

## College Council: Procedure Review

3-6-2025

**AP 4021 Program Revitalization and Intervention** - Revisions were made by the Academic Senate by combining AP 4021 and AP 4022, as noted in the procedure. This is a 10 +1.

**AP 4100 Graduation Requirements** - The Service updated this legally required procedure to revise associate degree requirements to align with changes in the Title 5 regulations. Additional edits by the Academic Senate as noted. This is a 10 +1.

**AP 4231 Grade Changes** - Please see changes as noted that were requested by staff and approved by the Academic Senate with with a revision from three to two weeks. This is a 10 +1.

### Policy and Procedure Work Underway

Chapters 1, 2, and 3 board policies and administrative procedures are currently under review by staff as part of the regular 6-year cycle of review process. The responsible department areas and relevant constituents will have time to review the BPs and APs once all three chapters are prepared. Unless there are any substantive revisions made by the responsible department areas and/or constituents, they will be automatically listed as recently reviewed on the website. All three chapters are expected to be complete by the end of 2025. This approach will align whole chapters with regular review instead of reviewing individual policies or procedures one at a time.

There are significant legal updates expected by the League in the fall, and possibly in the summer, of 2025.

For current Board Policies and Administrative Procedures that are posted online please see [Policies & Procedures](#).

## Academic Affairs

To Academic Senate at their request. 3-29-2024

Revisions were made by combining AP 4021 and AP 4022, as noted by the Academic Senate. 2-11-2025

Approved. Dana/VP SLS 2-11-2025

**AP 4021      PROGRAM ~~DISCONTINUANCE~~ REVITALIZATION-AND-INTERVENTION****References:**

Education Code Section 78016;  
Title 5 Sections 51022 and 55130;  
ACCJC Accreditation Standard II.A.15

**Program Revitalization****The District has established procedures for program revitalization based on the following premises:**

- Because program revitalization is an academic and professional matter, the District will rely primarily on the Academic Senate for its implementation;
- Program revitalization is different from program review, but is an outgrowth of the program review process.
- Criteria for identifying at-risk programs in need of revitalization ~~are~~ **should be** clear and include evidence supported by qualitative and quantitative data, **including but not limited to:**
  - long-term trends over several years of enrollment ~~and course offering~~ history;
  - projections for continued declining enrollment;
  - success and retention rates over several years ~~as they correspond to the institution-set standards;~~
  - changes in the academic discipline in terms of articulation changes established by transfer colleges and universities that affect the viability of program offerings; and
  - other factors that demonstrate that the program is in decline and predict it will continue to decline.

**Procedure via Program Review:**

- The Planning and Resource Allocation Committee (PRAC) will evaluate the full program reviews for each program to assess general health and viability based on the presentations provided by the department chairs and division deans. Mitigating factors shall be considered.
- PRAC shall solicit input from affected discipline faculty before making recommendations as needed.
- If PRAC identifies a program as “at risk,” the committee may recommend to the Academic Senate that the program complete a revitalization procedure.

**Alternate Procedure:**

- ~~A discipline may request in writing to the Academic Senate to go through revitalization if a majority of the discipline’s faculty and the department chair feel that revitalization is warranted. Discipline faculty may request, in writing, to be invited to an Academic Senate meeting to discuss putting the program into Revitalization.~~

**Academic Senate Approval:**

**Academic Senate must approve any request for a discipline to enter the revitalization process.**

- ~~Academic Senate approval is required for program revitalization upon a recommendation by PRAC or upon a request from the discipline itself. After a recommendation by PRAC or request from the discipline, Academic Senate approval to begin the program revitalization process is required.~~

NOTE: Units dedicated to a program entering revitalization will not be reduced without approval from PRAC.

NOTE: Revitalization applies to all programs except for grant-funded programs whose source of funding is no longer available and which may be discontinued without following the program revitalization or ~~discontinuance~~ intervention procedures.

**The revitalization process will proceed as follows:**

- Following ~~an initial finding to proceed~~ Academic Senate approval to begin the program revitalization process, program faculty will have one academic year to compile quantitative and qualitative data that assess the program for its viability and its fit with the District's goals, mission, and vision.
- At the end of the year, program faculty will prepare a Revitalization Report to be presented to the Academic Senate. This report will:
  - Identify the program's weaknesses and challenges
  - Review all data consulted
  - Include a list of measurable actions for revitalization
  - Make specific recommendations for improvement which may include:
    - Curriculum changes
    - Scheduling changes
    - Degree or certificates updates
    - Professional development for faculty
    - Changes in delivery method
    - Additional or new classroom resources or technology
  - Identify budget requirements in order to achieve improvement goals

Upon Academic Senate approval of this report, recommendations for resource allocations will be forwarded to PRAC.

- Upon approval by PRAC including resource recommendations, the program has one year to implement their plan.
- As findings may result in recommendations for improvement that would require more than one year to implement, the discipline faculty must return to the Academic Senate with follow-up progress reports.
- At the end of the revitalization process, program faculty must present the results of their assessment, based upon evidence, along with their recommendation to the Academic Senate.

~~IF A PROGRAM IS NOT SUCCESSFUL IN ITS REVITALIZATION, IT WILL MOVE ON TO THE PROCEDURE OUTLINED IN AP 4021 PROGRAM DISCONTINUANCE BELOW~~ If the Senate deems the revitalization unsuccessful, the discipline will move on to Program Intervention.

## Program Intervention

The District has established procedures for program **discontinuance intervention** based on the following:

- The District will rely primarily on the Academic Senate in the implementation of program **discontinuance intervention** procedures;
- Program **discontinuance intervention** is different from program review;
- Program **discontinuance intervention** shall be an academic and professional matter for the Academic Senate and may have a potential impact on employment of individuals and therefore may be a matter for collective bargaining;
- Grant-funded programs whose source of funding is no longer available may be discontinued without following the program **discontinuance intervention** procedure;
- ~~Program discontinuance intervention should not adversely affect students who are in the middle of a program.~~
- ~~If a program is not successful in the revitalization process, it will begin the discontinuance intervention procedure. (See AP 4022 Program Revitalization)~~

## Process

- Once a program is identified for **discontinuance intervention by the Academic Senate**, formal notice will be sent to the department chair, program faculty and program staff, the Vice President of Student Learning and Success, the President of the United Professors of Marin (UPM), the President of the California School Employees Association (CSEA), and the Superintendent/President.
- A Program **discontinuance Intervention** Committee, appointed by the Superintendent/President and the Academic Senate President, will serve as a review committee and prepare ~~the final report~~ **the Program Intervention Report**, based on the revitalization report, **its presentation**, and any other pertinent information.
- This committee will be comprised of an Academic Dean, the Chair of the Department, a discipline faculty member, a faculty member from another discipline, and a counselor.
- The committee will write ~~the final report~~ **the Program Intervention Report** and present its findings to the Academic Senate and the Superintendent/President. The Program **discontinuance Intervention** Committee's recommendations shall also be forwarded to the Planning and Resource Allocation Committee (PRAC) and the Office of Student Learning and Success for review and comment.
- **The District will consult with the appropriate collective bargaining agents about the potential impact of the committee's recommendations.**
- **The President will forward a final recommendation to the Board of Trustees.**

## Possible Outcomes

The Program Intervention Committee may make recommendations in the Program Intervention Report including, but not limited to, discontinuance, reorganization, or further review.

### I. Reorganization

- The Program Intervention Committee may make recommendations such as:
  - courses be moved to other department(s),

- course be offered in different modalities
- curriculum be re-evaluated
- scheduling be re-evaluated

## II. Discontinuance

- ~~Should the findings be inconclusive, a recommendation for additional review for one more year may be made.~~
- Findings may result in a recommendation for discontinuance, including a timeline for phasing out a program within **two semesters, excluding summer** ~~one year~~.
- Specific steps for program discontinuance shall be developed by the Program **Discontinuance Intervention** Committee.
- Students who are already enrolled in the program will be allowed to complete requirements within ~~the year of review~~ **two semesters, excluding summer** or will be assisted to transfer to other programs. New students will not be allowed to enroll in the program while the program is being considered for discontinuance.
- ~~The District will consult with the appropriate collective bargaining agents about the potential impact of program discontinuance on the employment of unit members. Applicable law and contract provisions will apply.~~

## III. Further Review

- ~~Should the findings be inconclusive, a recommendation for additional time to complete the review for up to one more year may be made.~~

The Superintendent/President, upon the recommendation of the Vice-President of Student Learning and Success, the Academic Senate and the Program **Discontinuance Intervention** Committee, will forward a final recommendation to the Board of Trustees. Any party may submit a different recommendation. While the final decision rests with the Board of Trustees, except in exceptional circumstances, the District shall rely primarily upon the recommendation of the Academic Senate.

~~NOTE: If 60% of all full time and part time faculty members teaching in a discipline agree to submit to the Academic Senate a request for the discontinuance of a program, the Academic Senate may recommend program discontinuance without a formal procedure being implemented.~~

## Career/Technical Programs

The District is legally required to establish a procedure for the discontinuance of career and technical programs that differs in some ways. Career and technical programs must be reviewed every two years to ensure that they meet legal standards. If legal and other District standards are not met, the same procedures for all other programs shall be followed except for the timeline which shall be accelerated to comply with legal requirements. (See Ed. Code 78016).

Legal standards for career and technical programs include that the program:

- Meets a documented labor market;
- Does not represent unnecessary duplication of other manpower training programs in the area; and

- Demonstrates effectiveness as measured by the employment and completion success of its students.

Other legal requirements include:

- Any program that does not meet the requirements and the standards promulgated by the Board of Trustees shall be terminated within one year;
- The required review process shall include the review and comments of the local Private Industry Council and the review and comments shall occur prior to any decision by the Board of Trustees; and
- A written summary of the findings of each review shall be made public.

*Office of Primary Responsibility:* Student Learning and Success

---

Date Approved: December 9, 2008

Date Reviewed/Revised: June 28, 2011

**Date Revised:** March 14, 2023

## Academic Affairs

The Service updated this legally required procedure to revise associate degree requirements to align with changes in the Title 5 regulations. **This is a 10 +1.** Mici 10-22-2024

To Jon H./Enrollment 10-22-2024

To Cari/Asst VP Instruction

Copy Dana/SLS

Approved with edits as noted. Academic Senate 2-24-2025

**AP 4100 GRADUATION REQUIREMENTS FOR DEGREES AND CERTIFICATES****References:**

Title 5 Sections ~~55002~~, 55060 et seq. and 55270 et seq.

**Coursework for Associates Degrees**

The Associate of Arts (A.A.) Degree or Associate of Science (A.S.) Degree will be awarded to any student upon satisfactory completion of all of the following requirements:

1. Competence in reading, written expression, and mathematics, and satisfactory completion of a course in ethnic studies.
  - a. Students who have maintained catalog rights prior to Fall 2019:
    - 1) A satisfactory score on the Math Assessment Test, i.e., eligibility beyond Math 101 or,
    - 2) Completion of Elementary Algebra (Math 101 or Math 101A plus Math 101B or Math 101X plus Math 101Y) with a grade of "C" or higher, "CR" or "P", and
    - 3) Completion of Statway II (Stat 106),
    - 4) Completion of Intermediate Algebra (Math 103 or Math 103A plus Math 103B or Math 103X plus Math 103Y) with a grade of "C" or higher, "CR," or "P", and
    - 5) Completion of English 120 or 150 with a grade of "C" or higher, "CR," or "P" depending on the major requirements.
  - b. Students entering Fall 2019 or any term thereafter:
    - 1) A satisfactory score on the Math Competency Test,
    - 2) Enroll and pass a transfer-level math course with a grade of "C," "P," or higher, or
    - 3) Complete an Advanced Placement (AP) math (calculus AB, BC or statistics) exam with a score of "3" or higher, or
    - 4) Other means as written in the current catalog, and
    - 5) Completion of English 150 with a grade of "C" or higher.

The student must satisfactorily complete at least sixty (60) semester units of college work. A definition of "college work" degree-applicable lower division credit courses, including courses that apply to the major or area of emphasis in career technical fields and courses in composition, reading, and mathematics or quantitative reasoning may not be more than one level below transfer. Below transfer level course requirements must align with Education Code section 78213. that provides that courses acceptable toward the associate degree include those that have been properly approved pursuant to Title 5 Section 55002(a), or, if completed at other

~~than a California community college, would reasonably be expected to meet the standards of that section.~~

The courses must include at least 18 semester units or 27 quarter units of focused study in a major or interdisciplinary area of emphasis.

A “major” is a focused program of study within a specific discipline, which may include some coursework outside the primary discipline. Programs designed to provide transfer preparation must be designed to meet specific lower-division requirements in comparable baccalaureate majors.

An “area of emphasis” is an interdisciplinary program of study encompassing a broad range of courses from multiple related academic disciplines, providing the student with an academic pathway broader than a specific major but more focused than general education.

~~The work courses must include at least 18-21 semester units or 27-31.5 quarter units in of general education. and at least 18 semester units or 27 quarter units in a major listed in the community college’s “Taxonomy of Programs.”~~ General education must include a minimum of work in (1) English Composition, Oral Communication, and Critical Thinking, (2) Mathematical Concepts and Quantitative Reasoning, (3) Arts and Humanities, (4) Social and Behavioral Sciences, (5) Natural Sciences, and (6) Ethnic Studies, and (7) Health and Personal Growth.

#### **Other Conditions for Awarding Associate Degrees**

The District will award an associate degree to students who fulfill the coursework requirements described above or completed the requirements for an approved intersegmental lower-division general education pattern used for transfer to the University of California or the California State University and who met the following conditions:

~~The work must include~~ student satisfactorily completed at least 12 semester units or 18 quarter units of study in residence. ~~;~~ The Board may excuse the residence requirement to alleviate injustice or undue hardship.

The student satisfactorily completed each course counted toward the major or area of emphasis requirement with a grade of “C” or better, or of “P” if the course is taken on a “pass-no pass” basis.

The student completed the requirements for the associate degree with a minimum cumulative grade point average of 2.0 in the degree-applicable courses. If a student accumulates units beyond those required for the degree that lower the student’s cumulative grade point average below 2.0, the District may compute the grade point average based solely on those courses used to satisfy the degree requirements, provided that the coursework used to compute the grade point average fulfill all major or area of emphasis and general education requirements.

Courses that meet or exceed the standards of the California Community Colleges completed at other institutionally accredited institutions shall be counted toward associate degree unit requirements. A course may not be counted in more than one general education area, even if the course is approved in multiple general education areas. Students may use the same course to meet a local general education requirement and to satisfy a general education requirement at the California State University or the University of California if that segment accepts the course for this purpose.

Students may receive credit for knowledge or skills acquired through a district's procedures for awarding credit



for prior learning.

Students who have been awarded a bachelor's degree from an institutionally accredited institution shall be deemed to have fulfilled the general education course requirements for the associate degree.

~~The general education requirements must include a minimum of work in the natural sciences, the social and behavioral sciences, humanities, and language and rationality.~~

Students who intend to transfer shall be advised of limitations transfer institutions may place on the transferability of credits, based on institutional accreditation, course modality, and any other relevant factors.

Students may petition to have noncredit courses counted toward the satisfaction of requirements for an associate degree.

~~The District must offer ethnic studies.~~

- c. College of Marin courses numbered 0-99 do not apply toward the 60 units required for graduation, even though they may be listed as part of a vocational program major.
  - d. Students who have maintained catalog rights prior to Fall 2009, must have an overall grade point average (GPA) of 2.0 or higher in all courses taken at the College of Marin and all courses transferred from other colleges used toward a degree or Certificate of Achievement, and be in good academic standing at the college.
  - e. All students entering Fall 2009 or any term thereafter, each course applied towards the major or area of emphasis must be completed with a grade of "C" or higher, "CR" or "P" if the course is taken on a "pass/no-pass" basis (Title 5 Section 5063(a)(2))
2. A minimum of 19 semester units in general education and at least 18 semester units in an approved major as described in the college catalog. For general education, students may use COM's local GE pattern, CSU GE Breadth, ~~or~~ IGETC, or Cal-GETC. Courses in the major can double count as general education courses.
  3. A minimum of 12 units successfully completed in residence at the College of Marin.

### **Associate in Arts or Associate in Science for Transfer (AA-T/AS-T) Degrees**

To earn an Associates in Arts or Associates in Science for Transfer (AA-T/AS-T) Degree, as described in the college catalog, a student must:

1. Complete a minimum of sixty (60) lower division CSU-transferable semester units.
  - a. Complete required units in the major, and
  - b. Complete either the CSU GE Breadth, ~~or~~ IGETC pattern, Cal-GETC
2. Each course required for the major or area of emphasis must be completed with a grade of "C" or higher, "CR" or "P" if the course is taken on a "pass/no-pass" basis (Title 5 Section 5063 (a) (2)).
3. Maintain a minimum grade point average (GPA) of 2.0 or higher in all CSU-transferable

coursework.

4. A minimum of 12 degree-applicable units must be completed at the College of Marin.

### **Certificate of Achievement and Other Credit Programs**

A Certificate of Achievement will be awarded upon satisfactory completion of the following requirements:

1. Successful completion of a course of study or curriculum that consists of 18 or more semester units of degree-applicable credit coursework as described in the college catalog.
2. Students who have maintained catalog rights prior to Fall 2009, must have an overall grade point average (GPA) of 2.0 or higher for all courses taken at the College of Marin or transferred from other colleges, which are to be applied toward the Certificate of Achievement.
3. All students entering Fall 2009 or any term thereafter must complete each course applied towards the major and/or area of emphasis with a grade of "C" or higher, "CR" or "P" if the course is taken on a "pass/no-pass" basis (Title 5 Section 5063(a) (2)).
4. Courses numbered 0-99 are non-degree applicable but may be used for a Certificate when listed as a major requirement.

### **Skills Certificates**

Requirements for skills certificates are less than 18 units and are listed in the college catalog. Students should check with the director or department chair for the process to receive completed certificates.

### **Catalog Rights**

Catalog rights are established based on the term of enrollment in an academic year which starts with fall, continues through spring, and concludes with summer. Catalog rights are maintained through continuous enrollment. Continuous enrollment is enrollment in at least one credit course during each successive academic year. Students who do not maintain continuous enrollment will lose their catalog rights and be subject to all academic policies and requirements as stated in the College Catalog in effect at the time of their resumption of enrollment. The specific catalog employed toward graduation requirements for Associate Degrees or Certificates of Achievement and all implied rights cease after two consecutive terms of nonattendance. State of California and federal law, as well as College of Marin Board Policy, shall take precedence over catalog rights. Students not enrolled when applying for an Associate Degree or Certificate of Achievement and who have maintained their catalog rights, may use that catalog or any subsequent catalog up to and including the current catalog.

~~The catalog sets forth requirements for achieving an Associate Degree or Certificate of Achievement and these requirements may change from one catalog to the next. Catalog rights are established for any semester that a student is in attendance. The specific catalog employed toward graduation requirements for Associate Degrees or Certificates of Achievement and all implied rights cease after two consecutive semesters of nonattendance. State of California and federal law, as well as College of Marin Board Policy, shall take precedence over catalog rights. Students not enrolled when applying for an Associate Degree or Certificate of Achievement and who have maintained their catalog rights, may use that catalog or any subsequent catalog up to and including the current catalog.~~

### **Degree Requirements**

District policies and procedures regarding requirements for general education, Associate Degrees and Certificate of Achievements are updated and published in the college catalog and filed with the State Chancellor's Office.

### **Course Substitution/Waiver**

Substitution/Waiver for any required course must be approved through student petition. An official transcript and catalog description must accompany the petition. For non-comparable courses, Department Chairs will be consulted to determine course acceptability. Even with an approved waiver, students must complete a minimum of 60 units for graduation, have a minimum of 18 units in the major, 19 units in general education and complete the residency requirement.

### **Official Transcripts**

In order to apply units completed at another institution toward a degree or a Certificate of Achievement, official transcripts may be mailed or hand-delivered, provided they arrive in an original sealed and stamped envelope from the issuing institution. College of Marin will also accept faxed or e-mailed official transcripts from a district approved secured credentialing service. Official transcripts have an embossed or water seal. Official transcripts, if mailed, should be sent via U.S. Mail to the College of Marin Counseling Department, Kentfield, CA 94904. Transcripts from other colleges received by the College of Marin will not be copied for release to the student.

### **Transfer Units**

1. U.S. Accredited Colleges: Students may only transfer lower division units from a regionally accredited college or university.
2. Foreign Colleges: Transcripts from foreign colleges and universities will be accepted only when evaluated by U.C., C.S.U., or an evaluating service recognized by the College of Marin. Lower division credit will be granted when the academic level of the course work is deemed to be comparable to that of classes taught in regionally accredited United States colleges and universities.
3. Upper Division Courses: Upper divisions units may not be used toward an AA or AS degree. Students may, however, submit a petition to the Office of Enrollment Services for a waiver of requirements with relevant upper division work. Even with an approved waiver, students must complete a minimum of 60 units for graduation, have a minimum of 18 units in the major, 19 units in general education and complete the residency requirement.

### **Graduation Applications**

The completion of an Application for Graduation/Certificate of Achievement and any relevant official transcripts and petitions must be submitted by the established deadline.

1. Graduation requirements must come from a single catalog. Students, who have maintained their catalog rights, may use that catalog or any subsequent catalog up to and including the current catalog.
2. Students who have been awarded a degree and/or Certificate of Achievement in a major and want to be awarded the AA-T/AS-T degree in that same discipline must complete all requirements for that major to be awarded the degree.

3. A student who receives a Certificate of Achievement may subsequently complete requirements and earn a degree in the same major, since the degree represents a higher level of accomplishment. A Certificate of Achievement in the same major will not be granted after receipt of a degree in the same major. A student, who at the time of applying is eligible for a degree, will not be issued a certificate in the same major.

### **General Education (GE) Certification for Transfer**

Students requesting GE Certification must complete:

1. All courses with a "C" or higher "CR" or "P" for IGETC Certification.
2. All courses with a 2.00 grade point average (GPA) or higher with a minimum of 30 units completed with a "C" or higher for CSU Certification.

### **Outstanding Debt**

A Diploma, Certificate of Achievement may not be released until the student has paid all outstanding debts to the college.

### **Deleted Degrees and Certificate of Achievements**

1. Students who have maintained their catalog rights:
  - a. After a degree or Certificate has been deleted, it may still be conferred for 3 years beyond the deleted date if the degree or Certificate of Achievement is not out-of-compliance with Title 5.
  - b. If courses that are part of a deleted degree or Certificate of Achievement have also been phased out, students and counselors should work with the discipline Department Chairs or coordinator to determine suitable/appropriate courses to substitute for requirements that are no longer offered.
2. Students who have not maintained their catalog rights, must follow the college's policy on Catalog Rights.
3. Degrees or Certificates of Achievement that are out-of-compliance with Title 5 cannot be conferred past the deletion date.

The District may obtain approval of a direct assessment competency-based program from the California Community College Chancellor's office.

For additional information pertaining to deleted degrees and Certificates of Achievement, please consult with a College of Marin Counselor.

*Office of Primary Responsibility:* ~~Vice President of~~ Student Learning and Success

---

Date Approved: December 9, 2008

Date Reviewed/Revised: June 18, 2013; June 16, 2015; December 8, 2015; May 17, 2016; March 14, 2023; October 17, 2023

**Date Revised:**

## Academic Affairs

Edits at the request of administration/staff. To Mia/General Counsel 2-6-2025

Approved with change from three weeks to two weeks as noted. Maria Coulson for Academic Senate as a preview 2-27-2025

**AP 4231      GRADE CHANGES****References:**

Education Code Section 76224;  
Title 5 Section 55025

**I.      Final Grade Changes by Instructors**

The instructor of the course shall determine the grade to be awarded to each student. Instructors may choose to change a student's grade by submitting a Grade Change Form to Enrollment Services stating the reason for the change. No grade change will be made more than two years after the final grade was issued.

**II.      Final Grade Dispute****A.    Scope of Review**

This procedure applies to student challenges of final course grades only.

**B.    Standard Burden of Proof**

The determination of the student's grade by the instructor is final in the absence of mistake, fraud, bad faith, or incompetency. Students may obtain a change to a final course grade without the instructor's agreement only when the student can provide proof that the final course grade reflects mistake, fraud, bad faith, or incompetency.

1. "Mistake" may include, but is not limited to, errors made by an instructor in calculating a student's grade and clerical errors.
2. "Fraud" may include, but is not limited to, intentional inaccurate recording or the change of a grade by any person who gains access to grade records without authorization.
3. "Bad Faith" exists where there is fraud or the conscious doing of a wrong with a dishonest or interested motive. Bad Faith is not simply bad judgement, or judgment that others may view as harsh.
4. "Incompetency" is the unintentional dereliction of one's duties resulting in gross negligence.

Without such proof, only the instructor who assigned the final grade can choose to change that final grade. No individual or group, whether acting on a grievance or in some other manner, has the authority to change a grade determined by an instructor unless persuasive evidence is presented by the student in accordance with the provisions as outlined in the law and this procedure. Accordingly, in determining whether to initiate a grievance involving grades, students should consider whether they believe there will be persuasive evidence of mistake, fraud, bad faith, or incompetency. Students may seek resolution of

their dispute as outlined below. Students must initiate the dispute within two years of the final grade being submitted to Enrollment Services.

The removal or change of an incorrect grade from a student's record shall only be done pursuant to this process.

### **III. Final Grade Dispute Procedure - Step 1: Meeting with Instructor**

- A. The student shall attempt to resolve the dispute informally by meeting with the instructor who issued the final course grade in dispute, or another faculty member serving as a substitute pursuant to this Administrative Procedure. The intent of Step 1 of this Grade Dispute Procedure is to strongly encourage and support all possible attempts to resolve the dispute with the instructor.
- B. Meeting with the instructor of record is only excused when the student has filed a discrimination complaint that alleges the grade was affected by improper discrimination (including harassment) or retaliation for filing a discrimination complaint under the District's nondiscrimination process, if the instructor is not available (fails to respond after two attempts within a two week period), or when the student reports gross misconduct by the instructor and the District determines that it is possible that gross misconduct occurred. In these cases, the student may contact the area dean to request a meeting with a substitute instructor (see section IV.C).
- C. Students can direct additional questions related to this process to the Dean of Enrollment Services and depending upon the student's questions, the student may be referred to the Vice President of Student Learning and Success (VPSLS) for further assistance.
- D. The student shall obtain and be responsible for completing the Final Grade Dispute Petition. The Petition shall include the following information:
  - 1. A clear and concise statement of the dispute that must include details of the specific nature of the alleged mistake, fraud, bad faith, or incompetency.
  - 2. The name of the instructor, course title, course record number, and semester of the class for which the grade is being disputed.
  - 3. Identification of the resolution, corrective action, or remedy being sought.
  - 4. Detailed summary of the actions already taken to resolve the issue, including dates and times for meetings as recorded on the Final Grade Dispute Petition.
  - 5. Copies of all documents, assignments, or related materials indicating evidence of the alleged mistake, fraud, bad faith, or incompetency.
- E. The student shall present the Final Grade Dispute Petition to the instructor of record for the class in question (or substitute) within two years of the final grade being submitted. The instructor (or substitute) has ten (10) business days to respond to and meet with the student after being contacted by the student only when classes are in session during the fall and spring semesters. It is the student's responsibility to obtain the instructor's signature and date of the meeting, where indicated, on the Final Grade Dispute Petition.
- F. A substitute shall meet with the instructor of record, when available, and review the Final Grade Dispute Petition and all relevant documentation prior to making a recommendation on the Petition. The substitute will notify the area dean of the substitute's recommendation of whether the grade should be changed. However, the substitute does not have the authority to change the grade. The area dean, and, if the petition proceeds to Step 3, the committee, will consider the substitute's

recommendation. If the petition proceeds to Step 3, and the committee chooses to meet with the parties, the committee shall meet with the substitute instructor. The committee may choose to meet with the instructor of record as well.

#### **IV. Final Grade Dispute Procedure—Step 2: Petition Review by Area Dean**

- A. If the student has not resolved his/her/their dispute with the instructor, the student may present his/her/their Final Grade Dispute Petition to the area dean. The area dean has ten (10) business days to respond to and meet with the student after being contacted by the student. It is the student's responsibility to obtain the area dean's signature and date of the meeting, where indicated, on the Final Grade Dispute Petition.
- B. Deans will review the Formal Grade Dispute however, deans do not have the authority to change the grade that was issued by the instructor. Rather, the dean's role is to hear the dispute as presented by the student and the instructor in order to determine whether there is sufficient, reliable evidence to warrant a formal hearing.
  1. The area dean will meet with the student and with the instructor (when applicable, the substitute instructor) separately and will then review all relevant documents related to the dispute.
  2. Within five (5) business days, beginning with the first business day after the area dean's consultation with the instructor, he/she/they shall determine whether the evidence is sufficiently reliable and material to the claim to warrant further inquiry, and provide the required notice, below.
    - a. If the area dean determines that the evidence presents a reasonable possibility that the disputed final course grade is the result of mistake, fraud, bad faith, or incompetency, the dean will notify the student by email that he/she/they may pursue Step 3 of the Final Grade Dispute Procedure outlined in Section III and on the Final Grade Dispute Petition. The notice will remind the student that he/she/they has five (5) business days from the date of this notice to submit a request for a formal hearing with the College Petition Committee which convenes to hear student appeals only when classes are in session during the fall and spring semesters.
    - b. If the area dean determines that there is insufficient evidence of mistake, fraud, bad faith, or incompetency to warrant further inquiry, the instructor's decision is final and the Final Grade Dispute Procedure will end at step 2. The area dean will inform the student, instructor, and department chairperson in writing of the finality of the instructor's grade decision.
- C. In cases where the instructor of record for the class in question is on sabbatical or other non-medical leave, every effort shall be made by the area dean to contact the instructor. If after two attempts within a two-week period, the instructor is still unavailable, the area dean, in consultation with the department chair must appoint another faculty member with the equivalent expertise to act on the instructor's behalf as specified in Title 5 Section 55025. In the event there is no other faculty member with the equivalent expertise, the area dean must seek an outside consultant with the required expertise in the subject area. Additional extended time may be required. The dean will follow the same process to appoint another faculty member to substitute for the instructor if the student has filed a discrimination complaint, ~~or~~ where the District determines that it is possible that there may have been gross misconduct by the original instructor, or where the instructor is on a medical leave of three two weeks or longer.



- D. If the student fails to meet any of the deadlines described above in subdivisions A or B, without good cause or prior permission of the area dean, the student is deemed to have waived any challenge to the grade and the final grade issued by the instructor stands.

#### **V. Final Grade Dispute Procedure – Step 3: Formal Hearing**

##### **A. Maintenance of Records:**

All documentation from Steps 1, 2, and 3 of the Final Grade Dispute Procedures will be maintained in Enrollment Services to preserve the confidentiality of all records related to the process.

##### **B. Request for Hearing:**

The student has five (5) business days, after receiving notice from the area dean that he/she/they may pursue the Formal Grade Dispute Procedure, to request a hearing by completing a Request for Hearing Form and submitting it to the area dean. The dean shall forward the Request for Hearing to the College Petitions Committee, along with a summary that clearly states his/her/their basis or bases for concluding that there is sufficient, reliable evidence of mistake, fraud, bad faith and/or incompetency to warrant a hearing.

##### **C. The College Petitions Committee**

Formal grade dispute hearings are heard by the College Petitions Committee, which recommends a decision to the Superintendent/President. The College Petitions Committee is comprised of the Dean of Enrollment Services, four (4) faculty, and one (1) Enrollment Services Classified staff. The College Petitions Committee convenes to hear student appeals only when classes are in session during the fall and spring semesters.

The student or instructor of record (where applicable, substitute instructor) may challenge the composition of the College Petitions Committee only on the basis that a member has a conflict of interest. Any such challenge must be presented to the Office of the Superintendent/President in writing. If the Superintendent/President determines that a member has a conflict of interest, the Superintendent/President will excuse that member from the case and have a different member assigned. For the purposes of this Procedure, a conflict of interest exists where a committee member has any of the following interests in relation to the student or instructor involved in the dispute:

1. Spouse or domestic partner;
2. Close relative (parent, grandparent, child, grandchild, sibling, aunt, uncle, niece, nephew, or cousin);
3. A financial interest in the income of the student or instructor;
4. The member advocated on behalf of and/or assisted the student or instructor in the informal process;
5. The member has a bias for or against the student or instructor that precludes a neutral review of the evidence;
6. A reasonable person is likely to perceive that the member has a conflict of interest as described in subsections 1-5.

##### **D. Forwarding the Record**

Upon receipt of the request for a hearing from the student, the area dean shall forward the request to the College Petitions Committee, along with the Final Grade Dispute Petition and all evidence relied upon by the area dean to conclude that there was sufficient evidence to authorize a formal appeal.

## **VI. Formal Hearing Procedure**

The formal hearing is intended to resolve the dispute based on the merits and facts of the case. The hearing is not a legal proceeding and will be closed to the public.

- A. Within fifteen (15) business days of receiving the Final Grade Dispute Petition with all supporting documents from the student and the area dean, the College Petitions Committee will convene to review and evaluate all submitted documents.
- B. The Committee may make a determination based on the documentary evidence without interviewing the parties to the dispute. However, when necessary, the area dean, the student, and the instructor of record (where applicable, the substitute instructor), may be asked to participate in the hearing process. Further, a request by the student or the instructor (where applicable, substitute instructor) to address the Committee shall be granted. A request for UPM representation shall be granted to any instructor who participates in the hearing process.
- C. If the Committee concludes that additional information is needed from the instructor, the Dean of Enrollment Services will make a request within five (5) business days to the area dean to:
  - 1. Obtain and provide additional information from the instructor and provide a copy of that request to the College Petitions Committee. The instructor will then have five (5) business days from receipt of the area dean's request to respond.
  - 2. Notify the College Petitions Committee and student by email that additional information has been requested from the instructor and the specified timeline to resolve the petition requires an extension.
  - 3. Request the VPSLS obtain the requested information from the instructor within five (5) business days, if the instructor has not responded to the initial request.
  - 4. If the instructor still has not responded to the VPSLS request, the VPSLS will report the situation back to the College Petitions Committee. The Committee will make a determination, based on the available evidence, whether to uphold the grade or recommend a grade change to the Superintendent/President. Where there is insufficient evidence due to willful refusal by the instructor to produce requested information, the College Petitions Committee may make appropriate inferences from that conduct. However, the mere refusal to cooperate is not a sufficient basis on which to recommend a grade change.
- D. When additional information is needed from the student, the College Petitions Committee will notify the student by email of the documents needed and the student will have five (5) business days from receipt of the notice to respond. A failure to respond without good cause will be deemed a withdrawal of the grade challenge.

- E. If the student fails to meet any of the deadlines described above, in the formal hearing process, without good cause as determined by the College Petitions Committee, the student is deemed to have waived any challenge to the grade and the final grade issued by the instructor stands.

Upon conclusion of the formal hearing, the College Petitions Committee shall make a decision to uphold the final grade, or make a recommendation to the Superintendent/President to change the final grade. A recommendation to change the final grade must be based on a preponderance of specific and credible evidence that the grade was the result of mistake, fraud, bad faith and/or incompetency.

1. If the College Petitions Committee decides to uphold the final grade, the College Petitions Committee will have ten (10) business days to inform the student in writing of their decision. The decision of the College Petitions Committee is final and will represent the final stage of due process.
2. If the College Petitions Committee decision is to recommend a change in the final grade, within ten (10) business days of making that decision, the College Petitions Committee will provide a comprehensive summary of the proceedings to the Superintendent/President who will make the final decision within ten (10) business days of receipt of the Committee's recommendation. The comprehensive summary must state the basis or bases for the recommendation and point to the specific evidence relied on to conclude that the grade was the result of mistake, fraud, bad faith and/or incompetency.

#### **VII. Final Grade Dispute Procedure – Step 4: Review of Recommendation by Superintendent/President**

- A. In reviewing the recommendation of the Committee, the Superintendent/President shall determine whether the recommendation was reasonable based on the evidence.
- B. If the Superintendent/President's decision is to adopt the recommendation of the College Petitions Committee to change the grade, then he/she shall give written notice of the change to the VPSLS, the area dean, the College Petitions Committee, the student and the instructor. The notice must state the basis or bases for the decision and point to the specific evidence relied on to conclude that the grade was the result of mistake, fraud, bad faith and/or incompetency. The Superintendent/President shall also direct the Dean of Enrollment Services in writing to change the grade. Whenever a grade is changed as a result of this process, corrected transcripts will be sent to any known educational institution to which the student has transferred.
  - a. If the Superintendent/President's decision is to reject the recommendation of the Committee, and uphold the final grade, the Superintendent/President will give written notice of that decision to the (VPSLS), Dean of Enrollment Services, the area dean, the College Petitions Committee, the student and the instructor.
  - b. The decision of the Superintendent/President is final and represents the final stage of due process.

*Office of Primary Responsibility:* Office of Student Learning and Success

---

Date Approved: March 16, 2010

Revised: June 19, 2012; June 18, 2013; March 6, 2014; May 15, 2018; May 11, 2021

**Revised:**