

May 10, 2018, 3:00 p.m. – 4:30 p.m.
Academic Center, Room 303, KTD

TOPIC	DESCRIPTION	Information/ Discussion Action
1. Agenda	Review/Revise/Approve	Action
2. Minutes	Approve Minutes from 4/12/2018	Action
3. President's Report	<ul style="list-style-type: none"> • LRC/SS Steering Committee (David/WLC) • Measure B Update (Isidro) • CC Membership Composition Change • Other 	Action Discussion/Information Discussion/Information
4. Board Policies/Procedures	<ul style="list-style-type: none"> • BP/AP 4230 Grading (10 + 1) • BP/AP 4231 Grade Changes (10 + 1) • AP 4232 Pass/No Pass (10 + 1) • BP/AP 5040 Student Records, Directory Information, and Privacy • CCLC Update 32 	Action Action Action Action Information
5. Board of Trustees	Review May 15, 2018 Board Agenda	Information
6. Constituent Reports	Reports from senates and other constituent updates	Information
7. Meeting Wrap Up	Review/confirm actions made at meeting/ identify items for next meeting.	Discussion
8. Meeting Schedule	TBD as need	Information
9. Adjourn Meeting		



College Council Agenda

Members:

David Wain Coon, Chair

Faculty:

Meg Pasquel

Becky Brown

Patricia Seery

Classified:

Kim Foulger

Maridel Barr

Hugo Gillian

Students:

Ismail Azam, ASCOM President

Mercedes Sosa Cordero, ASCOM Vice President

Luanne Mullin, ESCOM Representative

Managers:

Jonathan Eldridge

Greg Nelson

Christina Leimer

Resources:

Cabinet Members

Isidro Farias

Staff Support:

Kathy Joyner

Ex-Officio for CSEA

Keli Gaffney, CSEA Pres.

April 12, 2018

Academic Center, Room 303, KTD

Present: David Wain Coon, Jonathan Eldridge, Greg Nelson; Christina Leimer; Patricia Seery, Jeff Cady (representing Academic Senate); Maridel Barr; Kim Foulger; Luanne Mullin; Mercedes Sosa Cordero; Isidro Farias, Kathy Joyner

Absent: Meg Pasquel, Becky Brown, Ismail Azam; Hugo Guillen

Guests: Yolanda Bellisimo; Leo Raylynch and Wendell Vaughn, WLS Architects; Anne Pearson, ESCOM

1. **Agenda** –The agenda was approved by consensus.
2. **Minutes** - The minutes of the March 8, 2018 meeting were revised to include Isidro Farias as present at the meeting and approved by consensus.
3. **President's Report**
Governance Committee Climate Survey:
Yolanda Bellisimo handed out a climate survey for council members to complete. The GRC survey will help determine how governance committees are functioning and where there is room for improvement.

LRC/SS Steering Committee:
Leo Raylynch and Wendell Vaughn from WLS Architects provided information about the SS/LRC project noting that they are compiling information for the project based on budget, need and construction costs. They stressed that numbers are not final at this time and will be adjusted. Currently the target square footage is approximately 70,000 square feet based on current configurations and more efficient use of space. They have had meetings with users groups and are compiling information received to help define basic programming for the spaces. More meetings are scheduled as well. Once the information is compiled and figures adjusted, next steps will be presented to College Council. There has been effective participation input at the meetings and discussion about creating cohesive spaces with visual connections, identifying what works and what doesn't, identifying numbers of students served, welcoming spaces and consolidation of function for students and service providers. Another matter that will be presented to College Council will be options on how to house the various programs during construction. Dr. Coon noted that he will make recommendations to the Board of Trustees. It was also noted that we should be planning classroom needs for the present and the future as part of this process.

Measure B Update -

Isidro Farias provided a project update. At IVC the siding renovation at the Pomo cluster is continuing; the temporary classrooms are being modified for access; building 11 (HR) is scheduled for completion by mid-June; demolition at the Miwok cluster will begin in a month; and the organic farm and garden project should be complete by August for a fall start. At KTD, work on the PA floor will be done between June and August; FA is on-going; there will be a board study session item to discuss cost/scope issues with the M & O project; the fire road project is in DSA and will provide access to M & O; field projects have been delayed due to rain and phase I should be completed by next week; there is continued discussion about the field phase II project due to budget overages.

Greg Nelson reported that the solar project at IVC is behind schedule but should be completed by the end of May. The KTD solar project will be complete by the end of April.

5. Board of Trustees

Dr. Coon reviewed the agenda for the April 12, 2018 Board meeting. Dr. Coon reviewed the agenda for the April 17 board meeting. He noted that there will be a study session starting at 1:30 to discuss Measure B items and a discussion about the Bolinas Lab at 4:00. The regular meeting will begin at 6:30 p.m. and there will be a reception for newly tenured faculty members.

6. Constituent Reports

Classified Senate: Kim Foulger gave an update from the classified senate which is attached to the minutes.

ASCOM: Mercedes Sosa Codero provided the student senate report noting that Ismail is attending the APAHE conference. Student elections are in process for the next school year. There will be an Earth Day celebration on April 23 from 11 a.m. to 3:00 p.m. sponsored by the Environmental Action Club. Activities will include yoga and vegetarianism. There will be food trucks on campus. The final ASCOM meeting will be on May 7. Mercedes provided a petition for an ASL class with 25 signatures to VP Eldridge who will give it to the dean.

Academic Senate: Patricia Seery reported on a number of items being discussed at the senate. The senate is looking into options to assist the COM Cupboard through the advancement office. Joe Mueller presented an update on Bolinas which received general support, but there was a request for additional information and cost. Senate elections are in process. The senate is also reviewing a number of policies and procedures and would like to look at 3260 as it relates to 10 + 1 for the new fiscal year and update the procedure related to emergency hires. AP 4231 Grade Changes was approved. A copy will be sent to Kathy.

ESCOM: Luanne Mullin reported that ESCOM is also holding their elections for the upcoming year. The membership coffee is on April 20 from 10 – noon and all are invited to attend. There will be a full membership meeting on June 23. She noted that the author series is very successful and draws many people from the community. George Omi is the next speaker on April 27. There is a new editor for the journal so looking forward to getting that back on track. \$4,000 was designated for EOPS scholarships and applications are currently under review.

Dr. Coon noted that the last college council meeting is May 10, but also reminded the committee that there may be additional meetings scheduled over the summer as needed in relation to the SS/LRC project.

7. Meeting Wrap Up -

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-
- Meeting Schedule
 - As scheduled

9. Adjourn Meeting – Meeting was adjourned.

**CLASSIFIED SENATE UPDATE FOR COLLEGE COUNCIL/BOARD MEETING
APRIL 12, 2018**

- **PROFESSIONAL DEVELOPMENT DAY**

For the most part, the day went well. In the introductory morning meeting, the video shown by Campus Police was very distressful. While any active shooter information is stressful, it would have been good to have a warning that the video had seriously graphic images in it. I also attended the active shooter session in the student services building lunchroom on 3/28 and the video shown there was different. The Chief gave a warning to those attendees before he showed that video.

The rest of the day went well. The two favorite sessions were Shook Chung's presentation on "The Way We See It" and Lana Panfilova's presentation of "Art of Listening and Giving Feedback." Lunch was great and much appreciated!

- **EMERGENCY PREPAREDNESS**

After having seen the Run. Hide. Fight. video, classified staff voiced their concerns that it seemed like it was assumed that they were familiar with the Emergency Guidelines Handbook (a number of them haven't read it). Also the College website says that everyone is trained in emergency procedures, but a large number are not.

According the Emergency Preparedness Statement on our website: "As a staff member of the Marin Community College District and as a designated government Disaster Service Worker in California Government Code Section 3100-3109, you have the responsibility to be prepared to provide emergency assistance in support of the students and your fellow employees."

Many classified staff, faculty and Administrative employees are not trained.

Does COM have plans to provide CPR/First Aid classes to everyone?

The Fire Department does this training inexpensively for groups. If not, this should be

It's important to know what expectations COM has of its classified employees in this regard.

- Another concern was that there aren't any emergency backpacks in classrooms. I believe that there should be flashlights, first aid supplies, and whistles at the very least in each classroom/office. The power went out during one of Shook's presentations, and no one had an actual flashlight. Providing an emergency backpack for each classroom is something that Kim Foulger would like to talk about more in length with Dr. Coon. We could make this happen, perhaps over the summer, in conjunction with the Campus Police/Isidro. Would it be possible for funding to come out of the bond money or somewhere else to make this happen?

- **FACULTY/STAFF APPRECIATION LUNCHEON**

We discussed the Faculty/Staff Appreciation Luncheon and the Retiree Reception and doled out responsibilities for this. Hugo Guillen sent out the nomination forms this week for an individual, a department, and an unsung hero. In addition to these nominations, the Classified Senate will nominate a teacher or administrator for an outstanding award. These awards will be presented at the Faculty/Staff Appreciation luncheon.

- **OTHER**

Maridel Barr and Ellen Shaw are working out the details of how to break up/share the duties of the CPLC.

Respectfully submitted by Kim Foulger, April 9, 2018

College Council Composition as revised:

Approved by College Council on March 8, 2018 and GRC on April 11, 2019

3 Academic Senate members including the Academic Senate president, vice president, and secretary. The Academic Senate president may appoint a designee from the Academic Senate.

3 classified staff including the Classified Senate President, Vice President and Secretary. In the absence of both the Classified Senate President and Classified Senate Vice President, the Classified Senate President will appoint another designee from the elected Classified Senators.

2 voting members from the ASCOM board will be appointed to College Council, in addition to 1 student from the ESCOM organization.

3 managers appointed by the Superintendent/President

The Superintendent/President will serve as a non-voting chair.

Academic Affairs

No CCLC Updates through update 31

Reviewed by J Hornek 4/19/2018

To CC for review w/constituents 4/25/2018

BP 4230 GRADING AND ACADEMIC RECORD SYMBOLS

References:

Title 5 Section 55023

Courses shall be graded using the grading system established by Title 5.

The grading system shall be published in the District catalog and made available to students.

The grading system shall include the "plus" and "minus" designations in combination with letter grades, except that C minus shall not be used.

The grading system shall include the "FW" grade for unofficial withdrawal.

Date Adopted: January 15, 2008

(Replaces former College of Marin Policy 4.0008)

Academic Affairs

Notes per review against CCLC template language

J Horinek edits 4-19-2018

To CC for review w/constituents 4/25/2018

CCLC Update 30 (April 2017) to incorporate newly revised Title 5 Regulations governing academic record symbols. *(Note some of the changes have already been incorporated into the current version.)*

AP 4230 GRADING AND ACADEMIC RECORD SYMBOLS

References:

Title 5 Sections 55023 and 55024

Grades from a grading system shall be averaged on the basis of the point equivalencies to determine a student's grade point average using only the following evaluative symbols:

College of Marin permits the following grading symbols:

Evaluative Symbols

A+ (Grade point value shall be 4.0)

A Excellent (Grade point value shall be 4.0)

A- (Grade point value shall be 3.7)

B+ (Grade point value shall be 3.3)

B Good (Grade point value shall be 3.0)

B- (Grade point value shall be 2.7)

C+ (Grade point value shall be 2.3)

C Satisfactory (Grade point value shall be 2.0)

D+ (Grade point value shall be 1.3)

D Less than satisfactory (Grade point value shall be 1.0)

D- (Grade point value shall be 0.7)

F+ (Grade point value shall be 0.3)

F Failing (Grade point value shall be 0.0)

- FW **Failing Withdraw** indicates that a student has both ceased participating in a course some time after the last day to officially withdraw from the course without having achieved a final passing grade, and that the student has not received District authorization to withdraw from the course under extenuating circumstances. The "FW" symbol may not be used if a student has qualified for and been granted military withdrawal. If "FW" is used, its grade point value shall be zero (0).
- P Passing (At least satisfactory – units awarded not counted in GPA)
- NP No Pass (Less than satisfactory, or failing – units not counted in GPA)
- SP Satisfactory Progress towards completion of the course (Used for non-credit courses only and is not supplanted by any other symbol. (Update 30))

Non-Evaluative Symbols

- I Incomplete: An incomplete grade may be assigned to a student who cannot complete a small portion of the required academic work for justifiable emergencies or unforeseeable, reasons at the end of the semester. This will result in an "I" symbol being entered in the student's record. The decision to give an Incomplete rests solely with the instructor. A student who receives an Incomplete must make arrangements with the instructor and must make up the work no later than one year following the end of the semester in which the "I" was assigned, (excluding summer sessions). In extenuating circumstances, with the instructor's approval and the Dean of Enrollment Services' approval, the student may petition for an extension of not more than one additional semester. Extenuating circumstances are verified cases of accidents, illnesses or other circumstances beyond the control of the student. The instructor for the class shall give a copy of the incomplete form to the student. This form shall contain the conditions for the removal of the "I" and the grade assigned if the work is not completed. The instructor shall submit a change of grade form to the Office of Enrollment Services when the work is completed. If the "I" is not removed by the end of the subsequent second semester, and no extension has been granted, it shall be changed to the grade originally assigned by the instructor.— See BP 4250 titled Academic Probation, Dismissal, and Readmission, AP 4250 titled Probation, AP 4231 titled Grade Changes, AP 4255 Dismissal, and AP 5530 titled Student Grievances for additional information regarding "I" grades and other related matters.
- IP In progress: The "IP" symbol shall be used only in those courses which extend beyond the normal end of an academic term. It indicates that work is "in progress," but that assignment of an evaluative symbol (grade) must await its completion. The "IP" symbol shall remain on the student's permanent record in order to satisfy enrollment documentation. The appropriate evaluative symbol (grade) and unit credit shall be assigned and appear on the student's permanent record for the term in which the course is completed. The "IP" shall not be used in calculating grade point averages. If a student enrolled in an "open-entry, open-exit" course is assigned an "IP" **at the end of a term (not in template)** and does not re-enroll in that course during the subsequent term, the appropriate faculty will assign an evaluative symbol (grade) **in accordance with the list of evaluative grades (not in template)** to be recorded on the student's permanent record for the course.

- RD Report Delayed: The "RD" symbol may be assigned by the registrar only. It is to be used when there is a delay in reporting the grade of a student due to circumstances beyond the control of the student. It is a temporary notation to be replaced by a permanent symbol as soon as possible. "RD" shall not be used in calculating grade point averages.
- W Withdrawal: The "W" symbol may be used to denote withdrawal in accordance with the requirements of Title 5 Section 55024. **A faculty member may withdraw a student from a course if the student has ceased to participate in the course as of the midterm grade submission date. (not in template)**
- MW Military Withdrawal: The "MW" symbol may be used to denote military withdrawal in accordance with Title 5 Section 55024.
- EW Excused Withdrawal: The "EW" symbol may be used to denote excused withdrawal in accordance with Title 5 Section 55024 (JH)

PLEASE REVIEW for accuracy: Text below this point is not in the CCLC Template.

Grading-Related Terms and Conditions

- | | |
|-------------|--|
| Consecutive | Semesters shall be considered consecutive based on a student's enrollment pattern. |
| Probation | A warning that a student's grades do not meet acceptable standards. |
| Dismissal | A student is not allowed to continue at the College unless the student petitions and the petition is approved. |
| Units | The conventional measurement of college work is called a unit. It represents one lecture hour per week for one semester together with two hours of preparation outside class, or three hours of laboratory work per week for one semester. |

Mid-term Grade

Procedures for evaluation of student progress shall be in accordance with regulations set by the faculty and the College. The instructor shall certify that adequate and proper progress toward accomplishment of the course objectives is being maintained by the student at mid-semester.

Final Grade

Enrollment, evaluation and credit for courses shall be entered on a student's official academic record in accordance with college policy and State law.

Final Examinations

Any student who is needlessly absent from any examination held at any time during a semester thereby forfeits any right to make up the work by re-examination. In case of illness or, if for some other unavoidable reason a student is unable to be present at an examination at the scheduled time, the student may be permitted to take the examination at a later date by arrangement with

the instructor. To make up "I" grades, the examination must be completed by the last day of final examinations of the subsequent second semester.

Also see BP 4220 titled Standards of Scholarship, AP 4232 titled Pass/No Pass, BP 4250 titled Academic Probation, Dismissal, and Readmission, AP 4250 Probation and AP 4255 Dismissal

Date Approved by Superintendent/President: December 6, 2007

(Replaces portions of College of Marin Procedure 4.0003 DP.10)

Revised: 12/8/2015

Academic Affairs

No CCLC Changes through April 2017 - #30
To ASC/AS/Cari T/Jon H for review 4/5/2017
4/24/2018 No CCLC Changes
To CC for review w/constituents 4/25/2018

BP 4231 GRADE CHANGES

References:

Education Code Sections 76224 and 76232;
Title 5 Section 55025

The Superintendent/President shall implement procedures to assure the accuracy and integrity of all grades awarded by faculty. The procedures shall include, but not necessarily be limited to, the following:

- Assurance that in the absence of mistake, bad faith, fraud, or incompetence, the grades awarded by faculty shall be final.
- Procedures for students to challenge the correctness of a grade.
- The installation of security measures to protect grade records and grade storage systems from unauthorized access.
- Limitations on access to grade records and grade storage systems.
- Discipline for students or staff who are found to have gained access to grade records without proper authorization or to have changed grades without proper authorization.
- Notice to students, faculty, transfer institutions, accreditation agencies and law enforcement agencies if unauthorized access to grade records and grade storage systems is discovered to have occurred.

Also see BP 3310 titled Records Retention and Destruction, AP 4231 titled Grade Changes, and BP/AP 5040 titled Student Records.

Date Adopted: August 25, 2009

Academic Affairs

Reviewed by AS/ASC/Legal

ASC Revisions (4/11 & 4/18/2017, 2/28, 3/7 and 3/14/2018)

AS Revisions 3/29/2018

OK J Horinek 4/24/2018

To CC for review w/constituents 4/25/2018

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. "Incompetence" 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.

Provisions shall be made to allow another faculty member to substitute for the instructor if the student has filed a discrimination complaint, if the instructor is not available, or where the District determines that it is possible that there may have been gross misconduct by the original instructor.

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

Before initiating the Formal Grade Dispute Procedures, 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 (only if the instructor is on sabbatical or other leave) and the area dean. 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.

Meeting with the instructor is only excused when with 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 or when the student reports gross misconduct by the instructor and the District determines that it is possible that gross misconduct occurred.

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 Senior Vice President of Student Learning & Student Services (SVPSLSS) for further assistance.

A. 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 that occurred during the Preliminary Final Grade Dispute Procedure, 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.

B. Unless this procedure excuses an initial meeting with the instructor, the student shall present the Final Grade Dispute Petition to the instructor of record for the class in question within two years of the final grade being submitted. The instructor 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.

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

- A. If the student has not resolved his/her dispute with the instructor, the student may present his/her 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. In reviewing the Final Grade Dispute Petition, 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 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 or she 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 or she 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 or she 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; and 10 business days to re-submit the Final Grade Dispute Petition.
 - 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 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 will 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.
- D. If the student fails to meet any of the deadlines described above in subdivisions A, B, or C, 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 or she may pursue the Formal Grade Dispute Procedure, to continue the process. The student continues the process 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 or her basis or bases for concluding that there is sufficient, reliable evidence of mistake, fraud, bad faith and/or incompetence 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 ~~members of the~~ College Petitions Committee ~~shall~~ ~~The members shall be~~ is comprised of the Dean of Enrollment Services, ~~five (5)~~ four (4) faculty, and ~~three (3)~~ one (1) Student Enrollment Services Classified staff. ~~The members of the College Petitions Committee shall vote to elect its chairperson.~~ 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 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 ~~a timely~~ 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.

~~E. Forwarding of Final Grade Dispute Petition~~

Within 10 business days of the student receiving notice from the area dean that his or her Final Grade Dispute Petition has been forwarded to the College Petitions Committee for resolution, the student must submit a copy of the Final Grade Dispute Petition to Enrollment Services.

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 Review 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, or another faculty member, if the instructor is on sabbatical or other leave, may be asked to participate in the hearing process. Further, a request by the student or the 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 SVPSLSS 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 SVPSLSS request, the SVPSLSS 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 incompetence.

F.

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) 5 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 incompetence.

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 SVPSLSS, 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 incompetence. 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 (SVPSLSS), 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.

Instructors may choose to change a student's grade by submitting a Grade Change Form to the Office of Admissions and Records stating the reason for the change. No grade change will be made more than two years after the final grade was issued.

Student Initiated Preliminary Final Grade Dispute Procedure

~~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.~~

~~Without such proof, only the instructor who assigned a 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 the Office of Admissions and Records.~~

I. Preliminary Final Grade Dispute Procedure

~~Before initiating Preliminary Final Grade Dispute Procedures, the student shall attempt to resolve the dispute informally by meeting with the instructor who issued the grade or another faculty member (only if the instructor is on sabbatical or other leave) and the area dean. The intent of the Preliminary Final Grade Dispute Procedure is to strongly encourage and support all possible attempts to resolve the dispute with the instructor.~~

~~Meeting with the instructor 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 or when the student reports gross misconduct by the instructor and the District determines that it is possible that gross misconduct occurred.~~

~~The student must follow the process described below in an attempt to informally resolve his/her dispute. 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 VP of Student Services for further assistance.~~

- ~~A. Unless this procedure excuses an initial meeting with the instructor, the student must take any questions regarding the accuracy of a final course grade to the instructor of record for the class in question within two years of the final grade being submitted. The instructor has 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 instructor's signature and date of the meeting on the Preliminary Final Grade Dispute Petition.~~
- ~~B. If the student has not resolved his/her dispute with the instructor, the student may present his/her dispute to the area dean. The area dean has 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 on the Preliminary Final Grade Dispute Petition.~~

- C. ~~Deans do not have the authority to change the grade that was issued by the instructor. Rather, his/her role is to hear the dispute as presented by the student and the instructor.~~
 - 1. ~~If, after consultation with the instructor and reviewing all relevant documents to resolve the dispute, the area dean feels that the final course grade may reflect mistake, fraud, bad faith, or incompetency, the area dean, within 5 business days of making the decision, will notify the student by email that they may pursue the Final Grade Dispute Procedure outlined in Section II. and on the Final Grade Dispute Petition.~~
 - 2. ~~If no evidence of mistake, fraud, bad faith, or incompetency is found by the area dean, the instructor's decision is final and no Final Grade Dispute Procedure will proceed. The area dean will inform the student, instructor, and department chairperson in writing of the finality of the instructor's grade decision within 5 business days of making the decision.~~
- D. ~~In cases where the instructor of record for the class in question is on sabbatical or other 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 will appoint another faculty member to act on the instructor's behalf as specified in Title 5 Section 55025.~~
- E. ~~If the student fails to meet any of the deadlines described above in subdivisions A, B, or C, the student is deemed to have waived any challenge to the grade and the final grade issued by the instructor stands.~~

II. ~~Final Grade Dispute Procedure~~

~~If the area dean finds that there is a potential case that the grade reflects mistake, fraud, bad faith, or incompetency within 5 business days of making the decision, the area dean will forward the Formal Hearing Request to the College Petitions Committee and all relevant evidence that supports the student's grade change request.~~

~~Within 10 business days of receiving notification from the area dean that their Preliminary Final Grade Dispute Petition has been forwarded to the College Petitions Committee for resolution, the student must complete and submit the Final Grade Dispute Petition including the following information to the Office of Admissions and Records:~~

- 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. ~~A detailed summary of the actions already taken to resolve the issue, including dates and times for meetings that occurred during the Preliminary Final Grade Dispute Procedure, 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.~~

~~III. Formal Hearing Procedures~~

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

~~The student has the option to challenge the composition of the Petitions Committee only if it is determined that there is a conflict of interest with any committee member. In such cases, that committee member would be excused from the case and a different member will be assigned.~~

~~All documentation from the Preliminary and Final Grade Dispute Procedures will be maintained in the Office of Admissions and Records to preserve the confidentiality of all records related to the process.~~

- ~~A. Within 15 business days of receiving the Final Grade Review 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 and conduct the hearing. The members of the College Petitions Committee are appointed by the Superintendent/ President and are comprised of the Dean of Enrollment Services, faculty (Counselors and Instructors), and Student Services staff.~~
- ~~B. When additional information is needed from the instructor, within 5 business days, the Dean of Enrollment Services will request 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 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 VP of Student Learning obtain the requested information from the instructor within 5 business days, if the instructor has not responded to the initial request.~~
 - ~~4. If the instructor still has not responded to the VP of Student Learning request, the VP of Student Learning will review the petition and in consultation with the area dean make a grade recommendation, provide a copy of their recommendation to the College Petition Committee, and submit their recommendation, along with the petition, to the Superintendent/President who will make the final decision within 10 business days of receipt of the petition.~~
 - ~~a. If the Superintendent/President's decision is to change the grade, the Superintendent/President will direct the Dean of Enrollment Services, to change the grade. The Superintendent/President will give written notice of the change to the VP of Student Learning, the area dean, Dean of Enrollment Services, the College Petitions Committee, the student and the instructor. 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.~~

- b. ~~If the Superintendent/President's decision is to uphold the final grade, the Superintendent/President will give written notice of that decision to the VP of Student Learning, Dean of Enrollment Services, the area dean, the College Petitions Committee, the student and the instructor.~~
 - c. ~~The decision of the Superintendent/President is final and represents the final stage of due process.~~
- C. ~~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 5-7 business days from receipt of the notice to respond.~~
- D. ~~If the student fails to meet any of the deadlines described above in the formal hearing process, the student is deemed to have waived any challenge to the grade and the final grade issued by the instructor stands.~~
- E. ~~When necessary, the area dean, the student, and the instructor, or another faculty member, if the instructor is on sabbatical or other leave, may be asked to participate in the hearing process.~~
- F. ~~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.~~
 - 1. ~~If the College Petitions Committee decides to uphold the final grade, the College Petitions Committee will have 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 5 business days of making that decision, the College Petitions Committee will provide a comprehensive summary of the proceedings and investigations, to the Dean of Enrollment Services who will submit the recommendation to the VP of Student Learning for review and they will forward the recommendation of the College Petitions Committee to the Superintendent/President who will make the final decision within 10 business days of receipt of the Committee's recommendation.~~
 - a. ~~If the Superintendent/President's decision is to change the grade, then he/she will direct the Dean of Enrollment Services to change the grade and will give written notice of the change to the VP of Student Learning, the area dean, the College Petitions Committee, the student and the instructor.~~
 - b. ~~If the Superintendent/President's decision is to uphold the final grade, the Superintendent/President will give written notice of that decision to the VP of Student Learning, Dean of Enrollment Services, the area dean, the College Petitions Committee, the student and the instructor.~~
 - c. ~~The decision of the Superintendent/President is final and represents the final stage of due process.~~

Security of Grade Records

~~The District shall implement security measures for student records that assure no one without proper authorization may obtain access to student grade records. These measures are installed as part of any computerized grade data storage system.~~

~~The measures implemented by the District include, but are not necessarily limited to, password protection for all student grade data bases, locking mechanisms for computer stations from which grade data bases can be viewed, and strict limits on the number of persons who are authorized to change student grades.~~

~~Persons authorized to enter a change of final grades into the student's record system, shall be designated by the Dean of Enrollment Services. No more than five full-time employees of the District may be authorized to change student grades. Student workers shall not have access to or change grades at any time.~~

~~Any person who discovers that grades have been changed by someone other than the persons authorized to do so shall notify the Dean of Enrollment Services immediately. The Dean of Enrollment Services shall immediately take steps to lock the grade storage system entirely while an investigation is conducted.~~

~~If any student's grade record is found to have been changed without proper authorization, the District will notify 1) the student; 2) the instructor who originally awarded the grade; 3) any known educational institution to which the student has transferred; 4) the accreditation agency; and 5) local law enforcement authorities.~~

~~Whenever a grade is changed for any reason, corrected transcripts will be sent to any known educational institution to which the student has transferred.~~

~~Any student or employee who is found to have gained access to grade recording systems without proper authorization or who is found to have changed any grade without proper authority to do so, shall be subject to discipline in accordance with the District's policies and procedures.~~

~~Any person who is found to have gained access to grade recording systems without proper authorization or who is found to have changed any grade without proper authority to do so, shall be reported to the appropriate law enforcement agency.~~

~~The correction of an awarded grade shall only be allowed by the instructor of record or for a student-initiated request brought under the provisions of this procedure.~~

~~Grade Change Petitions submitted after the semester has ended will not be processed during summer or intersessions.~~

Office of Primary Responsibility:

Office of Student Learning

Date Approved: March 16, 2010

(Replaces portions of former College of Marin Procedure 4.0003 DP.10)

Revised: June 19, 2012

Revised: June 18, 2013

Revised: March 6, 2014

Academic Affairs

No CCLC Updates/See green text for template comparison

Jon H reviewed/edited 4/24/2018

AP 4232 PASS/NO PASS

Reference:

Title 5 Section 55022

Courses may be offered in either or both of the following categories:

- Courses in which all students are evaluated on a "pass/no pass" basis. Such courses will be identified in the approved course outline of record, the College Catalog, and the Class Schedule. *(Not in template – please review) – OK JH*
- Courses in which each student may elect on registration or within the first 30% of the semester or session to take the course on a "pass/no pass" basis. Such courses will be identified in the approved course outline of record, the College Catalog, and the Class Schedule. Instructors' grade rosters will only allow "pass/no pass" grading for students who have requested this option by the appropriate deadline. *(Not in template – please review) OK - JH*

A student electing to be evaluated on the "pass/no pass" basis will receive both course credit and unit credit upon satisfactory completion of the course. No changes (election to "pass/no pass" or reversal of "pass/no pass") to the evaluation method can be made after 30% of the term or session has passed. ~~Units earned on a "pass/no pass" (previously "credit/no credit") basis shall not be used to calculate grade point average. JH Struck~~*(Not in template – please review)*

A "pass" grade is granted for performance that is equivalent to the letter grade of "C" or better. A student who fails to perform satisfactorily will be assigned a "no pass" grade.

Students are held responsible for all assignments and examinations required in the course. The standards of evaluation are identical for all students in the course.

Date Approved: May 18, 2010*(Replaces portions of current College of Marin Procedure 4.0003 DP.10)*

Student Services

No CCLC Updates through #31

Review/edits J Horinek 4-23-2018

To CC for review w/ constituents 4/25/2018

BP 5040 STUDENT RECORDS, DIRECTORY INFORMATION, AND PRIVACY**References:**

Education Code Sections 76200 et seq.;
Title 5 Sections 54600 et seq.
20 U.S. Code Section 1232g(l);
ACCJC Accreditation Standard II.C.8

The Superintendent/President shall assure that student records are maintained in compliance with applicable state and federal laws relating to the privacy of student records.

The Superintendent/President may direct the implementation of appropriate safeguards to assure that student records cannot be accessed or modified by any person not authorized to do so.

Any currently enrolled or former student of the District has a right of access to any and all student records relating to him or her maintained by the District.

No District representative shall release the contents of a student record to any member of the public without the prior written consent of the student, other than directory information as defined in this policy and information sought pursuant to a court order or lawfully issued subpoena, or as otherwise authorized by applicable state and federal laws.

Students shall be notified of their rights with respect to student records, including the definition of directory information contained here, and that they may limit the information.

Directory information shall include:

- Name
- Level of education
- Academic majors
- [Enrollment Status by Term \(enrolled/not enrolled\)](#)
- Student participation in officially recognized activities and sports including weight, height, and high school of graduation of athletic team members.
- Degrees and awards received by students, including honors, scholarship awards, athletic awards, and Dean's List recognition.

The Solomon Amendment to Family Educational Rights and Privacy Act (FERPA) requires the District, upon request, to provide "student recruiting information" on any currently enrolled student who is at least 17

years of age to any branch of the armed services unless the student has opted out. "Student recruiting information" is defined by federal law as name, address, telephone numbers, age or date of birth, class level, degrees received, major, most recent educational institution attended. The District shall not release student recruiting information to military recruiters for those students who request that such information not be released. The District shall establish procedures for students requesting to have any information withheld.

Also see BP/AP 3300 titled Public Records

Date Adopted: December 13, 2011

(Replaces College of Marin Policy 4.0021)

Date Revised: January 17, 2017

Date Revised: March 14, 2017

Student Services

Recommended changes by Admin./and noted differences to template

J Horinek edits 4/24/2018

To CC for review w constituents 4/25/2018

Update 26 (April 2015) to reflect revised Accreditation Standard II.C.8 and add a legal citation to the US Patriot Act

Update 31 (October 2017) to delete a reference to Education Code Section 71091

AP 5040 STUDENT RECORDS, ~~AND~~ DIRECTORY INFORMATION AND PRIVACY**References:**

Education Code Sections ~~71091 and~~ 76200 et seq.;

Title 5 Section 54600 et seq.;

20 U.S. Code Section 1232g(j) (U.S. Patriot Act);

Civil Code Section 1798.85;

34 Code of Federal Regulations, Part 99.31

ACCJC Accreditation Standard II.C.8

A cumulative record of enrollment, scholarship, and educational progress shall be kept for each student.

Release of Student Records

No instructor, official, employee, or Board member shall authorize access to student records to any person except under the following circumstances:

- Student records shall be released pursuant to a student's written consent by completing and submitting an Authorization for Release of Information Form to the Office of Enrollment Services Admissions and Records.
- Directory information may be released in accordance with the definitions in BP 5040 titled Student Records, ~~and~~ Directory Information and Privacy.
- Currently enrolled students may request that directory information be permanently kept confidential by filing a Request to Withhold Directory Information Form with the Office of Enrollment Services Admissions and Records. —(Reformatted to a separate bullet)
- (Insert Local practice for releasing Directory Information)
- Student records shall be released pursuant to a judicial order or a lawfully issued subpoena. Upon receipt of a judicial order or lawfully issued subpoena the Office of Enrollment Services Admissions and Records will notify the student of the request. If there is no written objection from the student within two weeks of notification, the requested records will be released. (34 Code of Federal Regulations, Part 99.31)
- Student records shall be released pursuant to a federal judicial order that has been issued regarding an investigation or prosecution of an offense concerning an investigation or prosecution of terrorism.
- Student records may be released to officials and employees of the District only when they have a legitimate educational interest to inspect the record. Officials and employees of the District

having a legitimate educational interest to inspect the records of a student must receive authorization from the Dean of Enrollment Services.

- Student records may be released to authorized representatives of the Comptroller General of the United States, the Secretary of Education, an administrative head of an education agency, state education officials, or their respective designees or the United States Office of Civil Rights, where that information is necessary to audit or evaluate a state or federally supported educational program or pursuant to state or federal law. Exceptions are that when the collection of personally identifiable information is specifically authorized by federal law, any data collected by those officials shall be protected in a manner that will not permit the personal identification of students or their parents by other than those officials, and any personally identifiable data shall be destroyed when no longer needed for that audit, evaluation, and enforcement of federal legal requirements. A request to release student records to the agencies listed above must be made in writing to the Dean of Enrollment Services.
- Student records may be released to officials of other public or private schools or school systems, including local, county, or state correctional facilities where education programs are provided, where the student seeks or intends to enroll or is directed to enroll. The release is subject to the conditions in Education Code Section 76225. A request to release student records to the agencies listed above must be made in writing to the Dean of Enrollment Services.
- Student records may be released to agencies or organizations in connection with a student's application for, or receipt of, financial aid, provided that information permitting the personal identification of those students may be disclosed only as may be necessary for those purposes as to financial aid, to determine the amount of the financial aid, or conditions that will be imposed regarding financial aid, or to enforce the terms or conditions of financial aid. A request to release financial aid records to agencies and organizations must be made in writing to the [Dean of Enrollment Services](#)~~Director of Financial Aid~~.
- Student records may be released to organizations conducting studies for, or on behalf of, accrediting organizations, educational agencies, or institutions for the purpose of developing, validating, or administering predictive tests, administering financial aid programs, and improving instruction, if those studies are conducted in such a manner as will not permit the personal identification of students or their parents by persons other than representatives of those organizations and the information will be destroyed when no longer needed for the purpose for which it is conducted. Requests of student records for the purposes as described above must be made in writing to the Dean of Enrollment Services and/or the Director of Planning, Research and Institutional Effectiveness.
- Student records may be released to appropriate persons in connection with an emergency if the knowledge of that information is necessary to protect the health or safety of a student or other persons, subject to applicable federal or state law. Student records may be released for the purposes as described above by making a verbal or written request to the Dean of Enrollment Services, Campus Police or other responsible District administrator.
- The following information shall be released to the federal military for the purposes of federal military recruitment: student names, addresses, telephone listings, [e-mail address](#), dates and places of birth, levels of education, degrees received, prior military experience, and/or the most recent previous educational institutions enrolled in by the students. The District will not release student recruiting information to military recruiters for those students who request that directory information not be released.

Charge for Transcripts or Verifications of Student Records

A student/former student shall be entitled to two free copies of the transcript of his/her record or to two free verifications of various student records. Additional copies shall be made available to the student, or to an addressee designated by him/her, at the rate published in the most current Catalog and Schedule of Classes.

Electronic Transcripts

The District may elect to implement a process for the receipt and transmission of electronic student transcripts contingent upon receipt of sufficient funding.

Use of Social Security Numbers

The District shall not do any of the following:

- Publicly post or publicly display an individual's social security number;
- Print an individual's social security number on a card required to access products or services;
- Require an individual to transmit his/her social security number over the internet using a connection that is not secured or encrypted;
- Require an individual to use his/her social security number to access an Internet Web site without also requiring a password or unique personal identification number or other authentication device; or
- Print, in whole or in part, an individual's social security number that is visible on any materials that are mailed to the individual, except those materials used for:
 - Application or enrollment purposes;
 - To establish, amend, or terminate an account, contract, or policy; or
 - To confirm the accuracy of the social security number.

If the District has, prior to January 1, 2004, used an individual's social security number in a manner inconsistent with the above restrictions, it may continue using that individual's social security number in that same manner only if:

- The use of the social security number is continuous;
- The individual is provided an annual disclosure that informs the individual that he/she has the right to stop the use of his/her social security number in a manner otherwise prohibited;
- The District agrees to stop the use of an individual's social security number in a manner otherwise prohibited upon a written request by that individual;
- No fee shall be charged for implementing this request; and the District shall not deny services to an individual for making such a request.

Also see BP/AP 3300 titled Public Records

Office of Primary Responsibility: ~~Office of Admissions and Records~~ [Office of Enrollment Services](#)

Date Approved: November 18, 2011

(Replaces College of Marin Procedure 4.0021 DP.1 and portions of 4.0003 DP.1)

Date Revised: January 15, 2013



POLICY & PROCEDURE SERVICELEGAL UPDATE 32 OVERVIEW

Policy & Procedure Subscriber Service
Community College League of California
Liebert Cassidy Whitmore

Legal Update #32
April 2018

OVERVIEW

This is the 32nd update to subscribing district members of the League's Policy & Procedure Subscriber Service, offered in partnership with the law firm of Liebert Cassidy Whitmore. The update is in response to new laws and regulations, legal opinions, and questions from subscribers that have occurred since legal Update 31, disseminated to member districts in October 2017.

Revisions to the Board Policy Templates

BP 3410 Nondiscrimination - This policy was updated to add legal citation Labor Code Section 1197.5 (Equal Pay Act). AB 46 extended the Equal Pay Act to public employers and prohibits sex, race, and ethnicity-based wage differentials.

BP 3518 Child Abuse Reporting – This policy was revised to update a legal citation to the Family Code.

BP 4220 Standards of Scholarship – This policy was updated to include legal citations Title 5 Sections 51002 and 55050 et seq.

BP 4250 Probation, Dismissal, and Readmission – This policy was updated to remove legal citation Title 5 Section 55030, which was repealed.

BP 7310 Nepotism – This policy was updated to add registered domestic partner to the definition of “immediate family.”



POLICY & PROCEDURE SERVICELEGAL UPDATE 32 OVERVIEW

Revisions to the Administrative Procedure Templates

AP 3410 Nondiscrimination – This procedure was updated to add legal citation Labor Code Section 1197.5 (Equal Pay Act) in the nondiscrimination reference for employment. AB 46 extended the Equal Pay Act to public employers and prohibits sex, race, and ethnicity-based wage differentials.

AP 3518 Child Abuse Reporting – This procedure was revised to update a legal citation to the Family Code.

AP 3560 Alcoholic Beverages – This procedure was updated to add a new exception to the prohibition on alcoholic beverages on school grounds for beer that is produced in a brewery owned or operated as part of an instructional program in brewing.

AP 4103 Work Experience – This procedure was updated to reflect revised Title 5 requirements that a Cooperative Work Experience Education plan be approved by the local governing board rather than the Chancellor's Office. The procedure was also updated to add a requirement that plan include a statement that the District has officially adopted the plan, subject to approval by the Board.

AP 4110 Honorary Degrees – This procedure was updated to revise the legal citations to reflect Education Code Section 72122.

AP 4220 Standards of Scholarship – Delegation – This procedure was updated to add legal citations Education Code Section 70902 subdivision (b)(3) and Title 5 Section 51002, and also update the note to list all matters identified by Title 5 as standards of scholarship.

AP 4230 Grading and Academic Record Symbols – This procedure was updated to add a new non-evaluative symbol for excused withdrawals.

AP 4250 Probation - This procedure was updated to remove legal citation Title 5 Section 55030, which was repealed.

AP 4610 Instructional Service Agreements – This procedure was updated to remove legal citations Title 5 Sections 58100 and 58110, as those sections were repealed.



POLICY & PROCEDURE SERVICELEGAL UPDATE 32 OVERVIEW

AP 5013 Students in the Military – This procedure was updated to add that a natural or adopted child, stepchild, or spouse of a member in the armed forces stationed in California is entitled to resident classification if he/she has been admitted to the District and the service member is subsequently transferred outside of California.

AP 5015 Residence Determination - This procedure was updated to add legal citations Education Code Sections 68074-68075.7, and add that a natural or adopted child, stepchild, or spouse of a member in the armed forces stationed in California is entitled to resident classification if he/she has been admitted to the District and the service member is subsequently transferred outside of California. This procedure was also updated to add a new basis to be exempt from paying nonresident tuition for refugees and individuals holding a special immigrant visa. Lastly, this procedure was updated to reflect the changes to Education Code Section 68130.5 pertaining to exemption for payment of nonresident tuition for students other than nonimmigrant aliens.

AP 5030 Fees - This procedure was updated to replace the term BOG Fee Waiver with California College Promise Grant consistent with the California Community Colleges Chancellor's Office rebranding of the BOG Fee Waiver Program.

AP 5055 Enrollment Priorities – This procedure was updated to add legal citation Education Code Section 66025.92 and reflect the new requirement that priority enrollment be granted to a student who is a recipient of aid under the Tribal TANF program.

AP 5075 Course Adds and Drops – This procedure was updated to streamline some of the language in the template, and also include provisions for military withdrawals and excused withdrawals, which are required for any District that has a withdrawal policy.

AP 5130 Financial Aid – This procedure was updated to replace the term BOG Fee Waiver with California College Promise Grant consistent with the California Community Colleges Chancellor's Office rebranding of the BOG Fee Waiver Program.

AP 5300 Student Equity – This procedure was updated to add a note addressing the Chancellor's Office new reporting requirement for student equity plans as part of an "Integrated Plan."



POLICY & PROCEDURE SERVICELEGAL UPDATE 32 OVERVIEW

AP 6307 Debt Issuance and Management – This procedure was updated to add legal citations Title 4 Sections 6000 et seq. (regarding the California Debt and Investment Advisory Commission). This procedure was also updated to specify that the submission of reports to the California Debt and Investment Advisory Commission should be made through the Commission's online submittal system. Lastly, this procedure was updated to add a note addressing the ability to redact confidential information contained in reports submitted to the Commission.

AP 6340 Bids and Contracts – A note in this procedure was updated to reflect the 2018 bid threshold over which districts must competitively bid and award certain contracts, which was raised to \$90,200 effective January 1, 2018.

NEW AP 6355 Job Order Contracts – This is a *new procedure* that was created due to AB 618's creation of the option for districts to use job order contracting pursuant to Public Contract Code Sections 20665.20 et seq. Districts may enter into job order contracts until January 1, 2022, as an alternative contracting method.

AP 7212 Temporary Faculty – This procedure was updated to add citations within the procedure to help clarify the various ways a temporary faculty member may be employed.

AP 7240 Confidential Employees – This procedure was updated to add a cross-reference to AP 7230 Classified Employees.

AP 7360 Discipline and Dismissal – Academic Employees – This procedure was updated to address Education Code Section 87623's requirement that an academic employee placed on involuntary paid administrative leave pending an investigation into allegations of misconduct be provided advance notice of the nature of the accusations made against him/her. This procedure was also updated to clarify the citations pertaining to conducting background checks as part of a disciplinary or harassment investigation.

AP 7365 Discipline and Dismissal – Classified Employees - This procedure was updated to clarify the citations pertaining to conducting background checks as part of a disciplinary or harassment investigation.

Rev. 4/21/18