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 District 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 services 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 District 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**
The Gavilan College District 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 vocation, 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.

**Principles of Community**
As members of the Gavilan College community, we value the worth and dignity of every person, the pursuit of truth, devotion to excellence, acquisition of knowledge, and the nurture of democratic citizenship. We strive to maintain these ideals in an environment of inclusiveness and mutual respect.

The Principles of Community provide the foundation which creates this environment. The expectation is that we maintain the highest ethical standards in order to establish an atmosphere of civility, honesty, cooperation, professionalism and fairness.

**Gavilan College aspires to be:**

**Diverse**
We embrace and celebrate diversity in all its forms (the heritage, achievements, uniqueness, and contributions of all our members) and seek to uphold an inclusive, open and enlightened community.

**Open**
We believe free exchange of ideas requires mutual respect, trust and consideration for our differences.

**Purposeful**
We are a community that maintains a shared commitment to service to society and advancement of knowledge through innovative teaching and learning.

**Just**
We are committed to respect for individual dignity and equitable access to resources, recognition and security.

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*Image of students playing dodgeball.*
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. 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

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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 pàgina de internet www.gavilan.edu/catalog.
YOUR RIGHTS AS A GAVILAN COLLEGE STUDENT

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. Student health services are available for minor, short-term health issues and access to health care information and are subsidized by health fees paid at registration.

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
   - Special Support Programs
   - 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 area 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 (6) 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 25).

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.
STUDENT CONDUCT

Students are encouraged to access the services they need 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.
   f. Behaving in a respectful, cooperative manner with faculty, staff, and fellow students.

4. Respect for all program guidelines and requirements.
11. 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.

12. Stalking, defined as a pattern of conduct by a student with intent to follow, alarm, or harass another person, and which causes that person to reasonably fear for his or her safety, and where the student has persisted in the pattern of conduct after the student has been told to cease the pattern of conduct. Violation of a restraining order shall constitute stalking under this policy.

13. Willful misconduct which results in injury or death to a student or to District personnel or which results in cutting, defacing, or other injury to any real or personal property owned by the District or on campus.

14. Disruptive behavior, willful disobedience, habitual profanity or vulgarity, or the open and persistent defiance of the authority of, or persistent abuse of, District personnel.

15. Academic dishonesty, such as but not limited to: cheating, plagiarism (including plagiarism in a student publication).

16. Dishonesty; forgery; alteration or misuse of District documents, records or identification; or knowingly furnishing false information to the District.

17. Unauthorized entry upon or use of District facilities.

18. Lewd, indecent or obscene conduct or expressions on District-owned or controlled property, or at District-sponsored or supervised functions.

19. 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.

20. Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.

21. 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.

**POLICIES AND PROCEDURES**

**Academic Integrity**

Academic Honor Code

Gavilan College is safe, nurturing community 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 (Pending Board Approval)

Academic honesty depends upon the integrity of students and faculty. The District 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 (Pending Board Approval)

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:

- Purposely allowing another student to copy from one’s work during a test.
- Giving homework, term paper or other academic work to another student to plagiarize.
- Having another person’s work submitted in one’s name.
- Lying to an instructor or college official to improve a grade.
- Altering graded work after it has been returned, then submitting the work for re-grading (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.
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. Unauthorized obtaining or retaining partial or whole copies of examination, tests, or quizzes before these are distributed for student use;

b. Using notes, textbooks, or other information in examinations, tests, and quizzes, except as expressly permitted;

c. Obtaining unauthorized confidential information about examination, tests, or quizzes other than that released by the instructor;

d. Securing, giving or exchanging information during examinations;

e. Presenting data or other material gathered by another person or group as one’s own;

f. Falsifying experimental data or information;

g. Having another person take one’s place for any academic performance without the specific knowledge and permission of the instructor;

h. Unauthorized collaboration with another to do one or more of the above;

i. Using a substantial portion of a piece of work previously submitted for another course or program to meet the requirements of the present course or program without notifying the instructor to whom the work is presented; and/or

j. Presenting falsified information in order to postpone or avoid examinations, tests, quizzes, or other academic work.

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 Academic Affairs 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 Academic Affairs 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 Academic Affairs 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 Academic Affairs 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 Academic Affairs 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 Academic Affairs.

4. In the case of repeat violations, the case may be referred to the Vice President of Student Services as a conduct issue.

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 Academic Affairs, 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 Academic Affairs in accordance with the Students’ Problem Resolution Process.
A Statement of Grievance is to be filed within thirty (30) calendar business days of the incident on which the grievance is based, or thirty (30) calendar business days after the student learns of the basis for the grievance, whichever is later. The Statement of Grievance must be filed whether or not the student has already initiated efforts at informal resolution, if the student wishes the grievance to become official. Within two (2) days following receipt of the Statement of Grievance, the Grievance Officer shall advise the student of his or her rights and responsibilities under these procedures, and assist the student, if necessary, in the final preparation of the Statement of Grievance.

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.

If at the end of fifteen (15) calendar business days following the student’s first meeting with the Grievance Officer, there is no informal resolution of the complaint which is satisfactory to the student, the student shall have the right to request a Grievance Hearing.

**Step 1**
Within ten (10) days of the informal process outlined above, the student shall confer with the faculty member, administrator or staff person directly involved in the facts giving rise to the grievance. 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 1 is complete

If the student is dissatisfied, the student must notify the staff person that they will be taking the problem to the next step, Step 2.

**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 student’s 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 student’s proposed resolution. The student may bring to the meeting the same individual from the first meeting.

☐ Check box when Step 2 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 3 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 appropriate Grievance Officer (Vice President of the area as noted in INFORMAL RESOLUTION OF GRIEVANCES section). During this meeting the outcomes of prior discussions will be reviewed and proposed resolutions discussed.
If the student is still dissatisfied, within five (5) school days, the student must notify the Grievance Officer 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 Superintendent/President who, within five (5) school days from receiving the request, will convene a hearing committee at a time to be determined by the Superintendent/President.
Check box when Step 4 is complete
If the student is still dissatisfied, the student will move to Step 5 of the process.

Step 5
Within five (5) school days after receiving a request, the Superintendent/President will request that the appropriate Grievance Officer (Vice President) convene a committee to hear the issue. This committee will be composed of:

- One (1) student appointed by the ASGC
- One (1) faculty member from an unrelated discipline appointed by the District’s Academic Senate
- One (1) faculty member appointed by the Counseling Department chairperson
- One (1) member classified staff member from an unrelated discipline appointed by the District’s classified/support staff (CSEA) president
- One (1) area dean or vice president from an unrelated area appointment by the Superintendent/President.
- 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.
If either the student or the District member is not satisfied with the Hearing Committee’s recommendations, they may appeal and proceed to Step 6. 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 District member.
Otherwise, the resolution process is closed and there is no appeal.
Check box when Step 5 is complete

Step 6
A student may appeal to the District 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 Superintendent/President will review this letter and the recommendations from the Hearing Committee. The Superintendent/President will schedule and hold a private meeting with the student or the staff member to discuss and, hopefully, resolve the problem.
If the student or the staff member does not feel satisfied with the Superintendent/President’s resolution, a last, final step may be taken.
Check box when Step 6 is complete

Step 7
A written appeal may be made to the District’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 District’s Problem Resolution Process. Decisions at this level are final.

STUDENT DISCIPLINE PROCEDURES
Reference: Education Code AP 5520: Section 66300, 72122, 76030 (Pending Board Approval 8/2017)
The purpose of this procedure is to provide a prompt and equitable means to address violations of the Standards of Student Conduct, which guarantees to the student or students involved the due process rights guaranteed them by state and federal constitutional protections. This procedure will be used in a fair and equitable manner, and not for purposes of retaliation. It is not intended to substitute for criminal or civil proceedings that may be initiated by other agencies. In developing responsible students, disciplinary proceedings may play a role in coordination with counseling, guidance and admonition. These Administrative Procedures are specifically not intended to infringe in any way on the rights of students to engage in free expression as protected by the state and federal constitutions, and by Education Code Section 76120, and will not be used to punish expression that is protected.

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 administrative, verbal warning to the student to cease and desist from conduct determined to violate the Standards of Student Conduct.
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. Written or Verbal Reprimand: An admonition to the student to cease and desist from conduct determined to violate the Standards of Student Conduct. Written reprimands may become part of a student’s permanent record with
the District. A record of the fact that a verbal reprimand has been given may become part of a student’s record with the District for a period of up to one year.

4. Disciplinary Probation: Exclusion from participation in privileges or extracurricular activities set forth in the notice of disciplinary probation for a specified period of time.

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

6. Removal from Class: [Education Code Section 76032] Exclusion of the student by an instructor for the day of the removal and the next class meeting. An online instructor may block access to the class for 72 hours.

7. Short-term Suspension: Exclusion of the student by the Superintendent/President of the District for good cause from one or more classes for a period of up to ten (10) consecutive days of instruction.

8. Long-term Suspension: Exclusion of the student by the Superintendent/President of the District for good cause from one or more classes for a period of up to ten (10) consecutive days of instruction.

9. Summary Suspension: Any student who has willfully disrupted the orderly operation of the campus may be promptly suspended pending a hearing, where such immediate suspension is required in order to protect lives or property and to ensure the maintenance of order. A record of the fact that a verbal reprimand has been given may become part of a student’s record with the District for a period of up to one year.

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

11. Expulsion: Exclusion of the student by the Board of Trustees from the District for one or more terms.

Administrative Corrective Measures for Misconduct

Removal from Class: [Education Code Section 76032]: Any instructor may order a student removed from his or her class for the day of the removal and the next class meeting. The instructor shall immediately report the removal to the area dean, site director, or Vice President of Academic Affairs. The dean or designee shall arrange for a conference between the student and the instructor regarding the removal. If the instructor or the student requests, the area dean or supervisor shall attend the conference. The student shall not be returned to the class during the period of the removal without the concurrence of the instructor. Nothing herein will prevent the dean or supervisor from recommending further disciplinary procedures in accordance with these procedures based on the facts, which led to the removal.

Withdrawal of Consent to Remain on Campus

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

The person from whom consent has been withdrawn may submit a written request for a hearing on the withdrawal within the period of the withdrawal. The request shall be granted not later than seven days from the date of receipt of the request. The hearing will be conducted in accordance with the provisions of this procedure relating to interim suspensions. In no case shall consent be withdrawn for no more than fourteen (14) 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 District Superintendent/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 Superintendent/President or designee. Appeals are only heard for long-term suspensions and expulsions.

2. Schedule of Hearing
   The formal hearing shall be held within ten (10) 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 Superintendent/President of the District, 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 Superintendent/President 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 Superintendent/President 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 facts supporting the accusation shall be presented by a District representative who shall be the Vice President of Student Services or designee.
   a. The District 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.
   c. Unless the hearing panel determines to proceed otherwise, the District representative and the student shall each be permitted to make an opening statement. Thereafter, the District representative shall make the first presentation, followed by the student. The District representative may present rebuttal evidence after the student completes his or her evidence. The burden shall be on the 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 to the District 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 District 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. The official recording 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 Superintendent/President of the District. 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.
SUPERINTENDENT/PRESIDENT’S DECISION

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

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

BOARD OF TRUSTEES DECISION

The Board of Trustees shall consider any recommendation from the Superintendent/President of the District 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 to the address last on file with the District or by personal service, at least three (3) days prior to the meeting, of the date, time, and place of the Board’s meeting.

The student may, within forty-eight (48) 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 Board may accept, modify or reject the findings, decisions and recommendations of the Superintendent/President of the District 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, which contains specific factual findings and conclusions. 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.

COMPLAINT PROCEDURES

Title IX Complaint
Education Code Sections 66250 et seq., 72010 et seq., and 87100 et seq.;
Title V, 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 Human Resources office.
The Associate Vice President of Human Resources serves as the compliance officer for student matters regarding Title IX regulations.

Title IX Compliance Officer................................................................. 408-848-4753
Section 504/ADA Complaint
Education Code Sections 66250 et seq., 72010 et seq., and 87100 et seq.;
Title V, 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 Human Resources office.
The Associate Vice President of Human Resources serves as the compliance officer for student matters concerning ADA regulations.
Section 504/ADA Compliance Officer ................................................................. 408-848-4753
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 District 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.

College Policies & Procedures
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.

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 as indicated in the instructor’s course syllabus.
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 16 through 21 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. (starting on page 13 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 Academic Affairs, the Vice President of Student Services or designee. Materials displayed shall be removed after ten (10) days.

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 Superintendent/President of the District 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 District 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 District. Current and former students can review their education records by completing or filing a request in the Registrar/Admissions & Records Office. Such records will be made immediately available when possible or within fifteen (15) days of written request.

If the review results in a dispute, the District 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 District’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
Reference: AP 3410

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

The District 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 is to contact the Equal Opportunity Officer at 408-848-4753.
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 District.

Sexual Assault
BP 3540/ AP 3540

Sexual assault can happen to anyone, anywhere and at any time. The Gavilan College District 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 (Pending Board Approval)
California Government Code Section 7596

Smoking, which includes e-cigarettes, is prohibited in all indoor and outdoor campus locations. Smoking which includes e-cigarettes may only be smoked in the identified parking spaces in designated parking lots (see map). Cannabis, other drugs, and hookah pipes can never be used on campus. Smoking is prohibited in all district vehicles. Tobacco products may not be sold on campus by any means. “No Smoking” signs shall be conspicuously posted at building entrances and in restrooms, locker rooms, dressing areas, cafeteria and sports facilities. In addition, designated parking lot areas for smoking areas will be clearly marked. Compliance is the responsibility of each student, faculty, and staff, vendors, and visitors to any of the Gavilan campuses.
GAVILAN COLLEGE STUDENT SERVICES MISSION STATEMENT
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 life-long learning, and encouraging and facilitating personal growth and development.

Gavilan Student Services Directory

Accessible Education Center (AEC)
The Accessible Education Center (AEC) at Gavilan College provides programs, services and support to help students with disabilities succeed in school. We strive to equalize student educational opportunities and improve access so that every student can participate fully in all aspects of college programs and activities.

- Department Assistant .......................... 408-848-4865
- Associate Dean .................................. 408-848-4871
- Adaptive PE Office ............................. 408-848-4878

Admissions & Records
The Gavilan College Admissions and Records department is here to support you throughout your college journey, from applying and registering for classes to signing up for graduation and requesting transcripts. Many of these processes can be handled online through your MyGav account, but if you ever need help along the way, feel free to contact us or stop by the Welcome Center!

- Admissions & Records Technician ............ 408-846-4954
- Director/Registrar ................................ 408-848-4754

Assessment .............................................. 408-846-4992
The Assessment Office at Gavilan College is designed to help students succeed in college by accurately placing students into English, English as a Second Language (ESL), and math courses. There is no pass or fail; the purpose of assessment through placement testing is to measure the student's knowledge and understanding of an academic subject. All new students with no previous college-level course credit must take the English or ESL and math assessments.

Associated Students of Gavilan College (ASGC)
Through participating in Shared Governance and representation in Gavilan College District Committees, the ASGC is committed to giving voice to the entire student body. In addition, joining the ASGC is a great way to have fun, learn leadership skills, advocate for students, and become involved on campus.

- ASGC Office ........................................ 408-848-4777
- ASGC Advisor ................................. 408-848-4862

Career Transfer Center .............................. 408-852-2897
The Career & Transfer Center is here to help guide and support you on your journey beyond Gavilan College, whether that means starting a new career or transferring to a four-year college. We provide a wide range of services, resources, and workshops to help you explore all the different options that are available to you.

Counseling Office .................................... 408-852-2895
The professional counselors at Gavilan College provide academic, career, vocational, transfer, and personal counseling. We can help you choose the right classes for your major, decide on your educational goals, find your ideal career path, transfer to a four year college, or work through difficult, personal issues.

EOPS - Extended Opportunity Programs & Services
Extended Opportunity Programs and Services (EOPS) is California state-funded student support services program for students facing social, economic, and educational challenges.

If you qualify for EOPS at Gavilan College, we can provide you with a range of services and benefits, from counseling and educational planning to priority registration, university field trips, and book vouchers. We are here to help you succeed!

- Department Assistant .......................... 408-848-4740
- Associate Dean .................................. 408-848-4772
- CalWORKS Supervisor .......................... 408-848-4813
- Sr. Program Assistant ......................... 408-846-4904

Financial Aid
The Gavilan College Financial Aid & Scholarships department is here to help you find ways to pay for college tuition and related expenses. There are many types of Financial Aid available. Depending on your income and other factors, you may qualify for federal or state grants, state fee waivers, work-study jobs, or education loans. There are also many different scholarships, which are not usually dependent on financial need.

Apply today to find out what assistance is available for you!

- Financial Aid Technician ....................... 408-848-4763
- Director ........................................... 408-848-4725

Food Pantry ............................................ 408-848-4791
The Gavilan College Food Pantry is a collaboration between Gavilan College, CalWORKS, Fresh Success, ASGC, Second Harvest Food Bank and St. Joseph's Family Center. The pantry is open all year long and serves the entire Gavilan College community. The pantry provides supplemental, non-perishable goods to individuals and families who fall within the income guidelines.

Health Services 408-852-2855
Gavilan College Health Services offers first aid, health counseling, referrals, medication, and more. All adult students enrolled at Gavilan College are eligible for these services at no additional charge. Health Services integrates all the elements of a student's life: physical, emotional, spiritual, social, and intellectual. We are here to help you succeed and thrive.

MESA
The Mathematics, Engineering, and Science Achievement (MESA) Community College Program can provide academic support to help you excel in these subjects and transfer to a university to continue your studies. Our goal is to support educationally disadvantaged and historically under-represented undergraduate community college students and develop a new generation of STEM leaders in California.

Program Assistant ................................. 408-846-4968
Student Life Office ............................................................................................ 408-852-2849
The mission of the Gavilan Office of Student Life is to be a direct link between students and the Gavilan College community and to engage and develop each student to lead, succeed and serve in a diverse campus and global community. Whether it’s assisting you finding the right club or organization or helping you with textbooks, Student Life staff is here to help.

Student Services, Vice President’s Office
The Office of Student Services is here to help you to make the most of your Gavilan College experience. We offer a wide range of services and programs to foster your holistic development and progression from Orientation to Graduation and beyond.

Executive Assistant .......................................................................................... 408-848-4738
Vice President ................................................................................................. 408-848-4732

TRIO Student Support Services
TRIO is a federally funded program designed to empower first-generation, low-income, and disabled Gavilan College students as they prepare to obtain a two-year degree and/or transfer to a four-year university.

TRIO Office ........................................................................................................ 408-846-4968
Director ............................................................................................................ 408-848-4887

Veterans’ Services ............................................................................................. 408-848-4734
The Veterans Resource Center (VRC) at Gavilan College provides resources and services for student veterans. The center is staffed by student veterans who are committed to helping other veterans manage the transition from military service to the college campus setting.

Welcome Center ............................................................................................... 408-848-4800 ext. 5108
The Welcome Center is here to assist all students with general information about Admissions & Records, Financial Aid, Counseling, and campus support programs and services. The center is staffed by knowledgeable, NASPA Certified Peer Mentors, and provides access to computers, printing required documents, and mentoring new and current students at Gavilan College.

OTHER GAVILAN FACILITIES
Coyote Valley Campus ........................................................................................ 408-229-4200 or 408-229-4207
The Coyote Valley campus offers various Gavilan courses. Additionally, The Coyote Valley campus offers specialized facilities for the South Bay Regional Public Safety Training Consortium program.

Hollister Campus .............................................................................................. 831-636-3783
The Gavilan College Hollister Campus - located within the Briggs Building - offers classes in English, Computer Science, Political Science, English as a Second Language, Communications, Child Development, Math, Psychology, History, Art, Spanish, and Sociology, just to name a few. Services include: Admission, registration, fee payment, Financial Aid, assessment, computer drop-in lab and ASGC ID cards. Se habla Español.

Morgan Hill Campus .......................................................................................... 408-782-2873
The Gavilan College Morgan Hill Campus – located within the Morgan Hill Community and Cultural Center - offers classes in English, Computer Science, Political Science, English as a Second Language, Communications, Child Development, Math, Psychology, History, Art, Spanish, and Sociology, just to name a few. Services include: Admissions, registration, fee payment, Financial Aid, assessment, computer drop-in lab and ASGC ID cards. Se habla Español.