

POLICIES AND PROCEDURES

Policies and procedures are subject to Board review and may change without notice. Students are invited to review current policies and procedures by visiting the Gavilan College website at www.gavilan.edu.

Revision of Administrative Regulations

Any regulation issued by the administration of the college has 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.

Academic Freedom

It is the policy of the college to maintain and encourage full freedom for its faculty, to teach, research and pursue knowledge subject to the applicable provisions of law.

In the exercise of this freedom the faculty member may, as provided in the U.S. and California Constitutions and other applicable laws, discuss his/her own subject or area of competence in the classroom, as well as any other relevant matters, including controversial matters, so long as she/he distinguishes between personal opinions and factual information.

Faculty shall be free from unlawful harassment or from unlawful interference or restrictions based on political views.

Faculty shall be free from any and all forms of electronic or other listening or recording devices, except with his/her express and non-continuing consent, except where allowed otherwise by law.

The Board shall not unlawfully inquire into, nor predicate any adverse action upon a faculty member's personal, political or organizational activities or preferences.

The Board shall not interfere with a faculty member's freedom of speech or use of materials in any teaching assignment, except as allowed by law.

The **Student Rights, Responsibilities and Academic Standards Handbook** provides a quick reference to many student policies and procedures. It is available at the office of the Vice President of Student Services, the Counseling Secretary's Office, the Morgan Hill and Hollister satellite locations and on the web at www.gavilan.edu/handbook/

The intent is to allow those activities protected by constitutional freedom of speech and other forms of academic freedom protected by the laws of the State of California and the laws of the United States. (From the Gavilan College Faculty Contract, Article VII, Academic Freedom.)

AIDS/HIV

The Gavilan Joint Community College District is committed to providing a safe as well as fair, sensitive and nondiscriminatory environment that is in compliance with Federal, State and local restrictions. The District treats all employees and students equally without regard to their HIV-antibody status or the presence of AIDS disease. An individual with AIDS, or who tests positive for the HIV antibody, will not be denied employment or enrollment for instruction in the district as long as he/she is able to perform in accordance with the respective standards of each position. The District will not deny a person who has AIDS, or tests positive for the HIV antibody, any benefits to which he/she is eligible. Persons with AIDS, or who are perceived to have such conditions, are considered protected under state and federal law and shall be provided with accommodations necessary to meet their disability-related needs. A student with AIDS may be served through state-funded Accessible Education Center if the condition imposes functional limitations that impede access to the educational process. The medical records of a student are confidential and such information may not be related without the written consent of the individual, except as provided by law.

There is no medical necessity to advise co-workers or students of the presence of a person with AIDS or a positive HIV-antibody test. Persons with AIDS or a positive HIV-antibody test result shall not be denied equal access to student unions, cultural or athletic events, dining areas, gymnasium, swimming pools, recreation facilities, or other common areas. Persons with AIDS or a positive HIV-antibody test result shall be given referrals to appropriate medical care and counseling.

The Gavilan College Vice President of Student Services shall move quickly and effectively to deal with any incident of harassment or psychological or physical abuse inflicted on students or employees who may have or are suspected to have AIDS or a positive HIV-antibody test. The coordinator of Student Health Services will serve as a spokesperson to answer questions about its AIDS policies and will be prepared to address the social questions, civil rights issues, and public health considerations. (Personnel, Section 3.03)

Americans With Disabilities Act (ADA)

If you have a verified disability and need academic materials in an alternate format or other services, contact the Accessible Education Center at 408-848-4865 or the Vice President of Student Services for assistance.

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 the work of the course is being performed in a systematic manner.

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). 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.

Children on Campus *Reference: AP 6800*

Gavilan College welcomes children to our campus when they are enrolled in course offerings or are accompanied by a parent, legal guardian, or adult caregiver and under appropriate supervision. Our facilities are open to the public, a situation which might present risks to children. It is the College's goal to maintain a safe and welcoming environment for both children and adults, according to the following guidelines:

- A child not yet in high school must be under the supervision of an adult who assumes responsibility for him or her unless the child is officially enrolled/participating in a Gavilan course or program.
- Except in situations where young people are officially enrolled/participating, parents, guardians and adult caregivers are responsible for being with children at all times and must monitor all activities and behavior of their children while on campus.
- Any child found unattended will be reported to the Gavilan Security Office and/or the Sheriff's Department.
- Adult students and employees should plan for childcare as children are not intended to be a part of the classroom learning environment or workplace at Gavilan College.

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 include that users must respect software copyrights and licenses, respect the integrity of computer-based information resources, refrain from seeking to gain unauthorized access, and respect the rights of other computer users.

Copyrighted Materials *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 material.

Illegal forms of downloading and file sharing as well as the unauthorized distribution of copyrighted materials are violations of the law and Board Policy as contained in the Standards of Student Conduct and may subject a student to academic and/or disciplinary sanctions from the college as well as criminal and civil penalties, including a lawsuit by the Recording Industry Association of America (RIAA).

Discrimination

Non-Discrimination

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

Prohibition of Harassment and Hate Crimes

Reference: Education Code sections 212.5; 66252; 66281.5

The District is committed to providing an academic and work environment that respects the dignity of individuals and groups. 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.

Title VI, Title IX and Americans with Disabilities Act/Section 504/508

To file complaints in the following areas of civil rights complaints (Title VI), gender equity, sex discrimination/harassment (Title IX), persons with disabilities discrimination (ADA/Section 504/508) please contact the Equal Opportunity Officer, Eric Ramones, HR103 (408-848-4753).

Drug Free Schools and Campuses Act

The unlawful possession, use or distribution of any illicit drug or alcohol by students or employees on college property or at college-sponsored activities or events is prohibited. Violation may constitute criminal conduct which could result in criminal prosecution under state and/or federal law. It is the policy of the college to impose appropriate disciplinary sanctions on employees and students for the unlawful possession, use or distribution of illicit drugs or alcohol. Appropriate disciplinary sanctions may include suspension or expulsion for students or suspension or termination for employees, and may also include requiring the completion of a rehabilitation program. The standards of conduct for students and the applicable sanctions for violating the standards are contained in the Student Rights, Responsibilities, and Academic Standards Handbook and BP 5500. The standards of conduct and sanctions applicable to employees are contained in Gavilan College's AP 3550, Drug-Free Workplace.

The use of drugs and alcohol may pose significant health risks including hangovers, blackouts, general fatigue, impaired learning, dependency, and death. Students may not smoke or use medical marijuana while in district facilities for any reason.

Further detailed information on the state penalties and risks associated with the use of drugs and alcohol may be found at the following campus office locations: Vice President of Student Services, Health Services, Financial Aide, Admissions & Records, Human Resources.

Family Educational Rights and Privacy Act

Gavilan College is in compliance with the Federal Education Rights and Privacy Act of 1974 as amended (sometimes called the Buckley Amendment) and California Title V regulations (SB 182). The following is in effect:

1. Official academic, discipline, and other necessary records are maintained on all students who have applied to attend Gavilan College.
2. Official records are maintained by and in the Admissions and Records Office.

3. Official records will be released only on written request or written permission of the student and upon payment of any and all fees and charges due the college, except as provided by law.

4. The following directory information may be released by Gavilan College without written consent of the student:

- a. name of student
- b. dates of enrollment/attendance at Gavilan College
- c. date of graduation and degree or certificate awarded.

The release of any further information will require written permission of the student, except as provided by law. Students may notify the Admissions and Records Office in writing within the first week of each term that such information indicated in (a), (b), and (c) above is not to be designated as directory information with respect to that student.

5. Students have the right to review their own records. Challenges to these records are required in writing to the Vice President of Student Services. Challenges will be acted upon by the Vice President, and action will be filed with the student's records, but not released with said records. In the case of disagreement, the Students' Problem Resolution Process of the college will be followed.

Copies of the complete Federal and State Regulations and the Students' Problem Resolution Process are available through the Admissions and Records Office and may be reviewed by students by appointment with the Vice President of Student Services or Director of Admissions and Records. The Students' Problem Resolution Process is available in the appendix of this catalog, online and in the Student Rights, Responsibilities and Academic Standards booklet available through the office of the Vice President of Student Services.

Open Enrollment *Reference: Title V, sections 58106, 58108*

Unless specifically exempted by statute, every course, course section or class, the average daily attendance of which is to be reported for state aid, shall be fully open to enrollment and participation by any person who has been admitted to the college and who meets all prerequisites. Class enrollment is limited by size of facility and program content. Gavilan College is in compliance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990.

Parking

Both daily and semester parking permits are available. Daily parking permits may be purchased from machines located near campus entrances. Semester permits are purchased online. No parking

fees are charged at the Coyote Valley, Hollister, Morgan Hill or San Martin sites.

Student parking is permitted on campus in designated areas only. Traffic rules and regulations are available from Campus Security. Parking regulations are strictly enforced and tickets are issued for violations. The California Vehicle Code applies to all vehicles on campus and is enforced by local law enforcement and campus security.

Photography, Video and Audio Recordings

Audio, video, and photographic recording of classes or meetings may only be done with the consent of faculty or staff responsible for the classes or meetings.

Posting Procedure *Reference: AP 3900*

Students are provided with bulletin boards for use in posting student materials at campus locations convenient for student use. All materials displayed on a bulletin board shall clearly indicate the author or agency responsible for its production and shall be dated with the date of posting by the Office of the Vice President of Student Services, or designee. Materials displayed shall be removed after the passage of ten (10) days.

Sexual Assault

Gavilan College will not tolerate any form of sexual assault, including rape, on college property or at any college-sponsored event. The district realizes that these situations may or may not be deemed criminal offenses and therefore may have to be handled both internally through college administrative action and externally by the appropriate law enforcement agency. Within the college, allegations of sexual assault and/or rape will be fully investigated by the college administration. Disciplinary actions may include suspension or expulsion for student or suspension or termination for staff. The standards of conduct for students and the applicable sanctions for violating the standards are contained in the *Student Rights, Responsibilities and Academic Standards Handbook*.

Decisions regarding discipline of staff will be made in accordance with applicable legal and contractual provisions and procedures.

When a victim of rape or any other sexual assault chooses to go to either the counseling department and/or health services, the strictest of confidentiality will be maintained. If the victim decides to report the incident to the appropriate law enforcement agency, the district will make every effort to ensure that it will be handled in the

most private and confidential manner as possible.

If you, or someone you know, has 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 at Community Solutions: 408-683-4118; or call the 24-hour crisis line at 1-877-363-7238.

Smoke-Free Campus *Reference: BP 6500, AP 3570*

The goal of the Gavilan Joint Community College District is to provide a safe learning and working environment for students and staff. Smoking (including e-cigarettes, hookah, or cannabis) is prohibited in all indoor and outdoor locations, with the exception of designated parking lots. Smoking is prohibited in all district vehicles. Tobacco products are not permitted to be sold on campus either through vending machines by non-campus establishments.

"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.

Refer to California Government Code Section 7596. Compliance is the responsibility of each student, faculty and staff and visitors to any of the Gavilan campuses.

Transcripts

Transcripts of a student's permanent academic record are released only with written authorization of the student. Telephone and email requests are not accepted. The first two copies are free. Additional copies may be ordered for a fee. Transcripts are purchased online.

Vocational English Skills

Limited English language skills will not be a barrier to admission to and participation in vocational education programs.

Withholding Records for Non-Payment of Financial Obligations

Gavilan College may withhold grades, transcripts, diplomas, registration privileges, or any combination thereof, from any student or former student who has been provided with written notice that he or she has failed to pay a proper financial obligation due to the college (e.g., returned checks, book loan payments, outstanding library books, etc.). Any item or items withheld shall be released when the student satisfactorily meets the financial obligation.