the awareness and understanding by students with disabilities regarding their recommended reasonable accommodations/ supportive services that they are entitled to receive.

Activities: During the initial student intake, as the medical records are reviewed, or at the conclusion of the LD testing process, as the results are interpreted for the student, DSS staff will explain orally and in writing what types of reasonable accommodations are recommended. Furthermore, students will be provided a written document called a program eligibility verification form, which lists the supportive services that a student is entitled to receive. Students will be encouraged to take their program eligibility form to their instructors where they can then discuss their special needs. In addition to the program eligibility verification form that students are provided, DSS staff will also utilize a disability awareness checklist to insure that students understand what types of support services/reasonable accommodations they are entitled to receive. Students will also sign and date the disability awareness checklist to document their understanding.

Evaluation/Assessment: Conduct an annual student survey administered during four weeks prior to either the fall or spring registration dates with the purpose to ascertain the degree to which students with disabilities understand the types of reasonable accommodations that they are entitled to receive.

If after analyzing the student survey results and if 25% of the students surveyed do not adequately understand what types of support services they are entitled to receive, DSS staff will undertake measures to improve the degree to which students understand their reasonable accommodations.

### **Systematic Assessment and Evaluation**

In order to insure that students with disabilities are receiving quality services from the DSS program DSS staff will conduct systematic assessments and evaluations of all aspects of the DSS program. Some of the methods that will be utilized for the assessment, evaluation and improvement process are:

- DSS Program Plan - Review and update annually.
- DSS Program Review – Comprehensive review approximately every two-three years of all aspects of the DSS program.
- Student Learning Outcomes (SLO) on-going
- ADA Self Evaluation Plan - Update and revise the self evaluation plan, a process whereby all campus programs and services are evaluated to insure that they are accessible by persons with disabilities.
- AVC's ADA Transition Plan - Update and revise Transition Plan a process whereby all campus facilities are evaluated to insure that they are accessible by persons with disabilities.

- Student Satisfaction Surveys – Conduct annually.
- Agency and Community Involvement – Continued involvement with state and local community colleges, schools, and service organizations that serve persons with disabilities.
- DSS Advisory Committee – Annually convene the DSS advisory committee to improve service to persons with disabilities through out the Antelope Valley and within AVC.
- DSS Staff Meetings – Weekly DSS staff meetings to improve communication and discuss constant ways to improve service to students.

### **DSS PROGRAM ELIGIBILITY REQUIREMENTS**

The Disabled Student Services Program is administered in accordance with guidelines established in the AVC Catalog, Title V of the California Code of Regulations, and the California Education Code.

Students participating in special programs and services offered through DSS are required to complete an intake interview with the DSS Director or the Learning Disability Specialist.

#### **Criteria for Determining Eligibility**

- Students with physical or psychological disabilities entering the DSS Program are required to have their disabilities verified by an appropriate professional and/or physician.
- Students receiving learning disability services must complete diagnostic tests conducted by a certified Learning Disability Specialist or provide results of such tests conducted within the past three years by an appropriate professional.
- Students receiving speech-language services must be certified by a Speech-Language Specialist.
- All medical information and disability documentation must be submitted by the student, in order to receive DSS services. Participation in Adaptive Physical Education (PE 101) may require a physician's evaluation and recommendation.
- Personal attendant care is not a service to be provided by the college according to Section 504 of the Rehabilitation Act and AB 803. However, physical assistance directly related to participation in an instructional activity (e.g., changing clothes for adaptive physical education class) is allowable.
- Disabled Student Services does not provide transportation on or off campus. This is the responsibility of the student and/or other non-college agencies.
- All students are expected to follow the Student Code of Conduct established by the college and refrain from behaviors that offend or deny the personal rights or safety of others.

#### **Disability Groups and Means of Verification**

A student with a disability is a person enrolled at a community college who has a verified impairment that limits one or more major life activities, which imposes an educational limitation. An educational limitation prevents the student from fully benefiting from classes, activities or services offered to non-disabled students, without specific additional support

services or instruction. Services and accommodations provided by DSS must be directly related to the student's educational limitation.

**Mobility Impairment** – an orthopedic or physical impairment that causes a serious limitation in locomotion or motor functions in the educational environment. Mobility impairment includes, but is not limited to, the following:

- a.) Impairments caused by congenital anomaly (e.g. clubfoot, absence of a body member, etc.)
- b.) Impairment caused by disease (e.g. poliomyelitis, bone tuberculosis, etc.)
- c.) Impairments from other causes (e.g. cerebral palsy, amputation, fractures and burns that can cause contractors).

Other conditions in this category include: carpal tunnel, arthritis, spinal cord injury, post polio, multiple sclerosis, muscular dystrophy, back injury, etc.

Mobility impairment does not apply to a mobility limitation due to seeing, hearing, or psychological limitations or mobility limitation resulting from a brain trauma (ABI).

Mobility Impairment can be verified, if possible, by the personal observation of a DSS professional staff member with the DSS Director's review, by documentation from a physician, or through documentation from a referring agency that obtains its verification from a physician.

**Visual Impairment** – A total or partial loss of sight that adversely affects a student's educational performance. Visual impairment includes the following conditions:

- Blindness is visual acuity of 20/200 or less in the better eye after correction; or visual loss so severe that it no longer serves as a major channel for information processing.
- Partial sightedness is visual acuity of 20/70 or less in the better eye after correction, with vision still capable of serving as a major channel for information processing.

Visual impairment does not apply where the loss or impairment is the result of a psychological condition or ABI.

Visual impairment can be verified by a physician, a licensed vision professional or through documentation from a referring agency that obtains its verification from a physician or other licensed eye professional. This disability can be verified by a DSS staff member, only if that person has the appropriate license.

**Hearing Impairment** – total deafness or a hearing loss so severe that a student is impaired in processing information through hearing, with or without amplification. Hearing impairment is defined as:

- Deaf means a total or partial loss of hearing function so severe that it no longer serves as a major channel for information processing. For purposes of this definition, deafness is defined as a condition that requires the use of communication in a mode other than oral language including sign language, telephone devices for the deaf, etc. or;
- Hearing limitation means a functional loss in hearing which is still capable of serving as a major channel for information processing and is measured as follows:

- A mild to moderate hearing impaired person is one whose average unaided hearing loss in the better ear is 35 to 54 dB in the conversational range or average aided hearing loss in the better ear is 20 to 54 dB.
- A severely hearing impaired person is one whose average hearing loss in the better ear (aided or unaided) is 55 dB or greater in the conversational range, or a person with speech discrimination of less than 50%, or medical documentation of rapidly progressing hearing loss.

Hearing impairment does not apply where the loss or impairment is the result of a psychological disability, autism, or ABI.

Hearing Impairment can be verified by a physician, a licensed hearing professional or through documentation from a referring agency that obtains its verification from a physician or other licensed hearing professional. This disability can be verified by a DSS staff member, only if that person has the appropriate license.

**Speech Impairment** – one or more speech and language disorders of voice, articulation, rhythm and/or the receptive and expressive processes of language that limits the quality, accuracy, intelligibility or fluency of producing the sounds that comprise spoken language.

Speech impairment does not apply to language having to do with a foreign accent. It also does not apply to any limitation that is caused by a physical or hearing impairment, psychological disability or ABI.

Speech impairment can be verified by a licensed speech professional or through documentation from a referring agency that obtains its verification from a licensed speech professional. This disability can be verified by a DSS staff member, only if that person has the appropriate license.

**Learning Disability** – a persistent condition of a presumed neurological impairment. This dysfunction continues despite instruction in standard classroom situations. Learning disabilities are exhibited by:

- Average to above average intellectual ability; and
- Severe processing deficit(s); and
- Severe aptitude-achievement discrepancy(ies); and
- Measured achievement in an instructional or employment setting.

Learning disability does not apply to learning problems resulting from cultural deprivation, English as a second language, physical, visual, or hearing impairments, psychological disabilities, ABI, below average intellectual functioning, or any health related disabilities.

Learning Disability must be verified using the community college LD eligibility model. DSS staff members who meet the appropriate minimum qualifications for community college LD specialists and have completed training in the community college LD eligibility model can verify this disability. Documentation of appropriate test results from a referring agency may be used in the community college LD eligibility model.

**Acquired Brain Injury** – an acquired injury to the brain caused by external or internal trauma, resulting in total or partial functional disability that adversely affects or limits a student's educational performance by impairing:

- Cognition, information processing, reasoning, abstract thinking, judgment and/or problem solving
- Language and/or speech
- Memory and/or attention
- Sensory, perceptual and/or motor abilities
- Psycho social behavior, or
- Physical functions

ABI does not apply to functional limitations resulting from brain trauma induced by birth, present at birth or which is progressive and/or degenerative in nature. ABI students cannot be claimed under any other disability category.

ABI can be verified by a physician or by the documentation of a referring agency that obtains its verification from a physician.

**Developmentally Delayed Learner** – A student who exhibits both below average intellectual function and potential for measurable achievement in instructional and employment settings. In other words, this disability is defined as learning deficits resulting from below average intellectual functioning that adversely affects educational performance, existing concurrently with measurable potential for achievement in educational and/or employment settings.

DDL does not apply to learning problems that can be explained by any physical, visual, hearing, speech impairment, ABI, psychological disabilities or other disabling factors.

DDL can be verified by the DSS Director or DDL specialists using documentation from a referring agency.

**Psychological Disability** – a persistent psychological or psychiatric disorder, emotional or mental illness that adversely affects educational performance. Psychological disability is a condition which:

- is listed in the current revision of the American Psychiatric Association Diagnostic and Statistical Manual (DSM), and
- is coded as Axis I or II as moderate to severe,
- reflects a psychiatric or psychological condition that interferes with a major life activity, and
- poses a functional limitation in the educational setting.

This disability does not apply to:

- Any condition designated by the DSM with a V code signifying that it is not attributable to a mental disorder.
- Any condition designated by the DSM as a developmental disorder (mental retardation, pervasive developmental disorder or specific developmental disorder), or that is covered by another disability category.

The following conditions listed in the DSM are not included in the California Community College definition of a psychological disability: Transvestitism, trans-sexualism, pedophilia,

exhibitionism, voyeurism, gender identity disorder not resulting from physical impairment, or other sexual behavior disorders; compulsive gambling, kleptomania, or pyromania; psychoactive substance abuse disorders resulting from current illegal use of drugs.

Recovering drug and alcohol abusers are considered as psychologically disabled as long as they are in or have completed a recovery program and meet all other conditions for this disability category. This disorder is in the DSM.

Psychological disabilities can be verified by a licensed psychologist or psychiatrist, or by the documentation of a referring agency, if its verification was done by a licensed psychologist or psychiatrist. This disability can be verified by a DSS staff member, only if that person is a licensed psychologist or psychiatrist. Verification documents from the psychologist or psychiatrist should include either the DSM disorder code or the name of the disorder plus a description of the disorder as moderate to severe.

**Other Disability** – all other verifiable disabilities and health related limitations that adversely affect education performance but do not fall into any of the other disability categories. Therefore, it is first necessary to consider whether the condition qualifies in any of the specific disability categories discussed above. If so, the student should be served and reported under the appropriate disability specific category.

A student should only be categorized under “other” if the student has a current verifiable impairment, which meets the general definition of a disability with an educational limitation, but does not qualify in any of the disability specific categories.

“Other” disabilities include conditions having limited strength, vitality, or alertness due to chronic or acute health problems. Examples are environmental disabilities, attention deficit disorder, heart conditions, tuberculosis, nephritis, sickle cell anemia, hemophilia, leukemia, epilepsy, acquired immune deficiency syndrome (AIDS), diabetes, etc.

In addition, a person may be protected under Section 504 of the Rehabilitation Act and the Americans with Disabilities Act because he or she has a history of disability or is regarded as having a disability.

“Other” disability must be verified by an appropriately licensed or certified professional or through documentation from a referring agency that obtains its verification from an appropriately licensed or certified professional.

### **Student Education Contract (SEC)**

#### Section 56022. Student Educational Contract

A Student Educational Contract (SEC) is a plan to address specific needs of the student. An SEC must be established upon initiation of DSPS services and shall be reviewed and updated annually for every student with a disability participating in DSPS. The SEC specifies those regular and/or special classes and support services identified and agreed upon by both the student and DSPS professional staff as necessary to meet the student's specific educational needs. The SEC shall be reviewed annually by a DSPS professional staff person to determine whether the student has made progress toward his/her stated goal(s).

Whenever possible the SEC shall serve as the Student Educational Plan (SEP) and shall meet the requirements set forth in Section 55525 of this division. In addition, for students in noncredit special classes, each SEC shall include, but need not be limited to a description of the criteria used to evaluate the student's progress.

Note: Authority cited: Sections 67312, 70901, and 84850, Education Code. Reference: Sections 67310-12 and 84850, Education Code.

### **Student Educational Plan (SEP)**

All students with disabilities who are receiving service through the DSS Program will have in their file an student educational plan (SEP). The SEP will assist DSS staff to insure that disabled students are making progress toward their educational goals (i.e., vocational certificate programs, Associate degree, and or, general education transfer requirements).

### **Special Classes and Support Services**

DSS staff will work with students on an individual basis to determine what special class, or support services are required as a result of a student's disability. Verification from an appropriate professional is required before any support services/reasonable accommodations can be recommended. Furthermore, all support services/reasonable accommodations must address the student's educational functional limitations as a result of their disability.

Adaptive Physical Education PE 101: This physical education course is designed for students who have physical limitations and who wish to participate in an individualized physical exercise program that will meet their special needs . PE 101 students will have the use of adaptive weight machines, aerobic bicycles, tread mills, and a heated pool with a lift.

Alternative Media: Conventional print converted into Braille, large print, and audio CDs.

Alternative Seating: Accessible tables and chairs available in all classrooms.

Assistive Listening Device: Amplification device worn by hard of hearing persons so they can hear the instructor and classroom discussions.

Close Captioning: Captioning of videos, or DVDs.

Equipment Checkout: Equipment for checkout include calculators, spell checkers, tape recorders, and MP3 players for audio formatted textbooks. Handicapped Parking: Handicapped parking in all parking lots.

High Tech Center: Training for students on adaptive computerized hardware and software. The access technology available include closed circuit TVs (CCTV), PC based screen readers and print reading programs (i.e., Jaws, Super Nova, Kurzweil 1000 and 3000).

American Sign Language (ASL) Interpreter Service: ASL interpreters utilized in classroom, or AVC campus functions.

Notetakers: Copy of a students classroom notes.

Priority Registration: First group of students allowed to register.

Reader/Scribe: Student Aide who reads, or writes for a disable person in a classroom, or during an exam.

Recording for the Blind and Dyslexic (RFB&D): Audio textbooks on cassettes, or CDs.

Registration Assistance: Help for students during the registration proess.

Real Time Captioning: Use of a transcriptionist to transcribe the classroom lecture on to a PC for students who are hard of hearing.

Test Accommodations: Use of readers, scribes, and or extended time for exams.

## Student Rights

### **Title V Education Code of regulations**

#### **56008. STUDENT RIGHTS OF DISABLED STUDENTS**

Participation by students with disabilities in Disabled Student Programs and Services shall be entirely voluntary.

Receiving support services or instruction authorized under this subchapter shall not preclude a student from also participating in any other course, program or activity offered by the college.

All records maintained by DSS personnel pertaining to students with disabilities shall be protected from disclosure and shall be subject to all other requirements for handling of student records as provided in Subchapter 2 of chapter 5 of this Division

### **Title V Education Code of Regulations**

#### **Section 56010. STUDENT RESPONSIBILITIES OF DISABLED STUDENTS**

Students receiving support services or instruction under this subchapter shall:

- Comply with the student code of conduct adopted by the college and all other applicable statutes and regulations related to student conduct;
- Be responsible in their use of DSS services and adhere to written service provision policies adopted by DSS; and
- Make measurable progress toward the goals established in the Student's Educational Contract or, when the student is enrolled in a regular college course, meet academic standards established by the college pursuant to subchapter 8 of chapter 6 of this Division.

A district may adopt a written policy providing for the suspension or termination of DSS services where a student fails to comply with subdivisions a2 or a3 of this section. Such policies shall provide for written notice to the student prior to the suspension or termination and shall afford the student an opportunity to appeal the decision.

#### **Student Accommodations**

It is the philosophy and intent of Antelope Valley College and the Disabled Student Services program to work collegially with all students with disabilities, the faculty, and staff to arrive at an appropriate accommodation that will meet the student's individual and specific needs. When a mutually accepted decision cannot be reached on a request for an accommodation between a faculty member and a student the college has developed a procedure to resolve such issues.

Furthermore, for all other reasonable accommodation requests AVC has also created an internet based DSS reasonable accommodations form and process. This request form is to be utilized when a person with a disability feels that an accommodation will be necessary for them to participate in any of AVC's activities, services, and programs. This process may be utilized by the general public, AVC faculty, staff and students.

##### **.1 Purpose and Definition**

The purpose of this document is to explain and put forth the administrative procedures of Antelope Valley Community College District which ensures that students with disabilities

receive appropriate accommodation in their instructional activities, as mandated by federal and state law. The fundamental principles of nondiscrimination and accommodation in academic programs were set forth in the implementing regulations for Section 504 of the Federal Rehabilitation Act of 1973 and the Americans with Disabilities Act; these regulations provide that:

No qualified individual with a disability may be discriminated against by a department, agency, special purpose district, or other instrumentality of a state or local government (Title 2 of the Americans with Disabilities Act).

No qualified handicapped student shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any postsecondary education program or activities (Section 504, 84.43[a]).

An institution shall make such modifications to its academic requirements as are necessary to ensure that such requirements do not discriminate or have the effect of discriminating, on the basis of handicap, against a qualified handicapped applicant or students. Modifications may include changes in the length of time permitted for the completion of degree requirements, substitution or specific courses required for the completion of degree requirements, and adaptation of the manner in which specific courses are conducted (Section 504, 84.44[a]).

The modifications postsecondary institutions are required to make may be referred to as “academic adjustment” or “reasonable accommodation.” Examples of academic accommodation include modification to degree requirements (e.g., time to complete the degree, course substitution/waiver, adaptation in the manner in which a course is conducted), modifications to course examinations (e.g., additional time, alternative testing measures), and the use of auxiliary aides (e.g., readers, calculators).

## **.2 Academic Accommodations Panel**

.21 The ADA/504 Officer (Vice President of Human Resources) will serve as the panel chair and will be responsible for ensuring that:

- The informal process has been attempted;
- The instructor and student are informed of their rights and responsibilities
- The panel members are notified;
- All arrangements for the formal process are in place.

.22 The Academic Accommodations Panel will consist of the ADA/504 Officer, the Affirmative Action Officer, the Director of Disabled Student Services, the Vice President Academic Affairs, an Academic Senator, a subject matter expert, and a student appointed by the Associated Student Organization (ASO).

.23 The role of the Academic Accommodations Panel is to:

Review the disputed academic accommodation with respect to the ADA and Section 504. Specifically, does the accommodation ensure access for the student with a disability to meet the academic standards of the course, while maintaining the integrity of the course content?

Advise the Superintendent/President of the most appropriate accommodations.

## **.3 Informal Resolution**

The student will make a reasonable effort to resolve the matter on an informal basis prior to requesting a hearing by the Academic Accommodations Panel.

If an instructor has questions about an accommodation requested by a student with a verified disability, the instructor should contact the Director of Disabled Student Services promptly. Informal meetings and discussion among the instructor, student, and appropriate members of Disabled Student Services and/or other appropriate members of the college community are essential at the outset, and will be completed within five (5) instructional days following the request for the accommodation.

#### **.4 Formal Resolution**

If no informal resolution can be found within five (5) instructional days and the accommodation is not allowed, the student may then seek a review by following the Academic Accommodations Procedures. Prior to the formal resolution process the Section 504 Coordinator, or other designated district official with knowledge of accommodation requirements, has the authority to make an interim decision pending a final resolution of the accommodation request.

If a satisfactory informal resolution to an Academic Accommodations Request was not found, a student may request an Academic Accommodations Hearing.

#### **Academic Accommodation Hearing**

The student must complete the Statement of Grievance form and the Grievance Hearing Request form. These forms, requesting a review by the Academic Accommodations Panel, will be filed by the student with the ADA/504 Officer.

The ADA/504 Officer will convene the panel within five (5) instructional days following receipt of a Grievance Hearing form or as soon as possible thereafter based on the timing involved in arranging a meeting time for all involved in the hearing process.

If this is a request for an in-class modification, the accommodation will be allowed for a maximum of three (3) weeks during which time a resolution will be achieved. If the decision of the panel is that the accommodation is not reasonable, the instructor will have the right to have the student redo any work done during those three (3) weeks with the new accommodation.

#### **Hearing Procedure**

The full Academic Accommodations Panel must be present for the hearing to proceed. The ADA/504 Officer will be the chairperson and will inform the participants of the procedures to be followed in the hearing.

.41 If this is a request for a modification to a degree/certificate modification, both the Dean for that major and the student may call witnesses and introduce oral and/or written testimony relevant to the issue of the accommodation.

.42 If this is a request for in-class accommodations, both the instructor and student may call witnesses and introduce oral and/or written testimony relevant to the issue of the accommodation.

.43 The ADA/504 Officer will assist both parties in the securing of witnesses.

.44 Formal rules of evidence will not apply, any relevant evidence which reasonable people are accustomed to consider in dealing with a serious matter will be admitted.

.45 Parties may represent themselves and will also have the right to be accompanied by a person of their choice, other than legal counsel, who may act as their advisor. Parties will notify the ADA/504 Officer of their choice of representation, no later than three (3) instructional days prior to the hearing.

.46 The ADA/504 Officer will ensure the hearings will be closed and confidential.

.47 In a closed hearing, witnesses will be present only when testifying unless both parties and the Academic Accommodations Panel agree to the contrary. A transcribed stenographic record will be maintained by the ADA/504 Officer.

#### Academic Accommodations Panel Decision

The Academic Accommodations Panel decision will be based only upon the evidence presented at the hearing in conjunction with the relevant sections of state and federal law.

Within five (5) instructional days of the hearing, the Academic Accommodations Panel will render a decision. The ADA/504 Officer will prepare a written decision for the Superintendent/President or his/her designee. This document will include the accommodation(s) under dispute, a summary of the evidence and the panel's recommendation(s).

#### Superintendent/President's Decision

Within five (5) instructional days following receipt of the decision of the Academic Accommodations Panel, the Superintendent/President, or his/her designee, will submit to all parties his/her written decision. The Superintendent/President may accept or reject the findings and recommendations of the Academic Accommodations Panel. The findings and recommendations of the Academic Accommodations Panel will be accorded great weight. If the Superintendent/President does not accept a finding or recommendation of the panel, his/her reasons will be communicated in writing to the panel and also stated in the decision not accepted. The decision of the Superintendent/President will be final.

#### Responsibility of Antelope Valley College

The District is required to assure that all programs and services are accessible to individuals with disabilities. It acknowledges that the office of Disabled Student Services has been delegated authority by the Office of the California Community College Chancellor to prescribe academic accommodations for all students who have been certified as having a disability. The district must institute procedures to make modifications in academic requirements to ensure that such requirements not discriminate on the basis for a disabling condition.

The Faculty are responsible for conducting classes and administering examinations. They should be mindful, in developing tests or other procedures for evaluating students' academic achievement, that federal regulations require that methods should be provided for evaluating the achievement of students who have a handicap that impairs sensory, manual or speaking skills as will best ensure that the results of the evaluation represents the student's achievement in the course, rather than reflecting the student's impaired sensory, manual or speaking skills (except where such skills are the factors that the test purports to measure). [Section 504]

The Disabled Student Services Office has been delegated the authority to certify disabilities. The certification of a disability by DSS is binding upon the district. It should also be mentioned that the use of services offered by the DSS office is voluntary.

The DSS Specialist is responsible for verifying a student's disability, estimating the effect of the disability on the student's participation in academic activities, and advising the student concerning appropriate learning strategies. The specialist may also determine the nature of accommodations in instruction and testing that might be required for a student in order to demonstrate mastery of the subject matter. He/she shall be available to faculty for consultation.

The ADA/504 Officer is responsible for informing the students of their rights, under the ADA and Section 504, to file through the Office of Civil Rights if the desired accommodation is not allowed. An updated file of all district decisions will be kept.

#### **Section 56050. Advisory Committee.**

Each district receiving funds pursuant to this subchapter shall establish, at each college in the district, an advisory committee which shall meet not less than once per year.

The advisory committee shall, at a minimum, include students with disabilities and representatives of the disability community and agencies or organizations serving persons with disabilities.

Note: Authority cited: Sections 67312, 70901, and 84850, Education Code. Reference: Sections 67310-12 and 84850, Education Code.

#### **DSS Staffing**

The DSS program employs the following staff members to serve students with disabilities and the AVC community with the purpose to assist students as they strive to attain their educational goals.

##### Full-time employees

Director Disabled Student Services  
Learning Disability Specialist  
Educational Advisor  
Learning Disability Technician  
Access Technology Alternative Media Specialist  
Half-time  
High Tech Center Laboratory Technician  
Adjunct faculty  
Adaptive Physical Education Instructor

In addition to these permanent DSS staff members DSS employs AVC students and off campus professionals as American Sign Language (ASL) interpreters, readers, scribes, notetakers, and for office support. (updated 11/18/05)

**2/6/06**

**Revised: 5/12/08**

# AP 5150 Extended Opportunity Programs and Services

Reference:

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

## AVC EOPS Program Plan

The EOPS Program Plan is to be completed in compliance with Section 56270, Contract Plan, of Title 5 regulations:

Districts wishing to participate in EOPS shall submit for approval by the Chancellor a plan, which conforms to the provisions of this chapter for each college within the district that intends to conduct an EOPS program. A college plan approved by the Chancellor shall constitute a contract between the district that operates the college and the Chancellor. Changes to the program plan may be made only with the prior written approval of the Chancellor.

The EOPS Program is defined in terms of “components”, “activities”, and “functions”.

### **Staffing and Program Management:**

EOPS services and programs at Antelope Valley College shall be provided by a certificated director, instructors, counselors, and other support staff employed by the governing board of the community college district. All staff funded by EOPS who are not supervised by the EOPS director shall be accountable to the EOPS director for the services rendered to EOPS students pursuant to the approved EOPS program plan.

Note: Authority cited: Sections 69648, 69648.7 and 71020 Education Code. Reference: Sections 69640 through 69655 Education Code.

### **Documentation and Data Collection System:**

Antelope Valley College has documentation and data collection functions that provide data, which impacts internal management decision-making in the areas of program cost effectiveness, evaluation of program activities and services and their effectiveness, monitoring and or tracking the EOPS eligibility of students served. Example of functions would include: Output Data and Analysis Functions, Outcome Data and Analysis Functions, Impact Data and Analysis Functions, EOPS Services Data Functions, EOPS Student and/or Personnel Data Cards Functions, EOPS Needs Analysis and Need Statistics Functions.

Note: Authority cited: Sections 69648, 69648.7 and 71020 Education Code. Reference: Sections 69640 through 69655 Education Code. Reference Document: Instructions for Preparing EOPS Program Plans

### **EOPS Advisory Committee:**

Antelope Valley College’s EOPS program has an Advisory Committee appointed by the president of the college upon recommendation of the EOPS Director. The committee shall meet not less than once per year. The advisory committee should include representation from college personnel, EOPS students, local or feeder high schools, community and business sectors, and four year colleges where possible.

Note: Authority cited: Sections 69648, 69648.7 and 71020 Education Code. Reference: Sections 69649 through 69655 Education Code.

**A Full Time Director:**

Antelope Valley College funds a full-time EOPS director to directly manage and/or coordinate the daily operation of the programs and services offered, and to supervise and/or coordinate the staff assigned to perform EOPS activities.

Note: Authority cited: Sections 69648, 69648.7 and 71020 Education code. Reference: Sections 69640 through 69655 Education Code.

**Eligibility Criteria:**

To receive programs and services a student must:

- a. Be a resident of California pursuant to the provisions of Part 41 commencing with Section 68000 of the Education Code.
- b. Be enrolled full-time when accepted into the EOPS program. The EOPS director may authorize up to 10% of EOPS students accepted to be enrolled for 9 units.
- c. Not have completed more than 70 units of degree applicable credit coursework in any combination of postsecondary higher education institutions.
- d. Qualify to receive a Board of Governors Grant pursuant to Section 58620 (1) or (2).
- e. Be educationally disadvantaged as determined by the EOPS director or designee. In making that determination, the EOPS director shall consider one or more of the following factors:
  1. Not qualified at the college of attendance for enrollment into the minimum level English or mathematics course that is applicable to the associate degree.
  2. Not have graduated from high school or obtained the General Education Diploma (G.E.D.).
  3. Graduated from high school with a grade point average below 2.50 on a 4.00 scale.
  4. Been previously enrolled in remedial education.
  5. Other factors set forth in the district's plan submitted to the Chancellor pursuant to Section 56270 of this part.

Note: Authority cited: Sections 69648, 69648.7 and 71020 Education Code. Reference: Sections 69640 through 69655 Education Code.

**Recruitment and Outreach Services:**

Antelope Valley College provides access services to identify EOPS eligible students and facilitate their enrollment in the college. Access services include but are not limited to:

- a. Outreach and recruitment to enroll low-income, educationally disadvantaged, students who want to attend college
- b. Orientation to familiarize EOPS eligible students with the function of college and EOPS programs and services; college catalog, application, and registration process, emphasizing academic and grading standards, college terminology, course add and drop procedures and related rules; financial aid application procedures, and transfer procedures to four-year institutions
- c. Priority registration

Note: Authority cited: Sections 69648, 69648.7 and 71020 Education Code. Reference: Sections 69640 through 69655 Education Code.

**Cognitive and Non-Cognitive Assessment, Advising, Orientation Services and Registration Assistance:**

Antelope Valley College assesses EOPS eligible students using instruments and methods that the college president certifies are reliable, valid, and appropriate for students being assessed and for the purpose of the assessment. All assessment results which make use of standardized scoring shall be explained and interpreted to EOPS students by counselors trained in the use and meaning of such assessments. Services provided but not limited to, include:

- Course and placement tests in writing, reading and math.
- Diagnostic tests to determine the specific academic skill deficiencies in areas in which placement tests indicate that the student has a low probability of success in degree applicable courses as defined by college policies.
- Study skill assessment that determines how well the student is able to take lecture notes, outline written material, use library services, and use effective study techniques.
- Support service assessment that determines what services the student may need to attend regularly and participate in campus life (such as the need for financial aid, child care, part-time employment, or extracurricular pursuits).
- Assessment instruments that are not culturally or linguistically biased.

Note: Authority cited: Sections 69648, 69648.7 and 71020 Education Code. Reference: Sections 69640 through 69655 Education Code.

**Basic Skills Instruction, Seminars, and Tutorial Assistance:**

Antelope Valley College provides basic skills instruction and tutoring services to EOPS eligible students who on the basis of assessments and counseling need such services to succeed in reaching their educational goals

Authority cited: Sections 69648, 69648.7 and 71020 Education Code. Reference: Sections 69640 through 69655 Education Code.

**Counseling and Retention Services:**

Antelope Valley College's EOPS program provides counseling and advisement to EOPS eligible students of at least three contact sessions per term for each student as follows:

- A contact session which combines interview interpretation of assessment results to prepare a student educational plan and a mutual responsibility contract specifying what programs and services the student shall receive and what the student is expected to accomplish.
- An in-term contact session to ensure the student is succeeding adequately, that programs and services are being provided effectively, and to plan changes as may be needed to enhance student success.
- A term-end or program exit contact session to assess the success of students in reaching the objectives of that term, the success of the programs and services provided in

meeting student needs, and to assist students to prepare for the next term of classes, or to make future plans if students are leaving the EOPS program or the college.

Note: Authority cited: Sections 69648, 69648.7 and 71020 Education Code. Reference: Sections 69640 through 69655 Education Code.

**Transfer and Career Employment Services:**

Antelope Valley College provides assistance to EOPS eligible students to transfer to four-year institutions and/or to find career employment in their field of training. Appropriate college and EOPS staff shall attempt to articulate coursework and support services needed by EOPS students with four-year institutional staff, particularly four-year institutional staff who are responsible for programs and services that are similar to EOPS.

Note: Authority cited: Sections 69648, 69648.7 and 71020 Education Code. Reference: Sections 69640 through 69655 Education Code.

**Direct Aid:**

Antelope Valley College's EOPS program may provide financial assistance in the form of EOPS grants and work-study to EOPS eligible students for the purpose of reducing potential student loan indebtedness, or to reduce unmet financial need, after Pell grants and other state, federal, or institutional financial aid has been awarded to the student.

Note: Authority cited: Sections 69648, 69648.7 and 71020 Education Code. Reference: Sections 69640 through 69655 Education Code.

**Establishment of Objectives to Achieve the Goals in Implementing Extended Opportunity Programs and Services; Antelope Valley College's EOPS program plan contains:**

- a. The long-term goals of the EOPS program in supporting the goals of the college and the goals adopted for EOPS by the Board of Governors.
- b. The objectives of the EOPS program to be attained in the fiscal year for which EOPS funds are allocated.
- c. The activities to be undertaken to achieve the objectives, including how the college plans to meet the standards.
- d. An operating budget which indicates the planned expenditures of EOPS funds, and of other district funds to be used to finance EOPS activities
- e. The number of students to be served.
- f. An evaluation of the results achieved in the prior year of funding.

Note: Authority cited: Sections 69648, 69648.7 and 71020 Education Code. Reference: Sections 69640 through 69655 Education Code.

**Review and Evaluation of the Programs and Services and Submission of Related Reports:**

Antelope Valley College's plan and requests for funding is submitted on or before the deadline and is reviewed and evaluated by the Chancellor. The Chancellor approves plans for funding in whole or in part. As for evaluation, Antelope Valley College participates annually in an evaluation of the effectiveness of the program, which is conducted by the Chancellor. The annual evaluation may include on-site operational reviews, audits, and measurements of student success in achieving their educational objectives

Note: Authority cited: Sections 69648, 69648.7 and 71020 Education Code. Reference: Sections 69640 through 69655 Education Code.

**2/6/06**

## AP 5200 Student Health Services

Reference:

***Education Code Section 76401***

Antelope Valley College Student Health Services shall provide limited professional medical care for common health problems, provide treatment to uninsured students and provide support and referral to all students in order to assist them in achieving their educational goals and objectives.

The Health Services program may include, but is not limited to:

Health education, consultation, referrals and psychological services and programs.

Assessment, intervention and medical services, referral services, health appraisal, screening, first aid and urgent care, medications, health and psychological counseling and crisis intervention.

Health and wellness physicals, including physicals for related academics.

Immunizations.

Health promotions and educational activities.

Communicable disease control programs and services.

Programs and services designed to prevent illness and injury.

Advisory services and facilities modification advice for promotion of a healthy campus community.

Advising college administration in the implementation of all state and federal laws pertaining to college health issues.

**2/6/06**

## AP 5210 Communicable Diseases

Reference:

***Education Code Section 76403***

Antelope Valley College will cooperate with local health officers in measures necessary for the prevention and control of communicable diseases in students and comply with any immunization program required by State Department of Health Services regulations.

**2/6/06**

## AP 5300 Student Equity

Reference:

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

The District will develop a student equity plan. The plan is filed as required to the Chancellor's Office for the California Community Colleges, following approval by the Board.

The District's Student Equity Plan will have the following:

- Active involvement of each group on campus (administration, faculty, classified staff, confidential management supervisory staff, and students).
- Involvement by appropriate people from the community who can articulate the perspective and concerns of historically underrepresented groups.
- Include campus-based research as to the extent of student equity.
- Identify institutional barriers to equity.
- Establish 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.
- Develop activities most likely to be effective to attain the goals, including coordination of existing student equity related programs.
- Determine sources of funds for the activities in the plan.
- Schedule and process for evaluation of progress towards the goals.
- Write an executive summary that describes the groups for whom goals have been set, the goals, and 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.

The Student Equity Plan shall be developed, maintained, and updated under the supervision of the Vice President of Student Services.

**2/6/06**

# AP 5400 Associated Student Organization and Student Clubs and Organizations

Reference:

## ***Education Code Section 76060***

Antelope Valley College shall have one Associated Student Organization (ASO), which shall be the official voice of the students in the district. The ASO officers shall be elected by a majority of the students voting in an election. ASO shall keep an account of its meetings, expenditures, authorizations and policies established. A simple majority of the elected voting members of the ASO governing body shall constitute a quorum.

Antelope Valley College supports and promotes the formation of student clubs and organizations. Student clubs and organizations will afford students the opportunity to engage in the intellectual and social environment of the College. Student clubs and organizations are to conduct student activities that are not in conflict with the authority and responsibility of the College on behalf of the students enrolled at AVC.

Antelope Valley College shall approve student clubs and organizations, which promote the opportunity of association among students within the intellectual environment of the College.

Associated Student Organization (ASO) and student clubs and organizations operating in the name of the College, using the name of the College, or using the facilities of the College, must be chartered and recognized by the College under the following conditions:

1. The constitution must be approved by members of the organization, the College administration and the Board of Trustees.
2. A chartered student club and organization shall have a faculty or administration appointed advisor.
3. Membership in a chartered student club or organization shall not discriminate on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, or sexual orientation. Memberships in some chartered student clubs and organizations can be limited by interest, degree program admissions, and grade point average.
4. Membership in chartered student clubs and organizations shall consist exclusively of students currently enrolled. A majority of meetings shall be held on the College premises during the regular school day, have a democratic plan for the selection of members and officers, and establish aims and objectives which promote educational College and community interests.
5. A student club or organization which, in its constitution or method of operation, vests control of its policies in an off-campus organization shall not be recognized as an official College organization and shall not be allowed to use the name or facilities of Antelope Valley College.
6. No hazing activities as defined by Education Code Sec. 32050 may be practiced by any club, organization or its members.
7. Student clubs and organizations that choose to use the name of, or affiliate with, a regional or national organization must receive prior written permission.

8. Religious clubs may not use the campus for any proselytizing, religious indoctrination or conducting worshipful services. In general, campus religious clubs should complement, not substitute for, off-campus churches.

The Associated Student Organization and chartered student clubs and organizations shall be responsible for the following:

1. Chartered student clubs and organizations shall submit a list of current officers, members and advisors each semester along with the approved constitution to the Student Development and College Activities Office.
2. The faculty advisor, selected by the club membership and approved by the College President, shall attend all official meetings.
3. All receipts and expenditures shall be handled in accordance with the Board Policy and Administrative Procedure 5420 subject to the accounting of the Student Development and College Activities office.
4. The Student Development and College Activities Office shall approve all programs and activities, both on and off campus, for the ASO and all chartered student clubs and organizations. On campus facilities requests must be submitted at least three weeks prior to any scheduled event and signed by the advisor. (Clearance is necessary to prevent calendar conflicts, assure proper sponsorship, necessary transportation if required and custodial services if necessary.) A record must be kept for those activities that qualify for average daily attendance.
5. All programs and speakers must have the advance approval of the College administration and the Visiting Speakers form must be completed and on file with the Student Development and College Activities Office.
6. All student clubs and organizations shall keep detailed minutes of official meetings. Minutes will be filed with the Student Development and College Activities Office. Other distribution of minutes shall be made at the discretion of the advisor.
7. Chartered student clubs and organizations may be granted the use of College premises and property without charge, subject to rules and regulations approved by the Board and as implemented by the administration.
8. Associated Student Organization and chartered student clubs and organizations shall conduct fund raising activities provided that they follow the procedures for student fundraising.

**Political Clubs** (Education Code 76067)

Any political student club or organization which is affiliated with the official youth division of any political party that is on the ballot of the State of California may hold meetings on the College campus and may distribute bulletins and circulars concerning its meetings, providing there is no endorsement of such organization by College authorities and no interference with

the regular education program of Antelope Valley College. Only one student political club or organization for each political party on the California State ballot shall be permitted. As with all student clubs and organizations, student political clubs and organizations are under the control of the College, not of an outside organization, and must act in accordance with the College regulations governing other student clubs and organizations.

**2/6/06**

## AP 5410 Associated Student Organization Elections

Reference:

***Education Code Section 76061***

The Associated Students shall conduct annual elections to elect officers.

Any student elected as an officer in the Associated Students shall meet the requirements stated in Board Policy 5410.

The Associated Student Organization (ASO) and the Advisor shall review and revise the Election Code prior to each election. If any changes occur, the ASO and the college administration must approve.

**2/6/06**

## AP 5420 Associated Student Organization and Student Clubs and Organization Finance

Reference:

### ***Education Code Sections 76063-76065***

The College administration shall be responsible for the supervision of the Associated Student Organization (ASO) and all student clubs and organizations funds to ensure that accounting, business practices, and deposit of all funds are in accordance with applicable laws, regulations, and accounting standards. ASO and each student club and organization shall be permitted to recommend policies and procedures regarding the governance of their funds to the Student Development and College Activities Office for approval.

The ASO and the student clubs and organizations funds are maintained in accordance with the following procedures:

- All financial records and procedures are subject to annual audit.
- Reports of the annual audit of the ASO and student clubs and organizations funds are submitted to the Dean of Student Services and Director of Business Services.
- Audit information, except that which contains personnel or other confidential information, shall be released to the ASO by the Vice President of Business Services.
- ASO funds and all student club and organizations funds shall be deposited with and disbursed by the District's Dean of Student Services through the Accounting Assistant in Student Development and College Activities Office.
- All ASO and student club and organization funds are subject to follow the districts general policies of purchasing and accounting procedures.

The funds shall be deposited, loaned or invested in the following ways:

- 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.
- 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.
- Purchase of any of the securities authorized for investment by Section 16430 of the Government Code or investment by the Treasurer in those securities.
- Participation in funds that are exempt from federal income tax pursuant to Section 501(c)(3) of the Internal Revenue Code and that are open exclusively to nonprofit colleges, universities, and independent schools.

- 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.
- Loans, with or without interest, to any student body organization established in another community college of the District for a period not to exceed three years.
- Investment of money in permanent improvements to any community college District property including, but not limited to, buildings, automobile parking facilities, gymnasiums, swimming pools, stadium 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 Associated Student Organization subject to the approval of each of the following three persons. Approval from all three persons shall be obtained each time before any funds may be expended.

1. The President or designee;
2. The officer or employee of the District who is the designated advisor of the particular club and/or the designated advisor of the ASO; and
3. A representative of the ASO or the student club or organization whose funds are being expended.

**2/6/06**

# AP 5520 Procedures for Discipline Related to Standards of Conduct

Reference:

***Education Code Section 66300, 66301, 72122, 76030***

The purpose of this procedure is to provide a prompt and equitable means to address violations of the standards of student conduct, which guarantees the student or students involved the due process rights guaranteed them by state and federal constitutional protection. 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 Antelope Valley 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 vice president of student services 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 vice president of student services for good cause from one or more classes for the remainder of the school term, or from all classes and activities of the college for one or more terms.

**Withdrawal of Consent to Remain on Campus** – Withdrawal of consent by the vice president of student services or designee for any person to remain on campus in accordance with California Penal Code Section 626.4 where there is reasonable cause to believe that such person has willfully disrupted the orderly operation of the campus.

## **Notification of Alleged Code of Conduct Violation**

Upon receiving information that the Student Code of Conduct may have been violated, written notification to the student or students will be sent outlining the allegations, and instructing them to schedule an appointment with the vice president of student services. With the exception of a minor, who must be accompanied by a parent or guardian, the student shall not have an advisor or legal representation at this meeting, unless approved/permitted by the vice president of student services.

The board of trustees provides the following sanctions for violation of the Student Code of Conduct. One or more of the sanctions listed below may be imposed for any single or

multiple violation(s). Any times specified in these procedures may be shortened or lengthened, if there is mutual concurrence by the parties.

**Section I: List of Sanctions**

**.1 *Admonition***

An oral statement to the offender that the student has violated District rules.

**.2 *Reprimand***

A reprimand is a warning stating that the continued conduct of the type described in the reprimand may result in a subsequent formal action against a student by the district.

- a) **Verbal:** Verbal notification to the student by a college staff member in a position of authority that continuance of the conduct may be cause for further disciplinary action. A record of the fact that a verbal reprimand has been given may become part of a student's record at the college for a period of up to one year.
- b) **Written:** A written notification to a student by the vice president of student services 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 college.

The college is not required to provide an appeal process for students who receive a written or verbal reprimand.

**.3 *Temporary Suspension by Instructor***

- a) An instructor may suspend for cause any student from his/her class for the day of suspension and the class following.
- b) The instructor shall immediately report the suspension (verbally and subsequently in writing) to his/her dean and vice president of student services. A decision will then be made concerning further disciplinary action.
- c) The student shall not return to the classroom from which he/she was suspended during the suspension, without the concurrence of the instructor, the instructor's dean and the vice president of student services.
- d) No instructor shall be allowed to suspend a student without first apprising the student of the reason for suspension and permitting such student to present his/her version of the incident causing suspension.
- e) If the student is a minor, the instructor shall ask the parent or guardian of the student to attend a parent conference regarding the suspension as soon as possible. A college administrator shall attend the conference, if the instructor or parent or guardian so requests.
- f) Nothing herein will prevent the vice president of student services from recommending further disciplinary procedures in accordance with these procedures based on the facts that led to the removal, or the student's previous violations.

.4 *Disciplinary Probation*

Disciplinary probation is a formal action of the district against a student for misconduct, and the action may result in the student being removed from all college organization offices and being denied the privilege of participating in all college or student sponsored activities, including public performances. Disciplinary probation may be imposed on a student for a period not to exceed one year. The college is not required to provide an appeal process for students who are placed on disciplinary probation.

.5 *Restitution*

Financial compensation for damage to or misappropriation of property. Restitution may take the form of appropriate service to repair or otherwise compensate for damages.

.6 *Campus Community Service*

In-kind campus community service may be imposed for violations of the code of conduct.

.7 *Withdrawal of Consent to Remain on Campus*

The vice president of student services or designee 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 vice president of student services (or designee), a written report must be promptly placed in the student's discipline file.

The person from whom consent has been withdrawn may submit a written request for a meeting 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.

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).

.8 *Suspension*

a) Suspension from any or all classes of the college and from use of any district facilities. The college president or the vice president of student services may suspend a student for good cause as follows:

- From one or more classes for a period of up to 10 days of instruction.
- From one or more classes for the remainder of the school term.
- From all classes of the college for one or more terms.

[During this period of suspension, a student shall not be permitted to enroll in classes at the college. (CA Ed. Code Section 76031)]

- From the use of district facilities and all available services.

b) In all cases of suspension, the student shall receive official notice from the vice president of student services or designee by "Certified Mail – Return

Receipt Requested,” or by hand-delivery with a signed receipt. If delivery is refused, the written notification will be considered as being received, and the suspension will go forward.

- c) The suspension of any student from the college for a period of more than 10 days shall be accompanied by a prompt hearing. If an immediate suspension is required in order to protect lives or property and/or to ensure the maintenance of order, a reasonable opportunity shall be afforded the suspended student for a hearing within ten days of the suspension. (CA Ed. Code Section 66017).

.9 *Expulsion*

- a) The expulsion of a student must be accompanied by a hearing before the college hearing panel. (See Appeals Involving Maximum Suspensions.)
- b) In cases of expulsion, the president shall recommend action to the board of trustees after receiving the vice president of student services’ recommendation(s) and supporting documentation, including college hearing panel recommendations.
- c) After board action, the president shall notify the student by “Certified Mail – Return Receipt Requested,” or by hand-delivery with a signed receipt. If delivery is refused, the written notification will be considered as being received, and the board action will go forward. The expulsion may be imposed for a specified or unspecified time, and shall include all programs, services, and activities of the college.
- d) For expulsions imposed for an unspecified time, the student may, after a reasonable time (not less than one year), request in writing that the college president removes the expulsion. If approved by the college president, he/she shall make that recommendation to the board of trustees. The president shall notify the student of the board’s decision.

**Section II: Appeals Involving Maximum Suspensions**

.1 *College Hearing Panel*

The college hearing panel for any disciplinary action shall be composed of one administrator, one faculty member, and one student. A quorum of three members must be present for the hearing to take place.

The vice president of student services, the president of the academic senate and the ASO 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 vice president of student services shall appoint the college hearing panel members 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. All members of the hearing panel will be asked to sign a written statement attesting to their neutrality.

.2 *College Hearing Panel Chair*

The vice president of student services shall appoint one member of the panel to serve as the chair. The decision of the college hearing panel chair shall be final on

all matters relating to the conduct of the hearing, unless there is a vote by both other members of the panel to the contrary.

.3 *Conduct of the Hearing*

- a) Students will be notified, in writing, of the date, time, and place of the hearing. They must advise the vice president of student services or designee, in writing, if they will be present. The hearing will occur whether they attend or not.
- b) The members of the hearing panel shall be provided with a copy of the allegation(s) against the student and any written response provided by the student before the hearing begins.
- c) The facts supporting the allegation(s) shall be presented by a college representative who shall be the vice president of student services.
- d) The college representative and the student may call witnesses and introduce oral and written testimony relevant to the issues of the matter. The student shall not have any other representation, except as provided in item (g).
- e) Formal rules of evidence shall not apply. Any relevant evidence shall be admitted.
- f) Unless the hearing panel determines to proceed otherwise, the college representative and the student shall each be permitted to make an opening statement. Thereafter, the college representative shall make their first presentation, followed by the student. The college representative may present rebuttal evidence after the student completes his or her evidence. The burden shall be on the college representative to prove, by substantiation of evidence, that the facts alleged are true.
- g) 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 college representative may request legal assistance. The college 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.
- h) Hearings shall be closed and confidential.
- i) Witnesses shall not be present at the hearing when not testifying, unless all parties and the panel agree to the contrary.
- j) The hearing shall be recorded by the college, 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 statements. In the event the recording is by tape recording, the college 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, either at the college or the district office, at all times, unless released

to a professional transcribing service. The student may request a copy (in writing) of the tape recording.

- k) All testimony shall be taken under oath; the oath shall be administered by the college 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 available.
- l) Within five days following the close of the hearing, the hearing panel shall prepare and send to the president a written decision. The decision shall include specific factual findings regarding the allegation(s), and shall include detailed conclusions regarding whether any specific section of the standards of student conduct were violated. The decision shall also include a specific disciplinary action to be imposed, if any. The decision shall be based only on the record of the hearing, and not on matters outside of that record. The record consists of the original allegation(s), the written response, if any, of the student, and the oral and written evidence produced at the hearing.

.4 *President's Decision*

- a) Long-Term Suspension

Within five days following receipt of the college hearing panel's recommended decision, the president shall render a final written decision. The president may accept, modify, or reject the findings, decisions, and recommendations of the college hearing panel. If the president modifies or rejects the college hearing panel's decision, the president shall review the record of the findings and conclusions, and shall prepare a new written decision, which contains specific factual findings and conclusions. The decision of the president shall be final.

- b) Expulsion

Within five days following receipt of the college hearing committee's recommended decision, the president shall render a written recommended decision to the board of trustees. The president may accept, modify, or reject the findings, decisions, and recommendations of the college hearing panel. If the president modifies or rejects the college hearing panel's decision, the president shall review the record of the hearing, and shall prepare a new written decision, which contains specific factual findings and conclusions. The president's decision shall be forwarded to the board of trustees in cases in which the expulsion is upheld.

.5 *Board of Trustees Decision*

- a) The Board of Trustees shall consider any recommendation from the president for expulsion at the next regularly scheduled meeting of the board after receipt of the recommended decision.
- b) The board shall consider an expulsion recommendation in closed session, unless the student has requested that the matter be considered in a public meeting. Any such request must be made, in writing, no less than five day prior to the date of meeting. (Education Code Section 72122).

- c) 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 board's meeting. If delivery is refused, the recommendation will be submitted to the board, regardless of whether the student is present.
- d) The student may, within 48 hours after receipt of the notice, request that the hearing be held as a public hearing. Even if a student has requested that the board consider an expulsion recommendation in a public meeting, the board will hold any discussion that might be in conflict with the right of privacy of any student, other than the student requesting the public meeting, in closed session.
- e) The board may accept, modify, or reject the findings, decisions, and recommendations of the president. If the board modifies or rejects the decisions, 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 board shall be final.
- f) The final action of the 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. (CA Ed. Code Section 72122).

**2/6/06**  
**Revised: 9/10/07**

# AP 5530 Student Rights and Grievances

Reference:

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

## **Purpose:**

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

- Sex discrimination as prohibited by Title IX of the Higher Education Amendments of 1972
- Sexual harassment
- Financial aid
- Illegal discrimination
- Course grades, to the extent permitted by Education Code Section 76224(a), which provides: "When grades are given for any course of instruction taught in a community college District, the grade given to each student shall be the grade determined by the instructor of the course and the determination of the student's grade by the instructor, in the absence of mistake, fraud, bad faith, or incompetency, shall be final." "Mistake" may include, but is not limited to errors made by an instructor in calculating a student's grade and clerical errors.
- The exercise of rights of free expression protected by state and federal constitutions and Education Code Section 76120.

This procedure does **not** apply to:

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

## **Definitions:**

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

President. The President or a designated representative of the President.

Student. A currently enrolled student, a person who has filed an application for admission to the college, or a former student. A grievance by an applicant shall be limited to a complaint regarding denial of admission. Former students shall be limited to grievances relating to course grades to the extent permitted by Education Code Section 76224(a).

Respondent. Any person claimed by a grievant to be responsible for the alleged grievance.

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

**Informal Resolution:**

Each student who has a grievance shall make a reasonable effort to resolve the matter on an informal basis prior to requesting a grievance hearing, and shall attempt to solve the problem with the person with whom the student has the grievance, that person's immediate supervisor, or the local college administration.

The President shall appoint an employee who shall assist students in seeking resolution by informal means. This person shall be called the Grievance Officer. The Grievance Officer and the student may also seek the assistance of the Associated Student Organization in attempting to resolve a grievance informally.

Informal meetings and discussion between persons directly involved in a grievance are essential at the outset of a dispute and should be encouraged at all stages. An equitable solution should be sought before persons directly involved in the case have stated official or public positions that might tend to polarize the dispute and render a solution more difficult. At no time shall any of the persons directly or indirectly involved in the case use the fact of such informal discussion, the fact that a grievance has been filed, or the character of the informal discussion for the purpose of strengthening the case for or against persons directly involved in the dispute or for any purpose other than the settlement of the grievance.

Any student who believes he or she has a grievance shall file a Statement of Grievance detailing (time(s), place(s), and nature of grievance which must be filed with the Grievance Officer within 10 days of the incident on which the grievance is based, or 10 days after the student learns of the basis for the grievance, whichever is later. The Statement of Grievance, whether or not the student has already initiated efforts at informal resolution, must be filed within the timelines, if the student wishes the grievance to become official. Within 10 days following receipt of the Statement of Grievance Form, the Grievance Officer shall advise the student of his or her rights and responsibilities under these procedures, and assist the student, if necessary, in the final preparation of the Statement of Grievance form.

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

**Grievance Hearing Committee:**

The Superintendent/President or designee shall at the beginning of each semester, including any summer session, establish a standing panel of 18 members of the college community, including 6 students, 6 faculty members and 6 administrators, from which one or more Grievance Hearing Committees may be appointed. The panel will be established with the advice and assistance of the Associated Students Organization and the Academic Senate, who shall each submit 6 names to the Superintendent/President or designee for inclusion on the panel.

A Grievance Hearing Committee shall be constituted in accordance with the following:

- It shall include one student, one instructor, and one college administrator selected from the panel described above.
- A quorum of three members must be present for the hearing to take place.

- No person shall serve as a member of a Grievance Hearing Committee if that person has been personally involved in any matter giving rise to the grievance, has made any statement on the matters at issue, or could otherwise not act in a neutral manner.
- All members of the grievance committee will be asked to sign a written statement attesting to their neutrality.

Any party to the grievance may challenge for cause any member of the hearing committee prior to the beginning of the hearing by addressing a challenge to the Vice President of Student Services who shall determine whether cause for disqualification has been shown. If the Vice President of Student Services feels that sufficient ground for removal of a member of the committee has been presented, he/she shall remove the challenged member or members and substitute a member or members from the panel described above. This determination is subject to appeal as defined below.

The Grievance Committee Chair shall coordinate all scheduling of hearings, and facilitate a full, fair and efficient resolution of the grievance.

### **Request for Grievance Hearing**

Any request for a grievance hearing shall be filed within 10 days after filing the Statement of Grievance as described above.

Within **30** days following receipt of the Request for Grievance Hearing, the President or designated representative shall appoint a Grievance Hearing Committee as described above, and the Grievance Hearing Committee shall meet in private and without the parties present to select a chair and to determine on the basis of the Statement of Grievance whether it presents sufficient grounds for a hearing.

The determination of whether the Statement of Grievance presents sufficient grounds for a hearing shall be based on the following:

- The statement contains facts which, if true, would constitute a grievance under these procedures;
- The grievant is a student as defined in these procedures, which include applicants and former students;
- The grievant is personally and directly affected by the alleged grievance;
- The grievance was filed in a timely manner;
- The grievance is not clearly frivolous, clearly without foundation, or clearly filed for purposes of harassment.

If the grievance does not meet each of the requirements, the Hearing Committee chair shall notify the student in writing of the rejection of the Request for a Grievance Hearing, together with the specific reasons for the rejection and the procedures for appeal. This notice will be provided within **10** days of the date the decision is made by the Grievance Hearing Committee.

If the Request for Grievance Hearing satisfies each of the requirements, the Grievance Committee Chair shall schedule a grievance hearing. The hearing will begin within **30** days following the decision to grant a Grievance Hearing. All parties to the grievance shall be given not less than **10** days notice of the date, time and place of the hearing.

## Hearing Procedure

The decision of the Grievance Hearing Committee chair shall be final on all matters relating to the conduct of the hearing unless there is a vote of a majority of the other members of the panel to the contrary.

The members of the Grievance Hearing Committee shall be provided with a copy of the grievance and any written response provided by the respondent before the hearing begins.

Each party to the grievance 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 Grievance Hearing Committee determines to proceed otherwise, each party to the grievance shall be permitted to make an opening statement. Thereafter, the grievant or grievants shall make the first presentation, followed by the respondent or respondents. The grievant(s) may present rebuttal evidence after the respondent(s)' evidence. The burden shall be on the grievant or grievants to prove by substantial evidence that the facts alleged are true and that a grievance has been established as specified above.

Each party to the grievance may represent himself or herself and may also have the right to be represented by a person of his or her choice. A party shall not be represented by an attorney unless, in the judgment of the Grievance Hearing Committee, complex legal issues are involved. If a party wishes to be represented by an attorney, a request must be presented not less than **10** days prior to the date of the hearing. If one party is permitted to be represented by an attorney, any other party shall have the right to be represented by an attorney. The hearing committee may also request legal assistance through the President ; any legal advisor provided to the hearing committee 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 all parties request that it be open to the public. Any such request must be made no less than **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 committee agree to the contrary.

The hearing shall be recorded by the Grievance Officer 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 Grievance Hearing Committee 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. The tape recording shall remain in the custody of the District, either at the college or the District office, at all times, unless released to a professional transcribing service. Any party may request a copy of the tape recording.

All testimony shall be taken under oath; the oath shall be administered by the Grievance Hearing Committee 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 shall be considered to be unavailable.

Within **10** days following the close of the hearing, the Grievance Hearing Committee shall prepare and send to the President a written decision. The decision shall include specific factual findings regarding the grievance, and shall include specific conclusions regarding whether a grievance has been established as defined above. The decision shall also include

a specific recommendation regarding the relief to be afforded the grievant, if any. The decision shall be based only on the record of the hearing, and not on matter outside of that record. The record consists of the original grievance, any written response, and the oral and written evidence produced at the hearing.

**President's Decision:**

Within **10** days following **receipt of the Grievance Hearing Committee's decision and recommendation(s)**, the President shall send to all parties his or her written decision, together with the Hearing Committee's decision and recommendations. The President may accept or reject the findings, decisions and recommendations of the Hearing Committee. The factual findings of the Hearing Committee shall be accorded great weight; and if the President does not accept the decision or a finding or recommendation of the Hearing Committee, the President shall review the record of the hearing, and shall prepare a new written decision which contains specific factual findings and conclusions. The decision of the President shall be final, subject only to appeal as provided below.

**Appeal:**

Any appeal relating to a Grievance Hearing Committee decision that the Statement of Grievance does not present a grievance as defined in these procedures shall be made in writing to the President within **30** days of that decision. The President shall review the Statement of Grievance and Request for Grievance Hearing in accordance with the requirements for a grievance provided in these procedures, but shall not consider any other matters. The President's decision whether or not to grant a grievance hearing shall be final and not subject to further appeal.

**Time Limits:**

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

**2/6/06**

**Revised: 3/10/08**

## AP 5550 Speech: Time, Place, and Manner

Reference:

***Education Code Sections 76120, 66301***

The students of the District shall be permitted to exercise their rights of free expression subject to the time, place and manner policies and procedures contained in Board Policy [5550] and these procedures.

The college of the District is a non-public forum, except for designated areas generally available to students and the community, as follows:

The areas generally available to students and the community are limited public forums. The District reserves the right to revoke that designation and apply a non-public forum designation.

The District reserves the right to designate areas as non-public forums as necessary to prevent the substantial disruption of the orderly operation of the college. Areas of the college that are non-public forums specifically include campus offices, classrooms, warehouses, maintenance yards, or locker rooms.

The use of areas generally available to students and the community is subject to the following:

- Persons using areas generally available to students and the community and/or distributing material in the areas generally available to students and the community shall not impede the progress of passersby, nor shall they force passersby to take material.
- No person using the generally available to students and the community shall touch, strike or impede the progress of passersby, except for incidental or accidental contact, or contact initiated by a passerby.
- Persons using areas generally available to students and the community shall not use any means of amplification that creates a noise or diversion that disturbs or tends to disturb the orderly conduct of the campus or classes taking place at that time.
- No persons using the areas generally available to students and the community shall solicit donations of money, through direct requests for funds, sales of tickets or otherwise, except where he or she is using the areas generally available to students and the community on behalf of and collecting funds for an organization that is registered with the Secretary of State as a nonprofit corporation or is an approved Associated Students Organization or club.

All persons using the areas of the college generally available to students and the community shall be allowed to distribute petitions, circulars, leaflets, newspapers, and other printed matter. Such distribution shall take place only within the areas generally available to students and the community. Material distributed in the areas generally available to students and the community that is discarded or dropped in or around the areas generally available to students and the community other than in an appropriate receptacle must be retrieved and removed or properly discarded by those persons distributing the material prior to their departure from the areas generally available to students and the community that day.

Posting:

Students shall be provided with bulletin boards for use in posting student materials at campus locations convenient for student use. All materials displayed on a bulletin board shall clearly indicate the author or agency responsible for its production and shall be dated with the date of posting by the Student Development and College Activities Office. Materials displayed shall be removed after the passage of 30 days.

**2/6/06**

**Revised: 9/10/07**

## AP 5570 Student Credit Card Solicitation

Reference:

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

Antelope Valley College shall establish procedures for the regulation of credit card solicitation that supports the educational goals of the College and that teaches responsible debt management. The College may regulate credit card solicitation in any of the following ways:

- Establish a limited number of sites at which student credit cards are marketed on campus.
- Require credit card marketers to register with the campus administration.
- Prohibit marketers of student credit cards from offering gifts to students for filling out credit card applications.
- Offer credit card and debt education and counseling sessions to students.
- Require credit card companies to pay all fees associated with marketing to students.

**2/6/06**

## AP 5610 Voter Registration

References:

***20 U.S.C. § 1094(a)(23)(A); 34 CFR §668.14(d)(1).***

Antelope Valley Community College District will make a good faith effort to make voter registration forms available through a variety of methods to each enrolled student in a degree or certificate program as well as to graduating students.

Voter registration information is made available to students through the college web site, during online registration, and at the Student Development and College Activities Office. The dean of Student Development and Services is designated as the contact person to be contacted by the Secretary of State for distribution of voter registration cards.

**2/6/06**

**Revised: 7/14/08**

## AP 5700 Athletics

Reference:

***Title IX, Education Amendments of 1972, Education Code 66271.6, 66271.8, 67360 et seq.***

### **Athletic Drug Testing**

Antelope Valley College requires all student athletes to have a sports physical and complete a drug screening. The sports physical must be completed prior to participation in any athletic event and the drug screening must take place prior to the traditional competition in intercollegiate sports by the student athlete. This screening is conducted through a medical facility determined by the district.

**2/6/06**

**Revised: 9/10/07**