

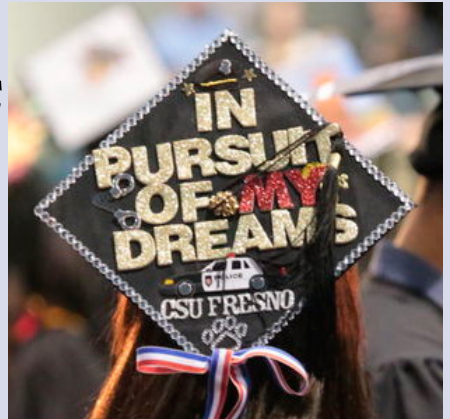
Student Rights,



Responsibilities,



**and Academic
Standards
Handbook**



Gavilan College Mission

Gavilan College cultivates learning and personal growth in students of all backgrounds and abilities through innovative practices in both traditional and emerging learning environments; transfer pathways, career and technical education, developmental education, and support services prepare students for success in a dynamic and multicultural world.

Gavilan College Philosophy

Gavilan College is committed to educational excellence. The college aspires to be an exemplary, student-centered community college through leadership, planning, and a commitment to ongoing improvement. Its services and programs are designed to instill the values of critical thinking, life-long learning, cultural understanding, and community service. Gavilan's quality of service to students is closely bound to the quality of the college staff.

Gavilan College strives to accomplish its mission with creativity and innovation and with a proactive, accessible and sensitive presence in the diverse communities it serves. The college is dedicated to fulfill its mission with compassion, caring and understanding and holds, in high regard, the respect and worth of all individuals.

Gavilan College Purpose

Gavilan College offers a wide range of services, including programs of community education, study in the liberal arts and sciences, and study in the pre-professional, business, vocational, and technical fields. To support student success, we offer services that strengthen and augment the learning environment. Courses and programs of study are offered days, evenings, weekends, and online. All offerings are designed to assist students in meeting their educational and life goals.



Welcome to the Gavilan College Student Community!

We are so happy to have you join us at Gavilan.

What makes us special? We like to think it's the personal touch we offer our students. We are a staff that loves our community and our college, and we want to connect with our students like we would our neighbors and friends.

We also want your college experience to be positive, and take the mystery out of figuring out where you want to go in your education and life. We have both Student and Instructional services designated to help and empower you to achieve your goals. We hope you aren't shy about asking for help and advice, and letting us know how we can improve our services so you thrive while you are here.

At Gavilan, we want to provide you with an environment that nourishes your self-awareness, your dreams and success. We also want you to know your rights as students and the due process system that has been established when problems arise when you are here. We hope this Handbook is a helpful resource.

We encourage you to take advantage of the support services, student clubs and government, employment opportunities, and other additional experiences that can enhance your time here at Gavilan. We believe in you and we're here to help.

Thank you for choosing Gavilan.

Kathleen Moberg
Vice President of Student Services

Spanish translations of Gavilan College policies and procedures are available in the College Catalog and online at www.gavilan.edu/catalog.

Las reglas y los procedimientos de Gavilan College se encuentran en Español en el catálogo de Gavilan College y en la página de internet www.gavilan.edu/catalog.

Gilroy Campus Student Support Directory

Emergency/Campus Security:

First: Dial '911' (Using an on campus phone, dial '8' first)

Second: Dial '10' for campus emergency support

From campus pay phone or your cell phone408-710-7490

Non Emergency Security Office - Security/Facilities (SF) Bldg.408-848-4703

Admissions & Records.....	408-846-4954
Career Technical Education, Dean's Office	408-848-4719
Career Transfer Center	408-852-2897
Counseling Office	408-848-4723
DRC - Disability Resource Center	408-848-4865
Discrimination-Harassment Complaints	408-848-4731
EOPS - Extended Opportunity Programs & Services	408-848-4740
Evening Office	408-852-2814
Financial Aid	408-852-2812
Health Services	408-848-4791
Instructional Services, Vice President's Office	408-848-4761
International Students	408-848-4754
Kinesiology and Athletics, Dean's Office	408-848-4876
Liberal Arts & Sciences, Dean's Office	408-848-4701
MESA/TRIO Student Support Services.....	408-846-4981
President/Superintendent's Office.....	408-848-4711
Puente Program.....	408-848-4708
Student Services, Vice President's Office.....	408-848-4738
Student Success Center	408-852-2866
TTY (for Deaf or Hard of Hearing)	408-846-4924
Veterans' Services	408-848-4734
Welcome Center	408-848-4800 ext. 5108

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Your Rights As A Gavilan College Student

Gavilan College's mission is to prepare all students to be knowledgeable citizens of the twenty-first century and empower them to meet the challenges of a rapidly changing world. This can only occur in an environment that contributes to scholarship and to creative work.

Gavilan College is committed to the protection of the individual rights of all students. All students have a right to:

1. A safe and healthy learning environment. All students have access to health care through fees paid at registration. Student health services are available for minor, short-term health issues and access to health care information
2. A productive learning environment. Students have the right to a classroom environment that encourages learning. As part of a community of learners, students and instructors should work together to create an environment of trust and mutual respect. Students are encouraged to seek assistance from:
 - ASGC
 - Campus Security
 - Counselors
 - Instructors
 - Student Health Services
 - Deans/Associate Deans
 - Vice Presidents
3. Respect from all instructors and staff at the College, regardless of race, creed, color, national origin, age, sex, disability, sexual orientation, gender identity, or any other classification.
4. Expect certain practices of their instructors. These include establishing clear course objectives and requirements through the use of the syllabus, clearly stating grading scale and criteria, evaluating students fairly, holding regularly scheduled office hours, acknowledging student contributions to an instructor's personal academic work, and protecting students' intellectual freedom.
5. File complaints. Complaints may concern inappropriate instructor conduct, incompetence in oral communication, scheduling of exams other than at the authorized examination times, failure to provide disability accommodations, grading grievances, and other such issues. Students should bring any complaints to the attention of the instructor, departmental head, and/or the Associate Dean (see Process for Student Problem Resolution) as soon as possible. Only in extraordinary cases may a procedure involving a complaint begin more than six months after the incident.
6. Privacy in regards to all College records. Parents and other advocates may only access student records with the student's written consent as per the Family Educational Rights and Privacy Act (FERPA) (see page 22).

7. Access specialized services for which a student qualifies without having any negative effect on a student's record.
8. The Student Right-to-Know and Campus Security Act of 1990.
In compliance with the Student Right-to-Know and Campus Security Act of 1990, it is the policy of Gavilan College to make available its completion and transfer rates and campus crime statistics to all current and prospective students.

For information visit [http:// http://srtk.cccco.edu/index.asp](http://http://srtk.cccco.edu/index.asp)

Student Conduct

Students are encouraged to access all services available to support their personal, and professional career goals. At the same time, students are expected to conduct themselves in a manner compatible with the College's function as an educational institution and demonstrate the following:

1. Respect among all student, faculty, classified staff and administration.
2. Responsibility for reading and following Gavilan College rules and regulations:
 - a. Read Schedule of Classes and Gavilan College Catalog for all appropriate deadlines and frequently asked questions. Schedule may be located on the Gavilan website at <http://www.gavilan.edu/schedule/index.html>. The catalog may be located on the Gavilan website at: <http://www.gavilan.edu/catalog/index.html>.
 - b. It is the responsibility of the student to drop a class. A student should not assume that he/she has been automatically dropped from any class, or that the student's instructor has dropped the student from the class.
3. Professional conduct in the classroom by:
 - a. Reading and following the course syllabus.
 - b. Attending all classes and arriving to class on time.
 - c. Completing assignments, projects on time.
 - d. Doing your own work and never plagiarizing the work of others.
 - e. Meeting with your instructor during office hours as needed to clarify course requirements and/or resolve any issues not resolved in class.
4. Respect for all program guidelines and requirements.

Your Responsibilities...

19 Simple Rules To Live By As A Gavilan College Student

STANDARDS OF STUDENT CONDUCT

Reference: Education Code Section 66300 and BP 5500, AP 5500

Gavilan College is dedicated to promoting a harmonious learning and social environment characterized by civility and mutual respect for all our students, staff and community. A student enrolling at Gavilan College assumes an obligation to uphold the Code of Conduct.

The following standards are reasonable expectations of student behavior. Violations may result in discipline, including but not limited to removal, suspension or expulsion..

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 President of the College.
3. The manufacture, 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 California 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 college or the District, including vaping.
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 cyber bullying.
11. Willful misconduct which results in injury or death to a student or to college personnel. 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.
14. Dishonesty; forgery; alteration or misuse of college documents, records or identification; or knowingly furnishing false information to the District, including prior criminal behavior or non-disclosure of prior conduct/criminal records when requested
15. Unauthorized entry upon or use of college 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 district policy or administrative procedure.

Students who engage in any of the above are subject to the procedures outlined in Student Discipline Procedures (Administrative Procedures 5520, Education Code section 66300, 72122, 76030.)

POLICIES AND PROCEDURES

ACADEMIC INTEGRITY

Academic Honor Code

Gavilan College is a community dedicated to a safe, nurturing environment committed to teaching and learning. We expect faculty, staff and students to act with integrity and honesty. Therefore incidents of academic dishonesty and inappropriate conduct are taken very seriously.

ACADEMIC HONESTY

Education Code Section 66300, BP 5500

Academic honesty depends upon the integrity of students and faculty. The College itself is defrauded if faculty and/or students knowingly or unwittingly allow dishonest acts to be rewarded academically. Faculty may take appropriate action if student dishonesty is suspected.

Students at Gavilan College have the right to know what constitutes academic honesty at the college and in each course in which they are enrolled.

- Faculty members will highlight ethical standards required in their courses and the permissible procedures in class work and examinations.
- The course outline/syllabus and/or individual examinations will refer to this policy.
- Students will be informed of the consequences of violating these standards, their rights of appeal, and the procedures to be followed in the appeal.

ACADEMIC HONESTY PROCEDURES

Reference: AP 5500

This procedure expands, clarifies, and sets forth clear levels of authority and disciplinary protocols in response to violations of the Standards of Student Conduct (BP 5500), specifically as it relates to academic honesty. These procedures guarantee due process rights extended to students by state and federal constitutional protections. The procedures will be used in a fair and equitable manner, and not for purposes of retaliation.

Definition of Academic Dishonesty

The act of deliberately exhibiting a set of unacceptable behaviors that defy ethical and scholarship standards. Examples include but are not limited to:

- a. Purposely allowing another student to copy from one's work during a test.
- b. Giving homework, term paper or other academic work to another student to plagiarize.
- c. Having another person's work submitted in one's name.
- d. Lying to an instructor or college official to improve a grade.
- e. Altering graded work after it has been returned, then submitting the work for re-grading (without knowledge of the instructor).
- f. Removing test(s) from classroom or any other place without instructor's approval.
- g. Stealing tests or keys to tests.
- h. Forging signatures on drop/add slips or other college documents.

Definition of Cheating

The act of obtaining or attempting to obtain credit for academic work through any dishonest, deceptive, or fraudulent means. Examples include, but are not limited to:

- a. 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.
- b. Submitting work previously presented in another course, if contrary to the written rules of the course.
- c. Using or consulting, during an examination, sources or materials not specifically authorized by the instructor.
- d. Intentionally altering, changing, misusing documents or records. Knowingly furnishing false information or generally interfering with grading procedures or instruction of a class.
- e. 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.

Definition of Plagiarism

- a. 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. An example can include, but is not limited to:
- b.. Representing another's artistic/scholarly works such as musical compositions, writings, computer programs, photographs, paintings, drawings, scriptures, or similar works as one's own.

REPORTING PROCEDURES

It is an instructor's responsibility to take the following steps when he/she has reason to believe, and has evidence to substantiate, that the behavior of a student or students falls within one or both of the above sets of definitions.

- a. 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 this policy.
- b. At the discretion of the instructor, a written report of the infraction and the sanction taken may be submitted to the Vice President of Instruction with a copy to the appropriate area dean.

- c. When a student, who has been informed 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 sanctions and file a written report to the area dean and Vice President of Instruction 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 Academic Honesty violations: Academic and Administrative. The imposition of one variety of sanction (Academic or Administrative) will not preclude the addition of the other.

- Academic sanctions will be defined as those actions related to coursework and grades. 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.
- Administrative sanctions concerning a student's status on campus and are acted on by the Vice President of Instruction.

Academic Sanctions

Before sanctions can be employed, the faculty member must have verified the instance(s) of academic dishonesty by personal observation and/or documentation. In all cases the violation should be reported to the area dean. A student may be:

- a. Reprimanded orally. A student may be referred for counseling but cannot be required to seek counseling
- b. Failed on test, paper, exam
- c. Given a lowered grade
- d. Referred for administrative sanctions. A faculty member may choose to refer a student to the Vice President of Instruction for disciplinary action in lieu of any academic sanction or in addition to the academic action the faculty member has taken.

Administrative Sanctions

Cheating or plagiarism in connection with an academic program at a campus may warrant expulsion, suspension, probation or a lesser sanction. (Cal Admin. Code Sanction 4.301). The Vice President of Instruction is responsible for reviewing incidents of academic dishonesty and will notify faculty members involved when action has been taken. (Student Discipline Procedures, AP 5520).

The Vice President of Instruction 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 Vice President of Instruction.

PROTECTION OF RIGHTS

Students have the right to be informed of the charges, the nature of the evidence supporting the charges, and to have a meeting with the faculty member, Vice President of Instruction, or other decision-makers. Students have the right to appeal any decision resulting from such a meeting.

1. Academic sanctions may be appealed through the Vice President of Instruction in accordance with the Students' Problem Resolution Process.
2. Administrative sanctions resulting in disciplinary suspension or expulsion can be appealed through the Student Discipline Procedures. (Student Discipline Procedures, AP 5520) (Education Code 66017).

STUDENTS' PROBLEM RESOLUTION PROCESS

Reference: AP 5530

Conflict and miscommunication are, unfortunately, a fact of life. Choosing how we deal with difficult issues becomes a personal choice we all must make. However, working through difficult issues civilly and respectfully is our expectation.

Occasionally, students and a college employee (faculty/teacher/instructor, support staff, or administrator) may have a problem which needs clarification and resolution.

Additionally, there may be times when the problem/ resolution 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, gender identity or expression, color, national origin and age.

The STUDENTS' PROBLEM RESOLUTION PROCESS applies to specific situations on campus.

If you feel you have experienced discrimination based upon any of these actions, contact the Equal Opportunity Officer located in HR 101 or call 408-848-4753.

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

STUDENTS' PROBLEM/GRIEVANCE RESOLUTION PROCESS

INTRODUCTION

This procedure is intended to ensure that any alleged violation of student's rights will be reviewed and that appropriate action will be taken. Gavilan College's goal is to ensure an equitable and fair resolution of the grievance. This grievance procedure applies to any issue involving a student's rights at the College.

In the event that it becomes necessary to resolve a grievance under this policy every effort shall be made to maintain confidentiality at each level of the procedure; however, complete confidentiality cannot be guaranteed.

STEP 1

Within ten (10) school days following an incident, a student must meet with the person with whom he/she has a problem. The student may bring another person of their choice (i.e., staff, friend, student) to the meeting. This person is not to speak for the student, but can provide support.

Check box when step one is complete

If the student is still dissatisfied, the student must notify the staff person that they will be taking the problem to the next step.

STEP 2

Within ten (10) school days of Step 1, the student must meet with the department chairperson or supervisor of the person with whom they have the problem. The department chairperson or supervisor can ask the student, the students' supporter, and the staff member to meet together, or meet separately with the student and the staff person with whom there is a problem. The department chairperson/supervisor can meet with the student again to discuss the problem, review what occurred at the previous meeting (Step 1) and discuss the students' proposed resolution. The student may bring to the meeting the same person from the first meeting.

Check box when step two is complete

If the student is still dissatisfied, the student will move to Step 3 of the process.

STEP 3

The student must meet with the dean of the related area within ten (10) school days of Step 2. This meeting will include the student, the department chairperson/supervisor, and the dean of the related area. During this meeting the outcomes of prior discussions will be reviewed and proposed resolutions discussed.

Check box when step three is complete

If the student is still dissatisfied, the student will move to Step 4 of the process.

STEP 4

Within ten (10) school days of Step 3, the student must meet with the Vice President of the area.

- For instructional issues such as grades, assignments, or instructor problems, make an appointment with the VP of Instruction.

- For issues regarding any student service or discipline, make an appointment with the VP of Student Services.
- Issues regarding safety/security, harassment (of any kind) make an appointment with the VP of Administrative Services.

During this meeting the outcomes of prior discussions will be reviewed and proposed resolutions discussed.

Check box when step four is complete

If the student is still dissatisfied, within five (5) school days, the student must notify the Vice President with whom they met in step 4, that a hearing committee review is requested to resolve the issue. This request will be forwarded to the President/Superintendent of the College who, within five (5) school days from receiving the request, will convene a hearing committee at a time to be determined by the college President.

STEP 5

Within five (5) school days after receiving a request, the President/Superintendent of the College will request that the appropriate VP (as outlined in Step 4) convene a committee to hear the issue.

This committee will be composed of:

- a) A student appointed by the ASGC
- b) One faculty member from an unrelated discipline appointed by the Faculty Senate
- c) One faculty member appointed by the Counseling Department chairperson
- d) One member of the classified staff from an unrelated area appointed by the Professional Support Staff President
- e) One area Dean or vice president from an unrelated area appointed by the college Superintendent/President
- f) The department chairperson or supervisor from the area involved.

The Hearing Committee will conduct the hearing in private. They will call the student or 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 the involved parties and the Superintendent/President of the College.

Check box when step five is complete

If either the student or the college staff member is not satisfied with the recommendations of the Hearing Committee, he/she may appeal. The student must request an appeal within five (5) school days after the Hearing Committee's recommendations were received by the student and the related college staff member. If not, the resolution process is closed and there is no appeal.

STEP 6

A Student may appeal to the College Superintendent/President.

This step requires that the student or the other staff member involved write a letter outlining the action taken so far and the hoped-for resolution. The College President/Superintendent will review this letter and the

recommendations from the Hearing Committee. The College President/ Superintendent will schedule and hold a private meeting with the student to discuss and, hopefully, resolve the problem.

Check box when step six is complete

If the student or the staff member does not feel satisfied with the President's resolution, a final step may be taken.

STEP 7

A written appeal may be made to the college's Board of Trustees.

The Board must respond in writing within thirty-five (35) school days of receiving the written appeal. This is the last step in the college's Problem Resolution Process. Decisions at this level are final.

Check box when step seven is complete

STUDENT DISCIPLINE PROCEDURES

Reference: Education Code AP 5520: Section 66300, 72122, 76030

This procedure provides a prompt and equitable means to address violations of the Standards of Student Conduct (BP 5500). The procedure guarantees due process to the student or students involved, and is not intended to substitute for criminal or civil proceedings that may be initiated by other agencies.

In all disciplinary actions the student will be notified of the charges against him/her, that he/she is given a fair opportunity to refute them, and that the institution will not be arbitrary in its action.

DISCIPLINARY ACTIONS AND PROCEDURES

Sanctions rendered for a violation of the Standards of Conduct shall be determined by the appropriate college officials or committee. Penalties are listed in the degree of severity, but not in chronological administration. They are:

1. Admonition: An oral statement to student offender who has violated college rules.
2. Warning: Notice to student, oral or in writing, that continuation or repetition of wrongful conduct may be cause for additional disciplinary action. Written warnings may be considered in the event of future violations.
3. Reprimand: Written statement of violation of a specified regulation including the possibility of more severe disciplinary action. Reprimands may be considered in the event of future violations.
4. Disciplinary Action: Exclusion from participation in privileges or extracurricular activities as set forth in the notice of disciplinary action.
5. Restitution: Reimbursement by the student for misappropriation of property. Reimbursement may take the form of appropriate service to repair or otherwise compensate for damage.

6. Removal from Class: [Education Code Section 76032] An instructor may remove a student from his/her class when the student has interfered with the instructional process. Duration will be for the day of the removal and the next class meeting.
 - a. Instructors must immediately inform the area dean that a removal from class has occurred.
 - b. The area dean shall arrange for a conference between the student and the instructor regarding the removal. If the instructor or the student requests, the area dean shall attend the conference.
 - c. The student shall not return to class during the period of the removal without the concurrence of the instructor. Nothing herein will prevent the area dean from recommending further disciplinary procedures based on the facts which led to the removal.
7. Summary Suspension: A summary suspension is for the purpose of investigation. It relieves the campus of tension due to serious misconduct, removing a threat for the well-being of students, or removing a student or students whose presence would prevent the continued normal conduct of the college community. Summary suspension is limited to that period of time necessary to ensure that the investigation is accomplished. This summary suspension shall not exceed ten (10) school days.
8. Disciplinary Suspension: Exclusion from classes and other privileges or activities for a definite period of time. Conditions for readmission will be stated in the notice of suspension.
 - A short term suspension is exclusion from one or more classes for a period of up to ten (10) consecutive school days.
 - A long-term suspension is exclusion from one or more classes for the remainder of the school term, or from classes and activities of the college for one or more terms.
9. Expulsion: Termination of student status for an indefinite period. The conditions of readmission, if permitted, shall be stated in the order of expulsion.

ADMINISTRATIVE CORRECTIVE MEASURES FOR MISCONDUCT

IMMEDIATE INTERIM SUSPENSION

[Education Code Section 66017]

The President of the College or designee may order immediate suspension of a student where suspension is required to protect lives or property and to ensure the maintenance of order. In cases where an immediate interim suspension has been ordered, the time limits contained in these procedures shall not apply. The right to a Disciplinary Appeal Hearing (when a long-term suspension or expulsion is recommended) will be afforded to the student within ten (10) school days of the disciplinary action.

WITHDRAWAL OF CONSENT TO REMAIN ON CAMPUS

The Vice President of Student Services or designee may notify any person for whom there is a reasonable belief that the person has willfully disrupted the orderly operation of the campus that consent to remain on campus has been withdrawn. If the person is on campus at the time, he or she

must promptly leave or be escorted off campus. If consent is withdrawn by the Vice President of Student Services a written report must be promptly made to the President of the College. The person from whom consent has been withdrawn may submit a written request for a Disciplinary Appeal Hearing within ten (10) school days of the withdrawal. The hearing will be conducted in accordance with the provisions of this procedure relating to Immediate Interim Suspensions. In no case shall consent to remain on campus be withdrawn for longer than twenty (20) school days from the date upon which consent was initially withdrawn. Any person as to whom consent to remain on campus has been withdrawn who knowingly reenters the campus during the period in which consent has been withdrawn, except to come for a meeting or hearing, is subject to arrest. [Penal Code Section 626.4]

DISCIPLINARY APPEAL HEARING PROCEDURES

1. Request for Hearing

Within five (5) school days after receipt of the President's decision regarding a long-term suspension or expulsion, the student may request a formal hearing. The request must be made in writing to the President of the College or designee. Appeals are only heard for long-term suspensions and expulsions.

2. Schedule of Hearing

The formal hearing shall be held within five (5) school days after a formal request for hearing is received.

3. Composition of the Hearing Panel

The hearing panel for any disciplinary action shall be composed of one administrator, one faculty member, and one student.

4. Selection of the Hearing Panel Members

The President of the College, the President of the Academic Senate, and the ASGC President shall each, at the beginning of the academic year, establish a list of at least five (5) persons who will serve on student disciplinary hearing panels. The President of the College shall appoint the hearing panel from the names on these lists. However, no administrator, faculty member or student who has any personal involvement in the matter to be decided, who is a necessary witness, or who could not otherwise act in a neutral manner shall serve on a hearing panel.

5. Hearing Panel Chair

The President of the College shall appoint one member of the panel to serve as the chair. The decision of the hearing panel chair shall be final on all matters relating to the hearing unless there is a vote by other members of the panel to the contrary.

6. Conduct of the Hearing

The members of the hearing panel shall be provided with a copy of the accusation against the student and any written response provided by the student before the hearing begins. The Vice President of Student Services shall present the facts supporting the accusation as the College representative.

- a. The college representative and the student may call witnesses and introduce oral and written testimony relevant to the issues of the matter.
- b. Formal rules of evidence shall not apply. Any relevant evidence shall be admitted. Unless the hearing panel determines to proceed otherwise, the college representative and the student shall each be permitted to make an opening statement. Thereafter, the college representative shall make the first presentation, followed by the student. The college representative may present rebuttal evidence after the student completes his or her evidence. The burden shall be on the college representative to prove by substantial evidence that the facts alleged are true.

7. Representation

The student may represent him/herself, and has the right to be represented by a person of his or her choice. The student shall not be represented by an attorney unless, in the judgment of the hearing panel, complex legal issues are involved. If the student wishes to be represented by an attorney, a request must be presented not less than five (5) school days prior to the date of the hearing. If the student is permitted to be represented by an attorney, the college representative may request legal assistance. The hearing panel may also request legal assistance; any legal advisor provided to the panel may sit in an advisory capacity to provide legal counsel, but shall not be a member of the panel nor vote with it.

8. Confidentiality

Hearings shall be closed and confidential unless the student requests that it be open to the public. Any such request must be made no less than five (5) school days prior to the date of the hearing.

- a. In a closed hearing, witnesses shall not be present at the hearing when not testifying, unless all parties and the panel agree to the contrary.
- b. The hearing shall be recorded by the District either by tape recording or stenographic recording, and shall be the only recording made. No witness who refuses to be recorded may be permitted to give testimony. In the event the recording is by tape recording, the hearing panel chair shall, at the beginning of the hearing, ask people present to identify themselves by name, and thereafter shall ask witnesses to identify themselves by name. Tape recording shall remain in the custody of the District at all times, unless released to a professional transcribing service. The student may request a copy of the tape recording.
- c. All testimony shall be taken under oath. The oath is administered as follows: "I swear that the testimony I am about to give is whole and truthful.

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

9. Decision

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

APPEAL PROCESS AFTER HEARING PANEL DECISION

Long-term Suspension

Within ten (10) school days following receipt of the hearing panel's recommended decision, the President/Superintendent of the College shall render a final written decision. The President/Superintendent of the College may accept, modify or reject the findings, decisions and recommendations of the hearing panel. If the President/Superintendent of the College modifies or rejects the hearing panel's decision, the President/Superintendent of the College shall review the record of the hearing, and shall prepare a new written decision.

The decision of the President/Superintendent of the College shall be final.

Expulsion

Within ten (10) school days following receipt of the hearing panel's recommended decision, the President of the College shall render a written recommended decision to the Board of Trustees. The President of the College may accept, modify or reject the findings, decisions and recommendations of the hearing panel. If the President of the College modifies or rejects the hearing panel's decision, he/she shall review the record of the hearing, and shall prepare a new written decision.

The President of the College decision shall be forwarded to the Board of Trustees.

The Board of Trustees shall consider any recommendation from the President of the College for expulsion at the next regularly scheduled meeting of the Board after receipt of the recommended decision.

- The Board shall consider an expulsion recommendation in closed session, unless the student has requested that the matter be considered in a public meeting in accordance with these procedures. (Education Code Section 72122)
- The student shall be notified in writing, by registered or certified mail or by personal service, at least three (3) school days prior to the meeting, of the date, time, and place of the Board's meeting.
- The student may, within forty-eight hours after receipt of the notice, request that the hearing be held as a public meeting.

- Even if a student has requested that the Board consider an expulsion recommendation in a public meeting, the Board will hold any discussion that might be in conflict with the right to privacy of any student other than the student requesting the public meeting in closed session.
- The Board may accept, modify or reject the findings, decisions and recommendations of the President of the College and/or the hearing panel. If the Board modifies or rejects the decision, the Board shall review the record of the hearing, and shall prepare a new written decision.
The decision of the Board shall be final.

The final action of the Board on the expulsion shall be taken at a public meeting, and the result of the action shall be a public record of the District.

COLLEGE POLICIES

The Gavilan College Board of Trustees' approved policies, which present a broad vision of the relationship between the college and the student follow.. Portions directly related to students are highlighted.

For a complete copy of the policies, stop by the Human Resources Office or the Office of the Superintendent/President.

REVISION OF ADMINISTRATIVE REGULATIONS

Any regulation issued by the administration of the College shall have the same force as those printed in the catalog and shall supersede, after notice has been given, any ruling on the same subject which may appear in the printed catalog or other official bulletins of the college.

ACCESSIBILITY

Gavilan College is an accessible campus. All the classroom buildings, the Library/Tutoring Center, the administrative buildings, and the Student Center are accessible to individuals with physical disabilities. Ramps provide access to upper and lower levels. Mobility assistance can be provided for students with disabilities. Designated parking is provided for vehicles displaying a state issued disability placard/parking permit. Call 408-848-4823 or 408-848-4865 for tram service.

AUTHORITY OF INSTRUCTORS

Gavilan College instructors have full authority in their classrooms. Every student is expected to attend classes and to satisfy the instructor that they are meeting the class requirements.

Students whose classroom behavior is inappropriate may be removed from the class for the day of the removal and the next class meeting (See Student Discipline Procedures on pages 14 and 15 of this handbook.) Any student who refuses to leave a classroom when requested to do so by the instructor or an administrator of the college is subject to disciplinary action.

Students who feel that an instructor's authority has been misused may seek due process by initiating the Student's Problem Resolution Process. (page 12 of this handbook).

CAMPUS POSTING POLICY

Education Code AP 3900

Bulletin boards shall be provided at campus locations for students, staff, and members of the public to post materials. All materials displayed on a bulletin board shall clearly indicate the author or agency responsible for its production and shall be approved with the date of posting by the Vice President of Instruction, the Vice President of Student Services or designee. Materials displayed shall be removed after ten (10) days.

COMPLAINT PROCEDURES

Title IX Complaint

Education Code Sections 66250 et seq. 72010 et seq., and 87100 et seq.;
Title 5, Sections 53000 et seq. and 59300 et seq.;

Penal Code Section 422.55;

Government Code Sections 12926.1 and 12940 et seq.

Accreditation Standard II.B.2.c

BP 3410/AP 3410

BP 3540/AP 3540

These procedures are used when a complaint concerns discrimination on the basis of sex, including sexual harassment. These procedures are available from the Office of the Vice President of Student Services.

The Director of Human Resources serves as the compliance officer for student matters regarding Title IX regulations.

Section 504/ADA Complaint

Education Code Sections 66250 et seq. 72010 et seq., and 87100 et seq.;
Title 5, Sections 53000 et seq. and 59300 et seq.;

Penal Code Section 422.55;

Government Code Sections 12926.1 and 12940 et seq.

Accreditation Standard II.B.2.c

BP 3410/AP 3410

These procedures are used when a complaint concerns matters pertaining to compliance with the Americans with Disabilities Act (ADA) and discrimination on the basis of a disabling condition. The procedures are available from the Office of the Vice President of Student Services.

The Director of Human Resources serves as the compliance officer for student matters concerning ADA regulations.

Civil Rights Complaints

Reference: Education Code sections 212.5; 66252; 66281.5

BP 3430/AP 3430

BP 3540/AP 3540

These procedures are used when a complaint concerns matters of discrimination or failure to comply with College policy or procedures or federal and/or state regulations including the Civil Rights Act; Title IX of the Education Amendments of 1972; the Rehabilitation Act of 1973 (Sections 503 and 504); the Americans with Disabilities Act of 1990; Executive Orders 11246 and 11375; the Vietnam Era Veterans' Readjustment Act of 1974, the Age Discrimination and Employment Act of 1967; and the non-discrimination laws of the State of California.

Students wishing to pursue a civil rights complaint beyond the College level should direct their inquiries to:

Board of Governors of California Community Colleges at
1102 Q Street, Suite 4554
Sacramento, CA 95811

or

Office of Civil Rights, United States Department of Education
50 Beale Street, Suite 7200
San Francisco, CA 94105-1813.

COMPUTER USE

Reference: BP 3720

Employees and students who use District computers and networks and the information they contain, and related resources have a responsibility not to abuse those resources and to respect the rights of others. The President of the College shall establish procedures that provide guidelines to students and staff for the appropriate use of information technologies. The procedures shall require users respect software copyrights and licenses, the integrity of computer-based information resources, refrain from seeking to gain unauthorized access, and respect the rights of other computer users.

DRUG FREE SCHOOLS AND CAMPUSES ACT

District Policy AP 3550 prohibits “the use, distribution, sale or possession of alcohol, narcotics, dangerous or illegal drugs or other controlled substances, as defined in California statutes, on District property or at any function sponsored by the District of colleges.” Gavilan College complies with the Drug-Free Schools and Campuses Act of 1989 and the Drug-Free Workplace Act of 1988.

The college recognizes the legal drinking age of 21 years and enforces all state laws regulating the use of alcoholic beverages. All members of the campus community are subject to disciplinary action and/or criminal prosecution for the on-campus possession, use, sale or distribution (by either sale or gift) of any quantity of inappropriate prescription drugs, or controlled substances as defined by the State of California Health and Safety Code. Students found to be in violation of this policy may be subject to the Standards of Student Conduct and Discipline Procedures. Any District employee who violates these laws is subject to prosecution by civil authorities and disciplinary action by the District.

Students may not consume or smoke cannabis products on any College campus regardless of having medical marijuana documentation.

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR, Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives parents certain rights with respect to their children’s education records. These rights transfer to the student when he/she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are “eligible students”.

Eligible students have the right to inspect and review the student’s education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.

Students have the right to request that a school correct records that they believe to be inaccurate or misleading. If the school decides not to amend the record, the student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the student has the right to place a statement with the record setting forth his/her view about the contested information.

Generally, schools must have written permission from the student in order to release any information from a student's education record. However FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):

- School officials with legitimate educational interest;
- Other schools to which a student is transferring;
- Specified officials for audit or evaluation purposes;
- Appropriate parties in connection with financial aid to a student;
- Organizations conducting certain studies for or on behalf of the school;
- Accrediting organizations;
- To comply with a judicial order or lawfully issued subpoena;
- Appropriate officials in cases of health and safety emergencies, and
- State and local authorities, with a juvenile justice system, pursuant to specific state law

Schools may disclose, without consent, "directory" information such as: a student's name, address, telephone number, date and place of birth, honors and awards, and date of attendance. However, schools must tell students about directory information and allow students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify students annually of their rights under FERPA. The actual means of notification (special letter, student handbook or newspaper article) is left to the discretion of each school.

The Admissions Director is the "records officer" for the College. Current and former students can review their education records by completing or filing a request in the Admissions and Records Office. Such records will be made immediately available when possible or with 15 days of written request. If the review results in a dispute, the College registrar will initiate an informal proceeding in an attempt to resolve the matter. If the dispute continues, a grievance may be filed with the Vice President of Student Services

KNOW YOUR COPYRIGHTS

Reference: AP 3720

Gavilan College students are prohibited from using the College's computers and information network to illegally download or share music, video, and all other copyrighted intellectual property. Gavilan College supports the Higher Education opportunity Act and Digital Millennium Copyright Act, including efforts to eliminate the illegal distribution of copyrighted materials.

NON-DISCRIMINATION

*Education Code Sections 66250 et seq. 72010 et seq., and 87100 et seq.;
Title 5, Sections 53000 et seq. and 59300 et seq.;*
Penal Code Section 422.55;
Government Code Sections 12926.1 and 12940 et seq.
Accreditation Standard II.B.2.c
BP 3410/AP 3410

The District is committed to equal opportunity in educational programs, employment, and all access to institutional programs and activities.

Gavilan College is an equal opportunity employer committed to hiring a diverse staff. All qualified individuals regardless of race, color, religion, sex, national origin, age, disability, military status, sexual orientation, or marital status are encouraged to apply. If you have a verifiable disability, and require accommodation to complete an application contact the Equal Opportunity Officer at 408-848-4753.

PROHIBITION OF HARASSMENT AND HATE CRIMES

Reference: Education Code sections 212.5; 66252; 66281.5
BP 3430/AP 3430

The District is committed to providing an academic and work environment that respects the dignity of all. The District shall be free of sexual harassment and all forms of sexual intimidation and exploitation. It shall also be free of other unlawful harassment and hate crimes, including those which are based on any of the following statuses; race, color, religion, ancestry, national origin, disability, sex (i.e., gender), sexual orientation, gender identity, gender expression and nationality, or the perception that a person has one or more of the foregoing characteristics.

Any student who feels they have been subjected to harassment or a hate crime are to contact the Equal Opportunity Officer at 408-848-4753.

SEXUAL ASSAULT

BP 3540/AP 3540

Sexual assault can happen to anyone, anywhere and at any time. Gavilan College is committed to providing a safe environment for students and staff. Reports of sexual misconduct will be thoroughly investigated and the victim informed of the outcome. If you, or someone you know, have been the victim of sexual assault, notify Campus Security at 408-710-7490.

Confidential counseling is available on campus through Counseling at 408-848-4723 or Student Health Services at 408-848-4791. Off-campus confidential counseling is available through the Community Solutions crisis line: 1-877-363-7238.

For more information check the Gavilan College website at:
<http://www.gavilan.edu/health/index.php?p=sexual-assault>.

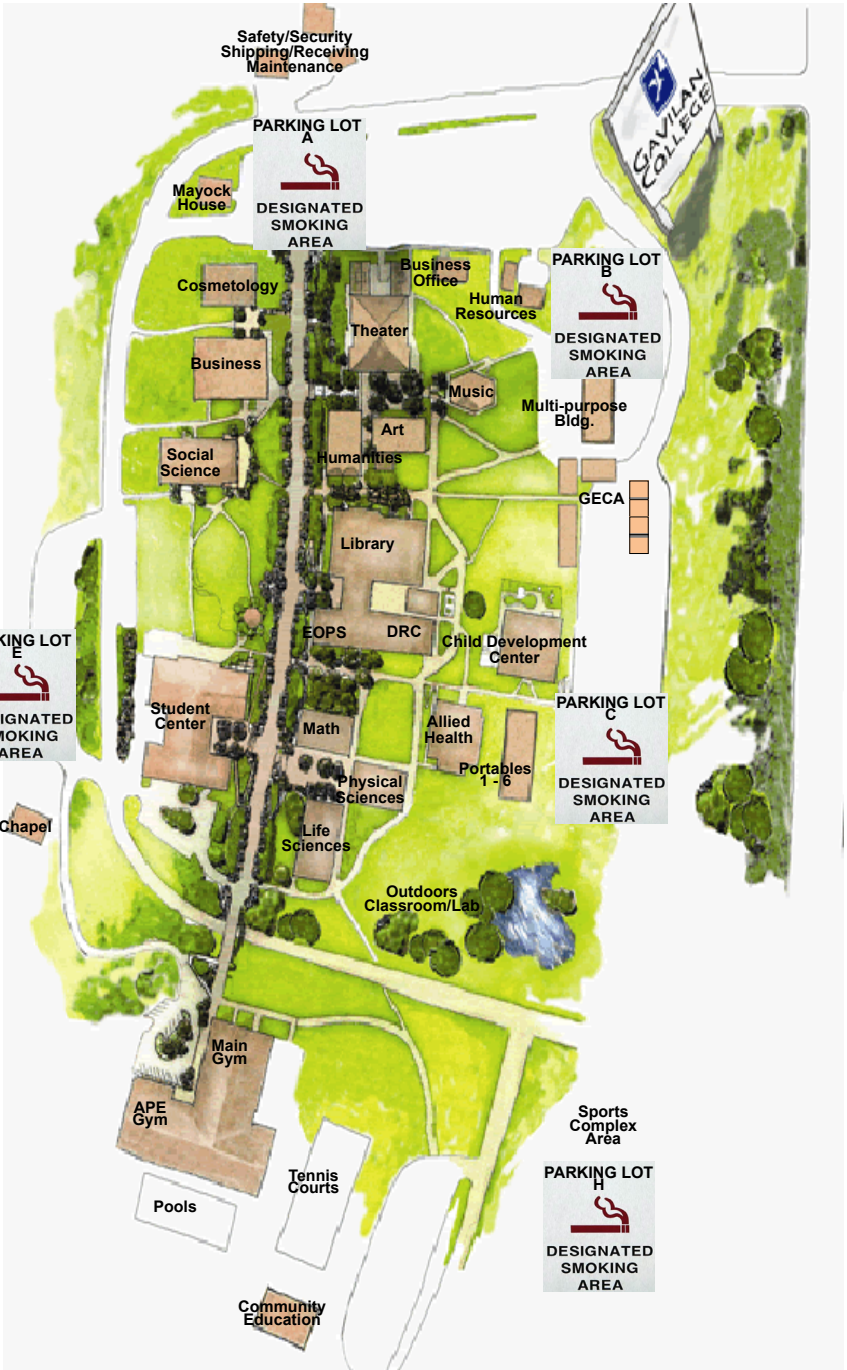
SMOKE-FREE CAMPUS

BP 6500, AP 3570

California Health and Safety Code Sections: 104495, 1596.795, 1596.890 and 104420(p)

Smoking is permitted only in designated areas in parking lots (*see map on next page*). Smoking is prohibited on the campus and inside all buildings. Smoking is also prohibited in all college-owned vehicles. Tobacco products shall not be sold on campus either through vending machines or campus establishments. Implementation of the campus smoke-free environment policy will be the responsibility of every student, faculty member, staff person and visitor on campus.

For more information check the Gavilan College website at:
<http://www.gavilan.edu/health/index.php?p=smoking>

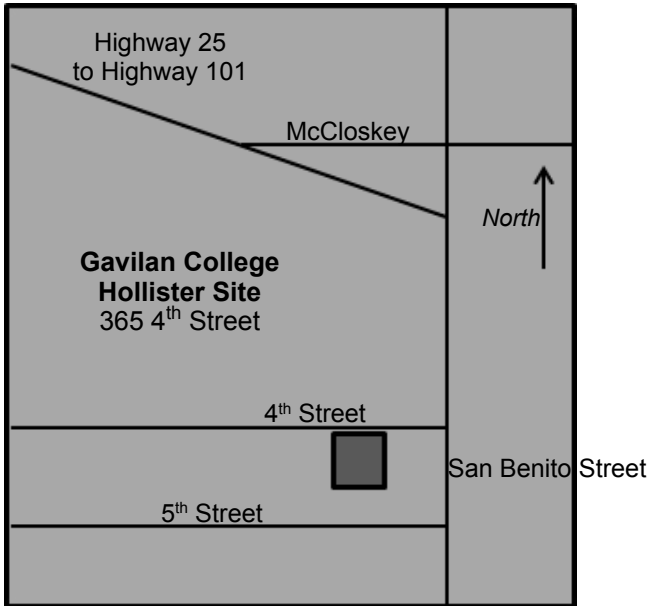
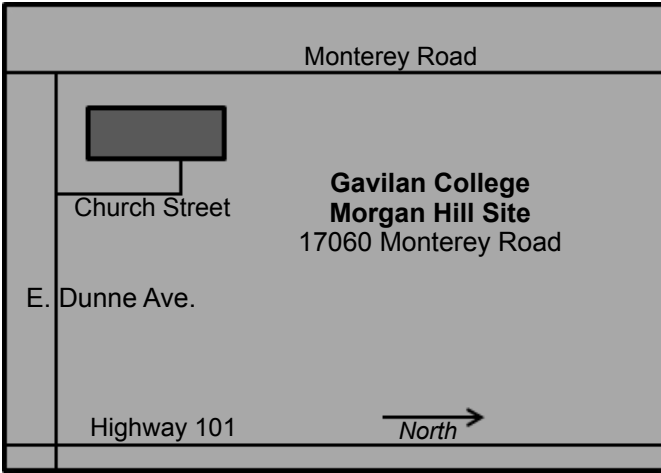


Student Services' Mission

In a welcoming, accessible and student centered environment, the Student Services Division provides quality resources and opportunities that support students in meeting their educational goals, promoting lifelong learning, and encouraging and facilitating personal growth and development.

Student Services Directory

Admissions & Records	
Admissions & Records Technician	408-846-4954
Director	408-848-4754
Assessment	408-846-4992
Associated Students of Gavilan College (ASGC)	
ASGC Office	408-848-4777
ASGC Advisor	408-848-4862
Career Transfer Specialist	408-852-2897
Counseling Office	408-848-4723
.....	408-852-2895
DRC - Disability Resource Center	
Department Assistant	408-848-4865
Associate Dean	408-848-4871
Adaptive PE Office	408-848-4878
EOPS - Extended Opportunity Programs & Services	
Department Assistant	408-848-4740
Associate Dean	408-848-4772
CalWORKS Director	408-848-4813
Sr. Program Assistant	408-846-4904
Financial Aid	
Financial Aid Technical	408-848-4763
Director	408-848-4725
Health Services	408-848-4791
Hollister Campus	831-636-3783
MESA/TRIO Student Support Services	
Program Assistant	408-846-4968
Morgan Hill Campus	408-782-2873
Outreach/Recruitment & RAMbassadors	408-846-4993
Student Services, Vice President's Office	
Executive Assistant	408-848-4738
Vice President	408-848-4732
Student Success Center	408-852-2866
Veterans' Services	408-848-4734
Welcome Center	408-848-4800 ext. 5108





Gavilan College
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www.gavilan.edu

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