

**Board of Trustees**

**BP 2410 BOARD POLICY AND ADMINISTRATIVE PROCEDURE**

**References:**

Education Code Sections 70902;  
ACCJC Accreditation Standards IV.C.7, IV.D.4, I.B.7, and I.C.5

The Board of Trustees may adopt policies as are authorized by law and comply with accreditation standards or determined by the Board to be necessary for the efficient operation of the District. Board Policies (BPs) are intended to be statements of intent by the Board on a specific issue within its jurisdiction.

Administrative Procedures (APs) are to be issued by the Chancellor as statements of method to be used in implementing BPs. Such APs shall be consistent with and operationalize the intent of the BPs. APs may be revised as deemed necessary by the Chancellor.

The BPs and APs have been written to be consistent with provisions of law, but do not encompass all laws relating to District activities. All District employees are expected to know of and observe all provisions of law pertinent to their job responsibilities.

BPs may be adopted, revised, added to, or amended at any regular Board meeting by a majority vote. The BPs shall be introduced first for information followed by a second meeting for action. Technical revisions (e.g. a Title 5 section reference change) mandated by law are not subject to the review process and shall be sent directly to the Chancellor for implementation and will appear on the Board Agenda for information.

To ensure regular review of BPs and APs, the District subscribes to a Policy and Procedure Service, which provides bi-annual/annual updates. In addition, a documented cycle for review of policies and procedures shall occur every ~~ten~~ six years ~~in accordance with the accreditation cycle—one chapter per year with Chapters 1 and 2 combined.~~

Copies of all BPs and APs shall be readily available to District employees through the Chancellor's Office, each College President's Office, and the District's web site.

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**Adopted:** April 16, 2013  
**Board Reviewed:** April 21, 2020

Board of Trustees

AP 2410 BOARD POLICY AND ADMINISTRATIVE PROCEDURE

References:

Education Code Section 70902;  
ACCJC Accreditation Standards IV.C.7, IV.D.4, I.B.7, and I.C.5

The Board has, as a major responsibility, the establishment and requires final adoption of all Board Policies (BPs). Administrative Procedures (APs) are the responsibility of the Chancellor and the administration, in consultation with the various constituencies of the District, and do not require adoption by the Board of Trustees.

To ensure regular review of BPs and APs, the District subscribes to a Policy and Procedure Service, which provides bi-annual/annual updates. In addition, a documented cycle for review of BPs and APs shall occur every ~~six-ten~~ years. ~~—one chapter per year with Chapters 1 and 2 combined.~~ Each year, the Chancellor's Office will notify all appropriate parties of the chapter(s) to be reviewed. Outcomes of review are reported to the Chancellor's Council. Responsibility for review is as follows:

- Chapter 1 – Chancellor
- Chapter 2 – Chancellor/Board of Trustees (For Chapter 2 - Board of Trustees BP/APs, Chancellor's Council review may be for information only).
- Chapter 3 – Chancellor's Executive Staff
- Chapter 4 – Vice Chancellor, Educational Services
- Chapter 5 – Vice Chancellor, Educational Services
- Chapter 6 – Vice Chancellor, Business Services
- Chapter 7 – Vice Chancellor, Human Resources

The following process outlines the procedure for review, preparation, and revision of BPs and APs.

1. **Originator:** The originator prepares a draft of the proposed new or revised BP/AP utilizing the District BP/AP format, and submit the proposal to the Chancellor's Office accompanied by the BP/AP Cover Sheet providing information on primary

constituents, rationale for the proposed new Board policy, and explanation of impacts.

2. **Chancellor's Office Review:** The Chancellor's Office reviews the proposal for content, format, consistency with existing BPs, APs, and other legal requirements and either forwards the proposal to Chancellor's Executive Staff for review or returns it to the originator.
3. **Chancellor's Executive Staff Review:** The Chancellor's Executive Staff reviews the proposal and either forwards the proposal to Chancellor's Cabinet for review or returns it to the originator. The Chancellor's Office maintains a BP/AP tracking log.
4. **Chancellor's Cabinet Review:** The Chancellor's Cabinet reviews the proposal which may encompass consultation with interested stakeholder(s) or constituency groups. The Cabinet forwards the proposal to the Chancellor's Council for review or the proposal is returned to the originator.
5. **Chancellor's Council Review:** The Chancellor forwards the proposal to the Chancellor's Council in accordance with the following review process:
  - a. **First Reading:** Proposed new or revised BP/APs are submitted to Chancellor's Council for review. Council members distribute the BP/AP to constituent groups for review and comment. Any comments received by Council members are to be copied to all Council members prior to the next scheduled Council meeting.
  - b. **Second Reading:** Constituent group recommendations are incorporated into the proposal and submitted for a second reading. After constituency consultation and collegial review at this meeting, the Chancellor's Council makes a recommendation to the Chancellor. Should recommendations and feedback received be substantial in material, it may be returned for an additional reading.
6. **Technical Revisions:** Technical revisions (e.g. a Title 5 section reference change) to BPs are not subject to the review process and shall be sent directly to the Chancellor for implementation and will appear on the Board Agenda for information. Technical revisions to APs are not subject to the review process and shall be submitted directly to the Chancellor. All BP/AP technical revisions will be shared with the Chancellor's Council and constituency groups for information.

7. **Adopted Policies and Approved Procedures:** After the Board of Trustees adopts a new BP or revisions to a BP and/or the Chancellor approves an AP, the Chancellor's Office posts the BP/AP to the District's website. The Chancellor or his/her designee shall provide each member of the Board with copies of the BPs and/or APs, as they are issued or revised.

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**Approved:** March 19, 2013

**Board Reviewed:** February 18, 2020

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General Institution

**BP 3310 RECORDS RETENTION AND DESTRUCTION**

**References:**

Title 5 Sections 59020, et seq.

Federal Rules of Civil Procedure, Rules 16, 26, 33, 34, 37, and 45

The Chancellor shall establish administrative procedures to assure the retention and destruction of all District records – including electronically stored information as defined by the Federal Rules of Civil Procedure – in compliance with Title 5. Such records shall include, but not be limited to student records, employment records, and financial records.

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**Adopted:** September 15, 2015

**Revised:**

**General Institution**

**AP 3310 RECORDS RETENTION AND DESTRUCTION**

**References:**

[Title 5 Sections 59020 et seq.;](#)

[Title 5 Section 59027 subdivision \(b\)](#)

[76210 of the Education Code](#)

[Federal Rules of Civil Procedure, Rules 16, 26, 33, 34, 37, and 45](#)

[“Records” means all records, maps, books, papers, data processing output, and documents of the District required by Title 5 to be retained, including but not limited to records created originally by computer and “electronically stored information” \(“ESI”\), as that term is defined by the Federal Rules of Civil Procedure.](#)

[Student records may be any item of information directly related to an identifiable student, other than directory information, which is maintained by a community college or required to be maintained by any employee in the performance of duties, whether recorded by hand, print, tapes, film, microfilm, or other means.](#)

[The following documents, listed under Title 5 Section 59020, are not records and may be destroyed at any time:](#)

- [1. Additional copies of documents beyond the original or one copy \(a person receiving a duplicated copy need not retain it\).](#)
- [2. Correspondence between district employees that does not pertain to personnel matters or constitute a student record.](#)
- [3. Advertisements and other sales material received.](#)
- [4. Textbooks used for instruction, and other instructional materials, including library books, pamphlets, and magazines.](#)

[The Chief Business Officer shall supervise the classification and destruction of records and ESI. The District must preserve ESI and ESI that is relevant to actual or potential litigation pursuant to the Federal Rules of Civil Procedure. The District shall comply with the Federal Rules of Civil Procedure and produce relevant ESI in the form in which it is ordinarily maintained or readily usable.](#)

[The Chief Business Officer or designee shall submit to the governing board a list of records and ESI recommended for destruction, and shall certify that no records are included in the list in conflict with these regulations. An annual report shall be made to the Board of Trustees regarding the classification and destruction of records and ESI.](#)

The Admissions and Records Administrator or designee shall supervise the classification and destruction of student records whether in form of paper records or ESI.

Records shall be classified as required by Title 5 and other applicable statutes, federal and state regulations.

Records shall annually be reviewed to determine whether they should be classified as Class 1 – Permanent, Class 2 – Optional, or Class 3 – Disposable (as defined in Title 5).

Class 3 – disposable records shall be maintained for the period required by applicable law or regulation, but in any event shall be retained for at least three college years after the year in which they were originally created.

Destruction is by any method that assures the record is permanently destroyed, e.g. shredding, burning, and pulping.

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**Approved:**



Student Services

BP 5016 TRANSFER OF UNITS

Reference:

None

Students who enroll at Chabot College or Las Positas College and wish to transfer academic credit for courses taken at other accredited colleges/universities must submit official transcripts of that work to the admissions and records office.

To be credited by Chabot College or Las Positas College, the course work must meet the following criteria:

1. The course(s) must have been taken at an accredited college/university.
2. The course(s) must be lower division.
3. The course(s) must have been completed with a grade of "D" or higher.
4. The content of the course(s) must be recognized as equivalent to current Chabot College or Las Positas College course standards.

[Also see BP/AP 4100 Graduation Requirements for Degrees and Certificates.](#)

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**Adopted:** March 19, 1996,

~~**Renumbered:**~~ April 2014

**Revised:**

Student Services

**AP 5017 RESPONDING TO INQUIRIES OF IMMIGRATION STATUS,  
CITIZENSHIP STATUS, AND NATIONAL ORIGIN  
INFORMATION**

**References:**

Education Code Sections 66093, 66093.3, and 68076;  
Title 5 Section 41905XXXX

xxxxxUnless required by federal or state law, the District shall not inquire specifically about a student's citizenship or immigration status or the citizenship or immigration status of a student's parents or guardians; nor shall personnel seek or require, to the exclusion of other permissible documentation or information, documentation or information that may indicate a student's immigration status, such as a green card, voter registration, a passport, or citizenship papers.

Where any law contemplates submission of immigration status or citizenship status information to satisfy the requirements of a special program, the District shall not use that documentation or information for decisions related to admissions or enrollment in courses or degree programs.

The District is not permitted to use immigration status, citizenship status, or national origin information in personal statements outside the application process, other than for legitimate educational interests, including the provision of a service or benefit relating to the student, such as health care, counseling, job placement or financial aid.

If the District learns of a student's immigration status through its application process (including the students' personal statement or answers to personal insight questions), the District shall create policies and procedures to protect such personal identifiable information and retain the information only to the extent it is necessary or required by law. The District shall avoid the disclosure of information that might indicate a student or family's citizenship or immigration status if the disclosure is not authorized by the Family Educational Rights and Privacy Act (FERPA) or state law.

Where permitted by law, the [District Vice Chancellor of Educational Services or designee](#) shall enumerate alternative means to establish residency, age, or other eligibility criteria for enrollment or programs, and those alternative means shall include among them documentation or information that are available to persons regardless of immigration status or citizenship status, and that do not reveal information related to citizenship or immigration status.

Examples of documents that can be used as proof of residency include but are not limited to:

- Registering a motor vehicle operated in California;
- Obtaining a California driver's license or California identification card;
- Filing a resident or nonresident California state income tax return;
- Listing a California address on a federal income tax return;
- Listing a permanent military address or home of record in California;
- A professional or vocational license obtained from a California state licensing agency (e.g., nursing, teaching credentials);
- Maintaining active resident memberships in California based professional organizations (e.g., police union, teachers' union); and
- Maintaining an active bank account at a California bank.

Where a District is permitted by law to request a minor student's parent's residency information in order to determine tuition or aid, the educational institution shall only require documentation or information that is available to persons regardless of immigration status (as noted above).

Where residency, age, and other eligibility criteria for purposes of enrollment or any program may be established by alternative documents or information permitted by law or this administrative procedure, the District's procedures and forms shall describe to the applicant, and accommodate, all alternatives specified in law and all alternatives authorized under this administrative procedure.

Specifically, where the District must determine a student's residency for purposes of in-state tuition, the District shall not inquire about a parent/guardian's citizenship or immigration status and shall enumerate alternative means of establishing a parent/guardian's residency. If the student is considered a minor dependent of a California resident, the college or university shall only require documents to determine whether the parent has resided in California for one year (e.g. vehicle registration, lease agreements, etc.)

Also see BP/AP 3410 Nondiscrimination, AP 3415 Immigration Enforcement Activities, BP/AP 5015 Residence Determination, and BP/AP 5040 Student Records, Directory Information, and Privacy.

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**Approved:** ~~Date~~

## BP 5140 DISABLED STUDENT PROGRAMS AND SERVICES

### References:

Education Code Sections 67310 and 84850;  
Title 5 Sections 56000 et seq. ~~and 5602~~

Students with disabilities shall be reasonably accommodated pursuant to federal and state requirements in all applicable programs in the District.

The Disabled Students Programs and Services (DSPS) program shall be the primary provider for reasonable support programs ~~academic adjustments, auxiliary aids, and services, or instruction~~ that facilitate equal-equitable educational opportunities for disabled students who can profit benefit from instruction as required by federal and state laws.

DSPS services shall be available to students with verified disabilities. The services to be provided include, but are not limited to, reasonable accommodations, reasonable academic adjustments, technology accessibility, accessible facilities, equipment, instructional programs, ~~rehabilitation counseling~~ and academic counseling.

No student with disabilities is required to participate in the DSPS program.

The District shall respond in a timely manner to ~~provide~~ reasonable accommodations ~~upon~~ requests involving academic adjustments. The Chancellor shall establish a procedure to implement this policy which, at a minimum, provides for an individualized review of each such request, and permits interim decisions on such requests pending final resolution by the appropriate administrator or designee.

The Chancellor shall assure that the DSPS program conforms to all requirements established by the relevant law and regulations.

Also see AP 5140 Disabled Student Programs and Services.

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**Adopted:** June 17, 2014;

**~~Edited Revised:~~** November 2016.

**Revised:**

## AP 5140 DISABLED STUDENT PROGRAMS AND SERVICES

### References:

Title 5 Sections 56000 et seq. ~~and 56027~~

The District maintains a plan for the provision of programs and services to disabled students designed to assure ~~that they have equality of~~ equitable access to District classes and programs.

### The Disabled Student Programs and Services Plan includes:

- ~~procedure-processes~~ for timely response to reasonable accommodation requests involving academic adjustments which, at a minimum, provides for an individualized review of each such request, and permits interim decisions on such requests pending final resolution by the appropriate administrator or designee;
- long-range goals and short-term measurable objectives for the program;
- definitions of disabilities and students eligible for the program;
- support services and instruction that is provided;
- technology and accessibility;
- verification of disability;
- student rights and responsibilities;
- ~~student educational contract or~~ academic accommodation plan that is developed by a designated person in consultation with the student;
- reasonable academic adjustments, auxiliary aids, and services accommodations;
- provisions for course substitution and waivers;
- staffing; and
- advisory committee.

Also see BP 5140 Disabled Student Programs and Services.

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**Approved:** March 18, 2014

**Revised:**

~~(This is a new procedure recommended by the Policy and Procedure Service)~~

Student Services

**BP 5200 STUDENT HEALTH SERVICES**

**Reference:**

Education Code Section 76401

Student health services shall be provided in order to contribute to the education aims of students by promoting health-oriented programs and services.

~~Pursuant to the provisions of Title 5, a Student Services Health Plan is herewith adopted for the purpose of facilitating the physical, emotional, psychological, and social well-being of students thereby increasing their potentials for success in college. The plan will provide guidelines for use in the District to meet the "Diligent Care" requirements of the Education Code. The plan shall relate to the District's resources, to its overall educational programs and services, and to the utilization of community resources.~~

Also see AP 5200 Student Health Services, BP/AP 5030 Fees, ~~BP 5205 titled Student Accident Insurance~~, and ~~BP/AP 5210 titled Communicable Disease — Students~~

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**Adopted:** June 17, 2014

(~~This policy r~~Replaces former CLPCCD Policy 5312)

Revised:

Student Services

AP 5200 STUDENT HEALTH SERVICES

References:

Education Code Section 76401, [76355](#)

Student Health Services is staffed by health care professionals who are trained to assist students with medical information/issues in a confidential manner.

Student Health Services is supported by the health fee paid at the time of registration. There is no charge for students to consult/visit the office staff including the medical doctors, nurse practitioners, registered nurses, and psychological counselors. There are, however, minimal fees for additional services, such as lab tests, immunizations, and prescription medications.

Pursuant to Section 76355 of the Education Code, students who can provide documentation of active membership in a religious organization that relies exclusively on prayer for healing may request to have the Health Fee waived. Applications for waiver are available in the Student Health Services Office and online. ~~Students may have their health fee waived if they are approved for a Board of Governors Fee Waiver.~~

A student's medical records and all discussions with the student health services staff are completely confidential. Records are only released with written consent of the student, unless required by law.

~~The services provided by Health Services:~~

- ~~• Clinical Care Services — basic primary care, health assessments, screening for short-term episodic care and services necessary for the treatment of acute illness, injuries and emergencies~~
- ~~• Mental Health Services — direct and/or referral services by a registered nurse including crisis management, short-term personal counseling, alcohol/drug counseling, stress management, suicide prevention, mental health assessment and eating disorders counseling~~
- ~~• Laboratory Services — provided by a licensed, contracted laboratory~~
- ~~• Prescriptions — provided for what is not available through Health Services~~
- ~~• Community Referrals — radiology, dental, optometric, and other services~~
- ~~• Health Education and Wellness Programs — provided by registered nurses and health education personnel~~
- ~~• Physical Examinations — the required pre-admission history and physical for students to enter academic programs~~

The Health Services facilities and environment shall comply with all applicable local, state, and federal building codes and regulations.

~~Also refer~~ The latest information on Student Health Services is updated regularly to in the college catalog and class schedule.

Education Code Section 76355 authorizes community colleges to offer health supervision and services and to charge students a fee for those services. (See BP/AP 5030 titled Fees) Students who enroll for credit classes in the District pay the student health fee during Fall, Spring and Summer Sessions.

Both colleges maintain a Student Health Service designed to facilitate ~~emergency response to~~ limited medical care and nursing assessment for the well-being of students in ways which increase their potential for educational success. Specific services may include personal counseling, limited medical treatment, contraceptive counseling, and screening procedures for blood pressure, vision, pregnancy, hearing, and tuberculosis. The Health Services offer optional Illness/Accident and Dental/Vision Insurance Plans at nominal cost to all registered students. Health education materials and referrals to community health resources are available daily.

Health Services may carry out special programs such as health education, blood drives, weight reduction, smoking cessation, and stress management workshops as well as various screenings and consultations.

Any currently enrolled student may use the colleges' Student Health Services. While students in non-credit programs, such as community education programs do not pay health fees, they may be charged the student health fee if they use the colleges' Student Health Services.

Non-students, such as employees, may receive services such as flu vaccine or tuberculin skin testing, and are charged a fee for these services.

The college general budget may augment the Student Health Services budgets for services and supplies that are used by non-students.

Operational hours maintained by each college's Student Health Services are designed to support student needs, as resources permit.

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**Approved:** March 18, 2014

(~~This new procedure r~~Replaces former CLPCCD Administrative Rules and Procedures 5312)

Revised:



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Student Services

**BP 5300 STUDENT EQUITY**

**References:**

Education Code Sections 66030, 66250 et seq., and 72010 et seq.;  
Title 5 Section 54220

The Board of Trustees is committed to assuring student equity in educational programs and college services. The Chancellor shall establish and implement a student equity plan that meets the Title 5 standards for such a plan.

Also see AP 5300 Student Equity.

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**Adopted:** June 17, 2014

~~(This is a new policy recommended by the Policy and Procedure Service and its legal counsel)~~ **Revised:**

Student Services

AP 5300 STUDENT EQUITY

**References:**

Education Code Sections 66030, 66250 et seq., and 72010 et seq.;  
Title 5 Section 54220

The District has a Student Equity Plan. The Plan is filed as required to the California Community Colleges Chancellor's Office, following approval by the Board of Trustees.

The Student Equity Plan shall be developed, maintained, and updated under the supervision of the Chief Student Services Officer at each college.

The Student Equity Plan addresses and includes:

- the active involvement of and input from groups on campus
- involvement by appropriate people from the community who can articulate the perspective and concerns of historically underrepresented groups.
- campus-based research as to the extent of student equity.
- institutional barriers to equity.
- goals for access, retention, degree and certificate completion, English as a Second Language (ESL) and basic skills completion, and transfer for each historically underrepresented group.
- activities most likely to be effective to attain the goals, including coordination of existing student equity-related programs.
- sources of funds for the activities in the Plan.
- a schedule and process for evaluation of progress toward the goals.
- an executive summary that describes the groups for whom goals have been set, the goals, the initiatives that the District will undertake to achieve the goals, the resources budgeted for that purpose, and the District officer or employee who can be contacted for further information.

~~NOTE: The California Community Colleges Chancellor's Office is working on streamlining the reporting requirements for student equity plans along with other programs. One change has been to submit information related to student equity plans to the California Community Colleges Chancellor's Office as part of an "Integrated Plan." However, because Title 5 Regulations addressing student equity plans have not been repealed, districts are still required to maintain student equity plans.~~

Also see BP 5300 Student Equity.

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**Approved:** March 18, 2014

**Edited:**            August 21, 2018

**Revised:**

Student Services

**AP 5410 ASSOCIATED STUDENTS ELECTIONS**

**Reference:**

Education Code Section 76061

The Associated Students shall conduct annual elections to elect officers.

Any student elected as an officer in the Associated Students shall meet the requirements in Board Policy. Common to both colleges of the district:

- 1) Elections shall be conducted no later than one week prior to the priority registration date for the spring semester.
- 2) Election committees are formed at each college, and are responsible for/oversee:
  - a. Preparation of applications
  - b. Guides-Managing the application process
  - c. Promoting es-electionselections to students including but not limited to the application and voting processes to students
  - d. Ensuring that all election procedures and activities follow Follow the bylaws of the respective college's Associated Students
  - e. ~~Hold~~s Special Elections and address vacancies as needed according to bylaws of the respective college's Associated Students
- 3) Follow appropriate student voting procedures
- 4) An appointed Advisor assures:
  - a. Eligibility check of all candidates
  - b. Fairness of elections

The following summarizes the general election procedures at **Chabot College:**

- A. Shall be conducted to elect five (5) Executive Officers and the number of Representatives needed to reach a ratio of one (1) Senator per every one thousand (1,000) students, rounded to nearest thousand.
- B. The maximum number of Senators shall be twenty (20) unless a greater number is required to reach the ratio of one (1) Senator per every one thousand (1,000) students.
- C. Chabot College Student Senate by-laws are maintained on the college website by the Director of Student Life or designee.

The following summarizes the general election procedures at **Las Positas College:**

- A. Shall be conducted to elect six (6) Executive Officers and to appoint the number of Representatives needed to reach the maximum number of Senators.
- B. The maximum number of Senators shall be twenty-five (25).
- C. Las Positas College Student Government by-laws are maintained on the college website by the Program Coordinator of Student Life or designee.

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**Approved:** March 18, 2014

**Revised:**

Student Services

AP 5430 CO-CURRICULAR ACTIVITIES

Reference:

No references

~~1. Chabot College~~

Co-curricular activities add a necessary dimension to the total educational experience of students program of Chabot College. ~~Their conduct~~To conduct co-curricular activities requires annual financial support, ~~which is~~ a shared responsibility of the college and the activities. These guidelines provide procedures to be followed in providing regards to required financial support.

For purposes of funding, the following establish the three major classifications of co-curricular activities ~~are established~~:

- ~~1. An extended laboratory for an approved and scheduled instructional course. An extended laboratory is defined as the practicum in which "what is learned" through instruction is put into use through production, performance, or competition, at times extending beyond the limits of the scheduled class periods. Most often occurs in:~~
  - ~~i~~ Intercollegiate athletics,
  - ~~p~~ Performance activities,
  - ~~1. p~~ Publications activities.
- ~~2. Extracurricular activities not directly related with courses or scheduled classes but enhance and complement the total college experience for students. Included in this category are: student government, student clubs, club sports, intramurals, and activities that relate to the general welfare of any registered student.~~

~~A. General~~

A co-curricular activity is defined as an activity which:

- ~~• Is an extended laboratory for an approved and scheduled course of instruction. An extended laboratory is defined as the practicum in which "what is learned" through instruction is put into use through production, performance, or competition, at times extending beyond the limits of the scheduled class periods.~~
- Holds for the students involved; standards and expectancies for attendance, participation, and achievement in the activity similar to those held for students in regularly scheduled classes.
- Is conducted under the supervision of the instructor of the pertinent course, the Division Dean of the instructional division involved, or the appropriate Vice President or designee.

The Division Dean shall prepare an annual budget for the co-curricular activity indicating both anticipated income and expenditures. The Division Dean shall forward proposed budget to the appropriate Vice President for review and approval.

## **B. Responsibility**

~~The responsibility for the development and operation of co-curricular activities rests with the appropriate Vice President and Dean. The Vice President is responsible for forwarding approved program and funding recommendations to the President. The Dean is responsible for the preparation and submission of the schedules of events and the annual budget for each activity.~~

## **Financial Support**

The financial support of each co-curricular activity is a shared responsibility of the college's general fund and the activity. The college's general fund will normally fund costs relating to approved co-curricular activities. The activity is generally expected to be as self-sufficient as possible and to provide for student-involved costs as indicated below.

- a. registration and entry fees
- b. transportation
- c. meals and lodging
- d. awards/scholarships
- e. stipends
- f. production costs
- g. officiating costs
- h. publicity
- i. printing of programs, tickets, covers, etc.
- j. activity supplies and materials
- k. ticket sales and collection
- l. emergency student loans

~~instruction and supervision as indicated in Section 1)e. below. The activity is generally expected to be as self-sufficient as possible and to provide for all other costs as indicated in Section 1)f. below. Required Activity Trust Funds shall be established for co-curricular activities through the College Business Services Office.~~

## **1) College General Funds**

~~The Colleges will designate general funds will provide financial support for associated the costs incurred for instruction and supervision of the approved co-curricular activities. Such costs may include:~~

- a. Instructional salaries
- ~~a.~~
- b. Instructional facilities
- ~~b.~~
- c. Instructional equipment

- ~~e.~~
- ~~d.~~ d. Instructional supplies and materials
- ~~d.~~
- ~~e.~~ e. Travel expenses incurred by members of the instructional staff
- ~~e.~~
- ~~f.~~ f. Conference expenses incurred by members of the instructional staff
- ~~f.~~
- ~~g.~~ g. Maintenance expenses for equipment and facilities
- ~~g.~~
- ~~h.~~ h. Transportation of staff to ~~meets~~ activities and other authorized events.

~~College general funds may also be used to augment Activity Trust Funds used to support the activities detailed in Section 2) below when it is determined that Activity Trust Funds are not sufficient to fully fund the co-curricular activity and that it is important that the activity be conducted. The College President shall consider and approve all funding requests for the general fund support of cocurricular activities.~~

~~College general fund support for co-curricular activities shall be annually requested through the regular division budget development process.~~

## ~~2) Activity Trust Funds~~

~~An Activity Trust Fund will normally provide financial support for the costs incurred for non-instructional activities. They may include:~~

- ~~a. Registration and entry fees~~
- ~~b. Student meals and lodging~~
- ~~c. Awards~~
- ~~d. Production costs~~
- ~~e. Officiating costs~~
- ~~f. Publicity~~
- ~~g. Printing of programs, tickets, covers, etc.~~
- ~~h. Ticket sales and collection~~

~~Each approved co-curricular activity shall establish an Activity Trust Fund through the College Business Services Office. The Activity Trust Fund will be an operational responsibility of the appropriate Division Dean.~~

~~Activity Trust Fund revenues shall be derived from funds raised by an activity (including special events, ticket sales, sale of publications, etc.). Additional financial support may come from the profits of the Chabot College Bookstore.~~

~~The Division Dean shall prepare an annual budget for the co-curricular activity indicating both anticipated income and expenditures. The Division Dean shall forward proposed budget to the appropriate Vice President for review and approval.~~



~~Records and accounts of the Activity Trust Fund will be maintained by the Chabot College Business Services Office and will be included in the annual audit of the District as required by state law.~~

## **C. Expenditures**

### **College General Funds**

Expenditures of ~~Chabot~~ College general funds in support of co-curricular activities will be made through the normal ~~District~~ procedures established for requisitioning supplies, equipment, and services. Such requisitions must be signed by both the Dean and the appropriate Vice President.

### **Activity Trust Fund**

~~Expenditures from the Activity Trust Fund will be made by the processing of disbursement requests to the Chabot College Business Services Office. The disbursement requests must be signed by the faculty member supervising the co-curricular activity and the appropriate Division Dean.~~

### **Las Positas College**

~~Associated Student body Trust Funds provide financial support for extracurricular activities which are not directly related with courses and scheduled classes but enhance and complement the total college experience for students. Included in this category are intercollegiate activities, student government, student clubs, club sports, intramurals, and activities which provide services that relate to the general welfare of any registered student under given circumstances such as emergency loan funds and support for specific student events.~~

~~Co-curricular Trust Funds provide financial support for courses offered within the college curriculum such as extended laboratories involving production, performance or competition at times beyond the scheduled class periods. Co-curricular Trust Funds may also include accounts considered administrative such as: classified senate, and institutional advancement.~~

At Chabot College, College general funds may also be used to augment Activity Trust Funds used to support the activities detailed in Section 2) below when it is determined that Activity Trust Funds are not sufficient to fully fund the co-curricular activity and that it is important that the activity be conducted.

At Las Positas College, Management of Funds—The authorized Associated Student Body and co-curricular activity shall establish a trust fund through the college business services office of Las Positas College. Records and accounts of the trust fund will be maintained by the college business services office in compliance with all District accounting procedures. Income for the trust funds is derived from the college bookstore profits and by monies raised by special events, ticket sales, sale of publications, donations, fund raisers, etc.

All income must be submitted to the college business services office for deposit to the appropriate fund. Expenditures from the trust fund will be made by purchase order, requisition or request for disbursement. All expenditures must be approved/signed by the College's Vice President and the College's Business Officer prior to being processed through the college business services office. The records and accounts of the fiduciary trust funds will be included in the annual audit of the District as required by state law.

~~**Supported Activities**—Fiduciary trust funds will provide financial support for the following types of costs incurred: registration and entry fees; transportation, meals and lodging; awards/scholarships; stipends; production costs; officiating costs; publicity; printing of programs, tickets, covers, etc.; activity supplies and materials; ticket sales and collection; and emergency student loans.~~

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**Approved:** March 18, 2014

(~~This procedure r~~Replaces former CLPCCD Administrative Rules and Procedures 5440)

Revised:

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Student Services

**BP 5530 STUDENT RIGHTS AND GRIEVANCES**

**References:**

Education Code Section 76224 subdivision (a);  
ACCJC Accreditation Eligibility Requirement 20;  
ACCJC Accreditation Standard IV.D;  
Title IX, Education Amendments of 1972

The Administrative Rules and Procedures include the process which enables a student to initiate a grievance alleging violation of college/District policies and procedures. The grievance may be against another student, an instructor, an administrator, or a member of the classified staff.

Also see AP 5530 Student Rights and Grievances.

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**Adopted:** June 17, 2014

(~~This policy r~~Replaces former CLPCCD Policy 5513)

**Revised:**

Student Services

AP 5530 STUDENT RIGHTS AND GRIEVANCES

References:

Education Code Section 76224 subdivision (a);  
~~Title IX, Education Amendments of 1972~~ ACCJC Accreditation Eligibility Requirement 20;  
ACCJC Accreditation Standard IV.D

The purpose of this procedure is to provide a prompt and equitable means of resolving student grievances.

**Grievance:** A claim by any student who reasonably believes a college decision or action has adversely affected his/her/their status, rights, or privileges as a student. A Grievance includes but is not limited to, claims regarding:

- Course grades, to the extent permitted by Education Code Section 76224 subdivision (a), which provides: "When grades are given for any course of instruction taught in a community college district, the grade given to each student shall be the grade determined by the instructor of the course and the determination of the student's grade by the instructor, in the absence of mistake, fraud, bad faith, or incompetency, shall be final." "Mistake" may include, but is not limited to errors made by an instructor in calculating a student's grade and clerical errors;
- The exercise of rights of free expression protected by state and federal constitutions and Education Code Section 76120.

A Grievance is not:

- Student disciplinary actions, which are covered under separate board policies and administrative procedures.
- Financial Aid actions, which are covered under separate board policies and administrative procedures.
- Police citations (i.e. "tickets"); complaints about citations must be directed to the County Courthouse in the same way as any traffic violation.

~~These procedures shall be available to any student who reasonably believes a college decision or action has adversely affected his/ or her/their status, rights or privileges as a student. The procedures shall include grievances regarding:~~

~~—Course grades, to the extent permitted by Education Code Section 76224 subdivision (a), which provides: —"When grades are given for any course of~~

~~instruction taught in a community college District, the grade given to each student shall be the grade determined by the instructor of the course and the determination of the student's grade by the instructor, in the absence of mistake, fraud, bad faith, or incompetency, shall be final." "Mistake" may include, but is not limited to, errors made by an instructor in calculating a student's grade and clerical errors.~~

- ~~• Violation of policies and procedures by the college to the extent they have a direct and significant impact on the student, such as on the student's exercise of rights of free expression. Under this section, a grievance may be initiated by a student alleging the violation of college/district policies and procedures against an instructor, an administrator or a member of the classified staff.~~

~~This procedure does not apply to:~~

- ~~• Student disciplinary actions, which are covered under separate Board Policies and Administrative Procedures.~~
- ~~• Sex discrimination, sexual harassment, or illegal discrimination which are covered under separate Board Policies and Administrative Procedures.~~
- ~~• Financial aid actions, which are covered under separate Board Policies and Administrative Procedures.~~
- ~~• Police citations (i.e. "tickets"); complaints about citations must be directed to the County Courthouse in the same way as any traffic violation.~~

## **Definitions:**

**Grievant** – A student who has filed a Grievance.

**Party** – The student or any persons claimed to have been responsible for the student's alleged grievance, together with their representatives. "Party" shall not include the Grievance Hearing Committee or the College Grievance Officer.

**Student** – A currently enrolled student, a person who has filed an application for admission to the college, or a former student. A grievance by an applicant shall be limited to a complaint regarding denial of admission. Former students shall be limited to grievances relating to course grades to the extent permitted by Education Code Section 76224 subdivision (a).

**Designee** – A person designated by the college or District. The Vice President of Student Services or college President may name a designee for Vice President of Student Services. The Vice President of Academic Affairs Services or college President may name a designee for Vice President of Academic Affairs Services. The Chancellor or college President may name a designee for President. The Chancellor may name the college President or another designee for Chancellor.

**Respondent** – Any person claimed by a grievant to be responsible for the alleged grievance.

**Day** – Days during fall and spring semesters when the College is in session and regular classes are held, excluding Saturdays and Sundays. For the summer session, days—for purposes of notice and response under this Administrative Procedure—may be reasonably extended to ensure the responsible parties are able to appropriately attend to the issue. Notice of extension will be provided to the student.

**Informal Resolution** – Each student who has a grievance shall make a reasonable effort to resolve the matter on an informal basis prior to requesting a grievance hearing, and shall attempt to solve the problem with the person with whom the student has the grievance, that person's immediate supervisor, or the local college administration.

**Grievance Officer** - The President or designee shall appoint an employee who shall assist students in seeking resolution by informal means. This person shall be called the Grievance Officer.

The Vice President of Academic ~~Affairs~~ Services or designee shall serve as Grievance Officer on grade disputes and grievances arising out of instructional services. The Vice President of Student Services or designee shall serve as Grievance Officer for grievances arising outside of instructional services. The Grievance Officer and the student may also seek the assistance of the Associated Student Organization in attempting to resolve a grievance informally.

Informal meetings and discussion between persons directly involved in a grievance are essential at the outset of a dispute and should be encouraged at all stages. An equitable solution should be sought before persons directly involved in the case have stated official or public positions that might tend to polarize the dispute and render a solution more difficult. At no time shall any of the persons directly or indirectly involved in the case use the fact of such informal discussion, the fact that a grievance has been filed, or the character of the informal discussion for the purpose of strengthening the case for or against persons directly involved in the dispute or for any purpose other than the settlement of the grievance.

Any student who believes ~~he/she/they~~ has ~~has~~ have a grievance shall file a Statement of Grievance with the appropriate Grievance Officer within 10 days of the incident on which the grievance is based, or 10 days after the student learns of the basis for the grievance, whichever is later. The Statement of Grievance must be filed whether or not the student has already initiated efforts at informal resolution, if the student wishes the grievance to become official. Within 5 working days following receipt of the Statement of Grievance Form, the Grievance Officer shall advise the student of ~~his/ or her/their~~ rights and responsibilities under these procedures, and assist the student, if necessary, in the final preparation of the Statement of Grievance form.

If at the end of 10 days following the student's first meeting with the Grievance Officer, there is no informal resolution of the complaint which is satisfactory to the student, the student shall have the right to request a grievance hearing.

**Grievance Hearing Committee:** The college President shall at the beginning of each academic year, establish a standing panel of ~~15-9~~ members of the college community, including ~~5-3~~ students, ~~5-3~~ faculty members and ~~5-3~~ administrators, from which one or more Grievance Hearing Committees may be appointed. The panel will be established with the advice and assistance of the Associated Students Organization and the Academic Senate, who shall each submit names to the ~~President~~ Chancellor for inclusion on the panel. A Grievance Hearing Committee shall be constituted in accordance with the following:

- It shall include at least 1 student, 1 instructor, and 1 college administrator selected from the panel described above.
- No person shall serve as a member of a Grievance Hearing Committee if that person has been personally involved in any matter giving rise to the grievance, has made any statement on the matters at issue, or could otherwise not act in a neutral manner. Any party to the grievance may challenge for cause any member of the hearing committee prior to the beginning of the hearing by addressing a challenge to the ~~Grievance Officer~~ President or designee who shall determine whether cause for disqualification has been shown. If the ~~Grievance Officer~~ President or designee feels that sufficient ground for removal of a member of the committee has been presented, the ~~Grievance Officer~~ President or designee shall remove the challenged member or members and substitute a member or members from the panel described above. This determination is subject to appeal as defined below.

The Grievance Officer shall sit with the Grievance Hearing Committee but shall not vote, except to break a tie. The Grievance Officer shall coordinate all scheduling of hearings, shall serve to assist all parties and the Hearing Committee to facilitate a full, fair and efficient resolution of the grievance, and shall avoid an adversary role.

**Request for Grievance Hearing** – A request for a grievance hearing ~~shall be filed on a Request for a Grievance Hearing Form can be made via email directly from the student to the Vice President of Student Services within no later than 10 days after filing the Statement of Grievance as described above no later than 10 days following the student's first meeting with the Grievance Officer.~~

Within 10 days following receipt of the request for grievance hearing, the college President shall appoint a Grievance Hearing Committee as described above, and the Grievance Hearing Committee shall meet in private and without the parties present to select a chair and to determine on the basis of the Statement of Grievance whether it presents sufficient grounds for a hearing.

The determination of whether the Statement of Grievance presents sufficient grounds for a hearing shall be based on the following:

- The statement contains facts which, if true, would constitute a grievance under these procedures;
- The grievant is a student as defined in these procedures, which include applicants and former students;
- The grievant is personally and directly affected by the alleged grievance;
- The grievance was filed in a timely manner;
- The grievance is not clearly frivolous, clearly without foundation, or clearly filed for purposes of harassment.

If the grievance does not meet each of the requirements, the Grievance ~~Officer~~ Hearing Committee chair shall notify the student in writing of the rejection of the Request for a Grievance Hearing, together with the specific reasons for the rejection and the procedures for appeal. This notice will be provided within 5 days of the date the decision is made by the Grievance Hearing Committee.

If the Request for Grievance Hearing satisfies each of the requirements, the College Grievance Officer shall schedule a grievance hearing. The hearing will begin within 15 days following the decision to grant a Grievance Hearing. All parties to the grievance shall be given not less than 5 days notice of the date, time, and place of the hearing.

### **Hearing Procedure**

The decision of the Grievance Hearing Committee chair shall be final on all matters relating to the conduct of the hearing unless there is a vote of a majority of the other members of the panel to the contrary.

~~The~~ The Grievance Officer will provide members of the Grievance Hearing Committee ~~shall be provided~~ with a copy of the grievance and any written response provided by the respondent before the hearing begins.

Each party to the grievance may call witnesses and introduce oral and written testimony relevant to the issues of the matter.

Formal rules of evidence shall not apply. Any relevant evidence shall be admitted.

Unless the Grievance Hearing Committee determines to proceed otherwise, each party to the grievance shall be permitted to make an opening statement. Thereafter, the grievant or grievants shall make the first presentation, followed by the respondent or respondents. The grievant(s) may present rebuttal evidence after the respondent(s)' evidence. The burden shall be on the grievant or grievants to prove by substantial evidence that the facts alleged are true and that a grievance has been established as specified above.

Each party to the grievance may self-represent ~~himself/herself~~, and may also have the right to be represented by a person of his/her/their choice; except that a party shall not be represented by an attorney unless, in the judgment of the Grievance ~~Officer~~ Hearing Committee, complex legal issues are involved. If a party wishes to be represented by an



attorney, a request must be presented not less than 5 days prior to the date of the hearing. If one party is permitted to be represented by an attorney, any other party shall have the right to be represented by an attorney. The hearing committee may also request legal assistance through the ~~Grievance Officer~~ Chancellor or designee. Any legal advisor provided to the hearing committee may sit with it in an advisory capacity to provide legal counsel but shall not be a member of the panel nor vote with it.

Hearings shall be closed and confidential unless all parties request that it be open to the public. Any such request must be made no less than 5 days prior to the date of the hearing.

In a closed hearing, witnesses shall not be present at the hearing when not testifying, unless all parties and the committee agree to the contrary.

The ~~hearing shall be recorded by the~~ Grievance Officer will record the hearing either by tape recording or stenographic recording, and that shall be the only recording made. No witness who refuses to be recorded may be permitted to give testimony. ~~In the event the recording is by tape recording, t~~he Grievance Hearing Committee Chair shall, at the beginning of the hearing, ask each person present to identify themselves by name, and thereafter shall ask witnesses to identify themselves by name. The ~~tape~~ recording shall remain in the custody of the District, either at the college or the District office, at all times, unless released to a professional transcribing service. Any party may request a copy of the ~~tape~~ recording.

~~All testimony shall be taken~~ All witnesses must testify under oath; the oath shall be administered by the Grievance Hearing Committee Chair. The Grievance Hearing Committee will only admit written statements of witnesses under penalty of perjury ~~shall not be used unless if~~ the witness is unavailable to testify. A witness who refuses to be ~~tape~~ recorded shall be considered to be unavailable.

Within 10 days following the close of the hearing, the Grievance Hearing Committee shall prepare and send to the college President a written decision. The decision shall include specific factual findings regarding the grievance, and shall include specific conclusions regarding whether the hearing established a grievance ~~has been established~~ as defined above. The decision shall also include a specific recommendation regarding the relief to be afforded the grievant, if any. The Grievance Hearing Committee will base its decision ~~shall be based~~ only on the record of the hearing, and not on matter outside of that record. The record consists of the original grievance, any written response, and the oral and written evidence produced at the hearing.

Appeal: Any appeal relating of a Grievance Hearing Committee decision that the Statement of Grievance does not present a Grievance as defined in these procedures shall be made in writing to the college President within 3 days of that decision. The college President shall review the Statement of Grievance and Request for Grievance Hearing in accordance with the requirements for a Grievance provided in these

procedures, but shall not consider any other matters. The college President's decision whether or not to grant a Grievance hearing shall be final and not subject to further appeal.

**College President's Decision:** Within 5 days following receipt of the Grievance Hearing Committee's decision and recommendation(s), the college President shall send to all parties his/hers written decision, together with the Hearing Committee's decision and recommendations. The President may accept or reject the findings, decisions, and recommendations of the Hearing Committee. The factual findings of the Hearing Committee shall be accorded great weight. If the President does not accept the decision or a finding or recommendation of the Hearing Committee, the President shall review the record of the hearing, and shall prepare a new written decision which contains specific factual findings and conclusions. The decision of the President shall be final, subject only to appeal as provided below.

~~Appeal: Any appeal relating to a Grievance Hearing Committee decision that the Statement of Grievance does not present a grievance as defined in these procedures shall be made in writing to the college President within 5 days of that decision. The President shall review the Statement of Grievance and Request for Grievance Hearing in accordance with the requirements for a grievance provided in these procedures, but shall not consider any other matters. The President's decision whether or not to grant a grievance hearing shall be final and not subject to further appeal.~~

~~Any party to the grievance may appeal the decision of the President after a hearing before a Grievance Hearing Committee by filing an appeal with the President. The President may designate a college administrator or request that the Chancellor designate a District administrator to review the appeal and make a recommendation.~~

~~Any such appeal shall be submitted in writing within five days following receipt of the President's decision and shall state specifically the grounds for appeal.~~

~~The written appeal shall be sent to all concerned parties. All parties may submit written statements on the appeal.~~

~~The President's designee shall review the record of the hearing and the documents submitted in connection with the appeal, but shall not consider any matters outside of the record. Following the review of the record and appeal statements, the President's designee shall make a written recommendation to the President regarding the outcome of the appeal.~~

~~The President may decide to sustain, reverse or modify the decision of the President's designee. The President's decision shall be in writing and shall include a statement of reasons for the decision. The President's decision shall then be final.~~

~~The decision on appeal shall be reached within five days after receipt of the appeal documents. Copies of the appeal decision shall be sent to all parties.~~

**Time Limits:** Any times specified in these procedures may be shortened or lengthened if there is mutual concurrence by all parties

Also see BP/AP 3410 Nondiscrimination, BP/AP 3430 Prohibition of Harassment, BP/AP 3433 Prohibition of Sexual Harassment under Title IX, AP 3434 Responding to Harassment Based on Sex under Title IX, AP 3435 Discrimination and Harassment Complaints and Investigations, AP 5130 Financial Aid, BP/AP 5500 Standards of Student Conduct, AP 5520 Student Discipline Procedures, and BP 5530 Student Rights and Grievances.

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**Approved:** March 18, 2014;

**Revised:** \_\_\_ August 2016

**Revised:**

(~~This procedure r~~Replaces former Administrative Rules and Procedures 5513)