

Policies and Procedures



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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

Administrative regulations issued by the college hold the same authority as those published in the catalog and, with prior notice, will take precedence over any related information in the catalog or other official college publications.

Academic Freedom

It is the college's policy 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 their own subject or area of competence in the classroom, as well as any other relevant matters, including controversial matters, so long as they distinguish 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 the faculty's expressed consent and when mandated by the 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 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.)

Americans With Disabilities Act (ADA)

If you are a student and you require additional information regarding the Americans with Disabilities Act (ADA), or Section 504/508 of the Rehabilitation Act, contact the Accessible Education Center at 408-848-4865 or aec@gavilan.edu.

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

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.
- Children must never be left unattended in a vehicle.
- 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

Employees and students who use District computers, networks, and the information they contain, and related resources must do so responsibly and with 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, maintain the integrity of digital resources, avoid gaining unauthorized access, and respect the rights of other computer users.

Copyrighted Materials

Gavilan College students are prohibited from using the college's computers and information network to illegally download or share copyrighted materials, including music, video, and other intellectual property. In alignment with Board Policy 3720 and Administrative Procedure 3720, as well as the Higher Education Opportunity Act and the Digital Millennium Copyright Act, Gavilan College supports efforts to prevent the illegal distribution of copyrighted content. Engaging in unauthorized downloading, file sharing, or distribution of copyrighted materials is a violation of Board Policy which may result in academic and disciplinary sanctions. Students may also face civil and criminal penalties, including potential lawsuits from copyright holders.

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, Lucy Alvarez, at (408)846-4964 and lavarez@gavilan.edu.

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, brownouts, general fatigue, impaired learning, dependency, and death. Students may not smoke or use marijuana of any kind 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: Office of the Assistant Superintendent/Vice-President of Student Services, Health Services, Financial Aid, Admission & Records, Human Resources.

Family Education 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 act applies to all institutions that are recipients of federal aid administered by the Secretary of Education. FERPA is enforced by the Family Policy Compliance Office within the U.S. Department of Education.

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to students when they reach the age of 18 or attend 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 their 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
 - Parties designated under a judicial order or lawfully issued subpoena
 - Appropriate officials in cases of health and safety emergencies
 - State and local authorities, within a juvenile justice system, pursuant to specific state law

Schools may disclose, without consent, "directory" information such as a student's name, honors and awards, and dates 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, inclusion in a PTA bulletin, student handbook or newspaper article) is left to the discretion of each school.

Official records are maintained by and in the Gavilan College Admissions and Records Office. 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 to the college, except as provided by law.

Open Enrollment

Unless specifically exempted by statute, every course, course section or class 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

Staff or student semester parking permits, or daily parking permits are required at the Main Campus and the San Benito County Campus, Mondays through Fridays from 6am to 10pm. All parking lots are closed daily from 10pm to 6am. Overnight parking is prohibited without prior authorization by the Gavilan College Security Department. On Saturdays and Sundays, parking permits are not required, and parking is free for standard parking spaces; however, designated parking spaces, timed parking spaces, and all other parking regulations are still enforced.

All parking permits, semester or daily, may be purchased online at < Gavilan.thepermitstore.com >, or by using the QR codes located on the parking information signs in the parking lots. If you are unable to access internet purchasing, permits may be purchased in person at the Business Office or at the Bookstore, Mondays through Fridays from 8am to 5pm.

Animals must never be left unattended in vehicles.

The California Vehicle Code applies to all vehicles on campus, enforced by the Santa Clara County Sheriff's Office and the Gavilan College Security Department. Parking citations will be issued for violations of parking regulations, resulting in fines and/or holds on vehicle registration. The Gavilan College Security Department may have a vehicle towed away at the owner's expense for dangerous or extreme parking violations, or for numerous repeated violations by the same vehicle.

Audio, Video, and Photographic 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

Bulletin boards are available for 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 ASGC Office. Materials displayed shall be removed after the passage of ten (10) days. Unapproved or inappropriate material will be removed.

Title IX and Sexual Assault

Gavilan College will not tolerate any form of sexual assault, including rape, sexual harassment, dating violence, intimate partner violence, stalking, retaliation, gender discrimination, and harassment or violence based on sexual orientation, gender identity expression, or discrimination against pregnant and parenting individuals 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 the offenses will be fully investigated by the college administration. Disciplinary actions may include suspension or expulsion for students 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 the discipline of staff will be made in accordance with applicable legal and contractual provisions and procedures. When an individual 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 individual 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 possible.

If you, or someone you know, has been sexually assaulted, notify Campus Security at 408-710-7490.

Confidential counseling is available on campus through counseling at 408-852-2895. Off campus confidential counseling is available through Community Solutions 24-hour crisis hotline at 1-877-363-7238. You may also anonymously report an incident using the Sexual Misconduct/Title IX Intimate Partner Violence Report Form link on the Gavilan College Just Report It Website.

Annual Title IX Training Required

As of Sept. 1, 2024, all Gavilan students are required to complete Title IX, sexual violence and sexual harassment training within six months of the start of the school year.

Go to the [Title IX Student Training webpage](#) to complete the required training modules and certify that you have completed the training.

Smoke-Free Campus

The goal of the Gavilan Joint Community College District is to have a safe learning and working environment for students and staff. Smoking (including e-cigarettes/vape pens, hookah, or cannabis) is prohibited in all indoor and outdoor locations, except for designated parking lots. Smoking is prohibited in all district vehicles. Tobacco products are not permitted to be sold on campus either through vending machines or 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. Repeat offenders may be ticketed.

Transcripts

Gavilan College has partnered with Parchment to provide transcript ordering, printing, and delivery services. This allows students to order official transcripts online at any time. Real-time email alerts keep you updated on the status of the order.

Requests can be submitted using:

- MyGav student portal (personal authentication waives signature page)
- Parchment.com (additional signature page will be required)

The official transcripts will include only coursework taken at Gavilan College and will be processed in 2-3 working days from the time the request has been authorized. Transcripts are \$7 each, payable at the time of the request. Holds on your records could delay releasing your transcripts.

Final grades for the most recently completed semester will be available 3 weeks after the end of the term. Courses In-progress will be noted for the current term.

Unofficial transcripts are available to print from the MyGav student portal.

Vocational English Skills

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

Impound of Student Records

Gavilan College may withhold diplomas, registration privileges, or any combination thereof, from any student or former student who fails to comply with financial obligations or fails to return property owned by Gavilan College.

Any item or items withheld shall be released when the student satisfactorily meets outstanding obligations. Balances due will be sent to collections if not paid in a timely manner.