
**Kern Community College District
Board Policy
Chapter 5 – Student Services**

BP 5010 ADMISSIONS AND CONCURRENT ENROLLMENT

References:

Education Code Sections 76000, 76001, 76002, and 76038;

Labor Code Section 3077;

34 Code of Federal Regulations Section 668.16(p) (U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid Programs under Title IV of the Higher Education Act of 1965, as amended);

WASC/ACCJC Accreditation Standard II.C.6

NOTE: *The language in red ink is legally required.*

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

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

The District may deny or place conditions on a student's enrollment upon a finding by the Board of Trustees or designee that the applicant has been expelled within the preceding five years or is undergoing expulsion procedures in another California community college district, and that the applicant continues to present a danger to the physical safety of the students and employees of the District.

NOTE: *This policy language is legally required in an effort to show good faith compliance with the applicable federal regulations.*

The District shall in its discretion, or as otherwise federally mandated, evaluate the validity of a student's high school completion. The District Chancellor shall establish procedures for evaluating the validity of a student's high school completion.

NOTE: Admission of high school and younger students is not mandated by law. However, if the District wishes to do so and there is agreement with the school district(s), this board policy should identify students who may be admitted (generally by age or grade level) and the status (special part-time [Education Code Section 48800], or special full time [Education Code Section 48800.5]).

Districts may also make a statement regarding summer school attendance. Examples of such policies are listed below.

Boards that admit special part-time or full-time students must comply with the requirements of Education Code Section 76001(b) regarding findings and reasons for denying any such request by pupils who are identified as highly gifted. Language is included below. Apportionment for the concurrent enrollment of high school students can only be claimed if the enrollment meets the criteria of Education Code Section 76002. Language is included below.

Admission

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

Any student whose age or class level is equal to grades 7-12 is eligible to attend as a special full-time student.

Any student enrolled in 6th may attend summer session.

The District Chancellor shall establish procedures regarding ability to benefit and admission of high school and younger students.

Denial of Requests for Admission

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

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

The District Chancellor shall establish procedures regarding evaluation of requests for special full time or part time enrollment by a pupil who is identified as highly gifted.

Claims for State Apportionment for Concurrent Enrollment

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

The District Chancellor shall establish procedures regarding compliance with statutory and regulatory criteria for concurrent enrollment.

NOTE: Nonresident students, including international students, are addressed in BP 5020 titled Nonresident Tuition. The District is not required to admit nonresident students, and thus is not required to admit international students. However, if the District admits nonresident students, it should not exclude international students as a matter of policy based on that status alone, because the district has no authority to discriminate on the basis of national origin.

❖ From current KCCD Policy 4A titled Admission and Registration

4A—Admission and Registration

NOTE: The language in current KCCD Policy 4A1A – 4A1C is shown as struck because this information is addressed in the red language at the beginning of this new policy.

❖ From current KCCD Policy 4A1 titled Eligibility for Admission

4A1—Eligibility for Admission

~~4A1A Persons with high school diplomas or the equivalent thereof shall be admitted. (Education Code 76000)~~

~~4A1B Non-high school graduates over eighteen (18) years of age who are judged capable of profiting from instruction may be admitted. (Education Code 76000)~~

~~4A1C Persons who are apprentices as defined in Section 3077 of the Labor Code (16 years of age and entered into an “apprentice agreement”) may be admitted. (Education Code 76000)~~

NOTE: The language in current KCCD Policy 4A1D – 4A1F is shown as struck because this information is addressed in detail in new AP 5011 titled Admission of High School and Other Young Students.

~~4A1D Certain students who are enrolled in K-12 programs, including public, private, and charter schools, may be admitted as special part-time students, or special full-time students (Education Code 76001[a]), upon recommendation of the school principal or designee, and with parental consent.~~

~~4A1E A parent or guardian of a pupil who is not enrolled in a public, private, or charter school, regardless of the pupil's age or class level, may directly petition the president or designee, of any community college to authorize attendance of the pupil at the community college as a special part-time or full-time student (Education Code 48800.5 [c]).~~

~~4A1F The Colleges are authorized to restrict the admission or enrollment of a special part-time or full-time student, noted in the Policies 4A1D and 4A1E, based on any of the following criteria: (Education Code 76002[b])~~

- ~~• Age~~
- ~~• Completion of a specified grade level~~
- ~~• Demonstrated eligibility for instruction using assessment methods and procedures adopted by the Board of Governors~~

NOTE: *The language contained in current KCCCD Policy 4A6 is shown as struck below as this prescriptive language has been moved to the related administrative procedure (AP 5010 titled Admissions).*

❖ From current KCCCD Policy 4A6 titled Admission to Impacted Programs

4A6 Admission to Impacted Programs

~~In the event the number of applicants designated to be eligible for admission exceeds the number of student positions in a program, the following selection process may be used to determine student admission.~~

~~4A6A Applicants who are eligible will be admitted in the order in which their names appear on an eligibility list established for each program. The applicant's position on the list will be determined by specific procedures established for each program. Screening and selection criteria will be applied consistently for all applicants at each College. Criteria which may be used to establish priority for admittance are noted in the following sections or may be allowed by using other non-evaluative techniques to determine who may enroll.~~

~~4A6B Academic prerequisites may include high school graduation or equivalent, grade point average, completion of high school, or college courses which are directly related to the curriculum content of the impacted program.~~

~~4A6C Standard testing procedures may include aptitude tests, attitude or personality tests, skills performance, and competency tests in specific fields.~~

~~4A6D Criminal background checks, drug screening, and physical health assessments of an applicant may be used to assure that the health and safety of the public is protected and to assure the student is able to perform the work required in the program. [See Title 5, Section 58106(b)]~~

~~4A6E An interview procedure may be used in the screening and selection process. The interview shall be preceded by instructions to the applicant indicating the purpose, conduct, and general content of the interview. The interview procedure shall be uniform for all applicants, contain items relevant to the discipline, and result in a quantitative evaluation. The interview committee shall consist of two (2) or more persons.~~

~~4A6F Previous experience may be used as a criterion for screening and selection.~~

~~4A6G Student failure to complete the application procedure may preclude admittance.~~

~~4A6H Each College shall have available for interested applicants the specific and current criteria for implementing this policy.~~

~~4A6I In Administration of Justice courses approved by the Commission on Peace Officer Standards and Training, preference in enrollment may be given to employed law enforcement trainees who are required to complete such courses pursuant to law. Preference should only be given when the trainee cannot complete the course within the time required by statute and when no other training program is reasonably available. Preference is limited to eighty-five percent (85%) of enrollment when there are sufficient numbers of non-law enforcement trainees available.~~

Also see AP 5010 titled Admissions, AP 5011 titled Admission and Concurrent Enrollment of High School and Other Young Students, AP 5012 titled International Students, AP 5013 titled Students in the Military, and BP/AP 5020 titled Nonresident Tuition

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AP 5010 ADMISSIONS

References:

Education Code Section 76000;

Title 5 Section 58106;

34 Code of Federal Regulations Section 668.16(p) (U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid Programs under Title IV of the Higher Education Act of 1965, as amended);

WASC/ACCJC Accreditation Standard II.C.6

NOTE: The language in red ink is **legally required**. Local practice can be inserted here, as long as it does not conflict with the general admissions requirements of Education Code Section 76000. The District should address:

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

The Chief Instructional Officer shall establish procedures for evaluating the validity of a student's high school completion if the District or the United States Department of Education has reason to believe that the high school diploma is not valid or was not obtained from an entity that provides secondary school education.

NOTE: The language shown in **brown ink** below is from current KCCD Policy 4A6. The current KCCD policy language was moved to this new administrative procedure due to the detailed language contained therein.

Admission to Impacted Programs

In the event the number of applicants designated to be eligible for admission exceeds the number of student positions in a program, the following selection process may be used to determine student admission.

Applicants who are eligible will be admitted in the order in which their names appear on an eligibility list established for each program. The applicant's position on the list will be determined by specific procedures established for each program. Screening and selection criteria will be applied consistently for all applicants at each College. Criteria which may be used to establish priority for admittance are noted in the following sections or may be allowed by using other non-evaluative techniques to determine who may enroll.

Academic prerequisites may include high school graduation or equivalent, grade point average, completion of high school, or college courses which are directly related to the curriculum content of the impacted program.

Standard testing procedures may include aptitude tests, attitude or personality tests, skills performance, and competency tests in specific fields.

Criminal background checks, drug screening, and physical health assessments of an applicant may be used to assure that the health and safety of the public is protected and to assure the student is able to perform the work required in the program. (See Title 5 Section 58106(b) and BP/AP 5052 titled Open Enrollment)

An interview procedure may be used in the screening and selection process. The interview shall be preceded by instructions to the applicant indicating the purpose, conduct, and general content of the interview. The interview procedure shall be uniform for all applicants, contain items relevant to the discipline, and result in a quantitative evaluation. The interview committee shall consist of two or more persons.

Previous experience may be used as a criterion for screening and selection.

Student failure to complete the application procedure may preclude admittance.

Each College shall have available for interested applicants the specific and current criteria for implementing this policy.

In Administration of Justice courses approved by the Commission on Peace Officer Standards and Training, preference in enrollment may be given to employed law enforcement trainees who are required to complete such courses pursuant to law. Preference should only be given when the trainee cannot complete the course within the time required by statute and when no other training program is reasonably available. Preference is limited to eighty-five percent of enrollment when there are sufficient numbers of non-law enforcement trainees available.

Also see AP 5011 titled Admission and Concurrent Enrollment of High School and Other Young Students, AP 5012 titled International Students, AP 5013 titled Students in the Military, BP/AP 5020 titled Nonresident Tuition, and BP/AP 5052 titled Open Enrollment

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

References:

[Education Code Sections 48800, 48800.5, 76001, and 76002](#)

NOTE: This procedure is **legally required** if the District admits high school students or younger students. Local practice may be inserted. At a minimum the procedures should address or include:

Admission criteria and procedures for younger students enrolling in the community college:

- Special part-time students (if applicable and as defined in Board Policy)
- Special full-time students (if applicable and as defined in Board Policy)
- Summer school students (if applicable and as defined in Board Policy)
- Agreements between school District(s) and community college District
- Credit granted for courses
- Limits on the number of units for which special part time students may enroll [See Education Code Section 76001.d for specific language]
- Procedures for denial of request for full-time enrollment, including time constraints (See Education Code Section 76001(b) for specific language)
- Procedures for recording board findings and reasons for denial of a request for admission by a student identified as highly gifted.
- Procedures for assigning a low enrollment priority to special part-time or full-time students, except for students attending a middle college high school if the student is seeking to enroll in a course that is required for the student's middle college high school program, to ensure they do not displace regularly admitted students.
- Procedures for maintaining records of enrollment of these students for apportionment purposes.
- Procedures for ensuring that claims for state apportionment for K-12 students meet all of the following criteria:
 - The class is open to the general public
 - The class is advertised as open to the general public 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.

NOTE: The following is an illustrative example of procedures. **Legally required** and **legally advised** clauses are indicated.

Required 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.

Legally advised Admission is subject to seat availability. The student must:

- Submit a District application for admission;
- Submit a written and signed parental or guardian consent;
- Submit a written and signed approval of his/her principal (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.)
- Demonstrate that the student is capable of profiting from instruction. The attending high school, principal or designee has the authority to make the final decision whether a student can benefit from instruction.

Required 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.

Legally advised 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/her principal. (A pupil who is not enrolled in a public or private school does not need to provide written acknowledgment from his/her school principal.);
- demonstration that the student is capable of profiting from instruction;
- written approval of the governing board of the school district of attendance. The attending high school, principal or designee has the authority to make the final decision whether a student can benefit from instruction.

Required 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.

Legally advised The student must submit:

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

All required documents shall be sent to the Office of Admissions and Records.

Legally advised

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

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

Middle and Lower School Students: For students attending middle and lower schools, the determination shall be made by office of Admissions and Records. The school must provide transcripts and a letter signed by the principal indicating how in his/her opinion the student can benefit from instruction. The Vice President Student Services or designee 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 Vice President Student Services or designee shall be final. Once a decision has been made, the student, his/her parent or guardian and the school principal shall be informed of the decision. This determination may be done by applying the following criteria [one or more of the following options:

- a review of the materials submitted by the student;
- meeting with the student and his/her parent or guardian;
- consultation with Vice President Student Services or designee;
- 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.

Required 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.

Required 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.

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AP 5013 STUDENTS IN THE MILITARY

References:

Education Code Sections 68074, 68075, and 68075.5;
Title 5 Sections 55023, 55024, 54041, 54042, 54050, and 58620
Military and Veterans Code Section 824

NOTE: This procedure is **optional**. The following procedures may also be placed in other administrative procedures as appropriate, e.g., residence determination and grading and drop/add procedures.

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. Such student shall retain resident classification in the event that the member of the armed forces is thereafter transferred on military orders to a place outside of California or thereafter retires from active duty, so long as the student remains continuously enrolled in the District.

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. Such student shall retain resident classification if he/she is thereafter transferred on military orders to a place outside of California, so long as the student remains continuously enrolled in the District.

A veteran who was discharged or released from at least 90 days of active service less than three years before the date of enrollment in a course commencing on or after July 1, 2015, and his/her dependents, regardless of the veteran's state of residence is entitled to resident classification.

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

as a resident, so long as the student continuously attends an institution of public higher education.

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

Withdrawal Policies for Members of the Military

A student who is a member of an active or reserve United States military service and who receives orders compelling a withdrawal from courses shall be permitted to withdraw upon verification of such orders. A withdrawal symbol may be assigned which may be a "W" or a "MW." Military withdrawal shall not be counted in progress probation, dismissal calculations, or in calculating the permitted number of withdrawals. In no case may a military withdrawal result in a student being assigned an "FW" grade. In no case may a college require a student who is required to report for military duty to withdraw from a course by a specified date in order to receive a full refund of the tuition and fees the student paid to the college for the academic term in which the student was required to report for military service.

Districts may reference or include local administrative procedures regarding how such a student would withdraw.

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BP 5015 RESIDENCE DETERMINATION

References:

Education Code Sections 68017, 68018, 68040, 68079, and 76140;
Title 5 Sections 54000 et seq.

NOTE: *The language in red ink is legally required.*

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

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

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

The District Chancellor or designee shall enact procedures to assure that residence determinations are made in accordance with Education Code and Title 5 Regulations.

❖ From current KCCD Policy 4A5 titled Residence Eligibility

Residence Eligibility *(Revised July 14, 1994)*

District Residents

~~Any legal residents of the Kern Community College District may be admitted to the campus of their choice. To be a legal resident of the Kern Community College District, a student must establish residency within the College District and meet State residency requirements. (Education Code Sections 68017-68019g) (Ed Code Section 68019 no longer exists)~~

4A5B Out-of-State Resident Tuition

~~Out-of-State residents shall be charged tuition in accordance with the regulations of the Board of Governors of the California Community Colleges. (Education Code Sections 68051 and 76004) See Procedure 4A5B of this Manual for Non-Resident Tuition Refund procedures. (See BP/AP 5020 titled Nonresident Tuition)~~

4A5C Resident Classification for Employees

A full-time employee of the Kern Community College District or a student who is a child or spouse of a full-time employee of the District ~~is~~ may be entitled to resident classification until he/she has resided in the State the minimum time necessary to become a resident. (Education Code Section 68079)

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AP 5015 RESIDENCE DETERMINATION

References:

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

NOTE: This procedure is **legally required** except as noted. Districts may insert their local practices here. The following is provided as an illustrative example.

Residence Classification

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

Students must be notified of residence determination within 14 calendar days of submission of application.

The District shall publish the residence determination date and summary of the rules and regulations governing residence determination and classification in the College catalog or addenda thereto.

Rules Determining Residence

- A student who has resided in the state for more than one year immediately preceding the residence determination date is a resident.
- A student who has not resided in the state for more than one year immediately preceding the residence determination date is a nonresident.

The residence of each student enrolled in or applying for enrollment in any class or classes maintained by the Colleges within the District shall be determined in accordance with the Education Code which states that every person has, in law, a

residence. In determining the place of residence, the following rules are to be observed:

- Every person who is married or eighteen years of age, or older, and under no legal disability to do so, may establish residence.
- A person may have only one residence.
- A residence is the place where one remains when not called elsewhere for labor or other special or temporary purpose and to which one returns in seasons of repose.
- A residence cannot be lost until another is gained.
- The residence can be changed only by the union of act and intent.
- A man or a woman may establish his or her residence. A woman's residence shall not be derivative from that of her husband.
- The residence of the parent with whom an unmarried minor child maintains his/her place of abode is the residence of the unmarried minor child. When the minor lives with neither parent, the minor's residence is that of the parent with whom the last place of abode was maintained, provided the minor may establish his/her residence when both parents are deceased and a legal guardian has not been appointed.
- The residence of an unmarried minor who has a parent living cannot be changed by the minor's own act, by the appointment of a legal guardian, or by relinquishment of a parent's right of control.

Determination of Resident Status

A resident is a student who has been a bona fide resident of the state for one year prior to the residence determination date. A bona fide resident is a person whose residence is in California as determined above except:

- A student who is a minor and remains in this state after the parent, who was previously domiciled in California and has established residence elsewhere, shall be entitled to retain resident classification until attaining the age of majority and has resided in the state the minimum time necessary to become a resident, so long as continuous attendance is maintained at an institution.
- A student who is a minor and who provides evidence of being entirely self-supporting and actually present in California for more than one year immediately preceding the residence determination date with the intention of acquiring a residence therein, shall be entitled resident classification until he/she has resided in the state the minimum time necessary to become a resident.

- A student who has not been an adult for one year immediately preceding the residence determination date for the semester for which the student proposes to attend an institution shall have the immediate pre-majority-derived California residence, if any, added to the post-majority residence to obtain the one year of California residence.
- 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 in an institution, shall be entitled to resident classification if each student meets any of the following requirements:
 - He/she holds a provisional credential and is enrolled in courses necessary to obtain another type of credential authorizing service in the public schools.
 - He/she holds a credential issued pursuant to Education Code Section 44250 and is enrolled in courses necessary to fulfill credential requirements.
 - He/she is enrolled in courses necessary to fulfill the requirements for a fifth year of education prescribed by subdivision (b) of Education Code Section 44259.
 - A student holding a valid emergency permit 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 academic year in which the student enrolls at an institution in courses necessary to fulfill teacher credential requirements, is entitled to resident classification only for the purpose of determining the amount of tuition and fees for no more than one year. Thereafter, the student's residency status will be determined under the other provisions of this procedure.
- A student who is a full-time employee of the California State University, the University of California or a community college, or of any state agency or a student who is a child or spouse of a full-time employee of the California State University, the University of California or a community college, or of any state agency may be entitled to resident classification, until the student has resided in the state the minimum time necessary to become a resident.
- A 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. If the member of the armed forces of the United States later transfers on military orders to a place outside this state, or retires as an active member of the armed forces of the

United States, the student dependent shall not lose his/her resident classification, so long as he/she remains continuously enrolled in the College.

- A student who is a member of the armed forces of the United States stationed in this state 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 only for the purpose of determining the amount of tuition and fees. If the student later transfers on military orders to a place outside this state, the student shall not lose his/her resident classification, so long as he/she remains continuously enrolled in the College.
- A veteran who was discharged or released from at least 90 days of active service less than three years before the date of enrollment in a course commencing on or after July 1, 2015, and his/her dependents, regardless of the veteran's state of residence is entitled to resident classification.
- A student who is a minor and resides with his/her parent in a district or territory not in a district shall be entitled to resident classification, provided that the parent has been domiciled in California for more than one year prior to the residence determination date for the semester, quarter or term for which the student proposes to attend.
- A student who is a Native American is entitled to resident classification for attendance at a community college if the student is also attending a school administered by the Bureau of Indian Affairs located within the community college district.
- A student 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 who resides in California and is 19 years of age or under at the time of enrollment, who is currently a dependent or ward of the state through California's child welfare system, or was served by California's child welfare system and is no longer being served either due to emancipation or aging out of the system, may be entitled to resident classification until he/she has resided in the state the minimum time necessary to become a resident.
- A student who lives with a parent who earns a livelihood primarily by performing agricultural labor for hire in California and other states, and the parent has performed such labor in this state for at least two months per year in each of the two preceding years, and the parent resides in this District and the parent of the student has claimed the student as a dependent on his state or federal personal

income tax return if he/she has sufficient income to have personal income tax liability shall be entitled to resident classification.

- A student who demonstrates financial need, has a parent who has been deported or was permitted to depart voluntarily, moved abroad as a result of that deportation or voluntary departure, lived in California immediately before moving abroad, attended a public or private secondary school in the state for three or more years, and upon enrollment, will be in his or her first academic year as a matriculated student in California public higher education, will be living in California, and will file an affidavit with the College stating that he or she intends to establish residency in California as soon as possible.

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 Office of Admissions and Records, may make written appeal to the Vice President of Student Services or designee within 30 calendar days of notification of final decision by the college regarding classification.

Appeal Procedure

The appeal is to be submitted to the Office of Admissions and Records which must forward it to the Vice President of Student Services or designee 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 Vice President of Student Services or designee 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 Vice President of Student Services or designee 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 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/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/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 Vice President of Student Services or designee 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 Colleges within 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/her to live permanently in the United States and he/she meets the California residency requirements, the student can be classified as a resident.

Students who are U.S. citizens, permanent residents of the U.S., and aliens who are not nonimmigrants (including those who are undocumented), may be exempt from paying nonresident tuition if they meet 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 or enrollment in a course offered by any college in the District for any term commencing on or after January 1, 2002,
- completion of a questionnaire form prescribed by the California Community Colleges Chancellor and furnished by the College of enrollment, verifying eligibility for this nonresident tuition exemption; and
- in the case of a student without lawful immigration status, the filing of an affidavit that the student has filed an application to legalize his/her immigration status, or will file an application as soon as he/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 Admissions and Records office. Students may appeal the decision.

**Kern Community College District
Board Policy
Chapter 5 – Student Services**

BP 5020 NONRESIDENT TUITION AND CAPITAL OUTLAY FEES

References:

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

NOTE: *The language in red ink is **legally required**.*

Nonresident Tuition

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

Not later than February 1 of each year, the District Chancellor or designee shall bring to the Board for approval an action to establish nonresident tuition for the following fiscal year. The fee shall be calculated in accordance with guidelines contained in applicable state regulations and/or the California Community College Attendance Accounting Manual.

The District Chancellor or designee shall establish procedures regarding collection, waiver, and refunds of nonresident tuition.

NOTE: *The following is **optional language** for those districts that enact a capital outlay component to nonresident tuition as permitted by Education Code Section 76141.*

Capital Outlay Fee

The District Chancellor or designee is authorized to implement a fee determined by the California Community College Chancellor's Office to be charged only to persons who are both citizens and residents of foreign countries. The Board finds and declares that this fee does not exceed the amount expended by the district for capital outlay in the preceding year divided by the total FTES in the preceding fiscal year.

Students who would otherwise be charged this fee shall be exempt if they demonstrate that they are a victim of persecution or discrimination in a foreign country of which they are a citizen and resident, or if they demonstrate economic hardship.

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

Students who would otherwise be charged this fee shall be exempt if they demonstrate that they have a parent who has been deported or was permitted to depart voluntarily, they moved abroad from California as a result of that deportation or voluntary departure, and they attended a public or private secondary school in the state for three or more years. Upon enrollment, students who qualify for this exemption must be in their first academic year as a matriculated student in California public higher education, live in California, and file an affidavit with the College stating that they intend to establish residency in California as soon as possible.

Kern Community College District
Administrative Procedure
Chapter 5 – Student Services

AP 5020 NONRESIDENT TUITION

References:

[Education Code Sections 68130.5 and 76140 et seq.:](#)
[Title 5 Section 54045.5](#)

NOTE: This procedure is **legally required**. Local practice may be inserted, which must include or address:

- Exemptions, including:
 - Any students, other than non-immigrant aliens under 8 U.S. Code Section 1101(a)(15), who meet the following requirements:
 - either high school attendance in California for three or more years OR attainment of credits earned in California from a California high school equivalent to three or more years of full-time high school coursework and a total of three or more years of attendance in California elementary schools, California secondary schools, or combination of those schools;
 - graduation from a California high school or attainment of the equivalent thereof;
 - registration or enrollment in a course offered for any term commencing on or after January 1, 2002;
 - completion of a questionnaire form prescribed by the California Community Colleges Chancellor's Office verifying eligibility for this nonresident tuition exemption; and
 - in the case of a student without lawful immigration status, the filing of an affidavit that the student has filed an application to legalize his/her immigration status, or will file an application as soon as he/she is eligible to do so.
 - Any students who meet the following requirements:
 - demonstrates financial need;
 - has a parent who has been deported or was permitted to depart voluntarily;
 - moved abroad as a result of that deportation or voluntary departure;
 - lived in California immediately before moving abroad;

- attended a public or private secondary school in the state for three or more years; and
- Upon enrollment, will be in his/her first academic year as a matriculated student in California public higher education, will be living in California, and will file an affidavit with the District stating that he/she intends to establish residency in California as soon as possible.
- Any nonimmigrant aliens granted "T" or "U" visa status under title 8 U.S. Code Section 1101(a)(15)(T)(i) or (ii), or section 1101(a)(15)U(i) or (ii), respectively, who meet 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 or enrollment in a course offered for any term or commencing on or after January 1, 2002; and
 - completion of a questionnaire form prescribed by the California Community Colleges Chancellor's Office verifying eligibility for this nonresident tuition exemption.
- A requirement that the nonresident tuition fee be set not later than February 1 of each year.
- A requirement that the calculation reflect the current expense of education calculated according to the Budget and Accounting Manual.
- Exemptions, if any, due to reciprocity with bordering states.
- Processing fees, if any, for international students.
- A requirement that the calculation include the expense of education in the preceding fiscal year.
- A requirement that the calculation reflect fees in contiguous Districts.
- A requirement that the calculation provide for students enrolled in more or less than 15 units per term.

❖ **From current KCCD Procedure 4A5B titled Non-Resident Tuition Refund Procedures**

Non-Resident Tuition Refund Procedures

- 1) The student shall be credited any excess non-resident tuition computed based on the units of current enrollment, if a student drops a course within:
 - Two (~~2~~) weeks after the starting date of the semester for a semester length course, or
 - A date calculated to be ten (~~10~~) percent from the starting date of a course other than semester length.

If a course is ten ~~(10)~~ days or less in length, the course must be dropped before the second ~~(2nd)~~ meeting to be credited a refund, computed based on units of current enrollment.

- 2) If a class is cancelled or rescheduled, the student shall be credited any excess non-resident tuition computed based on units of current enrollment.
- 3) A student entitled to receive the non-resident tuition must:

Apply for the refund before the end of the second consecutive semester of non-attendance (summer session is not considered a semester), and shall use the appropriate campus refund request form.

- 4) If a student does not apply for a fee refund within the timeframe noted in number three ~~(3)~~ above, the available funds will revert to the District.
- 5) Exceptions to these procedures must be approved by the College President or designee.

~~Approved by the Chancellor's Cabinet
August 26, 1986
Effective Spring, 1987~~

~~Revised 11/25/86
Renumbered 4/21/94
Revised 3/21/95~~

NOTE: *The language below provides additional language from other Districts for consideration.*

The Business Officer sets the non-resident tuition fee no later than February 1 of each year. The calculation for international students will be made up of the non-resident fee plus a capital outlay fee. The nonresident tuition fee as well as the capital outlay fee shall be approved by the Board of Trustees. The current fee schedule is published on the College Webpage and in the schedule of classes.

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

Exemptions include Any students, other than non-immigrant aliens under 8 U.S. Code Section 1101(a)(15), who meet 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 or enrollment in a course offered for any term commencing on or after January 1, 2002;*

- completion of a questionnaire form prescribed by the California Community Colleges Chancellor's Office verifying eligibility for this nonresident tuition exemption; and
- in the case of a student without lawful immigration status, the filing of an affidavit that the student has filed an application to legalize his/her immigration status, or will file an application as soon as he/she is eligible to do so.

**Kern Community College District
Board Policy
Chapter 5 – Student Services**

BP 5030 FEES

References:

Education Code Sections 76300 et seq.;
WASC/ACCJC Accreditation Standard I.C.6

NOTE: *The language in red ink is legally required. The language in black ink is reflects current KCCD Policy language.*

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

Enrollment Fee (Education Code Section 76300)

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

Prior to the last day of open registration, students will be dropped for non-payment of enrollment and tuition fees of \$200 or more, ten days after the date that they registered for the particular course(s). Students whose unpaid enrollment and tuition fees are less than \$200 will have holds placed on their transcripts, grades, and diplomas until their enrollment fees are paid.

Beginning with the first day of the term, students owing \$200 or more will be dropped for non-payment of enrollment fees; Students whose unpaid fees are less than \$200 will have holds placed on their transcripts, grades, and diplomas until all fees are paid.

Auditing Fees (Education Code Section 76370)

Persons auditing a course shall be charged a fee of not more than \$15.00 per unit per semester. The fee amount shall be adjusted proportionally based upon the term length. Students enrolled in classes to receive credit for ten or more semester credit units shall not be charged this fee to audit three or fewer units per semester. (Also see BP/AP 4070 titled Auditing and Auditing Fees)

NOTE: *If the District charges any of the following optional fees, the following policy language would apply.*

Health Fee (Education Code Section 76355)

The District shall charge each full time student a fee for health services.

The District Chancellor shall present to the Board for approval a fee to be charged to each full time student for student health services.

NOTE: *Alternative language to avoid specific amounts.*

The District Chancellor shall present for Board approval fees for parking for students. The fee may be assessed only to those students who use parking facilities.

Instructional Materials (Education Code Section 76365; Title 5 Sections 59400 et seq.)

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

Physical Education Facilities (Education Code Section 76395)

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

NOTE: *If a student representation fee has been established the following shall apply:*

Student Representation Fee (Education Code Section 76060.5)

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

Student Body Operating and Building Fee

Effective Fall Semester 1990 through Spring Semester 2020, Bakersfield College may charge an annual building and operating fee for the purpose of financing, constructing, enlarging, remodeling, refurbishing and operating a student body center. The fee shall not exceed one dollar (\$1.00) per credit hour for courses offered on the main campus up to a maximum of ten dollars (\$10.00) per student per fiscal year.

Transcript Fees (Education Code Section 76223)

The District shall charge a reasonable amount for furnishing copies of any student record to a student or former student. The District Chancellor is authorized to establish the fee, which shall not to exceed the actual cost of furnishing copies of any student record. No charge shall be made for furnishing up to two transcripts of students'

records, or for two verifications of various records. There shall be no charge for searching for or retrieving any student record.

International Students Application Processing Fee (Education Code Section 76142)
The District shall charge students who are both citizens and residents of a foreign country a fee to process his/her application for admission. This processing fee and regulations for determining economic hardship may be established by the District Chancellor. The fee shall not exceed the lesser of 1) the actual cost of processing an application and other documentation required by the U.S. government; or 2) one hundred dollars (\$100), which shall be deducted from the tuition fee at the time of enrollment.

NOTE: The language contained in current KCCD Policy 4A8 is shown as struck below as the language above in red ink is more comprehensive and addresses all relevant fees charged by the District. Note that language related to Bakersfield College's Student Body Operating and Building Fee as well as details regarding enrollment fees and "hold" on records is shown in red ink above as these appear to be unique to the KCCD.

❖ **From current KCCD Policy 4A8 titled Student Fees**

Student Fees

~~4A8A Student fees must be established by the Board of Trustees and must be expressly authorized by State law.~~

~~4A8B **Enrollment Fee** – Unless expressly exempted, or entitled to a waiver, all students enrolling in credit courses shall pay the enrollment fee established by law. K-12 students admitted as special part-time students are exempt from paying the enrollment fee.~~

~~Prior to the last day of open registration, students will be dropped for non-payment of enrollment and tuition fees of two hundred dollars (\$200.00) or more, ten (10) days after the date that they registered for the particular course(s). Students whose unpaid enrollment and tuition fees are less than two hundred dollars (\$200.00) will have holds placed on their transcripts, grades, and diplomas until their enrollment fees are paid.~~

~~Beginning with the first day of the term, students owing two hundred dollars (\$200.00) or more will not be dropped for non-payment of enrollment fees; however, these students will have holds placed on their transcripts, grades, diplomas, and registration privileges until all fees are paid. Students whose unpaid fees are less than two hundred dollars (\$200.00) will have holds placed on their transcripts, grades, and diplomas until all fees are paid.~~

~~See Procedure 4A8C(a) of this Manual for Enrollment Fee Refund procedures.~~

~~Enrollment fee waivers will be granted according to law. See Procedure 4A8C(b) of this Manual for Enrollment Fee Waivers.~~

~~4A8C **Nonresident enrollment fees and tuition** — Unless expressly exempted, or entitled to a waiver, nonresident students shall be charged nonresident fees and tuition for all units enrolled, unless otherwise required by law.~~

~~Permissive exemptions from nonresident tuition and fees apply to the following students:~~

- ~~• Any nonresident who is both a citizen and a resident of a foreign country who has demonstrated a financial need will be exempted. Not more than 10 percent of the nonresident foreign students attending any community college district may be so exempted.~~
- ~~• A special part-time student, admitted pursuant to current law.~~

~~4A8D **Parking Fee** — Colleges may assess a parking fee for services according to law (Education Code Section 76360). The fee may be assessed only to those students who use parking facilities.~~

~~4A8E **Health Fee** — Each College may charge a student fee for health services (Education Code Section 76355).~~

~~Health Fee exemptions will be granted according to law. See Procedure 4A8E of this Manual for Health Fee Exemptions and Refund Guidelines.~~

~~4A8F **Course Audit Fee**~~

~~4A8F1 Students auditing credit classes shall be charged a fee, except as excluded in (Policy 4A8F3) below.~~

~~4A8F2 The course audit fee for credit courses shall be assessed in the same manner as the enrollment fee (Policy 4A8C).~~

~~4A8F3 Students enrolled in classes for ten (10) or more semester credit units shall not be charged a fee to audit classes taken during that semester.~~

~~4A8F4 A student in a course shall not be permitted to change enrollment from credit to audit or audit to credit.~~

~~4A8F5 Priority in class enrollment shall be given students desiring to take the course for credit.~~

~~4A8F6 A course audit shall be approved under only one of the following conditions:~~

~~Participation by audit serves a specific educational purpose necessary to achieve the student's educational goal~~

~~Participation by audit benefits other registered participants in performance arts or intercollegiate athletics courses.~~

~~4A8F7The course instructor and College President or designee shall approve audit enrollments.~~

~~4A8G **Student Body Operating and Building Fee**--Effective Fall Semester 1990 through Spring Semester 2020, Bakersfield College may charge an annual building and operating fee for the purpose of financing, constructing, enlarging, remodeling, refurbishing and operating a student body center. The fee shall not exceed one dollar (\$1.00) per credit hour for courses offered on the main campus up to a maximum of ten dollars (\$10.00) per student per fiscal year. See Procedure 4A8G of this Manual for specific procedures to implement this fee and for waiver and refund procedures.~~

~~4A8H **Community Service Course Fee**--Student fees for non-credit community service classes are authorized by the Board of Trustees. The fees are set by each College President at a level to be self-supporting.~~

Kern Community College District
Administrative Procedure
Chapter 5 – Student Services

AP 5030 FEES

References:

Education Code Sections 66025.3, 70902(b)(9), 76300, 76300.5;

Title 5 Section 51012;

California Community College Chancellor's Office (CCCCO) Student Fee Handbook;
WASC/ACCJC Accreditation Standard I.C.6

NOTE: This procedure is **legally required**. Local practice can be inserted here, but must comply with applicable law. Community college districts may only require students to pay a fee if required or specifically authorized by statute.

The General Counsel's Office in the California Community Colleges Chancellor's Office regularly publishes an updated student fee handbook (accessible at http://www.cccco.edu/divisions/legal/studentfeehandbook_files/studentfeehandbook.htm) that analyzes which fees are required and which are permitted, as well as those which are prohibited.

Required fees include:

- Enrollment (Education Code Section 76300 and 76300.5; Title 5 Sections 58500 and 58509)
- Nonresident tuition with these permissive exemptions (Education Code Sections 76140 and 76140.5):
 - All nonresident students enrolling for 6 or fewer units; or
 - A student who is a citizen and resident of a foreign country who demonstrates financial need and this required exemption (Education Code Section 68130.5);
 - All students, other than nonimmigrant aliens under 8 U.S. Code Section 1101(a)(15), who meet 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 or enrollment in a course offered for any term commencing on or after January 1, 2002;
- completion of a questionnaire form prescribed by the California Community Colleges Chancellor's Office verifying eligibility for this nonresident tuition exemption; and
- in the case of a student without lawful immigration status, the filing of an affidavit that the student has filed an application to legalize his/her immigration status, or will file an application as soon as he/she is eligible to do so.

Fees authorized by law include:

- Non-District physical education facilities (Education Code Section 76395)
- Noncredit courses (Education Code Section 76385)
- Community service courses (Education Code Section 78300)
- Auditing of courses (Education Code Section 76370)
- Instructional materials (Education Code Sections 73365, 81457, and 81458; Title 5 Sections 59400 and 59408)
- Athletic insurance (Education Code Section 70902(b)(9))
- Cross-Enrollment with the California State University (CSU) or University of California (UC) (Education Code Section 66753)
- Health (Education Code Section 76355)
- Parking (Education Code Section 76360)
- Transportation (Education Code Sections 76361 and 82305.6)
- Dormitory (Education Code Section 81670)
- Child care (Education Code Sections 79121 et seq. and 66060)
- Nonresident capital outlay (Education Code Section 76141)
- Nonresident application processing (Education Code Section 76142)
- Credit by Examination (Education Code Section 76300; Title 5 Section 55050)
- Use of facilities financed by revenue bonds (Education Code Section 81901(b)(3))
- Refund processing (Title 5 Section 58508)
- Telephone registration (Education Code Section 70902(a))
- Physical fitness test (Education Code Section 70902(b)(9))
- Instructional Tape Lease/Deposit (Education Code Section 70902(b)(9))
- Credit Card Use (Education Code Section 70902(b)(9))
- International Student Medical Insurance (Education Code Section 70902(b)(9))
- Copies of student records (Education Code Section 76223)
- Student representation (Education Code Section 76060.5; Title 5 Sections 54801 and 54805)
- Student Center (Education Code Section 76375; Title 5 Section 58510)

Prohibited fees include:

- 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 (Title 5 Sections 55450 and 55451)
- For dependents of certain veterans (Education Code Section 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 (Education Code Section 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 (Education Code Section 76350)
- Technology fee (CCCCO Student Fee Handbook)
- Late payment fee (Title 5 Sections 58502 and 59410)
- Nursing/healing arts student liability insurance (Title 5 Section 55234)
- Cleaning (CCCCO Student Fee Handbook)
- Breakage (CCCCO Student Fee Handbook)
- Test proctoring (CCCCO Student Fee Handbook)

NOTE: Local practice may be inserted here, which should include or address:

- 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
- Notice to students of availability of exemptions from certain mandatory and authorized fees

Collection and Refund of Fees

- The District shall collect fees raised by an act of the legislature and made effective on or after the date a student has enrolled in an upcoming or current term.
- The District shall refund fees collected in error.

- The District shall refund fees that are refundable because of a reduction in the educational program of the College.
- The District shall refund fees that are refundable because of the student's reduction in units or withdrawal from an educational program, in compliance with Title 5 Section 58508.
- The District shall refund fees that are refundable because of changes in law or regulation authorizing and establishing enrollment fees.
- The District shall provide notice to students of availability of exemptions from certain mandatory, authorized and permissive fees.

The Catalog, Schedule of Classes, and Website contain the most current information regarding fees. These documents are updated regularly.

NOTE: The language from current Kern CCD procedures should be carefully reviewed to determine whether it is still accurate and necessary to codify this level of detail in this administrative procedure. Consider reflecting much of this language on a "Fee Webpage" and/or in Student Fee Manuals/Guidelines, etc.

❖ **From current KCCD Procedure 4A8C(a) titled Enrollment Fee Refund**

Enrollment Fee Refund

- 1) The student shall be credited any excess enrollment fee computed based on units of current enrollment, if a student drops a course within:
 - Two (2) weeks after the starting date of the semester for a semester length course, or
 - A date calculated to be ten (10) percent from the starting date of a course other than semester length.

If a course is ten (10) days or less in length, the course must be dropped before the second (2nd) meeting to be credited a refund, computed based on units of current enrollment.

- 2) If a class is cancelled or rescheduled, the student shall be credited any excess enrollment fee computed based on units of current enrollment.

- 3) A student entitled to receive the enrollment fee refund shall be issued such refund by the end of the second consecutive semester of non-attendance (summer session is not considered a semester)
- 4) In the case of students who are members of an active or reserve military service, and who receive orders compelling a withdrawal from courses, the entire enrollment fee shall be refunded, unless academic credit is awarded.

~~Approved by Chancellor's Cabinet~~

~~11/9/10~~

~~Approved by the Consultation Council~~

~~11/16/10~~

❖ From current KCCD Procedure 4A8C(b) titled Enrollment Fee Waivers

Enrollment Fee Waivers

The following enrollment fee waivers are authorized by law:

1. Special full-time or part-time students enrolled in college courses only for high school credit are not subject to the enrollment fee, and no waiver or exemption is necessary. (This is noted in the Student Fee Handbook, page four, paragraph four, but there is no legal citation, since this is a Constitutional matter. See Counsel Ralph Black's letter of September 23, 2004, which supports this ruling.)
2. Children or dependents of a deceased or disabled veteran [Education Code Section 66025.3(a)(2)(A). This section also has other related categories of eligibility for waivers.]
3. Apprentices in courses of supplemental or related instruction (Section 3074.7 of the Labor Code and Education Code Section 76350)
4. Recipients of benefits under the Temporary Assistance to Needy Families (TANF) program [Education Code Section 76300(g)(1)]
5. Recipients of benefits of Supplemental Security Income/State Supplementary program [Education Code Section 76300(g)(1)]
6. General Assistance program recipients [Education Code Section 76300(g)(1)]
7. Students who demonstrate eligibility according to income standards established by the Board of Governors and contained in Title 5, Section 58620 and Education Code Section 76300 (g)(2).
8. California State University or University of California students enrolled in remedial classes provided by a community college district on a campus of the

University of California or a campus of the California State University, for whom the District claims an attendance apportionment pursuant to an agreement between the District and the California State University or the University of California [Education Code Section 76300(e)(2)].

9. Any student, who at the time of enrollment is a dependent, or surviving spouse who has not remarried, of any member of the California National Guard who, in the line of duty and while in the active service of the State, was killed [Education Code Section 72252(h)], died of a disability resulting from an event that occurred while in the active service of the State, or is permanently disabled as a result of an event that occurred while in the active service of the State [Education Code Section 76300(h)]
10. Students enrolled in the non-credit courses designated by Education Code Section 84757. [Education Code Section 76300(e)(1)]
11. Students enrolled in credit contract education courses pursuant to Education Code 78021. [Education Code Section 76300(e)(3)]
12. A student who is the surviving spouse or the child, natural or adopted, of a deceased person who met all of the requirements of Education Code Section 68120 which refers to law enforcement officials killed in the performance of actual law enforcement or fire suppression duties. [Education Code Section 76300(i)]
13. A student who is a dependent of any individual killed in the September 11, 2001, terrorist attacks according to the stipulations of Education Code Section 76300(j)&(k).]
14. Guaranteed Transfer Option (GTO) students, with appropriate documentation, who enroll at a California community college campus for 2004-05 are entitled to an Enrollment Fee Waiver for 2004-05, and for one (1) year thereafter, irrespective of financial need while the student is enrolled at that campus. Subsequent to 2004-05, GTO students enrolling at a California community college will have their enrollment fees waived if they can establish financial need according to the standards noted in Title 5, Section 58620. [Education Code Section 66744(a)&(b)]

~~Approved by Chancellor's Cabinet~~

~~November 24, 1987~~

~~Revised 9/19/89~~

~~Revised 4/21/94; Effective May 19, 1994~~

~~Approved by Chancellor's Executive Council and Cabinet—November 16, 2004~~

~~Renumbered May 23, 2011~~

❖ **From current KCCD Procedure 4A8E titled Health Fee Guidelines**

Health Fee Guidelines

Health Fee Refund

- 1) The student will be credited the health fee if all classes on the main campus are dropped and an enrollment fee credit is generated by a main campus class during the transaction.
- 2) A student entitled to receive the health fee refund must apply for the refund before the end of the second consecutive semester of non-attendance (summer session is not considered a semester), and shall use the appropriate campus refund request form.
- 3) If a student does not apply for the health fee refund within the time frame noted in number two (2) above, the available funds will revert to the District.

Health Fee Exemptions

The following Health Fee exemptions are authorized by law:

- 1) Students who depend exclusively upon prayer for healing in accordance with the teachings of a bona fide religious sect, denomination, or organization.
- 2) Students who are attending a community college under an approved apprenticeship training program.

The following local exemptions also are authorized:

- 1) Students enrolled at campuses and centers where no health services are provided.
- 2) Students enrolled on weekends (only) when no health services are provided.

~~Approved by the Chancellor's Cabinet
November 24, 1987~~

~~Revised 10/29/91; 8/24/93; 4/21/94, Effective May 19, 1994; 2/25/97; Executive Council
12/13/2005
Renumbered May 23, 2011~~

❖ **From current KCCD Procedure 4A8G titled Student Body Operating and Building Fee**

Student Body Operating and Building Fee

- A. Effective Fall Semester 1990, a student body operating and building fee shall be assessed in the following manner:

Bakersfield College students shall be assessed one dollar (\$1.00) per credit hour for courses on the main campus up to a maximum of five dollars (\$5.00) per Fall semester and five dollars (\$5.00) per Spring semester. The fee shall not be assessed for summer session enrollment.

- B. This fee shall remain in effect through Spring semester 2020.

C. Porterville College students shall be assessed one dollar (\$1.00) per credit hour up to a maximum of five dollars (\$5.00) per Fall semester and five dollars (\$5.00) per Spring semester. The fee is not assessed for summer session enrollment.

- D. The following student body operating and building fee waivers are authorized by law:

- 1) Aid to Families with Dependent Children (AFDC) program recipients
- 2) Supplemental Security Income/State Supplementary program recipients
- 3) General Assistance program recipients
- 4) K-8 students who are taking classes
- 5) Students who are in apprenticeship programs

- E. The following student body operating and building fee refund procedures shall apply:

- 1) The student shall be credited any excess student body operating and building fee based on the units or current credit enrollment, if a student drops a course within:
 - Two (2) weeks after the starting date of the semester for a semester length course, or

- A date calculated to be within ten (10) percent from the starting date of a course other than semester length.
- 2) If a class is cancelled or rescheduled, the student shall be credited any excess student body operating and building fee computed based on units of current credit enrollment.
 - 3) A student entitled to receive the student body operating and building fee refund must apply for the refund before the end of the second consecutive semester of non-attendance (summer session is not considered a semester), and shall use the appropriate campus refund request form.
 - 4) If a student does not apply for the student body operating and building fee refund within the timeframe noted in number three (3) above, the available funds will revert to the District.
 - 5) Exceptions to these procedures must be approved by the College President or designee.

~~Approved by Chancellor's Cabinet
March 27, 1990~~

~~Revised 10/29/91
Revised 8/24/93, Effective Fall 1993
Renumbered 4/21/94
Renumbered 2/25/97
May 23, 2011~~

Kern Community College District
Board Policy
Chapter 5 – Student Services

BP 5031 INSTRUCTIONAL MATERIALS

References:

Education Code Section 76365;
Title 5 Sections 59400-59408

NOTE: *This policy is unique to the Kern CCD.*

❖ From current KCCD Policy 4A9 titled Instructional and Other Materials

4A9A The Colleges within the District may require students to provide instructional and other materials required for a credit or noncredit course, provided that such materials are of continuing value to a student outside of the classroom setting, and provided that such materials are not solely or exclusively available from the College.

4A9B A These instructional materials shall not be considered to be solely or exclusively available from the College if it is provided to the student at the College's actual costs; and (a) the material is otherwise generally available, but is provided solely or exclusively by the College for health and safety reasons; or (b) the material is provided in-lieu of other generally available but more expensive material which would otherwise be required.

4A9C The Colleges District Chancellor or designee shall ~~adopt~~ ensure procedures are developed for to address required instructional and other materials consistent with Title 5 regulations.

4A9D ~~District~~ Policies and College procedures for required instructional materials shall be published in the College catalog.

Kern Community College District
Administrative Procedure
Chapter 5 – Student Services

AP 5031 INSTRUCTIONAL MATERIALS

References:

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

NOTE: *The language in red ink is **legally required**. Local practice may be inserted.*

Students may be required to provide instructional 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.

Required instructional materials shall not include materials used or designed primarily for administrative purposes, class management, course management, or supervision.

Where instructional materials are available to a student temporarily through a license or access fee, the student shall be provided options at the time of purchase to maintain full access to the instructional materials for varying periods of time ranging from the length of the class up to at least two years. The terms of the license or access fee shall be provided to the student in a clear and understandable manner prior to purchase.

Instructors shall take reasonable steps to minimize the cost and ensure the necessity of instructional materials.

The Colleges will publish these procedures in each college catalog.

Definitions

"Required instructional materials" means any materials which a student must procure or possess as a condition of registration, enrollment or entry into a class; or any such material which the instructor determines is necessary to achieve the required objectives of a course.

"Solely or exclusively available from the College" means that the instructional material is not available except through the College, or that the College requires that the instructional material be purchased or procured from it. A material shall not be

considered to be solely or exclusively available from the College if it is provided to the student at the College's actual cost; and 1) the instructional material is otherwise generally available, but is provided solely or exclusively by the College for health and safety reasons; or 2) the instructional material is provided in lieu of other generally available but more expensive material which would otherwise be required.

"Required instructional 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 the class.

NOTE: Insert local procedures here, including:

- How need is determined and by whom.
- How compliance with definitions is determined and by whom.
- How materials will be provided and by whom.
- Procedures for publishing and collecting fees.
- Who is responsible for gathering related data and responding to the California Community Colleges Chancellor's Office inquiries regarding these fees.

Establishing Required Materials and Related Fees

Periodically, the Vice President of Instruction or designee conducts a review of materials fees. Materials fees for courses are published in the College's Schedule of Classes. When new courses are initiated by faculty and a materials fee is recommended, the recommended materials fee shall be reviewed by the Vice President of Instruction or designee to ensure compliance with regulations.

The Catalog, which is updated annually, contains the most recent information regarding instructional materials fees.

**Kern Community College District
Board Policy
Chapter 5 – Student Services**

BP 5035 WITHHOLDING OF STUDENT RECORDS

Reference:

Title 5 Section 59410

NOTE: *The language in red ink is **legally advised**.*

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

Kern Community College District
Administrative Procedure
Chapter 5 – Student Services

AP 5035 WITHHOLDING OF STUDENT RECORDS

Reference:

Title 5 Section 59410

NOTE: *If the Districts withholds student records due to non-payment of fees, the following is **legally required**. Local procedure may be inserted. The following is an illustrative example that meets legal requirements.*

The Admissions and Records Office 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.

NOTE: *Insert local procedures on the notification process and the student's opportunity to explain.*

Notifying Students of Withholding Records

The Finance Office notifies students of past due accounts. Within the notification, students are provided options and instructions to explain.

**Kern Community College District
Board Policy
Chapter 5 – Student Services**

**BP 5040 STUDENT RECORDS, DIRECTORY INFORMATION, AND
PRIVACY**

*****Please note that this is included for reference only to show the numbering change. We have adopted this policy and it is currently posted to our BPM.**

References:

Education Code Sections 76200 et seq.:

Title 5 Sections 54600 et seq.:

20 U.S. Code Section 1232g(j):

WASC/ACCJC Accreditation Standard II.C.8

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

The District Chancellor may direct the implementation of appropriate safeguards to assure that student records cannot be accessed or modified by any person not authorized to do so.

Any currently enrolled or former student of the District has a right of access to any and all student records relating to him or her maintained by the District.

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

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

Directory information shall include:

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

Kern Community College District
Administrative Procedure
Chapter 5 – Student Services

AP 5040 STUDENT RECORDS, DIRECTORY INFORMATION, AND PRIVACY

References:

Education Code Sections 71091 and 76200 et seq.;
Title 5 Sections 54600 et seq.;
20 U.S. Code Section 1232 g(j) (U.S. Patriot Act);
Civil Code Section 1798.85;
WASC/ACCJC Accreditation Standard II.C.8

NOTE: This procedure is **legally required**. Local practice may be inserted. Definitions of “student records” are contained in Education Code Section 76210. The following is an illustrative example that meets legal requirements.

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 as authorized under the following circumstances: To access, or to obtain access to student records, please contact Admissions and Records.

- Student records shall be released pursuant to a student's written consent. Student shall complete a records authorization release form.
- “Directory information” may be released in accordance with the definitions in BP 5040 titled Student Records, Directory Information, and Privacy.
- Student records shall be released pursuant to a judicial order or a lawfully issued subpoena. See BP 3A15.
- 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~~ accessed by officials and employees of the District only when they have a legitimate educational interest to inspect the

record. ~~Contact~~ Admissions and Records shall forward such request to the Chancellor, College President or designee for review and approval.

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. ~~Please contact Admissions and Records in cases where records can be released to authorized officials as identified above.~~

Student records may be released to officials of other public or private schools or school systems, including local, county, or state correctional facilities where education programs are provided, where the student seeks or intends to enroll or is directed to enroll. The release is subject to the conditions in Education Code Section 76225. ~~Public or private schools shall contact Admissions and Records for release of student records.~~

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. ~~Financial Aid organizations shall contact Admissions and Records for release of student records.~~

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. ~~Contact Admissions and Records.~~ The requesting organization shall enter into a written agreement with the District before any information from student records is released.

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. ~~In case of~~

emergency necessary to protect the health and safety of a student, contact Admissions and Records for release of student records.

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, major(s), 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 \$4.00 per copy. Students may request special processing of a transcript.

Electronic Transcripts

The District may elect to implement a process for the receipt and transmission of electronic student transcripts contingent upon receipt of sufficient funding.

Use of Social Security Numbers

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/her social security number over the internet using a connection that is not secured or encrypted;
- Require an individual to use his/her social security number to access an Internet Web site without also requiring a password or unique personal identification number or other authentication device; 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/she has the right to stop the use of his/her social security number in a manner otherwise prohibited;
- The 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.

**Kern Community College District
Board Policy
Chapter 5 – Student Services**

BP 5050 STUDENT SUCCESS AND SUPPORT PROGRAM

References:

Education Code Sections 78210 et seq.:

Title 5 Sections 55500 et. seq.:

WASC/ACCJC Accreditation Standard II.C.2

NOTE: *The language in red ink is legally required.*

The District shall provide Student Success and Support Program services to students for the purpose of furthering equality of educational opportunity and academic success. The purpose of Student Success and Support Program services is to bring the student and the Colleges into agreement regarding the student’s educational goal through each College’s established programs, policies, and requirements.

The District Chancellor or designee shall establish procedures to assure implementation of Student Success and Support Program services that comply with the Title 5 regulations.

NOTE: *The language contained in current KCCD Policies 4A2 and 4A3 is shown as struck below as this prescriptive language has been moved to the related administrative procedure (AP 5050 titled Student Success and Support Program).*

❖ From current KCCD Policy 4A2 titled Student Responsibilities

~~Student Responsibilities (Added June 3, 1993)~~

~~4A2A Upon admission to the College, each student shall express at least a broad educational intent for attending College.~~

~~4A2B All students are matriculating students unless exempt (see Procedure 4A3(a) of this Manual for the Matriculation Component Exemption Criteria). Each matriculating student must identify a specific educational goal no later than the semester following the completion of fifteen (15) semester units.~~

~~4A2C After specifying an educational goal, each matriculating student must develop a Student Educational Plan within ninety (90) instructional days.~~

~~4A2D Matriculating students in the following categories shall participate in counseling/advisement:~~

- ~~• students on probation~~
- ~~• students who have not declared a specific educational goal~~
- ~~• students who are enrolled in pre-collegiate basic skills courses~~

~~4A2E All students shall comply with attendance and progress requirements established by each College.~~

~~4A2F All students shall complete assigned work in a timely manner.~~

~~4A2G Student failure to take responsibilities as cited above may lead to disciplinary action as defined in Title 5.~~

❖ From current KCCD Policy 4A3 titled Matriculation

~~The matriculation process for students includes assessment, orientation, counseling/advising and the completion of a Student Educational Plan. Each College in the District shall develop, regularly update, and post to the District/College website a complete description of all of the opportunities available to students so that they can become fully matriculated in a timely manner. See Procedures 4A3(a), 4A3(b), and 4A3(c).~~

~~4A3A Assessment - Students shall be required to complete assessment testing. Assessment is mandated for courses with assessment level prerequisites. The Colleges are authorized to develop and use assessment equivalencies. Assessment requirements shall be noted in appropriate College publications.~~

~~4A3B Orientation - Each College shall develop and offer orientation opportunities that provide students with information including, but not limited to, the college's programs, services, facilities, grounds, academic expectations, and institutional procedures.~~

~~4A3C Counseling/Advising - Each College shall develop and staff counseling and advising programs that provide appropriate support services to assist students in their academic and personal development.~~

~~4A3D Student Educational Plan - Each College shall provide resources for students to complete a Student Educational Plan which shall outline the courses necessary to satisfy a student's academic goal in a recommended term-by-term sequence.~~

~~4A3E Priority Registration - The District recognizes that matriculation enhances students' success in achieving their educational goals. The District shall provide priority registration to students who have completed the following matriculation components: assessment, orientation, counseling/ advising, and a Student Educational Plan. See Procedures 4A3(a), 4A3(b), and 4A3(c).~~

~~4A3F Evaluation - Each College shall annually evaluate the effectiveness of its matriculation process.~~

Kern Community College District
Administrative Procedure
Chapter 5 – Student Services

AP 5050 STUDENT SUCCESS AND SUPPORT PROGRAM

References:

Education Code Sections 78210 et seq.:

Title 5 Sections 55500 et seq.:

WASC/ACCJC Accreditation Standard II.C.2

NOTE: *The language in red ink is **legally required** and provides an illustrative model. Local practice may be inserted here.*

The Student Success and Support Program brings the student and the Colleges 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.

NOTE: *The language shown in **brown ink** below is from current KCCD Policies 4A2 and 4A3 and was moved to this new administrative procedure due to the detailed language contained therein.*

The District’s Student Success and Support Program includes assessment, orientation, counseling/advising and the completion of a Student Educational Plan. Each College in the District shall develop, regularly update, and post to the District/College website a complete description of all of the opportunities available to students so that they can become fully matriculated in a timely manner.

Student Success and Support Program services include, but are not limited to, all of the following:

Assessment

Administration of assessment instruments are used to determine student competency in computational and language skills. Students shall be required to complete assessment testing. Assessment is mandated for courses with assessment level prerequisites. The Colleges are authorized to develop and use assessment equivalencies. Assessment requirements shall be noted in appropriate College publications. *The Colleges within the District shall not use*

any assessment instrument except one specifically authorized by the Board of Governors of the California Community Colleges.

Orientation

Each College shall develop and offer orientation opportunities that provide students with information including, but not limited to, the college's programs, services, facilities, grounds, academic expectations, and institutional procedures. Orientation sessions include information concerning campus procedures, academic expectations, financial assistance, and any other appropriate matters.

Counseling/Advising

Matriculating students in the following categories shall participate in counseling/advisement:

- students on probation
- students who have not declared a specific educational goal
- students who are enrolled in pre-collegiate basic skills courses

Each College shall develop and staff counseling and advising programs that provide appropriate support services to assist students in their academic and personal development. Counseling/advising services provide assistance to students by:

- Identifying aptitudes, interests, and educational objectives, including, but not limited to, associate of arts degrees, transfer for baccalaureate degrees, and career and technical education certificates and licenses;
- Evaluating student study and learning skills;
- Referring students to specialized support services as needed, including, but not limited to, federal, state, and local financial assistance; health services; mental 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;
- Advising students concerning course selection; and
- Providing follow-up services, 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.

Student Educational Plan

Upon admission to the College, each student shall express at least a broad educational intent for attending College. All students are matriculating students unless exempt. Each matriculating student must identify a specific educational goal no later than the semester following the completion of 15 semester units. After specifying an educational goal, each matriculating student must develop a Student Educational Plan within 90 instructional days.

Each College shall provide resources for students to complete a Student Educational Plan which shall outline the courses necessary to satisfy a student's academic goal in a recommended term-by-term sequence.

Each student, in entering into an educational plan, will do all of the following:

- identify an education and career goal;
- identify a course of study;
- be assessed to determine appropriate course placement;
- complete orientation;
- participate in the development of the student educational plan;
- complete a student educational plan 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; and
- complete courses and maintain progress toward an educational goal

Priority Registration

The District recognizes that matriculation enhances students' success in achieving their educational goals. The District shall provide priority registration to students who have completed the following matriculation components: assessment, orientation, counseling/ advising, and a Student Educational Plan. (See BP/AP 5055 titled Enrollment Priorities)

All students shall comply with attendance and progress requirements established by each College.

All students shall complete assigned work in a timely manner.

Student failure to take responsibilities as cited above may lead to disciplinary action as defined in Title 5.

Evaluation

Each College shall annually evaluate the effectiveness of its Student Success and Support Program.

NOTE: *It is recommended that District leaders carefully review the language from current KCCD Procedure 4A3(a) below to validate its accuracy and necessity to retain it in an administrative procedure or consider placing it on a website and/or in another documents such as a Student Success and Support Program Plan.*

❖ **From current KCCD Procedure 4A3(a) titled Matriculation Component Exception Criteria**

Matriculation Component Exemption Criteria

Consistent with the provisions of AB 3, Sections 78212-78214, and Title 5, Section 55532, the following Exemption Procedures for Assessment, Orientation, and Counseling/Advising are in effect for the Colleges of the Kern Community College District.

Except as noted below, all students shall be required to complete the four (4) matriculation components: assessment, orientation, counseling/advising, and a Student Educational Plan (SEP). The Vice President, Student Services, or designee may, upon appeal, exempt students from the above-noted components, for circumstances not covered by this procedure.

Counseling/ Exemption Criteria	Assessment	Orientation	Counseling/ Advising	SEP
1—Students who have completed an associate degree or higher	X	X	X	X
2—Satisfactory completion of course work equivalent to college-level English and college-level math, or completion of State Approved Assessment.	X			

Approved by Chancellor's Cabinet 2/28/12

NOTE: *It is recommended that District leaders carefully review the language from current KCCD Procedure 4A3A below to validate its accuracy and necessity to retain it in an administrative procedure or consider placing it on a website and/or in another documents such as a Student Success and Support Program Plan.*

❖ From current KCCD Procedure 4A3A titled Procedure for Adopting New Assessment Instruments

Procedure for Adopting New Assessment Instruments

Only standardized assessment instruments which are on the State Chancellor's approved, provisional, or probationary list may be used as an indicator for placement into classes.

In 1989, the District Student Services Committee recommended, and the Colleges concurred in the selection of ASSET assessment instruments for use in placing

~~students in courses. ASSET is approved by the State Chancellor's Office as an assessment instrument. All three Colleges use ASSET for course placement purposes. To change to other State approved assessment instruments is permissible, but only after due process.~~

Locally developed, College specific, assessment instruments which are approved by the State Chancellor's Office may also be used for placement purposes.

~~Each year ACT furnishes reports to the Colleges and the District with respect to the validity of the ASSET tests being used as compared with course grades.~~

Adopting New Assessment Instruments Already on the State Approved List

- 1) A College may ~~experiment~~ use with a State approved assessment instrument not currently in use by conducting a validity study that demonstrates that the proposed test or combination of tests is a significantly better placement instrument than the one currently in use for a course or a group of courses.

This validity study would first be presented to the College Student Services Committee for information, discussion, and recommendation. Any action recommending the use of an assessment instrument not currently in use will be forwarded to the District ~~Student Services Committee~~ Vice Presidents' Group for consideration and possible decision.

- ~~2) On a pilot project basis, the District Student Services Committee may authorize the use of an assessment instrument(s) that is already on the State Chancellor's approved, provisional, or probationary list in order to determine whether or not this instrument is a better predictor of success than ASSET.~~

~~If the pilot project provides evidence of predictive validity that is equal or superior to those developed for ASSET, it will become a matter for the District Student Services Committee to decide whether or not to adopt the new instrument District-wide, or to permit local option.~~

Suggested criteria that might become factors in a recommendation or decision are:

- Predictive validity and reliability
- Cost
- Compatibility with computer assessment
- Compatibility with BANNER
- Ease of administration and scoring
- Time needed for testing
- Power test versus timed test

Adopting New Assessment Instruments that are Not on the State Approved List

If a College proposes to the District ~~Student Services Committee~~ Vice Presidents' Group an assessment instrument that is not on the State Chancellor's List, the steps required by the State Chancellor's Office must be followed in order to gain provisional or probationary status for that particular instrument for purposes of a pilot study.

~~Approved by Chancellor's Cabinet
January 28, 1997~~

**Kern Community College District
Board Policy
Chapter 5 – Student Services**

BP 5052 OPEN ENROLLMENT

Reference:

Title 5 Section 51006

NOTE: *The language in red ink is **legally advised**. Boards are required to adopt by resolution the statement, or a comparable one, contained in the first paragraph. If the Board has already adopted a resolution, this policy is legally advised, but not required.*

All courses, course sections, and classes at each College shall be open for enrollment to any person who has been admitted to the college. Enrollment may be subject to any priority system that has been established. Enrollment may also be limited to students meeting properly validated prerequisites and co-requisites, or due to other practical considerations such as exemptions set out in statute or regulation.

The District Chancellor or designee shall assure that this policy is published in the catalogs and schedules of classes.

NOTE: *The language contained in current KCCD Policy 4A7 is shown as struck below as this prescriptive language has been moved to the related administrative procedure (AP 5052 titled Open Enrollment).*

❖ From current KCCD Policy 4A7 titled Limitations on Enrollment in Courses or Programs

~~4A7A Enrollment may be limited by the College President or designee to students meeting validated prerequisites and corequisites established by the Curriculum Committee. (See Title 5, Section 55003.)~~

~~4A7B Enrollment may be limited due to health and safety considerations, facility limitations, faculty workload, the availability of qualified instructors, funding limitations, or legal requirements.~~

~~4A7C Enrollment will be allowed on a first-come, first-served basis or by using other non-evaluative techniques to determine who may enroll.~~

~~4A7D Enrollment in intercollegiate competition courses, honors courses, or public performance courses may be allocated to those students judged most qualified.~~

~~4A7E Enrollment in individual sections of multi-section courses may be limited to a cohort of students enrolled in one or more other courses, provided however, that a reasonable percentage of all sections of the course do not have such restrictions.~~

~~4A7F The colleges will limit the total number of units in which students who have been disqualified or placed on probationary status may enroll. [See Board Policy Manual Procedure 4G4(a)]~~

~~4A7G Students may challenge an enrollment limitation on the grounds that: the limitation is either unlawfully discriminatory or is being applied in an unlawfully discriminatory manner; the District is not following its policy on enrollment limitations; or, the basis upon which the district has established an enrollment limitation does not, in fact, exist.~~

~~The student shall bear the burden of showing that grounds exist for the challenge. Challenges shall be handled in a timely manner, and if the challenge is upheld, the District shall waive the enrollment limitation with respect to that student. In the case of a challenge under this Policy, the District shall, upon completion of the challenge procedure, advise the student that he or she may file a formal complaint for unlawful discrimination. (See Board Policy 4F10, Student Complaint Policy.)~~

Also see BP/AP 4260 titled Prerequisites, Co-requisites, and Advisories; BP/AP 5055 titled Enrollment Priorities; and BP/AP 5530 titled Student Rights and Grievances

Kern Community College District
Administrative Procedure
Chapter 5 – Student Services

AP 5052 OPEN ENROLLMENT

References:

Title 5 Sections 51006, 58106, and 58108

NOTE: *The language in red ink is **legally advised**. Local practice may be inserted, but should reflect the following.*

The Colleges within the District shall be open to enrollment in accordance with BP 5052 titled Open Enrollment and a priority system consistent with AP 5055 titled Enrollment Priorities. Enrollment may be limited to students meeting properly validated prerequisites and co-requisites (See BP/AP 4260 titled Prerequisites, Co-requisites, and Advisories), or due to other non-evaluative, practical considerations as determined by the College President or designee.

No student is required to confer or consult with or required to receive permission to enroll in any class offered by the Colleges within the District, except as provided for in AP 5055 titled Enrollment Priorities. 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 AP 5055 titled Enrollment Priorities.

NOTE: *The language shown in **brown ink** below is from current KCCD Policy 4A7 and was moved to this new administrative procedure due to the detailed language contained therein.*

Enrollment may be limited due to health and safety considerations, facility limitations, faculty workload, the availability of qualified instructors, funding limitations, or legal requirements.

Enrollment will be allowed on a first-come, first-served basis or by using other non-evaluative techniques to determine who may enroll.

Enrollment in intercollegiate competition courses, honors courses, or public performance courses may be allocated to those students judged most qualified.

Enrollment in individual sections of multi-section courses may be limited to a cohort of students enrolled in one or more other courses, provided however, that a reasonable percentage of all sections of the course do not have such restrictions.

The colleges will limit the total number of units in which students who have been disqualified or placed on probationary status may enroll.

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;*
- *Colleges within the District are not following its enrollment procedures;*
- *The basis for the limitation does not in fact exist.*

NOTE: *Insert local procedures on how students may challenge an enrollment limitation.*

The student shall bear the burden of showing that grounds exist for the challenge. Challenges shall be handled in a timely manner, and if the challenge is upheld, the College shall waive the enrollment limitation with respect to that student. In the case of a challenge under this Policy, the College shall, upon completion of the challenge procedure, advise the student that he or she may file a formal complaint for unlawful discrimination.

Also see BP/AP 4260 titled Prerequisites, Co-requisites, and Advisories; BP/AP 5055 titled Enrollment Priorities; and BP/AP 5530 titled Student Rights and Grievances

**Kern Community College District
Board Policy
Chapter 5 – Student Services**

BP 5055 ENROLLMENT PRIORITIES

References:

Title 5 Sections 51006, 58106, and 58108

NOTE: *The language in red ink is **legally required**. If the Board adopts BP 5052 titled Open Enrollment, then the language in the first paragraph may be deleted from this policy.*

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

The District Chancellor or designee shall establish procedures defining enrollment priorities, limitations, and processes for student challenge, which shall comply with Title 5 regulations.

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Administrative Procedure
Chapter 5 – Student Services

AP 5055 ENROLLMENT PRIORITIES

References:

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

NOTE: This procedure is **suggested as good practice**. Local practice may be inserted here. The following is an illustrative example.

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

Enrollment may be limited due to the following:

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

The Colleges within the District will provide priority registration for students who enroll in a community college for the purpose of degree or certificate attainment, transfer to a four-year college or university, or career advancement.

[NOTE: To the extent districts have the capacity and resources to require orientation, assessment, and education plans for continuing students, districts may establish orientation, assessment and education plans or any combination thereof as a condition for registration priority.]

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

- Is placed on academic or progress probation or any combination thereof as defined in BP titled Probation, Disqualification, and Readmission; AP 4250 titled

Probation; and AP 4255 titled Disqualification and Readmission for two consecutive terms; or

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

For purposes of this section a unit is earned when a student receives a grade of A, B, C, D or P as defined in BP and AP 4230 titled Grading and Academic Record Symbols. This 100-unit limit does not include units for non-degree applicable English as a Second Language or basic skills courses as defined by the Chief Instructional Officer. Students enrolled in high unit majors or programs as designated by the Vice President of Instruction.

[NOTE: The District may set the unit limit lower than 100 units and may consider units from other higher education institutions. The District may exempt units earned through credit by examination, advanced placement, International Baccalaureate, or other similar programs from the 100-unit limit.]

The Colleges shall notify students who are placed on academic or progress probation, of the potential for loss of enrollment priority. The College shall notify the student that a second consecutive term on academic or progress probation will result in the loss of priority registration as long as the student remains on probation. The College shall notify students who have earned 75 percent or more of the unit limit, that enrollment priority will be lost when the student reaches the unit limit.

Appeal of Loss of Enrollment Priority

Students may appeal the loss of enrollment priority when the loss is due to extenuating circumstances. Extenuating circumstances are verified cases of accidents, illnesses, or other circumstances beyond the control of the student, or when a student with a disability applied for, but did not receive a reasonable accommodation in a timely manner. The Vice President of Student Services or designee will determine the appeal in his/her sole discretion.

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

The Colleges shall ensure that these procedures are reflected in course catalogs and that all students have appropriate and timely notice of the requirements of this procedure.

❖ From current KCCD Procedure 4A3(c) titled Order of Priority Registration

Order of student registration is, in part, mandated by California legislation.

Order of Priority Registration

Priorities 1-5 require completion of assessment, orientation, and counseling/advising plus the completion of an abbreviated Student Educational Plan.

Priority 1	Active-duty Military; Veterans; Foster Youth*; Former Foster Youth**; DSPS; EOPS; CalWORKS
Priority 2	Honors Students, Presidential Scholars, Dean's List, Student Athletes and special cohorts defined by the college ***
Priority 3	Continuing Students (excluding students on academic standing probation 2) with less than 100 units earned (excluding units in basic English, math, or English as a Second Language)
Priority 4	Graduating high school seniors in the KCCCD service area
Priority 5	First-term students not included above

*Foster youth—a person who is currently in foster care

**Former foster youth—a person who is an emancipated foster youth and who is up to 24 years of age

***Student groups noted for registration in Priority 2 are special populations designated by the colleges

(NOTE: Insert other, local priorities here, which must be based on one or more of the following approaches.)

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

❖ From current KCCD Procedure 4A3(b) titled Procedures for Registration and Collection of Enrollment Fees

Procedures for Registration and Collection of Enrollment Fees

- 1) Priority registration appointments are scheduled prior to open registration. [\[See Priority Registration Procedure 4A3\(c\).\]](#)

- 2) In person registration will be available for courses requiring instructor or departmental approval.
- 3) Students not in good academic standing or having a hold that prevents registration will not be allowed to register until they have obtained clearance from appropriate College personnel.
- 4) Students with two ~~(2)~~ or more or a combination of any two ~~(2)~~ or more “D’s”, “F’s”, “W’s”, “NP’s” in a single course will be prevented from registering for that course until they have obtained clearance in accordance with the College’s established procedures.
- 5) Students are required to complete an Admissions or Update form prior to registration every term. These forms may be completed on the web.
- 6) At the time of registration students can check their class schedules and their account information via the web.
- 7) Enrollment fees are due at the time of registration. ~~(See Board Policy 4A7 regarding penalties for failure to pay enrollment fees by the due date.)~~

~~Approved by Chancellor’s Cabinet 2/28/12~~

The Priority Registration Appeal Form is available in the Admission and Records Office at each College.

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Board Policy
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BP 5070 ATTENDANCE

References:

Title 5 Sections 58000 et seq.

NOTE: *This policy is unique to the Kern CCD.*

❖ From current KCCD Policy 4C8 titled Attendance

4C8A Each College will develop and publish procedures related to attendance of students.

4C8B The *Colleges within the District* will develop attendance accounting procedures in accordance with established State law and regulations. ~~(See Procedure 4C8B of this Manual for the Apportionment Attendance Report Checkoff List.)~~

NOTE: *The language below is unique to the Kern CCD. Consider whether it is still relevant.*

❖ From current KCCD Policy 4F11 titled Sunday Practices

Sunday Practices

~~College activities such as dramatics, orchestra, rehearsals, and other activities should not be scheduled on Sundays. If emergencies arise where Sunday practice is necessary, students should not be penalized if they find it inadvisable to attend because of conflicts with religious activities or beliefs.~~

Also see BP/AP 4010 titled Academic Calendar and AP 5070 titled Attendance Accounting

Kern Community College District
Administrative Procedure
Chapter 5 – Student Services

AP 5070 ATTENDANCE

References:

Education Code Sections 84500 and 84501;
Title 5 Sections 58000 et seq.

NOTE: This procedure is **legally required**. Local practice may be inserted, but must reflect the requirements of Title 5 and the Budget and Accounting Manual regarding attendance accounting. Requirements include the following broad areas:

- 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 disenrollment information.
- Computation of FTES that includes only the attendance of students while they are engaged in educational activities required of students and while they are under the immediate supervision and control of an academic employee of the District authorized to render service in the capacity and during the period in which he/she served.
- Maintenance of the colleges in the District for at least 175 days during the fiscal year.

Pursuant to Title 5 section 58000 et seq., the Department of Finance, the Auditor General, and the California Community Colleges Chancellor’s Office, documentation requirements are maintained to promote standardized, accurate reporting of data used

for calculating the state general fund apportionment and to facilitate annual audits required of the district. Appropriate support records include the following:

- Computation of units of full time equivalent students (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 California Community College Chancellor’s Office for all credit courses, including work experience, independent study, and credit courses being reported on an actual attendance basis;
- Preparation of census day procedure tabulations;
- Preparation of actual student contact hours of attendance procedure tabulations;
- Preparation (as applicable) of actual apprentice hours of teaching procedure tabulations;
- Preparation of support documentation regarding all course enrollment, attendance and disenrollment information;
- Computation of FTES that includes only the attendance of students while they are engaged in educational activities required of students and while they are under the immediate supervision and control of an academic employee of the District authorized to render service in the capacity and during the period in which he/she served;
- Verification of a minimum of 175 days of instruction during the fiscal year.

Attendance Requirements

Students are expected to attend all meetings of the courses in which they are enrolled. Meetings include regularly scheduled sessions of the course, and other required activities such as field trips, athletic meets, and performance. It is the responsibility of the instructor to notify the students of all such required activities early enough in the semester to enable students to attend all meetings.

Absences

After an absence it is the responsibility of the student to inform the instructor of the reason for the absence and arrange to make up the course work missed. Excused absences for which work may be made up with the instructor's approval include:

(1) Absences due to illness, bereavement, personal emergency, or medical appointment; and

(2) Absences due to required attendance at approved field trips, performances, or intercollegiate events.

Instructor Drop

An instructor may drop a student who has missed three class meetings in a regular semester class that meets two or more times a week or who has missed two class meetings in a class that meets once a week. Instructors teaching classes that meet less than a full semester (summer, winter, short term) may allow fewer absences.

If a student fails to attend the entire first class meeting of a term without prior permission from the instructor, the student will be considered to have never enrolled and the instructor may give that seat to another student.

Census Reporting

Instructors shall clear the rolls of students who have never entered the course as of census day for each section.

Re-enrollment

To re-enroll in a course after being dropped by the instructor; a student must submit to the Admissions and Records Office a Program Change Form signed by the instructor. If a student is re-enrolled, any subsequent absence shall be considered sufficient reason for the instructor to drop the student.

Late Registration

To register for a class after the add deadline, which is the day before census, a student must submit to the Admissions and Records Office a Late Add Petition, signed by the student, the area Dean, and the instructor. The petition must set forth the extenuating circumstances that justify allowing the student to register for the class after the add deadline. The decision to either grant or deny the petition shall be made by the Admissions and Records Office. Apportionment shall only be claimed for students that were in attendance prior to census.

Also see the Kern CCD Apportionment Attendance Report Checkoff List

Kern Community College District
Administrative Procedure
Chapter 5 – Student Services

AP 5075 COURSE ADDS, DROPS, AND WITHDRAWALS

References:

Title 5 Sections 55024 and 58004

NOTE: This procedure is **legally required**. Local practice may be inserted. The following illustrative example meets legal minimum requirements.

Adding Courses

Students may add classes through the registration period.

After the registration period concludes, classes may only be added by formal request from the student to class instructor and the instructional administrator or designee.

Withdrawals

Withdrawals, or drops, are authorized through the last day of the fourteenth week of instruction or 60% 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.

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 received a “W” in a class more than three times. In the case of multiple withdrawals, the District offers the following intervention program:

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 non-evaluative symbol other than a "W" upon completion of the course, 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.

**Kern Community College District
Board Policy
Chapter 5 – Student Services**

BP 5110 COUNSELING

References:

Education Code Section 72620:

Title 5 Section 51018:

WASC/ACCJC Accreditation Standard II.C.5

NOTE: *The language in red ink is **legally required**.*

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

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

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

Kern Community College District
Administrative Procedure
Chapter 5 – Student Services

AP 5110 COUNSELING

References:

Education Code Sections 72620 and 72621;
Title 5 Section 51018;
WASC/ACCJC Accreditation Standard II.C.5

NOTE: This procedure is **legally advised**, since all counseling programs must meet the following legal minimums. Local practice may be inserted, but must meet the following requirements.

The counseling services available in each of the College’s counseling program include at least the following:

- Academic counseling, in which the student is assisted in assessing, planning, and implementing his/her immediate and long-range academic goals;
- Career counseling, in which the student is assisted in assessing his/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 College President or other persons when the counselor has reason to believe that disclosure is necessary to avert a clear and present danger to the health, safety, or welfare of the student or other persons living in the college community; reporting information to the District Chancellor 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.

NOTE: Insert other local procedures here related to counseling, such as who is required to seek assistance from a counselor.

**Kern Community College District
Board Policy
Chapter 5 – Student Services**

BP 5120 TRANSFER CENTER

References:

Education Code Sections 66720 – 66744:
Title 5 Section 51027

NOTE: *The language in red ink is **legally required**.*

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

The College President or designee shall assure that a transfer center plan is implemented that identifies appropriate target student populations, is designed to increase the transfer applications of underrepresented students and complies with law and regulations.

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Administrative Procedure
Chapter 5 – Student Services

AP 5120 TRANSFER CENTER

References:

Education Code Sections 66720-66744:

Title 5 Section 51027

NOTE: This procedure is **legally required**. Local practice may be inserted. The following provides minimum standards.

The College 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 Plans are maintained and updated annually by the College Transfer Center staff.

**Kern Community College District
Board Policy
Chapter 5 – Student Services**

BP 5130 FINANCIAL AID

References:

Education Code Sections 66021.6 and 76300:

Title 5 Sections 58600-58630:

20 U.S. Code Sections 1070 et seq.:

Higher Education Amendments of 1986, Public Law 99-49, Section 668.56, as amended:

Subpart E of 34 Code of Federal Regulations (CFR) Part 668:

U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid Programs under Title IV of the Higher Education Act of 1965, as amended:

WASC/ACCJC Accreditation Standard III.D.15

NOTE: *The language in red ink is **legally required**.*

A program of financial aid to students will be provided, which may include, but is not limited to, scholarships, grants, loans, and work and employment programs.

All financial aid programs will adhere to guidelines, procedures and standards issued by the funding agency, and will incorporate federal, state, and other applicable regulatory requirements.

The District Chancellor or designee shall establish, publicize, and apply satisfactory academic progress standards for participants in Title IV student aid programs.

NOTE: *The policy provisions below are **legally required** in an effort to show good faith compliance with the applicable federal regulations.*

Misrepresentation

Consistent with the applicable federal regulations for federal financial aid, the College shall not engage in “substantial misrepresentation” of 1) the nature of its educational program, 2) the nature of its financial charges, or 3) the employability of its graduates.

The College President shall establish procedures for regularly reviewing the College’s website and other informational materials for accuracy and completeness and for

training College employees and vendors providing educational programs, marketing, advertising, recruiting, or admission services concerning the College's educational programs, financial charges, and employment of graduates to assure compliance with this policy.

The College President shall establish procedures wherein the College shall periodically monitor employees' and vendors' communications with prospective students and members of the public and take corrective action where needed.

This policy does not create a private cause of action against the District or any of its representatives or service providers. The District and its Board of Trustees do not waive any defenses or governmental immunities by enacting this policy.

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Chapter 5 – Student Services

AP 5130 FINANCIAL AID

References:

Education Code Sections 66021.6, 66025.9, and 76300:

Title 5 Sections 55031 and 58600 et seq.:

20 U.S. Code Sections 1070 et seq.:

34 Code of Federal Regulations Section 668 (U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid Programs under Title IV of the Higher Education Act of 1965, as amended):

ACCJC Accreditation Standard III.D.15

NOTE: This procedure is **legally required**. Local practice may be inserted here. Many Districts have published extensive handbooks for financial aid. They may, if desired, be incorporated by reference rather than reproduced. Further information can be obtained at: <http://www.ifap.ed.gov>, the California Community College Student Financial Assistance Unit.

Financial Aid programs offered usually include:

- BOG
- CalWORKS
- Cal Grants
- Federal Pell Grants
- Federal Direct Student Loan Program
- Federal Family Education Loan Program

Regulations must address at minimum:

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

NOTE: The procedure provision below is **legally required** in an effort to show good faith compliance with the applicable federal regulations.

Misrepresentation

Misrepresentation is defined as any false, erroneous, or misleading statement that the College, a representative of the District, or a service provider with which the College has contracted to provide educational programs, marketing, advertising, recruiting, or admissions services, makes directly or indirectly to a student, prospective student, a member of the public, an accrediting agency, a state agency, or the United States Department of Education.

A misleading statement includes any statement that has the likelihood or tendency to deceive or confuse. If a person to whom the misrepresentation was made could reasonably be expected to rely, or has reasonably relied, on the misrepresentation, the misrepresentation would be substantial.

This procedure does not apply to statements by students through social media outlets or by vendors that are not providing covered services, as reflected herein.

NOTE: The procedure provision below is legally required under California Regulations and applies to students who receive a BOG Fee Waiver.

Loss of Eligibility for Board of Governors (BOG) Fee Waiver

A student shall become ineligible for a BOG Fee Waiver if the student is placed on academic or progress probation, or any combination thereof, for two consecutive primary terms. Loss of eligibility shall become effective at the first registration opportunity after such determination is made.

The College shall notify students of their placement on academic or progress probation no later than thirty days following the end of the term that resulted in the student's placement on probation. The notification must clearly state that two consecutive primary terms of probation will lead to a loss of the BOG Fee Waiver until the student is no longer on probation. The notification must also advise students about the available student support services to assist them in maintaining eligibility.

The College shall adopt, prominently display, and disseminate policies ensuring that students are advised about the student support services available to assist them in maintaining and reestablishing BOG Fee Waiver eligibility. Dissemination includes, but is not limited to, information provided in college catalogs and class schedules.

The College shall establish written procedures by which a student may appeal the loss of a BOG Fee Waiver due to extenuating circumstances, or when a student with a disability applied for, but did not receive, a reasonable accommodation in a timely manner. Extenuating circumstances are verified cases of accidents, illnesses, or other circumstances that might include documented changes in the student's economic situation or evidence that the student was unable to obtain essential student support services. Extenuating circumstances also includes special consideration of the specific factors associated with Veterans, CalWORKs, EOPS, and DSPS student status.

Foster Youth shall not be subject to loss of BOG Fee Waiver due to placement on academic or progress probation. This exemption for Foster Youth is effective until the date specified in Education Code Section 66025.9(c).

**Kern Community College District
Board Policy
Chapter 5 – Student Services**

BP 5140 DISABLED STUDENT PROGRAMS AND SERVICES

References:

Education Code Sections 67310 and 84850;
Title 5 Sections 56000 et seq. and 56027

NOTE: *The language in red ink is **legally required**.*

Students with disabilities shall be reasonably accommodated pursuant to federal and state requirements in all applicable programs in the District.

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

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

No student with disabilities is required to participate in the DSPS Program.

The College shall respond in a timely manner to accommodation requests involving academic adjustments. The College President or designee shall establish a procedure to implement this policy which, at a minimum, provides for an individualized review of each such request, and permits interim decisions on such requests pending final resolution by the appropriate administrator or designee.

The College President or designee shall assure that the DSPS Program conforms to all requirements established by the relevant law and regulations.

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Chapter 5 – Student Services

AP 5140 DISABLED STUDENT PROGRAMS AND SERVICES (DSPS)

References:

Title 5 Sections 56000 et seq. and 56027

NOTE: *The language in red ink is **legally required**. Local practice may be inserted, but must include the following legal minimums. Insert local procedures here and/or reference the DSPS Plan.*

The College maintains a plan for the provision of programs and services to disabled students designed to assure that they have equality of access to District classes and programs.

NOTE: *At a minimum, the procedures, plan, or description of the program and services **must also address:***

- *procedure for timely response to accommodation requests involving academic adjustments which, at a minimum, provides for an individualized review of each such request, and permits interim decisions on such requests pending final resolution by the appropriate administrator or designee;*
- *long-range goals and short term objectives for the program;*
- *definitions of disabilities and students eligible for the program;*
- *support services and instruction that is provided;*
- *technology accessibility;*
- *verification of disability;*
- *student rights and responsibilities;*
- *student educational contract or plan that is developed by a designated person in consultation with the student;*
- *academic accommodations;*
- *provisions for course substitution and waivers;*
- *staffing; and*
- *advisory committee.*

The College does not discriminate on the basis of disability in any of its policies, procedures or practices, including admission and access to programs. Inquiries or complaints should be directed to the EEO Officer.

The College offers programs and services on and/or off campus for students with disabilities pursuant to Title 5. In accordance with Title 5, students with disabilities who, because of educational limitations secondary to a verified disability cannot benefit from general education classes, activities and services provided by the college without specific specialized services and/or educational programs.

The College maintains a Disabled Student Program and Services (DSPS) Plan for the provision of programs and services to students with disabilities designed to ensure that they have equality of access to District classes and programs.

The DSPS Plan addresses the following:

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

The plan is maintained and updated by the DSPS Coordinator.

**Kern Community College District
Board Policy
Chapter 5 – Student Services**

**BP 5150 EXTENDED OPPORTUNITY PROGRAMS AND SERVICES
(EOPS)**

References:

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

NOTE: *The language in red ink is **legally required**.*

Support services and programs that are in addition to the traditional student services programs shall be provided in order to assist students who have language, social, and economic disadvantages to succeed academically in each of the Colleges within the District.

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

The College President or designee shall assure that the EOPS Program conforms to all requirements established by the relevant law and regulations.

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Administrative Procedure
Chapter 5 – Student Services

**AP 5150 EXTENDED OPPORTUNITY PROGRAMS AND SERVICES
(EOPS)**

References:

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

NOTE: *This procedure is **legally required**. Local practice may be inserted. Insert local administrative procedures here and/or reference the EOPS Plan. At a minimum, the procedures, plan, or description of the program and services must address:*

- *Staffing and program management*
- *Documentation and data collection system*
- *An EOPS advisory committee*
- *A full time director*
- *Eligibility criteria*
- *Student responsibility requirements*
- *Recruitment and outreach services*
- *Cognitive and non-cognitive assessment, advising, orientation services and registration assistance*
- *Basic skills instruction, seminars, and tutorial assistance*
- *Counseling and retention services*
- *Career employment services*
- *Transfer services*
- *Direct aid.*
- *Establishment of objectives to achieve the goals in implementing extended opportunity programs and services.*
- *Review and evaluation of the programs and services and submission of related reports.*

The Extended Opportunity Programs and Services (EOPS) is established to provide support services and programs to assist eligible students who have language, social,

and economic disadvantages to succeed academically. EOPS support services and programs are provided in addition to the traditional student services programs.

Under the direction of the Vice President of Student Services or designee, the EOPS Director develops and implements an annual program plan that includes the following programs and services:

(A) Staffing and program management

(B) Documentation and data collection system

(C) An EOPS advisory committee

(D) A full time director

(E) Eligibility criteria

(F) Student responsibility requirements

(G) Recruitment and outreach services

(H) Advising, orientation services and registration assistance

(I) Seminars, workshops and tutorial assistance

(J) Counseling and retention services

(K) Career employment services

(L) Transfer services

(M) Direct aid.

(N) Establishment of objectives to achieve the goals in implementing extended opportunity programs and services.

(O) Review and evaluation of the programs and services and submission of related reports.

The Vice President of Student Services or designee shall assure that the EOPS plan is submitted annually to the California Community College Chancellors Office and that the program conforms to all requirements established by the relevant law and regulations.

Further information regarding the plan can be obtained in the EOPS Office.

**Kern Community College District
Board Policy
Chapter 5 – Student Services**

BP 5200 STUDENT HEALTH SERVICES

Reference:

Education Code Section 76401

NOTE: The language in red ink is **legally required**. If the District provides health services, this policy will be applicable, or insert current policy.

Student health services shall be provided in order to contribute to the education aims of students by promoting physical and emotional well-being through health oriented programs and services.

NOTE: The language above in red ink and underlined is sufficient for this board policy. If deemed necessary, the language in current Kern CCD Policy 4E could be retained. See the language in red ink included for consideration.

❖ From current KCCD Policy 4E titled Emergency First Aid

Each College shall provide appropriate emergency first aid for students. The confidentiality of student health records shall be maintained in the office of the Vice President Student Services or designee. (~~Education Code Sections 72244-72246~~)
These code sections no longer exist

Kern Community College District
Administrative Procedure
Chapter 5 – Student Services

AP 5200 STUDENT HEALTH SERVICES

Reference:

Education Code Section 76401

NOTE: *This procedure is suggested as good practice. Local practice may be inserted.*

In accordance with the requirements of Title 5, the Board of Trustees approves the following scope of student health services.

Clinical Care Services

a) Assessment of medical histories and clinical data by a qualified health professional to arrive at nursing diagnoses, interventions and referrals

b) Development of plans of treatment including patient education through referrals

c) Referral to other health services for evaluation and treatment

d) First aid and basic emergency care following a medical incident that requires immediate intervention

e) Appraisal of health status and, if necessary, development of plans to increase fitness and health

f) Investigation and control of communicable diseases through screening, immunizations and case management

Mental Health Services

a) Crisis management through immediate response to mental health emergencies

b) Short-term psychological counseling and referral to other agencies

c) Alcohol/drug use assessment and referral to agencies and medical providers

d) Awareness programs for conditions such as eating disorders and suicide and referral to agencies and medical providers

e) Stress management through workshops, presentations, or individual and group counseling

f) Suicide prevention through crisis counseling referral and awareness programs

g) Sexual harassment/assault recovery counseling through assessment, counseling, and referral

Health Education

a) Classroom presentations

b) Health-related publications

c) Wellness workshops/and other presentations

d) Training in environmental health and safety, including illness and injury prevention programs in cooperation with the Safety Committee

Student Accident Insurance

a) A student accident insurance program

b) Processing of student insurance claims and maintenance of claim records

**Kern Community College District
Board Policy
Chapter 5 – Student Services**

BP 5205 STUDENT ACCIDENT INSURANCE

Reference:

Education Code Section 72506

NOTE: *The language in red ink is **legally required**.*

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

**Kern Community College District
Board Policy
Chapter 5 – Student Services**

BP 5210 COMMUNICABLE DISEASE

Reference:

Education Code Section 76403

NOTE: *The language in red ink is **legally required**.*

The District Chancellor or designee shall establish procedures necessary to assure cooperation with local public health officials in measures necessary for the prevention and control of communicable diseases in students.

NOTE: *The following language is unique to the Kern CCD. It may be retained if deemed necessary.*

❖ From current KCCD Policy 4F12 titled Students with Chronic Communicable Diseases or Infectious Conditions

A student with identified chronic communicable disease or infectious condition may attend College whenever, through reasonable accommodation, the risks associated with the disease or condition are outweighed by the detrimental effects resulting from the student's exclusion from the College and/or classes.

4F12A Decisions on student participation will be made using the above standard in conjunction with the current, available public health department guidelines concerning the particular disease or condition, the physician's recommendations, the law and the factual assessment of the following:

- the risks associated with how the disease or condition is transmitted;
- the risks associated with how long the carrier is infectious;
- the risks associated with the disease's or condition's potential harm to others;
- the risks associated with the probability or the disease or condition being transmitted in the College setting; and

- whether, after taking into account the above, the College can reasonably accommodate the individual who carries the disease or condition without incurring undue financial or administrative burdens.

4F12B Individual cases will not be prejudged; rather, decisions will be made based upon the facts of the particular case. The determination of whether a student with a chronic communicable disease or infectious condition may attend College shall be made in accordance with established procedures relying primarily upon the physician's recommendation based on public health guidelines.

4F12C The District shall respect the right of privacy of any student who has a chronic communicable disease or infectious condition. The student's medical condition shall be disclosed only to the extent necessary to minimize the health risks to others.

4F12D The District shall provide integration into the curriculum of an educational program for students to communicate the sources, transmittal and prevention of the major chronic communicable diseases and infectious conditions.

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Chapter 5 – Student Services

AP 5210 COMMUNICABLE DISEASE

Reference:

Education Code Section 76403

NOTE: This procedure is **legally advised**. Local practice may be inserted here. The following are the minimum standards required by law:

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

NOTE: The impetus behind these statutes appears to be public health controls for hepatitis B, and nothing in the statutes authorizes or requires screening for HIV or AIDS.

The District and designees will cooperate with local health officers by taking any measures necessary for the prevention and control of diseases in students.

The District and designees will comply with any immunization program required by the State Department of Health Services regulations.

The Vice President of Student Services or designee shall maintain a liaison with the appropriate local public health authority when communicable disease issues involve the campus.

The Vice President of Student Services or designee will report communicable disease measures to appropriate District departments.

**Kern Community College District
Board Policy
Chapter 5 – Student Services**

BP 5220 Shower Facilities for Homeless Students

References:

Education Code Section 76011

NOTE: *A policy on shower facilities for homeless students is not legally required but is **suggested as good practice** for those districts that have shower facilities on campus for student use.*

The Chancellor shall establish procedures necessary to make on-campus shower facilities available to any homeless student who is enrolled in coursework, has paid enrollment fees, and is in good standing with the district.

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**Kern Community College District
Administrative Procedure
Chapter 5 – Student Services**

AP 5220 Shower Facilities for Homeless Students

References:

Education Code Section 76011

NOTE: A procedure on shower facilities is not legally required but is **suggested as good practice** for those districts that have shower facilities on campus for student use.

The district maintains shower facilities for student use on campus that may be used by any homeless student who is enrolled in courses at Kern Community College District within each academic term, has paid enrollment fees, and is in good standing with the district.

A homeless student is defined as a student who does not have a fixed, regular, and adequate nighttime residence. This includes, but is not limited to, students who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to lack of alternative accommodations; are living in emergency or transitional shelters; have a primary nighttime residence that is a public or private place not designated for or ordinarily used as a regular sleeping accommodation for human beings; or are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.

Shower facilities are open to use by homeless students for a minimum of two hours per day. Hours of operation will not conflict with any of KCCD's intercollegiate athletic programs

**Kern Community College District
Board Policy
Chapter 5 – Student Services**

BP 5300 STUDENT EQUITY

References:

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

NOTE: *The language in red ink is **legally required**.*

The Board of Trustees is committed to assuring student equity in educational programs and college services. The College President shall establish and implement a student equity plan that meets the Title 5 standards for such a plan.

Kern Community College District
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AP 5300 STUDENT EQUITY

References:

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

NOTE: This procedure is **legally required**. Local practice may be inserted. The following legal minimums must be included.

Each College has a Student Equity Plan. Following approval by the Board of Trustees, the Plan is filed as required with the California Community Colleges Chancellor's Office.

NOTE: Insert local administrative procedures or reference the District's Student Equity Plan. At a minimum the plan must address:

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

NOTE: The District may reference the student equity plan template available through the California Community Colleges Chancellor's Office.

The Student Equity Plan shall be developed, maintained, and updated under the supervision of the vice president of student services.

The production of the Student Equity Plan should include:

- the active involvement of the constituent groups on campus;
- involvement by representatives from the community who can articulate the perspectives and concerns of historically underrepresented groups; and
- campus-based research relating to student equity.

The Student Equity Plan shall address:

- institutional barriers to equity;
- goals for access, retention, degree and certificate completion, English as a Second Language and basic skills completion, and transfer for historically underrepresented groups;
- activities to attain the goals, including coordination of related programs;
- sources of funds for activities in the plan;
- a schedule and process for evaluation of progress toward the goals; and
- an executive summary that describes the groups for whom goals have been set, the goals, the initiatives that the district will use to achieve the goals, 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.

**Kern Community College District
Board Policy
Chapter 5 – Student Services**

BP 5400 ASSOCIATED STUDENTS ORGANIZATIONS

References:

Education Code Sections 76060 and 76067

NOTE: *The language in red ink is legally required.*

The students of the District are authorized to organize a student body association(s). The Board of Trustees hereby recognizes that/those association(s) as the Associated Students of Bakersfield College, Porterville College, and Cerro Coso Community College District.

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

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

NOTE: *The following language is suitable for use in those districts where the ASO has been granted use of District facilities, e.g., for offices, meetings, etc.*

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

❖ From current KCCD Policy 4F2 titled Associated Student Bodies

The associated student bodies of the Colleges are recognized as advisory bodies to the Board of Trustees and are subject to the control and regulation of the Board of Trustees. Advisors to student governments shall be selected on each campus in accordance with criteria and procedures established by each campus. *(Added June 1, 1995)*

~~4F2A The Colleges shall establish Administrative procedures to shall ensure students the opportunity to express their opinions and to ensure that these opinions are given every reasonable consideration and the right to participate effectively in District and College governance. (Added June 1, 1995) (See BP/AP 2510 titled Participation in Local Decision-Making)~~

NOTE: *The language contained in current KCCD Policy 4F2B is shown as struck below as this prescriptive language has been moved to the related administrative procedure (AP 5400 titled Associated Student Organizations).*

~~4F2B The associated student bodies may engage in any activities, including fundraising activities which have been approved by the College President or designee. No hazing activities as defined by the California Education Code may be practiced by any organization or its members. (Added June 1, 1995)~~

NOTE: *The language contained in current KCCD Policy 4F3 is shown as struck below as this prescriptive language has been moved to the related administrative procedure (AP 5400 titled Associated Student Organizations).*

❖ **From current KCCD Policy 4F3 titled Clubs and Organizations**

~~4F3 Clubs and organizations will be organized in conformity with procedures established by each College. Clubs will be supervised by an advisor. Clubs shall establish aims which are educational and compatible with College and/or community interest. Exploitation of the name of the College or District shall not be permitted.~~

NOTE: *The language contained in current KCCD Policy 4F4 is shown as struck below as this prescriptive language has been moved to the related administrative procedure (AP 5400 titled Associated Student Organizations).*

❖ **From current KCCD Policy 4F4 titled Student Political Organization Activity**

~~Any student political 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 a community college campus and may distribute bulletins and circulars concerning its meetings, provided that there is no endorsement of such organization by College authorities and no interference with the regular education program of the College. (Education Code Section 76067)~~

Kern Community College District
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Chapter 5 – Student Services

AP 5400 ASSOCIATED STUDENTS ORGANIZATIONS

References:

Education Code Sections 76060 and 76067

NOTE: This procedure is **legally advised** if the Board has established a student body organization under Education Code Section 76060. Local practice may be inserted here. **The following are the minimum standards required.**

Bakersfield College, Porterville College, and Cerro Coso Community College shall have one Associated Students Organization.

Both day and evening student representatives shall be encouraged.

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

A simple majority of the elected voting members of the Associated Students Organization governing body shall constitute a quorum.

Each College shall have one Associated Students Organization which shall be known as the Associated Students (AS).

A governing body shall be elected which shall be known as the AS Executive Board. It shall keep an account of its meetings, expenditures, authorizations, and policies established. Minimum standards for membership to the AS Executive Board shall be defined by the association's constitution and bylaws. The governing body will coordinate and integrate its own and the activities of all campus clubs and organizations of the College. Both day and evening student representatives shall be encouraged.

Students will exercise their opportunity to participate in campus governance through AS and through appointments to campus committees that review, analyze, and formulate College policies and procedures. Student appointments to these committees will be made by the AS.

NOTE: *The language shown in **black ink** below is from current KCCD Policy 4F2B and was moved to this new administrative procedure due to the detailed language contained therein.*

The associated student bodies may engage in any activities, including fundraising activities which have been approved by the College President or designee. No hazing activities as defined by the California Education Code may be practiced by any organization or its members.

NOTE: *The language shown in **black ink** below is from current KCCD Policy 4F3 and was moved to this new administrative procedure due to the detailed language contained therein.*

Clubs and organizations will be organized in conformity with procedures established by each College. Clubs will be supervised by an advisor. Clubs shall establish aims which are educational and compatible with College and/or community interest. Exploitation of the name of the College or District shall not be permitted.

Any student political 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 a community college campus and may distribute bulletins and circulars concerning its meetings, provided that there is no endorsement of such organization by College authorities and no interference with the regular education program of the College.

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Board Policy
Chapter 5 – Student Services**

BP 5410 ASSOCIATED STUDENTS ELECTIONS

Reference:

Education Code Section 76061

NOTE: *The language in red ink is **legally required**.*

The Associated Students shall conduct annual elections to elect officers. The elections shall be conducted in accordance with procedures established by the College President or designee.

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

- *The student shall be enrolled at the College at the time of election and throughout his/her term of office, with a minimum of five semester units or the equivalent.*
- *The student shall meet and maintain the minimum standards of scholarship (see BP 4220 titled Standards of Scholarship and related administrative procedures).*

Also see BP/AP 2015 titled Student Trustee(s) and BP/AP 2105 titled Election of Student Trustee(s)

Kern Community College District
Administrative Procedure
Chapter 5 – Student Services

AP 5410 ASSOCIATED STUDENTS ELECTIONS

Reference:

Education Code Section 76061

NOTE: This procedure is **legally required** if the District has an Associated Students Organization created by the Board pursuant to Education Code Section 76060.

The Associated Students shall conduct annual elections to elect officers.

Any student elected as an officer in the Associated Students shall meet the requirements in BP 5410 titled Associated Students Elections.

NOTE: Insert local election procedures.

The Associated Students Organization shall conduct annual elections to elect officers. Any student elected as an officer in the Associated Students Organization shall meet the requirements in Board Policy. The Associated Students Organization elections shall be conducted in accordance with the Associated Students' Election Code as approved by the College President or designee.

**Kern Community College District
Board Policy
Chapter 5 – Student Services**

BP 5420 ASSOCIATED STUDENTS FINANCE

References:

Education Code Sections 76063–76065

NOTE: *The language in red ink is **legally required**.*

❖ From current KCCD Policy 4F7 titled Student Finances

4F7A Student organization activities shall be self-supporting. Associated student body funds should serve the student body as a whole.

Associated Student funds shall be deposited with and disbursed by the College President or designee.

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

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

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

4F7B Student organizations, including associated student bodies, shall be granted the use of District facilities in accordance with ~~Policy 3B and Procedure 3B1, Guidelines for Use of District/College Property/Facilities, of this Manual. (Added June 1, 1995)~~ BP/AP 6700.

4F7C Student organizations shall prepare budgets of anticipated income and expenditures for each school year to serve as operating guides for the year's activities. Activities will be limited by the actual funds available, not by the budget.

~~4F7C1~~ The annual operating budget for each associated student body shall be submitted to the Board of Trustees for information only by May 1 of each year. ~~(Added June 1, 1995)~~

~~4F7D~~ Associated student body funds shall be audited annually by a firm selected by the Board of Trustees.

NOTE: *The language contained in current KCCD Policy 4F7E – 4F7H is shown as struck below as this prescriptive language has been moved to the related administrative procedure (AP 5520 titled Associated Student Finance).*

~~4F7E~~ No dues are to be levied or money collected by any class, or club, or any other organization without first securing permission from the College President or designee.

~~4F7F~~ The College President shall name an employee of the College to act as college-designated treasurer of associated student body funds. ~~(Added June 1, 1995)~~

~~4F7F1~~ All student organization monies are to be given to the College-designated treasurer immediately after collection. The College-designated treasurer shall issue a receipt for the same and keep a duplicate thereof on file.

~~4F7F2~~ All money collected by student organizations for dues, entertainments, benefits, contributions, or any other purpose shall be deposited by the College-designated treasurer in the name of Associated Students in a bank designated by the College President or designee.

~~4F7F3~~ The College-designated treasurer shall keep an accurate account of each student activity fund within the College showing the receipts, expenditures, and balance on hand. ~~(Added June 1, 1995)~~

~~4F7G~~ All business and employment contracts entered into on behalf of student organizations, including associated student bodies, must be approved in accordance with District procedures. ~~(Added June 1, 1995)~~

~~4F7H~~ Each student organization shall adopt procedures for expenditure of student organization funds. Each expenditure must be approved by a representative of the student organization, the certificated advisor of the student organization, and the College President or designee prior to expending student funds. ~~(Added June 1, 1995)~~

~~4F7H1~~ The certificated advisor of each student organization shall provide guidance and information to students to make decisions and ensure that expenditures of funds benefit the entire student organization and are not contrary to law or public policy.

~~4F7H2~~ A student organization may appeal a decision to not authorize an activity or expenditure. Such appeal must be made in writing to the College President within ten

~~(10) business days of the decision. The President's written decision will be made within three (3) business days after receipt of the written appeal and will be final.~~

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Chapter 5 – Student Services

AP 5420 ASSOCIATED STUDENTS FINANCE

References:

Education Code Sections 76063-76065

NOTE: This procedure is **legally required**. Local practice may be inserted. The following is an example:

Associated Student funds are maintained in accordance with the following procedures:

- Associated Student Organization fund books, financial records, and procedures are subject to annual audit.
- Reports of the annual audit of Associated Student funds are submitted to the Board of Trustees.
- Audit information, except that containing personnel or other confidential information, shall be released to the Associated Students by the Chief Financial Officer.
- Associated Student funds shall be deposited with and disbursed by the District's Business Services operations.
- The funds shall be deposited, loaned, or invested in:
- Deposits in trust accounts of the centralized State Treasury System pursuant to Government Code Sections 16305-16305.7 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 Government Code Section 16430 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, stadia and playing fields, where those facilities, or portions thereof, are used for conducting student extracurricular activities or student spectator sports, or when those improvements are for the benefit of the student body.

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

- the College President or designee;
- the officer or employee of the College who is the designated advisor of the particular student body organization; and
- a representative of the student body organization.

NOTE: *The language shown below is from current KCCD Policy 4F7E – 4F7H and was moved to this new administrative procedure due to the detailed language contained therein.*

No dues are to be levied or money collected by any class, or club, or any other organization without first securing permission from the College President or designee.

The College President shall name an employee of the College to act as college-designated treasurer of associated student body funds.

All student organization monies are to be given to the College-designated treasurer immediately after collection. The College-designated treasurer shall issue a receipt for the same and keep a duplicate thereof on file.

All money collected by student organizations for dues, entertainments, benefits, contributions, or any other purpose shall be deposited by the College-designated treasurer in the name of Associated Students in a bank designated by the College President or designee.

The College-designated treasurer shall keep an accurate account of each student activity fund within the College showing the receipts, expenditures, and balance on hand.

All business and employment contracts entered into on behalf of student organizations, including associated student bodies, must be approved in accordance with District procedures.

Each student organization shall adopt procedures for expenditure of student organization funds. Each expenditure must be approved by a representative of the student organization, the certificated advisor of the student organization, and the College President or designee prior to expending student funds.

The certificated advisor of each student organization shall provide guidance and information to students to make decisions and ensure that expenditures of funds benefit the entire student organization and are not contrary to law or public policy.

A student organization may appeal a decision to not authorize an activity or expenditure. Such appeal must be made in writing to the College President within ten business days of the decision. The President's written decision will be made within three business days after receipt of the written appeal and will be final.

**Kern Community College District
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BP 5500 STANDARDS OF STUDENT CONDUCT

References:

Education Code Sections 66300 and 66301;

WASC/ACCJC Accreditation Standards I.C.8 and 10

NOTE: *The language in red ink is **legally required**.*

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

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

The Board of Trustees shall consider any recommendation from the District Chancellor for expulsion. The Board shall consider an expulsion recommendation in closed session unless the student requests that the matter be considered in a public meeting. Final action by the Board on the expulsion shall be taken at a public meeting.

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

NOTE: *Although the establishment of actual standards of student conduct can be delegated to the District Chancellor, it is **legally advised** that the Board itself do so by policy. The following language is provided as an example. The language in **black in** below reflects conduct standards from current KCCD Policy 4F8 titled Student Conduct to consider retaining.*

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

1. Causing, attempting to cause, or threatening to cause physical injury to another person.

2. Possession, sale or otherwise furnishing any firearm, knife, explosive or other dangerous object, including but not limited to any facsimile firearm, knife, or explosive, unless, in the case of possession of any object of this type, the student has obtained written permission to possess the item from a District employee, which is concurred in by the College President.
3. Unlawful possession, use, sale, offer to sell, or furnishing, or being under the influence of, any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the California Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind; or unlawful possession of, or offering, arranging or negotiating the sale of any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
4. Committing or attempting to commit robbery or extortion.
5. Causing or attempting to cause damage to District property or to private property on campus.
6. Stealing or attempting to steal District property or private property on campus, or knowingly receiving stolen District property or private property on campus.
7. Willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of the Colleges or the District.
8. Committing sexual harassment as defined by law or by District policies and procedures.
9. Engaging in harassing or discriminatory behavior based on disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other status protected by law.
10. Engaging in intimidating conduct or bullying against another student through words or actions, including direct physical contact; verbal assaults, such as teasing or name-calling; social isolation or manipulation; and cyberbullying;
11. Willful misconduct which results in injury or death to a student or to college personnel or which results in cutting, defacing, or other injury to any real or personal property owned by the District or on campus.
12. Disruptive behavior, willful disobedience, habitual profanity or vulgarity, or the open and persistent defiance of the authority of, or persistent abuse of, college personnel.

13. Cheating, plagiarism (including plagiarism in a student publication), or engaging in other academic dishonesty. (See AP 5500 titled Standards of Student Conduct for the definition of plagiarism and cheating.)
14. Dishonesty, forgery, alteration or misuse of college documents, records or identification; or knowingly furnishing false information to the District.
15. Unauthorized entry upon or use of District-owned or controlled facilities.
16. Lewd, indecent, or obscene conduct on District-owned or controlled property or at District-sponsored or supervised functions.
17. Engaging in expression which is obscene; libelous, or slanderous; or which so incites students as to create a clear and present danger of the commission of unlawful acts on college premises, or the violation of lawful District administrative procedures, or the substantial disruption of the orderly operation of the District.
18. Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.
19. Unauthorized preparation, giving, selling, transfer, distribution, or publication, for any commercial purpose, of any contemporaneous recording of an academic presentation in a classroom or equivalent site of instruction, including but not limited to handwritten or typewritten class notes, except as permitted by any board policy or administrative procedure.
20. Use of personal portable sound amplification equipment and other electronic devices (radios, cell telephones, pagers, and tape players, etc.) in a manner that disturbs the privacy of other individuals and/or the instructional program of the College.
21. Abuse of and/or tampering with the registration process.
22. Forgery, falsification, alteration, or misuse of College documents, records, or identification.
23. Extortion.
24. Use of tobacco products inside all campus buildings and other unauthorized campus areas.
25. Failure to identify oneself when on College property or at a College-sponsored or supervised event, upon the request of a College official acting in the performance of his/her duties.

26. Gambling

27. Abuse of computer resources. (See BP/AP 3720 titled Computer and Network Use)

28. Abuse of or disruption to the student conduct and/or complaint process, including but not limited to:

- a. Failure to obey the summons of a College official or appropriate committee.
- b. Falsification, distortion, or misrepresentation of information before a College official or appropriate committee.
- c. Disruption or interference with the orderly conduct of an official College proceeding.
- d. Attempting to influence the impartiality of a member of an official committee prior to and/or during the course of, an official College proceeding.
- e. Harassment and/or intimidation of any person involved in the conduct and/or complaint process, prior to, during, and/or after the proceeding.
- f. Failure to comply with the sanction(s) imposed under the Student Conduct Code.
- g. Influencing or attempting to influence another person to commit an abuse of the conduct or complaint process system.
- h. Repeated filing of frivolous and/or capricious complaints against College personnel.

29. Hazing.

30. Assisting another person or soliciting another person, in any of the offences listed above.

SANCTIONS- In accordance with the provisions of Education Code Sections 76031 and 76037, the Board of Trustees provides for the following sanctions for violations of the Code of Student Conduct, and more than one (1) of the sanctions listed below may be imposed for any single violation:

1. **WARNING:** Verbal notification of the student by a faculty member or administrator that continuation of the conduct may be cause for further disciplinary action;

2. CENSURE: A written reprimand or warning to the student by a faculty member or administrator; written referral of the student to a College office or community agency for counseling or rehabilitative treatment;
3. PROBATION: Prohibition of the student by the Administration from participating in designated privileges of College activities for a period of up to one (1) semester or other stipulated requirements to conform to specified standards or conduct;
4. RESTITUTION: Reimbursement ~~to the College,~~ as directed by the Administration, for repair or replacement of ~~District~~ any or all property misused, misappropriated, or damaged by the student;
5. TEMPORARY REMOVAL: A faculty member may remove a student from his or her class for the day of the removal and the next class meeting. The faculty member shall immediately report the removal to the College President or designee for appropriate action. During the period of removal, a student shall not be returned to the class from which he or she was removed without the concurrence of the faculty member of the class. (Education Code Section 76032)
6. SUSPENSION: The Board of Trustees, the College President or designee may suspend a student for good cause or when the presence of the student causes a continuing danger to the physical safety of the student or others. The Board of Trustees may exclude from attendance in regular classes any student whose physical or mental disability is such as to cause his or her attendance to be inimical to the welfare of other students. (Education Code Sections 76020 and 76030)
7. *COMMUNITY SERVICE: Student may be required to perform hours of community service at a qualifying/participating government agency or 501(c)3 entity.*
8. *White Paper: Student may be required to write a reflective paper submitted to the President or designee. The paper shall be submitted within thirty (30) days of the assignment.*

Whenever a minor is removed from a class, the parent or guardian shall be notified in writing by the College President or designee. If the student removed from class by a faculty member is a minor, the College President or designee shall ask the parent or guardian of the student to attend a parent conference regarding the removal as soon as possible. If the faculty member or the parent or guardian so requests, a College administrator shall attend the conference. During the period of removal, a student shall not be returned to the class from which he/she was removed without the concurrence of the faculty member of the class. (Education Code Sections 76031 and 76032)

❖ From current KCCD Policy 4F8 titled Student Conduct

Student Conduct (Revised December 13, 2004)

~~Since public education is furnished by the people, it is a privilege. The Board of Trustees of the Kern Community College District, in support of public education and the exercise of general supervision of the campuses, requires that student conduct must reflect the standards of appropriate behavior as defined in pursuant sections. (Education Code Section 76037) See Procedure 4F8 of this Manual for Student Complaint Hearing Panel Procedures.~~

~~4F8A Students shall respect constituted authority. This shall include conformance to Federal and State laws, Board regulations, College regulations, and applicable provisions of civil law.~~

~~4F8B The District expects students to conduct themselves in a manner consistent with the educational purposes of the College. Student conduct should reflect consideration for the rights of others, and students are expected to cooperate with all members of the College community. (For specific guidelines regarding conduct, see Policy 4F8D of this Manual.)~~

~~4F8C College personnel are responsible for communicating appropriate student conduct and for reporting any violations thereof, and the College President or designee shall have the right to administer suitable and proper corrective measures for misconduct.~~

~~4F8D The Board of Trustees, the College President or designee may suspend a student for good cause or when the presence of the student causes a continuing danger to the physical safety of the student or others. The Board of Trustees may exclude from attendance in regular classes any student whose physical or mental disability is such as to cause his or her attendance to be inimical to the welfare of other students. (Education Code Sections 76020 and 76030)~~

~~As used in this section, *good cause* includes, but is not limited to, the following offenses that may result in the imposition of sanction(s) (See 4F8E of this Manual):~~

~~“Good cause” may be established by using appropriate investigation standards, such as:~~

- ~~• Interview of witnesses~~
- ~~• Review of Campus Security Report, if applicable~~
- ~~• Review of written statements, if applicable~~
- ~~• Review of pertinent documents, if applicable~~
- ~~• Review of any other evidence, if applicable~~

- ~~1. Persistent or gross acts of willful disobedience and/or defiance toward College personnel.~~
- ~~2. Assault, battery, or any other form of physical abuse of a student or College employee.~~

- ~~3. Verbal abuse of a student or College employee. This includes, but is not limited to: defamation, obscenity, or "fighting words." (Education Code Section 66301)~~
- ~~4. Any conduct that threatens the health or safety of the individual, or another, including any such action that takes place at an event sponsored or supervised by the College.~~
- ~~5. Theft of or damage to the property of the College, another student, or staff.~~
- ~~6. Interference with the normal operations of the College (e.g., disruption of teaching and administrative functions, disciplinary procedures, pedestrian or vehicular traffic, or other College activities, including its public service functions).~~
- ~~7. Use of personal portable sound amplification equipment and other electronic devices (radios, cell telephones, pagers, and tape players, etc.) in a manner that disturbs the privacy of other individuals and/or the instructional program of the College.~~
- ~~8. Unauthorized entry into, or use of, College facilities, equipment, materials, or supplies.~~
- ~~9. Abuse of and/or tampering with the registration process.~~
- ~~10. Forgery, falsification, alteration, or misuse of College documents, records, or identification.~~
- ~~11. Dishonesty such as cheating, plagiarizing, or knowingly furnishing false information to the College and its officials.~~

~~See Appendix 4F8D of this Manual for Student Conduct Definitions of Plagiarism and Cheating.~~
- ~~12. Disorderly, lewd, indecent, or obscene conduct.~~
- ~~13. Extortion.~~
- ~~14. Breach of the peace on College property or at any College-sponsored or supervised function.~~
- ~~15. The use, sale, possession, or being under the influence of alcohol or any other controlled substance prohibited by law, on campus or at any function sponsored or supervised by the College.~~
- ~~16. Illegal possession or use of firearms, explosives, dangerous chemicals, or other weapons on College property or at College-sponsored activities.~~
- ~~17. Smoking and/or the use of tobacco products inside all campus buildings and other unauthorized campus areas.~~

~~18. Failure to comply with directions of College officials, faculty, staff, or campus security officers who are acting in performance of their duties.~~

~~19. Failure to identify oneself when on College property or at a College-sponsored or supervised event, upon the request of a College official acting in the performance of his/her duties.~~

~~20. Gambling.~~

~~21. Harassment (verbal or physical or sexual) of any student or member of the College community. (Harassment is defined as an activity which causes substantial emotional distress and serves no legitimate purpose.) (See Policy 11C2 of this Manual for a definition of sexual harassment.)~~

~~22. Abuse of computer resources. (See Policy 3E of this Manual regarding Information Technology policies)~~

~~23. Abuse of or disruption to the student conduct and/or complaint process, including but not limited to:~~

~~a. Failure to obey the summons of a College official or appropriate committee.~~

~~b. Falsification, distortion, or misrepresentation of information before a College official or appropriate committee.~~

~~c. Disruption or interference with the orderly conduct of an official College proceeding.~~

~~d. Attempting to influence the impartiality of a member of an official committee prior to and/or during the course of, an official College proceeding.~~

~~e. Harassment and/or intimidation of any person involved in the conduct and/or complaint process, prior to, during, and/or after the proceeding.~~

~~f. Failure to comply with the sanction(s) imposed under the Student Conduct Code.~~

~~g. Influencing or attempting to influence another person to commit an abuse of the conduct or complaint process system.~~

~~h. Repeated filing of frivolous and/or capricious complaints against College personnel.~~

~~24. Hazing. (See Education Code Sections 32050 and 32051)~~

~~25. Violation of other applicable Federal, State, and local laws (e.g., hate crimes) and College rules and regulations.~~

~~26. Persistent, serious misconduct where other means of correction have failed to bring about proper behavior.~~

~~Assisting another person, or soliciting another person, in any of the offences listed in numbers 1 through 26 of this policy.~~

~~[See Procedure 4F10(a) of this Manual for Student Complaint Procedures]~~

- ~~1. **SUSPENSION:** Exclusion from any or all classes and activities of the College and from use of any District facilities. The College President or designee may suspend a student for good cause as follows:~~
 - ~~a. From one (1) or more classes for a period of up to ten (10) days of instruction.~~
 - ~~b. From one (1) or more classes for the remainder of the school term.~~
 - ~~c. From all classes and activities of the College for one (1) or more terms.~~

~~In all cases of suspension, the student shall receive official notice from the College President or designee.~~

~~No student shall be suspended unless the conduct for which he/she is to be disciplined is related to College activity or campus attendance.~~

~~Suspensions of any student from the College shall be accompanied by a prompt hearing unless the charges have been disposed of administratively by mutual consent, or the student sends a written notification to the President of the College or designee indicating that he/she does not want to proceed with the hearing. [See Procedure 4F8 of this Manual for Student Conduct Hearing Panel Procedures] 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 person for a hearing within ten (10) days of the suspension. (Education Code Sections 66017 and 76030)~~

~~—————(Revised April 6, 2006)~~

~~—————During the period of suspension, a student shall not be permitted to enroll in any College in the District. (Education Code Section 76031)~~

~~—————The College President shall report all suspensions of students to the Chancellor of the District. (Education Code Section 76031)~~

~~—————Whenever a minor is suspended from a College, the parent or guardian shall be notified in writing by the College President or designee. The parent or~~

~~guardian of the student shall be asked to a conference regarding the removal. (Education Code Sections 76031 and 76032); and~~

2. ~~EXPULSION: Termination of the student status by the Board of Trustees on the recommendation of the Chancellor.~~

~~_____~~
~~_____ No student shall be expelled unless the conduct for which he/she is to be disciplined is related to College activity or campus attendance.~~

~~Expulsion of any student from the District shall be accompanied by a prompt hearing. [See Procedure 4F10(b) of this Manual for Student Conduct Hearing Panel Procedures]. If an immediate expulsion is required in order to protect lives or property and/or to ensure the maintenance of order, a reasonable opportunity shall be afforded the expelled person for a hearing within ten (10) days of the expulsion. (Education Code Sections 66017 and 76030)~~

~~In cases of expulsion, the Chancellor or designee shall recommend action to the Board of Trustees after receiving the College President's recommendation and supporting documentation, including the hearing panel's recommendation and the hearing record.~~

~~After Board action, the Chancellor or designee shall notify the student by registered mail, return receipt requested. The expulsion may be for a specified or unspecified time and shall be from all Colleges, programs, and activities of the District.~~

~~In expulsion for an unspecified time, the student may, after a reasonable time, request the College President to remove the expulsion. If the College President approves the request, he/she shall make that recommendation to the Chancellor or designee who may recommend to the Board that the expulsion be removed. The Chancellor or designee shall notify the student of the Board's action.~~

~~4F8F The College President or designee shall report any violation of Penal Code Section 245 (assault with a deadly weapon) or Civil Code Section 52.1 and Penal Code Sections 422.6 through 422.95 (hate crime) to the appropriate law enforcement authorities. (Education Code Section 76035)~~

~~4F8G At a minimum, an instructor who determines that a student has cheated or plagiarized has the right to assign an "F" grade for the assignment or examination. However, each College may impose additional penalties as appropriate to their respective College discipline procedures. (See Appendix 4F8D of this Manual for the definitions of plagiarism and cheating.) (Revised May 1, 2003)~~

~~4F8H Violation or violations of any law, ordinance, regulation, or rule regulating, or pertaining to, the parking of vehicles, shall not be cause for the suspension or expulsion of a student from a community college. (Education Code Section 76036)~~

Also see AP 3410 titled Nondiscrimination, AP 3435 titled Discrimination and Harassment Investigations, AP 5500 titled Standards of Student Conduct, AP 5520 titled Student Discipline Procedures, and AP 5530 titled Student Rights and Grievances

Kern Community College District
Administrative Procedure
Chapter 5 – Student Services

AP 5500 STANDARDS OF STUDENT CONDUCT

References:

Education Code Sections 66300, 66301, 72122, and 76030;
WASC/ACCJC Accreditation Standards I.C. 8 and 10

NOTE: *The standards of conduct for students are included in BP 5500 titled Standards of Student Conduct. The language from current KCCD Appendix 4F8D includes the detailed definitions of plagiarism and cheating referenced in item #13 in new BP 5500. Additionally** - We intend to remove all appendices as they are, for the most part, internal forms. We can incorporate the definitions in procedure, or refer the student to their code of conduct and have them reprinted there. I would suggest the latter.*

❖ **From current KCCD Appendix 4F8D titled Student Conduct – Definition of Plagiarism and Cheating**

STUDENT CONDUCT

DEFINITIONS OF PLAGIARISM AND CHEATING

~~Definitions: (Quoted from the Regulation at Cal State University, Long Beach, as printed in the its General Catalog dated 1990-91, page 56.)~~

- 1) **Definition of Plagiarism** -- Plagiarism is defined as the act of using the ideas or work of another person or persons as if they were one's own, without giving credit to the source. Such an act is not plagiarism if it is ascertained that the ideas were arrived at through independent reasoning or logic or where the thought or idea is common knowledge.

Acknowledgement of an original author or source must be made through appropriate references, i.e., quotation marks, footnotes, or commentary. Examples of plagiarism include, but are not limited to, the following: the submission of a work, whether in part or in whole, completed by another; failure to give credit for ideas, statements, facts or conclusions which rightfully belong to another; in written work, failure to use quotations marks when quoting directly from another, whether it be a paragraph, a sentence, or even a part thereof; close and

lengthy paraphrasing of another's writing or programming. A student who is in doubt about the extent of acceptable paraphrasing should consult the instructor.

Students are cautioned that, in conducting their research, they should prepare their notes by (a) either quoting material exactly (using quotation marks) at the time they take notes from a source; or (b) departing completely from the language used in the source, putting the material into their own words. In this way, when the material is used in the paper or project, the student can avoid plagiarism resulting from verbatim use of notes. Both quoted and paraphrased materials must be given proper citations.

- 2) **Definition of Cheating** -- Cheating is defined as the act of obtaining, or attempting to obtain, or aiding another to obtain academic credit for work by the use of any dishonest, deceptive, or fraudulent means. Examples of cheating during an examination include, but are not limited to, the following: copying, either in part or in whole, from another's test or examination; discussion of answers or ideas relating to the answers on a examination or test unless such discussion is specifically authorized by the instructor; giving or receiving copies of an examination without the permission of the instructor; using or displaying notes, "cheat sheets," or other information or devices inappropriate to the prescribed test conditions, as when a test of competence includes a test of unassisted recall of information, skill, or procedure; allowing someone other than the officially enrolled student to represent the same. Also included are plagiarism as defined and altering or interfering with the grading procedures.

It is often appropriate for students to study together or to work in teams on projects. However, such students should be careful to avoid the use of unauthorized assistance, and to avoid any implication of cheating, by such means as sitting apart from one another in examinations, presenting the work in a manner which clearly indicates the effort of each individual, or such other method as is appropriate to the particular course.

[Also see AP 3410 titled Nondiscrimination, AP 3435 titled Discrimination and Harassment Investigations, BP 5500 titled Standards of Student Conduct, AP 5520 titled Student Discipline Procedures, and AP 5530 titled Student Rights and Grievances](#)

**Kern Community College District
Board Policy
Chapter 5 – Student Services**

BP 5510 OFF-CAMPUS STUDENT ORGANIZATIONS

Reference:

34 Code of Federal Regulations Section 668.46(b)(7)

NOTE: *This policy is **legally required** even if the District has no officially recognized student organizations with off-campus locations.*

The District shall work with local law enforcement agencies to monitor and assess criminal activity in which students engage at off-campus locations of student organizations officially recognized by the District.

❖ From current KCCD Policy 4F5 titled Danes, Parties, Picnics, Etc.

No class, club or organization sponsored by the College may hold parties, picnics, or dances off the campus except with specific permission from the College President or designee. ~~Insofar as possible, all student activities shall be held on the College campus.~~

❖ From current KCCD Policy 4F6 titled Fraternities

~~There shall be no secret fraternities, sororities, or clubs.~~

Kern Community College District
Administrative Procedure
Chapter 5 – Student Services

AP 5510 OFF-CAMPUS STUDENT ORGANIZATIONS

Reference:

34 Code of Federal Regulations Section 668.46(b)(7)

NOTE: This procedure is **legally required**. Either alternative may be used. For Districts whose police monitor off-campus activity, insert Alternative A. For Districts whose police do not monitor off-campus activity or for Districts without a police department, insert Alternative B.

Kern Community College District's Safety Office does not provide law enforcement service to off-campus organizations nor are activities off-campus recognized by District authority.

**Kern Community College District
Board Policy
Chapter 5 – Student Services**

BP 5530 STUDENT RIGHTS AND GRIEVANCES

References:

[Education Code Section 76224\(a\):](#)
[Title IX, Education Amendments of 1972:](#)
[WASC/ACCJC Accreditation Eligibility Requirement 20:](#)
[WASC/ACCJC Accreditation Standard IV.D](#)

NOTE: *This policy is unique to the Kern CCD.*

❖ From current KCCD Policy 4F9 titled Student Rights

Each College will publish policies and procedures which protect the rights of students, including the right of privacy concerning records and information about each student. ~~(Revised January 7, 1993)~~ [\(See AP 5530 titled Student Rights and Grievances\)](#)

NOTE: *The language contained in current KCCD Policy 4F10 is shown as struck below as this prescriptive language has been moved to the related administrative procedure (AP 5530 titled Student Rights and Grievances).*

❖ From current KCCD Policy 4F10 titled Student Complaint Policy

~~The Vice President, Student Services, or designee shall be responsible for the administration of the student complaint policy. See Procedures 4F10(a and b) of this Manual for the Student Complaint and Hearing Panel procedures. (Revised March 16, 1995)~~

~~4F10A This student complaint policy is designed to consider an alleged wrong against a student. Efforts will be made to resolve a complaint in a timely and fair manner. (Added January 7, 1993)~~

~~4F10B Students who contend they have been treated unfairly have the right, without fear of reprisal, to use a written procedure in their attempt to right an alleged wrong. See Procedures 4F10(a and b) of this Manual for the Student Complaint and Hearing Panel procedures. (Added January 7, 1993)~~

Also see AP 3410 titled Nondiscrimination, AP 3435 titled Discrimination and Harassment Investigations, BP/AP 5500 titled Standards of Student Conduct, and AP 5520 titled Student Discipline Procedures

Kern Community College District
Administrative Procedure
Chapter 5 – Student Services

AP 5530 STUDENT RIGHTS AND GRIEVANCES

References:

Education Code Section 76224(a);
Title IX, Education Amendments of 1972;
WASC/ACCJC Accreditation Eligibility Requirement 20;
WASC/ACCJC Accreditation Standard IV.D

NOTE: *The language in red ink is **legally required**. Local practice may be inserted. The following is an illustrative example that meets legal requirements, especially for Title IX requirements.*

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/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 College Grievance Officer.

CEO – The District Chancellor or a designated representative of the District Chancellor.

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 College President shall appoint an employee who shall assist students in seeking resolution by informal means. This person shall be the Vice President of Student Services or designee. The Vice President of Student Services or designee 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.

NOTE: The language shown in below is from current KCCD Policy 4F10 and was moved to this new administrative procedure due to the detailed language contained therein.

Student Complaints

The Vice President, Student Services, or designee shall be responsible for the administration of the student complaint policy. *The Vice President will also maintain a file of student complaints.*

This student complaint policy is designed to consider an alleged wrong against a student. Efforts will be made to resolve a complaint in a timely and fair manner.

Students who contend they have been treated unfairly have the right, without fear of reprisal, to use a written procedure in their attempt to right an alleged wrong.

❖ From current KCCD Procedure 4F10(a) titled Student Complaint Procedures

Student Complaint Procedures

The Student Complaint Procedures are established so that students can resolve difficulties/problems they encounter in College-related activities. Student complaints are taken seriously; therefore, the complaint must be of a compelling, substantive, and verifiable nature. Repeated filings of the same complaint, filings of a frivolous nature, or capricious complaints against school personnel will be considered abuse of the student conduct and/or complaint process. Such repeated filings will be referred to the College President for a decision.

1. These procedures apply to student complaints such as:
 - Course content
 - Access to classes
 - Verbal, written, or physical abuse by faculty, staff, or students
 - Faculty member refusal to confer with student(s)
 - Harassment

NOTE: For issues related to discrimination or harassment complaints, see AP 3435 titled Discrimination and Harassment Complaints

1. These procedures do not apply to student complaints which involve:
 - Unlawful Discrimination (See **Policy 11D4** AP 3435 titled Discrimination and Harassment Complaints)
 - Sexual Harassment (See **Policy 11D2** AP 3435 titled Discrimination and Harassment Complaints)
 - Assignment of grades (See **Policy 4C4C for final grade changes** AP 4231 titled Grade Changes)

2. The College President will determine and publicize which administrative office will receive and administer student complaints.
3. Any party to a complaint may be represented by one ~~(1)~~ person on the College staff or student body.
4. Filing of complaints against any party is a serious undertaking. Prior to filing a written complaint, and within ten ~~(10)~~ instructional days of the incident leading to the complaint, the student(s) should contact the staff member involved in an attempt to resolve the issue. If this attempt is not feasible or does not resolve the problem, the student(s) may initiate Level I action. Complaints may not be filed after ~~ninety~~ (90) instructional days from the date of the incident leading to the complaint.
5. Notices sent to the last address available in the records of the College and deposited in the United States mail, postage prepaid, shall be presumed to have been received and read.

Level I

- a. The student(s) should contact the office of the staff member's immediate supervisor/designee. At the time of contact, the student(s) should complete and submit a Level I "Initial Student Complaint Form" which will be available in the supervisor's office. The student(s) will be given an appointment to meet with the immediate supervisor/designee at this time. The appointment to meet shall be within ten ~~(10)~~ instructional days of notice of the occurrence to the alleged incident.
- b. At the time of the appointment, the student(s) and the immediate supervisor/designee will attempt to resolve the issue in a satisfactory manner. All Level I conferences may be tape recorded with the concurrence of both parties. (These recordings shall be the exclusive property of the College/District and shall become part of the complaint file.)

If the complainant fails to appear for the scheduled appointment, the Level I complaint process shall be terminated and the complainant shall have no further recourse.

- c. Subsequent to the student(s) meeting with the immediate supervisor/designee, the latter shall meet and confer with the staff member(s) involved in an effort to resolve the complaint. If possible, this meeting shall be within five ~~(5)~~ instructional days of the student(s) meeting with the immediate supervisor/designee.
- d. After meeting with student(s) and staff member(s), the immediate supervisor/designee shall notify the parties involved of his/her suggestion for resolution. If this resolution is acceptable to the complainant(s), the immediate

supervisor/designee shall complete the Level I “Information/Disposition Form” and submit copies of it to the complainant(s), the staff member(s) and maintain the original in a suitable file.

- e. If the immediate supervisor/designee does not resolve the complaint to the complainant’s satisfaction, the complainant may, within ten ~~(10)~~ instructional days of the decision, file with the appropriate administrator a request to move the complaint to Level II.
- f. At the written request of the student(s), action on the complaint may be delayed until the term of the class is completed. In this event, the appropriate administrator may delay any further action on the complaint until the next semester.
- g. In the event of a group complaint, at most two ~~(2)~~ students shall be chosen to carry the complaint forward.

Level II

- a. Under certain circumstances, and in the interest of fairness to all parties, the immediate supervisor/designee may refer the complaint to Level II immediately. The immediate supervisor/designee shall notify the student(s), staff member(s), and appropriate administrator when the referral has been made to Level II.
- b. If the complainant(s) choose(s) to move the complaint to Level II, he/she/they must complete a “Request to Appeal from Level I Recommendation” form.
- c. Within ten ~~(10)~~ instructional days of receiving the request (either the immediate supervisor’s/designee’s referral or the student(s)’ appeal), the appropriate administrator shall investigate the allegations and convene a conference of the student(s), the staff member(s), and the staff member(s)’ immediate supervisor/designee.

All Level II conferences shall be tape recorded by the appropriate administrator. These recordings shall be the exclusive property of the College/District and shall become part of the complaint file.

If a complaint is filed within the last ~~thirty~~ (30) instructional days of the semester or the last ten (10) instructional days of summer school, the appropriate administrator may delay any further action on the complaint until the next academic term.

The student(s) bringing the complaint and the staff member(s) being complained against must be present at this conference. Under compelling

circumstances this meeting may involve teleconferencing. At this meeting, an attempt will be made to resolve the issue(s) and agree upon the remedy.

If the complainant fails to appear for this conference, except for good cause, the Level II complaint process shall be terminated, and the complainant shall have no further recourse.

- d. Following this Level II conference, the appropriate administrator shall, within five ~~(5)~~ instructional days, provide his/her written decision and the basis for the decision. Copies of this decision shall be sent to the student(s), the staff member(s), the immediate supervisor/designee, and the appropriate Vice President.
- e. The student(s) bringing the complaint and/or staff member(s) being complained against may challenge the Level II decision by proceeding to Level III.

Level III

- a. If the student(s) and/or the staff member(s) challenge(s) the Level II decision he/she/they must file a written appeal (See "Request to Appeal from Level II Recommendation" form) within ten ~~(10)~~ instructional days of notification of the Level II decision. This Level III appeal shall be filed with the appropriate Vice President.
- b. The appropriate Vice President must be provided with copies of all written materials, recordings, and any other documents generated regarding the complaint at Levels I and II.
- c. The purpose of Level III is to make one last attempt to resolve the issues to the satisfaction of the parties involved. To that end, the appropriate Vice President shall, within ten ~~(10)~~ instructional days of receiving the referral assemble the complainant(s), the staff member(s), the appropriate administrator from Level II, the immediate supervisor/designee. (This meeting shall be tape recorded by the appropriate Vice President. These recordings shall be the exclusive property of the College/District and shall become part of the complaint file.)
- d. If the appropriate Vice President is able to resolve the difference(s)/complaint(s), such resolution shall be established in written form and shall be validated by the signatures of all parties involved. This agreement shall become part of the file and copies of same shall be made available to the complainant(s), staff member(s), appropriate administrator, immediate supervisor/designee.
- e. If the appropriate Vice President is unable to resolve the difference(s)/complaint(s) he/she shall assemble the Hearing Panel within ten ~~(10)~~ instructional days of that determination. He/she shall provide the Hearing

Panel with the procedure to be used and answer any procedural questions which may arise. [See Student Complaint Hearing Panel Procedure 4F10(b)]

~~Approved by Chancellor's Cabinet
January 12, 1993~~

~~Revised 01/11/94; Renumbered 04/21/94; Revised 03/21/95; Renumbered 06/01/95; Revised 10/02/01; Chancellor's Executive Council 12/13/2005; District Consultation Council 05/18/09~~

❖ From current KCCD Procedure 4F10(b) titled Student Complaint Hearing Panel Procedures

Student Complaint Hearing Panel Procedures

Basis For Hearing

The Student Complaint Procedures are established so that students can resolve difficulties/problems which they encounter in College related activities. Student complaints are taken seriously. Therefore, the complaint must be of a compelling, substantive, and verifiable nature. If the complaint cannot be resolved at Levels I, II or III, then a Hearing Panel shall be convened to hear the student complaints that reach Level IV.

The Hearing Panel

Each College shall appoint a Standing Committee from which a panel will be chosen to hear student complaint appeals beyond Level III of the Student Complaint Procedures. The College standing committee shall be composed of eight (8) members. Members shall be appointed each August to serve through July as follows:

- Two (2) faculty members appointed by the Academic Senate President
- Two (2) classified staff appointed by the CSEA or Classified Senate President
- Two (2) students appointed by the Associated Student Body President
- Two (2) administrators appointed by the College President

Composition of Hearing Panel

The non-voting Chair of the Hearing Panel (not a Standing Committee member) shall be appointed by the College President. The Student Complaint Hearing Panel shall be composed of selected members of the Standing Committee and an ad hoc member as follows:

If the complaint is against a faculty member, the Hearing Panel shall consist of:

- two (2) faculty members
- one (1) student member
- one (1) classified member

- one (1) administrator
- one (1) ad hoc voting member appointed by the Academic Senate President

If the complaint is against an administrator, the Hearing Panel shall consist of:

- two (2) administrators
- one (1) student member
- one (1) faculty member
- one (1) classified member
- one (1) ad hoc voting member appointed by the College President

If the complaint is against a classified staff member, the Hearing Panel shall consist of:

- two (2) classified members
- one (1) faculty member
- one (1) administrator
- one (1) student member
- one (1) ad hoc voting member appointed by the CSEA or Classified Senate President

Student Complaint Hearing Panel Procedures

Notifications

When a Student Complaint Hearing Panel is to be convened, the appropriate administrator shall prepare and personally deliver or mail a written notice to the parties involved, including the Hearing Panel members, not less than ten (10) instructional days prior to the hearing. Notices personally delivered shall be evidenced by a signed receipt. Notices sent to the last address available in the records of the College and deposited in the United States mail, postage prepaid, return receipt requested, shall be presumed to have been received and read.

The notice shall specify the date, time, and place of the hearing and shall include all data pertinent to the complaint from Levels I, II and III, the Student Complaint Policies and Procedures, and these Hearing Panel Procedures. The notice shall also include a statement apprising each party of his/her/their right to: (1) self-representation or representation by a member of the College staff or student body, (2) present witnesses, and (3) cross-examine witnesses presented by the opposing party.

Hearing Preparation

The appropriate administrator shall be responsible for making the necessary arrangements for the hearing. Arrangements shall include scheduling a room, providing for a tape recorder, providing notice to the parties as provided above; notifying members of the Hearing Panel, and any other arrangements.

Either the student(s) or the staff member(s) complained against may challenge any member of the Hearing Panel for cause. Grounds for cause include any personal involvement in the situation giving rise to the grievance, any statement made on the matters at issue, or any other act or statement indicating that a person could not act in an impartial manner. Any challenge must be made in writing, not less than five (5) instructional days prior to the hearing. Challenges shall be considered by the appropriate administrator. If a challenge is upheld, the appropriate administrator shall direct that an alternate be appointed to the Hearing Panel.

Right to Representation

The student(s) and the staff member(s) may represent themselves, or may be represented by another student or staff member. Neither the student(s) nor the staff member(s) may be represented by any person not in the College community. Neither the student(s) nor the staff member(s) may be represented by an attorney acting in the role of legal advocate.

Right to Advisor

The student(s) and the staff member(s) have the right to be assisted by any advisor they choose. The advisor may be an attorney. However, the advisor, while permitted to attend the hearing, shall not be permitted to participate directly. In other words, the advisor shall not be allowed to address the Hearing Panel, cross examine witnesses, or make arguments on behalf of his/her advisee.

Guidelines for Student Complaint Hearings

Hearings shall be conducted by the Hearing Panel according to the following guidelines:

- a. The Chair of the Hearing Panel shall preside over the Hearing and make decisions regarding procedure. The Chair's procedural decisions shall be final. In hearings involving more than one (1) accused student, the Chair may conduct separate hearings for each student.
- b. All proceedings of the hearing shall be recorded using audio and/or audio video recorders. The recording of the Hearing shall be the exclusive property of the College and the Kern Community College District and shall be maintained by the appropriate administrative officers. To protect the integrity and confidentiality of the proceedings, no other recording or transcription shall be allowed.
- c. All hearings shall be closed. All witnesses shall be excluded from the hearing except when testifying. Admission of any person to the hearing shall be at the discretion of the Chair.
- d. The Chair shall call the hearing to order, introduce the parties, and announce the purpose of the hearing, e.g., "This Hearing meets pursuant to **Level III of the Student Complaint Procedures** to hear a complaint brought by

_____ against _____, and make findings of fact and recommendations for action to the College President.

- e. The Chair shall distribute copies of the written complaint to the Hearing Panel members, read the complaint aloud, and ask the parties if they have reviewed the allegations. The Chair shall explain the procedures to be followed during the hearing.
- f. The Hearing Panel may consider only allegations filed by the student(s) at Levels I and II of the Student Complaint Procedures.
- g. The complainant, the staff member(s) being grieved against, and the Hearing Panel shall have the privilege of presenting witnesses, subject to the right of cross-examination. Witnesses shall only be identified at the hearing. The panel Chair shall retain the right to limit the amount of time allowed for the complainant's case, rebutting evidence, argument, examination of witnesses and the number of witnesses. Each side must, however, be granted equal time to present their cases.

Each party shall be afforded the opportunity to make an opening statement. This statement may not exceed five (5) minutes in length. After the opening statements, each party shall have the opportunity to present relevant evidence and testimony.

- h. Formal rules of evidence shall not apply. All relevant evidence is admissible, including, but not limited to, statements of witnesses and relevant documents. The Chair shall decide on these matters.
- i. The student(s) has (have) the burden of proving that the allegation(s) is (are) true. The student(s) will present evidence in support of the allegation(s) first. Subsequently, the staff member(s) may present evidence to refute the allegation(s).
- j. Each party shall be afforded an opportunity to make a closing statement. This statement may not exceed five (5) minutes in length. The complainant shall close first. Subsequently, the Hearing Panel shall retire to deliberate with only the members of the panel and the panel chair present.
- k. The Hearing Panel shall make its decision and/or recommendation(s) based on the preponderance of evidence presented at the hearing and relevant to the allegations filed at Levels I and II of the Student Complaint Procedures. In situations where a consensus cannot be achieved, the decision or recommendation(s) shall be made by a simple majority vote.

Procedures Subsequent to the Student Complaint Hearing

Notifications

Within five (5) instructional days of the hearing, the Chair shall deliver to the College President the written recommendation(s) arrived at by consensus or by majority vote of the panel members. Minority opinion(s) may be attached to the majority report. The recommendations to the College President are advisory.

Within five (5) instructional days of receiving the Hearing Panel's recommendation(s), the College President shall render a decision. This decision shall be communicated, in writing, to the complainant(s), the parties grieved against, appropriate supervisor(s) and administrator(s), and the Hearing Panel Chair and members. The decision of the College President is final.

Confidentiality of Records

All reports, records, transcripts, tapes, etc., which are made a part of the hearing shall be retained in the office of the appropriate Vice President.

All such reports, records, transcripts, tapes, etc., shall be held confidential except as required by law.

~~Approved by Chancellor' Cabinet
January 12, 1993~~

~~Revised 1/11/94; Renumbered 4/21/94; Revised 3/21/95; Renumbered 6/01/95; Revised 10/02/01; Chancellor's Executive Council 12/13/2005~~

[Also see AP 3410 titled Nondiscrimination, AP 3435 titled Discrimination and Harassment Investigations, BP/AP 5500 titled Standards of Student Conduct, and AP 5520 titled Student Discipline Procedures](#)

Kern Community College District
Administrative Procedure
Chapter 5 – Student Services

AP 5570 STUDENT CREDIT CARD SOLICITATIONS

References:

[Education Code Section 99030:](#)

[Title 5 Section 54400:](#)

[Civil Code Section 1747.02\(m\)](#)

NOTE: *A procedure on student credit card solicitation is **legally advised**. Insert local practice. The list reflects criteria in Education Code Section 99030. The procedures may include:*

- *Sites at which student credit cards are marketed should be registered with the campus administration.*
- *The number of sites allowed on campus may be limited.*
- *Marketers of student credit cards are prohibited from offering gifts to students for filling out credit card applications.*
- *Credit card and debt education and counseling sessions are offered to students **[indicate strategies, such as during orientation of new students, etc.]**.*

NOTE: *If the District offers education and counseling sessions to students, Education Code Section 99030 states that the District shall use existing debt education materials prepared by nonprofit entities and thus not incur the expense of preparing new materials.*

NOTE: *The language shown below is from current KCCD Policy 4H and was moved to this new administrative procedure due to the detailed language contained therein.*

Credit card companies marketing “student credit cards” may not engage in solicitation on campus without the prior approval of the College President or designee.

Each college of the District is required to develop and adopt regulations addressing the marketing of “student credit cards,” and these regulations are to be on file in the Office of the College President or designee.

Credit card company representatives seeking prior approval for solicitation of “student credit cards” must secure a copy of the college’s regulations addressing the marketing of “student credit cards” on campus, must appear in person with full identification when seeking approval, must pay the vendor fee established by the colleges, and must abide by the college’s regulations at all times.

Failure on the part of the credit card company to meticulously observe the regulations governing “student credit card” solicitation will result in immediate expulsion from the campus and the firm being banned from campus for the purpose of credit card marketing for a three-year period.

Credit card company representatives who, without prior approval, appear on campus for the purpose of marketing “student credit cards” will be immediately expelled from the campus and their firm will be denied subsequent access for a five-year period.

NOTE: *The language below provides additional language from other Districts for consideration.*

Student credit cards may be marketed only with authorization by administration and only at sites designated by campus administration.

Marketers of student credit cards are prohibited from offering gifts to students for filling out credit card applications.

**Kern Community College District
Board Policy
Chapter 5 – Student Services**

BP 5700 INTERCOLLEGIATE ATHLETICS

References:

Education Code Sections 78223, 66271.6, 66271.8, and 67360 et seq.;
20 U.S. Code Sections 1681 et seq.;
WASC/ACCJC Accreditation Standard II.C.4

NOTE: *The language in red ink is **legally required**.*

❖ From current KCCD Policy 4F1 titled Intercollegiate Competition

~~4F1—Intercollegiate Competition~~

~~All intercollegiate athletic competition is regulated by the athletic codes of the Commission on Athletics California League of Community Colleges or designee and the conferences of which each College is a member.~~

~~4F1A The College President shall assure that athletic programs comply with the California Community Colleges Commission on Athletics Constitution and Sports Guides, and appropriate Conference Constitution regarding student athlete participation.~~

~~4F1B The District shall maintain an organized program for men and women in intercollegiate athletics. The program shall not discriminate on the basis of gender in the availability of athletic opportunities.~~ *The District will offer opportunities for participation in athletics equally to male and female students consistent with state and federal law.*

The College Presidents shall assure that the athletics program complies with state law, the California Community College Athletic Association (CCCAA) Constitution and Sport Championship Handbooks, and appropriate Conference Constitution regarding student athlete participation.

Kern Community College District
Administrative Procedure
Chapter 5 – Student Services

AP 5700 INTERCOLLEGIATE ATHLETICS

References:

Education Code Sections 66271.6, 66271.8, 67360 et seq., and 78223;
Title IX, Education Amendments of 1972;
WASC/ACCJC Accreditation Standard II.C.4

NOTE: This procedure is **legally advised**. Local practice may be inserted here. Rules for participation in intercollegiate athletics should be developed in accordance with Education Code Sections 67360 et seq. and BP 5700, which states that the District shall comply with rules and regulations adopted by voluntary associations, one of whose purposes is to govern intercollegiate athletics (e.g. the California Community College Athletic Association (CCCAA)).

The authority for developing, implementing and monitoring these procedures should be stated, and should reference appropriate assistance required from the Academic Senate.

Each College is a member of the California Community College Athletic Association (CCCAA) and is governed by the rules of the CCCAA constitution and bylaws. The District will provide an athletics program and physical education curriculum based on the most recent constitution and bylaws of CCCAA and conference(s) in which the District is a member.

The Athletics Department is committed to nondiscrimination and providing equitable opportunities, benefits, and resources available to all students. This commitment promotes an atmosphere that is free from harassment or discrimination within all athletic program activities and classes.

The Athletics Department is committed to student-athlete academic success and shall monitor and track student-athlete academic performance.

Any fundraising activities conducted by a member of the Athletics Department shall follow approval procedures prior to the proposed event as outlined in the Athletics Department

Staff Handbook. All fundraising and trust account activities shall follow the procedures established by the District Business Services Office.

Changes to the Intercollegiate Athletics program curriculum will follow the procedures outlined in BP 4021 titled Program Discontinuance. Athletic programmatic procedures are contained in the Athletics Department Staff Handbook and information kept in the Athletics Director's Office.

The Colleges shall submit conference, state, and federal compliance reports as required by their conference. The statement of compliance of Title IX Gender Equity and the Equity in Athletics Disclosure Act (EADA) shall be submitted to the District Office of Educational Services.

Kern Community College District
Board Policy
Chapter 5 – Student Services

**BP 5800 PREVENTION OF IDENTITY THEFT IN STUDENT
FINANCIAL TRANSACTIONS**

Reference:

15 U.S. Code Section 1681m(e) (Fair and Accurate Credit Transactions Act (FACT ACT or FACTA))

NOTE: *The language in red ink is **legally required**.*

The District is required to provide for the identification, detection, and response to patterns, practices, or specific activities (“Red Flags”) that could indicate identity theft of students when the District serves as a creditor in relation to its students. When applicable, the District Chancellor or designee is directed to develop procedures to implement an Identity Theft Prevention Program (ITPP) to control reasonably foreseeable risks to students from identity theft.

Kern Community College District
Administrative Procedure
Chapter 5 – Student Services

**AP 5800 PREVENTION OF IDENTITY THEFT IN STUDENT
FINANCIAL TRANSACTIONS**

Reference:

15 U.S. Code Section 1681m(e) (Fair and Accurate Credit Transactions Act (FACT ACT or FACTA))

NOTE: *The language in red ink is legally required.*

I. The Purpose of the Identity Theft Prevention Program

The purpose of this Identity Theft Prevention Program (ITPP) is to control reasonably foreseeable risks to students from identity theft, by providing for the identification, detection, and response to patterns, practices, or specific activities (“Red Flags”) that could indicate identity theft.

II. Definitions

“Identity theft” is a fraud attempted or committed using identifying information of another person without authority.

A “creditor” includes government entities who defer payment for goods (for example, payment plans for bookstore accounts or parking tickets), issued loans or issued student debit cards. Government entities that defer payment for services provided are not considered creditors for purposes of this ITPP.

“Deferring payments” refers to postponing payments to a future date and/or installment payments on fines or costs.

A “covered account” includes one that involves multiple payments or transactions.

“Person” means any individual who is receiving goods, receives a loan, and/or is issued a debit card from the District and is making payments on a deferred basis for said goods, loan, and/or debit card.

Detection or discovery of a “Red Flag” implicates the need to take action under this ITPP to help prevent, detect, and correct identity theft.

III. Detecting “Red Flags” For Potential Identity Theft

A. Risk Factors for Identifying “Red Flags”

The District will consider the following factors in identifying relevant “Red Flags.”

- 1) the types of covered accounts the District offers or maintains;
- 2) the methods the District provides to open the District’s covered accounts;
- 3) the methods the District provides to access the District’s covered accounts; and
- 4) the District’s previous experience(s) with identity theft.

B. Sources of “Red Flags”

The District will continue to incorporate relevant “Red Flags” into this ITPP from the following sources:

- 1) incidents of identity theft that the District has experienced;
- 2) methods of identity theft that the District identifies that reflects changes in identity theft risks; and
- 3) guidance from the District’s supervisor’s who identify changes in identity theft risks.

C. Categories of “Red Flags”

The following Red Flags have been identified for the District’s covered accounts:

Alerts, Notifications, or Warnings from a Consumer Reporting Agency:

- 1) A fraud or active duty alert is included with a consumer report the District receives as part of a background check.
- 2) A consumer reporting agency provides a notice of credit freeze in response to a request for a consumer report.
- 3) A consumer reporting agency provides a notice of address discrepancy. An address discrepancy occurs when an address provided by a student substantially differs from the one the credit reporting agency has on file. See Section (V)(9) for specific steps that must be taken to address this situation.
- 4) A consumer report indicates a pattern of activity that is inconsistent with the history and usual pattern of activity of an applicant, such as:
 - (a) A recent and significant increase in the volume of inquiries;
 - (b) An unusual number of recently established credit relationships;
 - (c) A material change in the use of credit, especially with respect to recently established credit relationships; or
 - (d) An account that was closed for cause or identified for abuse of account privileges by a creditor or financial institution.

Suspicious Documents:

- 5) Documents provided for identification appear to have been forged or altered.
- 6) The photograph or physical description on the identification is not consistent with the appearance of the applicant or customer presenting the identification.
- 7) Other information on the identification is not consistent with information provided by the person opening a new covered account or customer presenting the identification.

- 8) Other information on the identification is not consistent with readily accessible information that is on file with the District, such as a signature card or a recent check.
- 9) An application appears to have been altered or forged, or gives the appearance of having been destroyed or reassembled.

Suspicious Personally Identifying Information:

- 10) Personal identifying information provided is inconsistent when compared against external information sources used by the District.

For example:

- (a) The address does not match any address in the consumer report; or
- (b) The Social Security Number (SSN) has not been issued, or is listed on the Social Security Administration's Death Master File.
- 11) Personal identifying information provided by a person is not consistent with other personal identifying information provided by the person. For example, there is a lack of correlation between the SSN range and date of birth.
- 12) Personal identifying information is associated with known fraudulent activity as indicated by internal or third-party sources use by the District. For example:
 - (a) The address on an application is the same as the address provided on a fraudulent application;
 - (b) The phone number on an application is the same as the phone number provided on a fraudulent application;
- 13) Personal identifying information provided is of a type commonly associated with fraudulent activity as indicated by internal or third-party sources used by the District. For example:
 - (a) The address on an application is fictitious, a mail drop, or a prison; or
 - (b) The phone number is invalid, or is associated with a pager or answering service.
- 14) The SSN provided is the same as that submitted by other persons currently being served by the District.
- 15) The address or telephone number provided is the same or similar to the account number or telephone number submitted by an unusually large number of other persons being served by the District.
- 16) The person opening the covered account fails to provide all required personal identifying information on an application or in response to notification that the application is incomplete.
- 17) Personal identifying information provided is not consistent with personal identifying information that is on file with the District.
- 18) The person opening the covered account cannot provide authenticating information beyond that which generally would be available from a wallet or consumer report.

Unusual Use Of – Or Suspicious Activity Relating To – A Covered Account:

- 19) A new covered account is used in a manner that is commonly associated with known patterns of fraud patterns. For example, a person makes a first payment, but there are no subsequent payments made.
- 20) A covered account is used in a manner that is not consistent with established patterns of activity on the account. For example, there is:
 - (a) Nonpayment when there is no history of late or missed payments; or
 - (b) A material change in electronic fund transfer patterns in connection with a payment.
- 21) A covered account that has been inactive for a reasonably lengthy period of time is suddenly used or active.
- 22) Mail sent to the person holding the covered account is returned repeatedly as undeliverable although transactions continue to be conducted in connection with the person's covered account.
- 23) The District is notified that the person is not receiving paper account statements.
- 24) The District is notified of unauthorized transactions in connection with a person's covered account.

Notices from Customers/Persons, Victims of Identity Theft, Law Enforcement Authorities, or Other Businesses About Possible Identity Theft in Connection with Covered Accounts:

- 25) The District is notified by a person with a covered account, a victim of identity theft, a law enforcement authority, or any other person, that it has opened a fraudulent account for a person engaged in identity theft.

IV. Measures to Detect “Red Flags”

The District shall do the following to aid in the detection of “Red Flags:”

- 1) When a new covered account is open, the District shall obtain identifying information about, and information verifying the identity of, the student or other person seeking to open a covered account. Two forms of identification shall be obtained (at least one of which must be a photo identification).

The following are examples of the types of valid identification that a person may provide to verify the identity of the person seeking to open the covered account: valid state-issued driver's license, valid state-issued identification card, current passport, a Social Security Card, current residential lease, or copy of a deed to the person's home or invoice/statement for property taxes.

- 2) Persons with covered accounts who request a change in their personal information on file, such as a change of address, will have the requested changes verified by the District.

The person shall provide at least one written form of verification reflecting the requested changes to the personal information. For example, if an address change is requested, then documentation evidencing the new address shall be obtained. If a phone number change is requested, then documentation evidencing the new phone number, such as a phone bill, shall be obtained.

V. Preventing and Mitigating Identity Theft

One or more of the following measures, as deemed appropriate under the particular circumstances, shall be implemented to respond to “Red Flags” that are detected:

- 1) Monitor the covered account for evidence of identity theft;
- 2) Contact the person who holds the covered account;
- 3) Change any passwords, security codes, or other security devices that permit access to a covered account;
- 4) Reopen the covered account with a new account number;
- 5) Not open a new covered account for the person;
- 6) Close an existing covered account;
- 7) Not attempt to collect on a covered account or not sell a covered account to a debt collector;
- 8) Notifying law enforcement;
- 9) Where a consumer reporting agency provides an address for a consumer that substantially differs from the address that the consumer provided, the District shall take the necessary steps to for a reasonable belief that the District knows the identity of the person for whom the District obtained a credit report, and reconcile the address of the consumer with the credit reporting agency, if the District establishes a continuing relationship with the consumer, and regularly, and in the course of business, provides information to the credit reporting agency; or
- 10) Determine that no response is warranted under the particular circumstances.

VI. Updating the ITPP

The District shall update this ITPP on an annual basis to reflect changes in risks to persons with covered accounts, and/or to reflect changes in risks to the safety and soundness of the District from identity theft, based on the following factors:

- 1) The experiences of the District with identity theft;
- 2) Changes in methods of identity theft;
- 3) Changes in methods to detect, prevent and mitigate identity theft;
- 4) Changes in the types of covered accounts that the District maintains;
- 5) Changes in the business arrangements of the District, including service provider arrangements.

VII. Methods for Administering the ITPP

A. Oversight of the ITPP

Oversight by the District’s Executive Director of Risk Assessment and Management shall include:

- 1) Assigning specific responsibility for the ITPP’s implementation;
- 2) Reviewing reports prepared by the staff regarding compliance of the ITPP; and

- 3) Approving material changes to the ITPP as necessary to address changing identity theft risks.

B. Reports

- 1) **In General:** Staff responsible for the development, implementation, and administration of this ITPP shall report to the Governing Board on an annual basis.
 - 2) **Contents of Report:** The report shall address material matters to the ITPP and evaluate the following issues: the effectiveness of the policies and procedures in addressing the risk of identity theft in connection with opening new covered accounts and with respect to existing covered accounts; service provider arrangements; significant incidents involving identity theft and management's response; and recommendations for material changes to the ITPP.
 - 3) **Oversight of Service Provider Arrangements:** Whenever the District engages a service provider to perform an activity in connection with one or more covered accounts, the District shall take steps to ensure that the activity of the service provider is conducted in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of identity theft. To that end, the District shall require our service contractors, by contract, to have policies and procedures to detect relevant "Red Flags" that may arise in the performance of the service provider's activities, and either report the "Red Flags" to the District, or to take appropriate steps to prevent or mitigate identity theft.
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