

AP 5013 STUDENTS IN THE MILITARY

References:

Education Code Sections 68074, 68075, 68075.5 and 68075.7;
Title 5 Sections 55023, 55024, 54041, 54042, 54050, and 58620;
Military and Veterans Code Section 824;
38 U.S. Code Section 3679

Residence Determinations for Military Personnel and Dependents

A student who is a member of the armed forces of the United States stationed in California ~~on active duty~~, except a member of the armed forces assigned for educational purposes to a state-supported institution of higher education, is entitled to resident classification. Such student shall retain resident classification in the event that the member of the armed forces is thereafter transferred on military orders to a place outside of California or thereafter retires from active duty, so long as the student remains continuously enrolled in the District.

An undergraduate student who is a natural or adopted child, stepchild, or spouse who is a dependent of a member of the armed forces of the United States stationed in this state on active duty ~~and is in attendance at, or has been admitted to, the District, or of a member who, on or after September 11, 2001, died in the line of duty while serving on active duty who resides in California~~ shall be entitled to resident classification. Such student shall retain resident classification ~~if in cases of he/she is thereafter transferred on military orders-orders~~ to a place outside of California, so long as the student remains continuously enrolled in the District.

~~A veteran who was discharged or released from at least 90 days of active service-, regardless of the veteran's state of residence is entitled to either resident classification if meeting the resident determination criteria or will be exempt from nonresident fees.~~

~~An individual who is the child or spouse of a person who, on or after September 11, 2001, died in the line of duty while serving on active duty as a member of the Armed Forces who resides in California is entitled to resident classification.~~

An individual who is entitled to transferred Post-9/11 GI Bill program benefits by virtue of their relationship to a member of the uniformed services who is serving on active duty is entitled to resident classification.

~~A student who was a member of the armed forces of the United States stationed in California on active duty for more than one year immediately prior to being discharged from the armed forces is entitled to resident classification for the length of time he or she lives in California after being discharged up to the minimum time necessary to become a resident.~~

A parent who is a federal civil service employee and ~~his/her~~ **their** natural or adopted dependent children are entitled to resident classification if the parent has moved to this state as a result of a military mission realignment action that involves the relocation of at least 100 employees. This classification shall continue until the student is entitled to be classified as a resident, so long as the student continuously attends an institution of public higher education.

A student claiming the residence classifications provided for in this procedure must provide a statement from the student's commanding officer or personnel officer providing evidence of the date of the assignment to California, and that the assignment to active duty in California is not for educational purposes. A student claiming the residence classifications provided ~~for~~ here for the dependent of military personnel shall provide a statement from the military person's commanding officer or personnel officer that the military person's duty station is in California on active duty as of the residence determination date, or has been transferred outside of California on active duty after the residence determination date, or that the military person has retired from active duty after the residence determination date. (Title 5 Sections 54041 and 54042)

Withdrawal Policies/Processes for Members of the Military

A student who is a member of an active or reserve United States military service and who receives orders compelling a withdrawal from courses shall be permitted to withdraw upon verification of such orders. A withdrawal symbol may be assigned which may be a "W" or a "MW." Military withdrawal shall not be counted in progress probation, dismissal calculations, or in calculating the permitted number of withdrawals. ~~In no case may a military withdrawal result in a student being assigned an "FW" grade.~~ In no case may a college require a student who is required to report for military duty to withdraw from a course by a specified date in order to receive a full refund of the tuition and fees the student paid to the college for the academic term in which the student was required to report for military service.

Military member who must stop attending Chabot College or Las Positas College due to deployment and/or who are reassigned to a different station of duty/post, will be allowed readmission to the district without penalty. In all cases, the District complies with federal guidelines in regards to educational access for members of the military.

~~Districts may reference or include local Administrative Procedures regarding how such a student would withdraw.~~

Also see BP/AP 4230 Grading and Academic Record Symbols, BP/AP 5015 Residence Determination, and AP 5075 Course Adds and Drops.

Approved: March 18, 2014

Edited: November 20, 2017

Revised:

BP 5035 WITHHOLDING OF STUDENT RECORDS

Reference:

Title 5 Section 59410

Students or former students who have received official notification (college-assigned email address or via U.S. mail) that they have failed to pay a proper financial obligation shall have ~~grades, transcripts, diplomas,~~ and registration privileges withheld.

Whenever a student is delinquent through failure to comply with college procedures, to pay debts, or to return property owned by the college, ~~that the~~ student's records will be placed on hold. A student whose records are placed on hold shall not be allowed to:

1. ~~to~~ register for subsequent terms of instruction or
~~to receive transcripts of work completed; or~~
2. ~~to~~ receive other services in the college which relate to ~~his/ or her/~~their records.

When the student has cleared his/her/their obligation with the college, the hold ~~s placed ing of his/ or her/their records~~ shall be removed.

[Also see AP 5035 Withholding of Student Records.](#)

Adopted: June 17, 2014

Revised:

(~~This policy r~~Replaces former CLPCCD Policy 5311)

AP 5035 WITHHOLDING OF STUDENT RECORDS

Reference:

Title 5 Section 59410

The Admissions and Records Office may withhold ~~grades, transcripts, diplomas,~~ and registration privileges from any student or former student who fails to pay a proper financial obligation to the District. The student shall be given official notification (college-assigned email address or via U.S. mail) and the opportunity to explain if the financial obligation is in error.

The definition of proper financial obligation shall include, but is not limited to: student fees; obligations incurred through the use of facilities, equipment, or materials; library fines; unreturned library books; materials remaining improperly in the possession of the student; and/or any other unpaid obligation a student or former student owes to the District. A proper financial obligation does not include any unpaid obligation to a student organization.

[Also see BP 5035 Withholding of Student Records.](#)

Approved: March 18, 2014

Revised:

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

BP 5700 INTERCOLLEGIATE ATHLETICS

References:

Education Code Sections ~~78223~~, 66271.6, 66271.8, ~~and~~ 67360 et seq., and 78223;
20 U.S. Code Sections 1681 et seq.;
ACCJC Accreditation Standard II.C.4
California Community College Athletic Association (CCCCA) Constitution and
CCCCA Bylaws

Intercollegiate athletics is part of the total community college educational program. The District shall maintain an organized program for ~~men and women~~ students in intercollegiate athletics. The District will offer opportunities for participation in athletics equally to male, female, and transgender students consistent with state and federal law and California Community College Athletic Association standards. ~~The program shall not discriminate on the basis of gender in the availability of athletic opportunities.~~

The Chancellor shall assure that the athletics program complies with state and federal law, the California Community College Athletic Association (CCCCA) Constitution, Bylaws, and Sport Championship Handbooks, and appropriate Conference Constitution regarding student athlete participation.

Also see AP 5700 Intercollegiate Athletics.

Adopted: June 17, 2014

Revised:

(~~R~~This policy replaces former CLPCCD Policies 5415 and 5435)

Student Services

AP 5700 INTERCOLLEGIATE ATHLETICS

References:

Education Code Sections 66271.6, 66271.8, 67360 et seq., 67456, and 78223;
Title IX, Education Amendments of 1972
20 U.S. Code Sections 1681 et seq.;
ACCJC Accreditation Standard II.C.4;
Community College Athletic Association (CCCAA) Constitution and CCCAA Bylaws

Name, Image, Likeness, and Athletic Reputation

Prospective Student Athlete: The District will not provide a prospective student athlete with compensation in relation to the athlete's name, image, likeness, or athletic reputation.

Student Athletes: The District will not prevent a student participating in intercollegiate athletics from either earning compensation as a result of the use of the student athlete's name, image, likeness, or athletic reputation, or from obtaining professional representation by advisors, registered agents, or licensed attorneys. However, a student athlete may not enter into a contract that provides compensation to the student athlete for their name, image, likeness, or athletic reputation if the contract conflicts with a provision of the student athlete's team contract.

A student who enters into a contract providing compensation for use of the student's name, image, likeness, or athletic reputation must disclose the contract to the college President or designee who will inform the Chancellor. If the District determines that a conflict exists between the student athlete's contract and the student athlete's team contract, the college President/designee will disclose the conflict to the student and/or student's advisor, registered agent, or licensed attorney, if any, and identify the contractual provisions that conflict.

Any college and/or team contract entered into, modified or renewed on or after September 1, 2021 will not prevent a student athlete from using their name, image, likeness, or athletic reputation for a commercial purpose when the athlete is not engaged in official team activities.

A student athlete's scholarship eligibility will be protected from penalties as a result of the student earning compensation for their name, image, likeness, or athletic reputation. Needs-based financial aid awards will follow state and federal guidelines.

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Approved: March 18, 2014

(This new procedure replaces Administrative Rules and Procedures 5435)

Revised: