please Note:
This publication is no longer being distributed, it will be replaced later in 2007 with a version that still covers the items cited.
POLICIES AND PROCEDURES

Gavilan College is committed to treating all students fairly, yet, as with any complex organization, misunderstandings and conflicts can occur.

STUDENTS’ PROBLEM RESOLUTION PROCESS

The State of California, the Gavilan College Board of Trustees and the Affirmative Action laws provide clear methods for students to confront and resolve problems that may occur while they are enrolled. Conflict and miscommunication are, unfortunately, a fact of life. Choosing how we deal with difficult issues becomes a personal choice we all must make.

In the educational environment, there are also times when a student and a college employee (faculty/teacher/instructor, support staff, or administrator) may have a problem or issue that needs some clarification and resolution. Therefore, Gavilan College has a procedure to help students address problems and work on solutions that benefit all the people involved.

“Gavilan College will make available to all students a procedure for resolving student grievances that will include the various stages, timelines, and other regulatory practices as outlined” (Gavilan College Policy 6.B.2.)

The following process for resolving issues is called the students’ problem resolution process and applies to specific situations on campus.

There are also times when the student’s attempt to resolve problems must follow laws determined by the Federal Office of Civil Rights. These situations include alleged discrimination or harassment around race/ethnicity, sexual harassment, disability, religion, gender, color, national origin and age. If you feel you have experienced discrimination based upon any of these criteria you must follow a separate procedure available from the Gavilan College affirmative action officer. Consult with the staff at the Information Desk for location of this resource.

The areas covered by the students’ problem resolution process can include an issue with a grade, poor communication, or negative behavior between you and a staff member, etc. We encourage you to speak with a counselor for assistance in clarifying your issues and understanding the correct steps to follow before pursuing the process.

If your problem is with a faculty member, you need to be aware of the concept of and rights surrounding “academic freedom.”

It is the policy of the college to encourage and maintain full freedom for its faculty to teach, research and pursue knowledge as provided in the U.S. and California constitutions and other applicable laws. A teacher may discuss her/his own subject or area of competence in the classroom, as well as other relevant matters, including controversial subjects, so long as she/he distinguishes between personal opinions and factual information. The Board of Trustees shall not interfere with a faculty member’s freedom of speech or use of materials in any teaching assignment, except as allowed by law. (Paraphrased and condensed from the Gavilan College Faculty Contract, Article VII, Academic Freedom.)

The college also recognizes and understands the hesitation you may feel when considering addressing a problem with an instructor. You may fear that your grade in the class may suffer, you may later need to take another course from this instructor, or that “nothing will probably change, so why bother.”
Because of these perceptions, you may sometimes think it is not worth trying to clear up a misunderstanding or resolve a conflict. We hope that you do try to resolve any problems, as unresolved issues take energy away from other aspects of your life.

The basic premise of any problem-solving is that you must discuss the problem with the person whom is directly involved. Although this is sometimes difficult, it is the best way to resolve a problem. The students’ problem resolution process also requires this as a first step.

Preparation for your problem-solving session includes asking yourself the following:

- What was the specific behavior with which I have a problem?
- How did this behavior make me feel?
- What specific actions do I want to see as part of a possible resolution?

Too frequently our emotional reactions to an incident cloud our perception of the actual behavior to which we are reacting. These common reactions can also prevent us from clearly stating what we would like to have happen as a resolution.

The college has a form you can use to help you clarify the above three questions. You can work on it alone or with a counselor, staff member or friend. You do not need to give the form to anyone; it is for your personal use. It may help to take it with you to the meeting(s) if you continue with the process. This preliminary thinking should help you present your concerns clearly and concisely.

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**A CHECKLIST FOR CLARIFYING ISSUES**

<table>
<thead>
<tr>
<th>Date of incident</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location</td>
<td></td>
</tr>
<tr>
<td>People involved</td>
<td></td>
</tr>
<tr>
<td>Description of incident</td>
<td></td>
</tr>
<tr>
<td>What actual behaviors or actions were demonstrated?</td>
<td></td>
</tr>
<tr>
<td>What specific words or statements were made?</td>
<td></td>
</tr>
<tr>
<td>How did you feel about the interactions? Example: I felt ___ (an emotion, not a thought) when Mr. / Mrs. ______ (said or did what)?</td>
<td></td>
</tr>
<tr>
<td>The resolution I would like to see is:</td>
<td></td>
</tr>
<tr>
<td>(Does the solution fit the incident? Is it reasonable? Realistic?)</td>
<td></td>
</tr>
<tr>
<td>Other thoughts on the situation:</td>
<td></td>
</tr>
</tbody>
</table>

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STEPS FOR RESOLUTION

STEP 1. Meet with the person with whom you have the problem.

Schedule an appointment so you will minimize interruptions and can hold the conversation confidentially.

You may bring someone with you to this meeting. It can be a member of the Associated Student Body (ASB) organization or another student. This person is not to speak for you but to provide support and quiet encouragement.

This meeting needs to occur within ten school days from the time of the last occurrence of the problematic behavior.

Most problems are resolved at this level. If you are unsatisfied, you need to let the staff person know that you will be taking your problem to the next level.

STEP 2. Make an appointment with the department chairperson or supervisor of the person with whom you have the problem. (The department chairperson or supervisor can ask all three of you to meet together or meet separately with you and the person with whom you have the problem. Then the department chairperson/supervisor will meet with you again to discuss a possible resolution.)

Discuss the problem, a summary of what occurred at the previous meeting (Step 1) and your proposed resolution.

Again, you may bring a student with you to the meeting. It is helpful for continuity if it is the same person from the last meeting.

This meeting needs to be scheduled within five school days, and you must meet within the next five school days (no more than ten school days shall pass between Steps 1 & 2).

If you are still unsatisfied...

STEP 3. Schedule a meeting with the dean of the related area (Dean of Liberal Arts and Sciences, Dean of Technology and Public Services, Dean of Enrollment Management, or VP of Administrative Services). Check with a counselor or the people from the previous step for the correct people you need to meet with next. This meeting will include you and the department chairperson/supervisor and the dean.

This meeting needs to be scheduled within five school days from the last meeting, and you need to meet within the next five school days (no more than ten school days shall pass between steps 2 & 3).

If you are still unsatisfied...

STEP 4. Schedule a meeting with the VP of Instruction if your problem is with an instructor. Otherwise, proceed to STEP 5 - asking the dean with whom you just met to contact the president of the college.

This meeting needs to be scheduled within five school days from the last meeting and you need to meet within the next five school days (no more than ten school days shall pass between steps 3 & 4).
STEP 5. Request that a hearing committee be called to hear the issue. This committee will be convened by the college president and will consist of:

- A student appointed by the ASB
- One faculty member from an unrelated area appointed by the faculty senate
- One counselor appointed by the counseling chairperson
- One member of the classified staff from an unrelated area appointed by the classified council president
- One dean from an unrelated area, appointed by the college president
- The department chairperson or supervisor from the area involved

The hearing committee will conduct the hearing in private. They will call related personnel if they think it will help resolve the problem. The committee will make recommendations for a win-win resolution and forward these recommendations to all involved parties and the president of the college.

The hearing committee needs to receive the request for the hearing from the dean or college president within five days of the meeting that occurred in Step 4.

If either you or the college staff member are not satisfied with the recommendations of the hearing committee, you may file . . . .

STEP 6. An appeal to the college president. This step requires that you or the staff member involved write a letter outlining the problem, action or inaction taken so far and the hoped-for resolution. The college president will review this letter and the recommendations from the hearing committee. S/he will schedule and hold a private meeting with you to discuss and, hopefully, resolve the problem.

This meeting must be scheduled within five school days after the hearing committee’s recommendations were received by you and the related college staff member.

If you or the staff member do not feel satisfied with the president’s resolution, a final step may be pursued.

STEP 7. A written appeal may be made to the college’s board of trustees. They must respond in writing within 35 days of receiving the written appeal. This is the last step in the college’s students’ problem resolution process. As mentioned at the beginning of this process, communication and resolution of conflicts is frequently a difficult and complicated effort. It is important that we deal with issues that are important to us and attempt to do so in the most positive and productive manner. We encourage you to use the support services that are available at Gavilan College. Good luck.
academic honesty depends upon the integrity of the students and faculty. The college itself is defrauded if faculty and/or students knowingly or unwittingly allow dishonest acts to be rewarded academically.

It is the faculty's responsibility to make every reasonable effort to foster honest academic conduct. If a faculty member believes that there is evidence of academic dishonesty on the part of a student, it is the faculty member's responsibility to take appropriate action in accordance with this policy.

Students at Gavilan College have the right to know what constitutes academic dishonesty at the college and in each course in which they are enrolled. Faculty members will apprise their classes of the ethical standards required in their courses and the permissible procedures for class work and examinations. A statement referring to this information will be presented in the course outline (green sheet) and/or on individual examinations. Students will be informed that there are consequences for violating these standards, their rights of appeal, and the procedures to be followed in the appeal.

DEFINITIONS OF ACADEMIC DISHONESTY

Purposely allowing another student to copy from your paper during a test.

Giving your homework term paper or other academic work to another student to plagiarize.

Having another person submit any work in your name.

Lying to an instructor or college official to improve your grade.

 Altering a graded work after it has been returned, then submitting the work for regrading (without knowledge of the instructor).

Removing test(s) from classroom or any other place without instructor's approval.

Stealing tests or "keys" to tests.

Forging signatures on drop/add slips or other college documents.
CHEATING

At Gavilan College, cheating is the act of obtaining or attempting to obtain credit for academic work through any dishonest, deceptive, or fraudulent means. Cheating includes, but is not limited to:

- Copying, in part or in whole, from another's test or other evaluation instrument or obtaining answers from another person during the test without instructor's approval.
- Submitting work previously presented in another course, if contrary to the written rules of the course.
- Using or consulting, during an examination, sources or materials not specifically authorized by the instructor.
- Intentionally altering, changing, misusing documents or records, or furnishing false information or generally interfering with grading procedures or instructor of a class.
- Sitting for an examination by a surrogate or as a surrogate.

1.1.6 Any other act committed by student(s) in the course of academic work which defrauds or misrepresents, including aiding or abetting, in any of the actions defined above.

PLAGIARISM

The act of incorporating the ideas, words, sentences, paragraphs, or parts thereof, or the specific substance of another's work without giving appropriate credit, and representing the product as one's own work.

Representing another's artistic/scholarly works such as musical compositions, writings, compute programs, photographs, paintings, drawings, scriptures, or similar works as one's own.

STUDENT EVALUATION AND REPORTING

When a Gavilan faculty member, responsible for a course, has reason to believe, and has evidence to substantiate, that the behavior of a student falls within one or both of the above sets of definitions, it is an instructor's responsibility to take the following steps:

Arrange an office conference with the student and at that time advise the student of the allegations and make him or her aware of the supporting evidence and the probable consequences. Any classroom confrontation should be as discreet as possible. If, as a result of this meeting, the instructor believes that the student's response is insufficient to offset the charge of academic dishonesty, to the extent that the student may be excused, the instructor will inform the student of the sanctions to be recommended or assessed in accordance with Section 3.0 of this policy. All notes and discussions between the student and the faculty member will be kept confidential except as may be relevant in subsequent disciplinary proceedings or any subsequent legal actions. Faculty members are not to publically discuss specifics in the classroom publicly.

At the discretion of the instructor, a written report of the infraction and the action taken may be submitted to the VP of Student Services with a copy to the appropriate associate dean.
When a student who has been informed in writing of an impending conference to discuss the alleged dishonesty fails to attend, or when the apparent dishonesty is detected near the end of the semester and the instructor makes a good faith effort to contact the student but is unable to do so, the instructor may impose the recommended penalty and make the report called for in Section 2.2 without a conference. In either case, the student’s right to appeal is preserved.

SANCTIONS

There shall be two major classifications of sanctions that may be imposed for violations of this policy: academic and administrative. Academic sanctions will be defined as those actions related to the coursework and grades, which are the province of the instructor. Administrative sanctions concern a student’s status on campus and are acted upon by the VP of Student Services. The imposition of one variety of sanctions (academic or administrative) will not preclude the addition of the other.

ACADEMIC SANCTIONS

Faculty are responsible for the type of academic sanction to be applied to students involved in incidents of cheating or plagiarism. Usually a form of “grade modification” will be employed. Before sanctions can be employed, the faculty member must have verified the instances of academic dishonesty by personal observation and/or documentation. In all cases, the violation should be reported to the VP of Student Services. A student may be:

Reprimanded orally. A student may be referred for counseling but cannot be required to seek counseling.

Failed in the evaluation instrument (paper or exam).

Given a reduced course grade, including possible failure of course.

Referred for administrative sanctions. A faculty member may choose to refer a student to the VP of Student Services for disciplinary action in lieu of academic sanction or in addition to the academic action the faculty member has taken.

Faculty Discretion: Cases involving the careless or inept handling of quoted material but which falls short of the definitions of the acts of cheating and/or plagiarism as defined in items 1.1 and 1.2 of this policy may be dealt with at the discretion of the faculty member concerned. Item 1.1.6 also requires faculty interpretation.

Recommended Academic Sanctions: For violations of quoted materials which may fall short of the definitions of cheating and/or plagiarism as noted in 1.1.1, 1.1.3, or 1.2.2, faculty has the discretion to determine sanctions. This also applies to Item 1.1.6.

For violation of Section 1.1.2 the recommended sanction shall be 3.1.2, reduction in grade or failure of that evaluation instrument.

For violations of Sections 1.1.4 and 1.1.5 it is recommended that the student be referred to the VP of Student Services for administrative sanction in accordance with 3.1.5.

For violations of Section 1.2.2 of this policy, the recommended sanction shall be 3.1.3, reduction in course grade, including possible failure of course.

Student Handbook
ADMINISTRATIVE SANCTIONS

As stipulated in the California Administrative Code, Sanction 41301, cheating or plagiarism in connection with an academic program at a campus may warrant expulsion, suspension, probation or a lesser sanction. Administrative action involving academic dishonesty at Gavilan is the responsibility of the VP of Student Services according to the Standards of Student Conduct and Disciplinary and Due Process Procedures.

The VP of Student Services will respond to:

1. referrals from the faculty;
2. flagrant violations of academic standards; and
3. repeat violations as brought to his/her attention by the faculty or through the student reports filed with the VP of Student Services.

The VP of Student Services will notify faculty members involved when action has been taken.

PROTECTION OF RIGHTS

Nothing in this policy is intended to deny students who come within its scope appropriate "due process" including the right to be informed of the charges, the nature of the evidence supporting the charges, and the right to have a meeting with the faculty member, VP of Student Services, or other decision-makers, at which time statements and evidence on behalf of the student may be submitted. Nor is it intended to deny the right to appeal, through appropriate college channels, any decision resulting from such a meeting.

4.1 Academic sanctions may be appealed through the VP of Student Services in accordance with college policy.

4.2 When disciplinary suspension or expulsion is being recommended as an administrative sanction, the student has the right to a formal impartial hearing by the Gavilan College Board of Trustees (Education Code 66017).

DISSEMINATION OF INFORMATION

5.1 This policy shall be published in the general catalog and the Student Handbook. There shall also be copies of this policy in every department office, in the library, in the faculty handbook, in the lobby of the Admissions and Records Office, and in the office of the VP of Student Services.

5.2 Dissemination of this information shall be the responsibility of the VP of Student Services and the VP of Instruction.

5.3 The VP of Student Services shall submit annually to the ASB and the faculty senate a statistical report on the number and type of infractions and their eventual disposition.

Gavilan College
STUDENTS' RIGHTS AND RESPONSIBILITIES

When you register at Gavilan College, you enter into a relationship with the college. There are
clear rights and privileges that you receive as a student. There are equally clear responsibilities
and obligations that you assume as a student. The college also presumes that you will adhere
to acceptable standards of personal conduct.

Highlighted below are behaviors that are considered unacceptable and, therefore, a violation
on the part of a student and the college’s actions if these standards are violated.

(Rules of) Student Conduct Handbooks regarding the rights and responsibilities of Gavilan
College students are available through the VP of Student Services and in the lobby of the
Admissions and Records Office.

Unacceptable behaviors may include, but may not be limited to, the following:

1. Dishonesty, such as cheating, plagiarism, knowingly furnishing
   false information to the college;

2. Forging, alteration, or misuse of college documents, records or
   identification; obstruction or disruption of instruction, the
   administrative process, college activities, community services
   or other authorized college activities;

3. Physical abuse of any person, or conduct which threatens or
   endangers the health or safety of such person;

4. Theft of, or non-accidental damage to, college property or
   property of any members or guests of the college community
   of the college while on campus;

5. Unauthorized entry to and use of college property;

6. Sale, use, possession or distribution of drugs, narcotics,
   marijuana, LSD, or alcohol, except as permitted by law;

7. Violation of college policies or campus regulations concerning
   the registration of student organizations, the use of college
   facilities, or the time, place and manner of public expression;

8. Failure to comply with directions of college officials acting in
   performance of their duties;

9. Gambling on college property and off-campus conduct inimical
   (harmful) to the welfare and well-being of the college
   community.

Rights and Responsibilities of Gavilan College Students (6.B), Gavilan Policy and publication,
revised 1992 6.B.1