

## Academic Policies

Scholastic standards of Hartnell College are established to assist students in making appropriate educational plans. The College will advise students of their educational progress in order that students may make sound self-appraisal of their college work.

The regulations in this section are consistent with State Law and District Policy. They serve to inform students of standards that they are expected to maintain.

The determination of the grading system to be used in each course shall be made by the discipline offering the course. The grading system used in each course is published in the Catalog and Schedule of Classes.

Grades from a grading scale shall be averaged on the basis of the point equivalencies to determine a student's grade point average. The highest grade shall receive four points, and the lowest shall receive zero points, using only the following evaluative symbols:

GRADE	DEFINITION	GRADE POINTS
A	Excellent	4
B	Good	3
C	Satisfactory	2
D	Barely Passing	1
F	Failing	0
P	Pass (at least satisfactory-units awarded but not counted in GPA)	0
NP	No Pass (less than satisfactory, or failing -not counted in GPA)	
SP	Satisfactory Progress toward completion of the course (used for noncredit courses only)	

## Pass/No Pass

The college offers some courses:

1. solely on the P/NP (Pass/No Pass) grade basis.
2. solely on the standard letter grade basis.
3. in which the student may choose to complete the course on either a pass/no pass or letter grade basis.

In accordance with the California Education Code and California Code of Regulations Title 5, Hartnell College has established a grading policy which adds the "P" (pass) and "NP" (no pass) grades to the standard letter grades ("A," "B," "C," "D," "F") used in college and universities. A course in which a "P" grade is earned indicates completion with "C" or better work and will apply towards the 60 units required for graduation but will not affect the student's grade point average. However, units attempted for which "NP" is recorded shall be considered in probation and dismissal procedures. A maximum of 12 units of "P" may be applied towards the Associate in Arts/Science Degree. Courses in which a student has no such option (such as Work Experience) will not apply towards the 12 units maximum. Courses in which a "NP" grade is earned will not apply towards graduation and will not affect the student's grade point average.

Offering courses for pass/no pass grades provides the student with the opportunity to explore areas outside his/her current interest without undue concern for his/her grade point average. This policy also recognizes that a standard letter grade may not always measure the value of a course to an individual student.

On or before the last day of the fifth week (or 25%) of the instructional term, the student shall inform the Admissions & Records Office, by petition, of his/her intention to complete a course for a grade or on Pass/No Pass basis, and the instructor shall report to the Dean of Student Affairs a final grade of "P" or "NP" for students who so petition. Students may repeat a course in which a grade of "NP" is earned.

## Grade Point Average

Grade Point Average (GPA) is determined by dividing the total units attempted into total grade points from "A," "B," "C," "D," and "F" grades. ("P," "I," "W," "IP," and "NP" are not included in the total course units attempted.) For example, a student who earns a "B" in a class worth four units, an "A" in a class worth three units, a "C" in a class worth two units, an "F" in a class worth three units, and a "B" in a class worth one unit would have a GPA (Grade Point Average) of 2.38, calculated as follows:

4 units of B x 3 points	=	12	grade points
3 units of A x 4 points	=	12	grade points
2 units of C x 2 points	=	4	grade points
3 units of F x 0 points	=	0	grade points
1 unit of B x 3 points	=	3	grade points
<b>13 total units attempted</b>	<b>=</b>	<b>31</b>	<b>total grade points</b>
31 Grade Points	=	2.38	Average
13 Total Units Attempted	=	(or a 2.38 GPA)	

## President's Honor Roll and Dean's List

Full-time students earning a grade point average of 3.5 to 4.0 in a semester are included on the President's Honor Roll each semester. Those full-time students who earn a grade point average of 3.0 to 3.49 in a semester are placed on the Dean's List. This applies only to students completing 12 or more units of letter grade work per semester.

## **Non-Evaluative Symbols**

The following non-evaluative symbols authorized are "I," "W," "EW," "RD," and "MW".

### **Definitions:**

#### ***Incomplete (Symbol "I")***

Incomplete academic work for unforeseeable, emergency, and justifiable reasons at the end of the term may result in an "I" symbol being entered in the student's record. The condition for removal of the "I" symbol shall be stated by the instructor in written record which shall also indicate the grade to be assigned in lieu of its removal. This record must be given to the student with a copy placed on file in the Admissions & Records Office until the "I" is made up or the time limit has passed. A final grade shall be assigned when the work stipulated has been completed and evaluated, or when the time limit for completing the work has passed. **The "I" must be made up no later than the last class day of the semester following the one in which the "I" grade was assigned; otherwise, the in lieu grade will automatically be entered on the transcript.** Students may not register for the same course in order to make up the incomplete work. The "I" symbol shall not be used in calculating units attempted nor for grade points. The student may petition the instructor for a time extension (one additional semester only) due to extenuating circumstances.

#### ***Withdrawal (Symbol "W")***

Students' withdrawal from a class or classes shall be authorized through the last day of the 14th week (or 75%) of the instructional term. No "W" will be given after the 14th week. After the fourteenth week, the only grades given will be "A," "B," "C," "D," "F," "NP," "P". No notation ("W" or other) shall be made on the academic record of the student who withdraws during the first three weeks or 20% of a term, whichever is less.

For semester-length courses (16-18 weeks), withdrawal between the end of the third week and the last day of the fourteenth week of instruction shall be recorded as a "W" on the student's record. For courses less than a semester in length, withdrawal between 20% and 75% of the course shall be recorded as a "W" on the student's record. The "W" shall not be used in calculating grade point averages, but excessive "Ws" (see Standards of Probation and Dismissal) shall be used as factors in probation and dismissal procedures.

The Admissions and Records Manager may, by regulation, authorize withdrawals from a class or classes in extenuating circumstances after the last day of the fourteenth week (or 75% of the term, whichever is less) upon petition of the student or his/her representative. The Admissions and Records Manager will consult with the appropriate faculty. Extenuating circumstances are verified cases of accidents, illnesses, or other circumstances beyond the control of the student.

#### ***EW – Excused Withdrawal***

The "EW" symbol shall be assigned only to students who can provide documentation of extenuating circumstances no later than up to one year from the semester in which the course was completed.

**Total Withdrawal**

A total withdrawal from the college may impact your academic record and Financial Aid status at Hartnell and future financial aid eligibility at another college or university. It is highly encouraged to speak with a Hartnell College Counselor and the Financial Aid Office prior to making that decision. Please contact the Counseling Office at (831) 755-6820 and See *Financial Aid for more information on Withdrawal from Classes*.

**Military Withdrawal (Symbol "MW")**

The "MW" shall be assigned only to students who are members of an active or reserve military service and who receive orders compelling a withdrawal from courses. Upon verification of such orders, this symbol may be assigned at any time during the semester by the Dean of Student Affairs. The "MW" shall not be counted in progress probation and dismissal calculations. "W" grades incurred after January 1, 1990, which meet the definition of "MW" may be changed to "MW" upon petition and verification of military orders.

**Report Delayed (Symbol "RD")**

The "RD" symbol may be assigned by the Dean of **Enrollment Services** 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.

**Grade Reports**

Hartnell College does not issue final grade reports each semester. Semester grades are generally available three weeks from the last date of the semester. It is the student's responsibility to check his/her grades at the end of each semester. Students may access their semester grades **by**:

- Accessing PAWS for students **or Student Ed Planer Self-Serve** at [www.hartnell.edu](http://www.hartnell.edu). Students may print their own grade reports.

**Examinations**

Final examinations are mandatory in all courses except laboratory courses. The examinations include essays, term projects. In laboratory courses, final examinations are given at the option of the instructor. Each final examination should be comprehensive and be based upon the entire semester's work. Mid-semester and other examinations are encouraged.

**Excess Units**

A student who wishes to enroll in more than 18 units per semester must review his/her units with a counselor and complete an Excess Units Petition. Counselor approval on the Petition is required.

## Hartnell Transcripts

Hartnell College's transcript ordering is provided through the National Student Clearinghouse. It allows students to order official transcripts online at any time of day or night. Real-time email and mobile text alerts keep you up-to-date on the status of your order. To request transcripts visit <https://www.hartnell.edu/students/admissions/transcripts/>.

Upon written request, two official transcripts of record, bearing the seal of the Hartnell College and signature of the Dean of Enrollment Services, will be mailed without charge. Additional copies are \$8.25 each, payable at the time of the online request. *Transcripts will not be released until all financial obligations to the college are cleared. See Impound of Records for more information.*

The official transcript includes courses taken at Hartnell College, and if transcripts from other colleges have been previously evaluated and accepted for credit at Hartnell, the Advanced Standing (Transfer Coursework) will show. However, official transcripts from those other colleges must be requested directly from those institutions.

Transcript requests are usually processed within a minimum of 7 working days or fewer and may take up to 15 working days at the end of the semester.

**Rush Service:** Rush Service is available for an additional \$12 fee per transcript. Rush Service transcript requests will be processed within one working day of receipt of the request. We do not offer an overnight mail delivery service. We use regular US mail service only. Rush Service is only available from the 2nd through the 17th week of each semester. Rush Service is not available during the Add/Drop period or during Finals.

Students may print their own unofficial transcript by accessing PAWS for students or **Student Ed Planner – Self Serve** at [www.hartnell.edu](http://www.hartnell.edu).

## Probation and Dismissal **BP/AP 4250 and AP 4255**

### Probation

A student shall be placed on academic probation if he or she has attempted a minimum of 12 semester units of work and has a grade point average of less than a "C" (2.0).

A student shall be placed on progress probation if he or she has enrolled in a total of at least 12 semester units and the percentage of all units in which the student has enrolled, for which entries of "W", "I", "NC" and "NP" were recorded reaches or exceeds fifty (50%) percent.

A student on academic probation shall be removed from probation when the student's accumulated grade point average is 2.0 or higher. A student on progress probation shall be removed from probation when the percentage of units in the categories of "W," "I," "NC," and "NP" drops below fifty (50%) percent.

### **Notification of Probation**

Each student is entitled to be notified of his/her academic difficulty and the availability of college support services to respond to the academic difficulty before the student is dismissed. Hartnell College will notify students of their placement on academic or progress probation no later than thirty days following the end of fall and spring semesters. The letter notifying the student of probation will cover, at a minimum, the significance of being on probation and description of the services available to alleviate probation.

### **Dismissal**

A student who is on academic probation shall be subject to dismissal if the student has earned a cumulative grade point average of less than 2.0 in all units attempted in each of three (3) consecutive semesters.

A student who is on progress probation shall be subject to dismissal if the cumulative percentage of units in which the student has been enrolled for which entries "W", "I", "NC" and "NP" are recorded in at least three (3) consecutive semesters reaches or exceeds fifty (50%) percent.

At the end of the third semester on which the student is on academic or progress probation, a notice that the student is subject to dismissal will be sent to the student informing him/her that he/she is subject to dismissal. The letter notifying the student that he/she is subject to dismissal will cover, at a minimum, reference to this procedure, explanation of what dismissal means, procedure for reinstatement, and procedure to appeal the dismissal.

A student who is on academic probation and earns a semester grade point average of 2.00 or better shall not be dismissed as long as this minimum semester grade point average is maintained.

### **Appeal of Dismissal**

The student has the right to appeal a proposed dismissal action if the student feels that facts exist that warrants an exception to the dismissal action. The student must file a Petition for Academic/Progress Reinstatement to the Counseling Department by the deadline date outlined on the dismissal letter. If the student fails to file a written petition by the established deadline, the student waives all future rights to appeal the dismissal action. See Administrative Procedure 4255, Dismissal and Readmission, for more information on the appeal process.

### **Readmission**

A student who has been dismissed may submit an appeal to be considered for reinstatement. Readmission may be granted or denied according to criteria contained in Administrative Procedure 4255, Dismissal and Readmission.

Student success is our mission. If you need assistance with your coursework we have tutorial services available at all of the campuses and centers. If you need any other type of assistance please be sure to connect with a counselor, we want to assist all students in achieving their educational goals.

For additional information and access to support resources please visit the link below:

<http://www.hartnell.edu/students/programs/counseling/academic-probation.html>

## Grade Change Policy BP 4231

### Changing Grades

The instructor of the course shall determine the grade to be awarded to each student.

The determination of the student's grade by the instructor is final in the absence of mistake, fraud, bad faith, or incompetence. "Mistake" may include, but is not limited to, errors made by an instructor in calculating a student's grade, and clerical errors. "Fraud" may include, but is not limited to, inaccurate recording or change of a grade by any person who gains access to grade records without authorization.

The removal or change of an incorrect grade from a student's record shall only be done pursuant to Education Code Section 76232 or by an alternative method that ensures that each student shall be afforded an objective and reasonable review of the requested grade change.

If the procedure requires that a student first request a grade change from the instructor, 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.

In the case of a mistake, fraud, bad faith, or incompetence, the final determination concerning removal or change of grade will be made by the Dean of Enrollment Services or designee. The student may file a "final grade complaint" if they have evidence that the faculty member issued their final grade because of a mistake, fraud, bad faith, or incompetence. See the Hartnell College Student Handbook for additional information.

In all cases, the instructor who first awarded the grade will be given written notice of the change. If the faculty member is not available, the request should be submitted through the appropriate Dean and/or Vice President; **however, only the faculty member that assigned the original grade may authorize a change of grade.**

### Procedures:

1. Students should submit a request in writing/email directly to the faculty member within one year after completing the course for which the grade change is being requested.
2. The faculty member obtains and/or requests a grade change form from Admissions & Records.
3. Once the faculty member has completed the grade change form, the form must be hand delivered by the instructor or appropriate Dean and/or Vice President of Academic Affairs to the Admissions & Records Office for processing.
4. The Dean of Enrollment Services or designee will review and process grade changes within 5 working days from receipt of the form.
5. If approved, the student's academic record will be updated. The grade change form will then be processed and annotated as having changed the grade.
6. If there are any questions about the grade change form, the Dean of Enrollment Services or designee will contact the faculty member immediately.
7. The pink copy of the grade change form will be mailed to the student
8. The yellow copy of the grade change form will be put into on campus mail to the faculty member.

## Academic Renewal Policy and Procedures BP/AP 4240

Consistent with Title 5 Section 55046, previously recorded substandard academic performance may be disregarded if it is not reflective of a student's demonstrated ability.

Students may petition to have their academic record reviewed for academic renewal of substandard (D, F, NC, NP Grades) academic performance under the following conditions:

- Students must have achieved a cumulative grade point average of a minimum of 2.0 since the end of the term to be disregarded at Hartnell.
- The student has completed 18 semester units since the end of the term to be disregarded leading to a certificate, associate degree, or university transfer requirements at Hartnell. Work completed at another institution cannot be used to satisfy this requirement.
- At least 3 semesters, excluding summer must have elapsed from the time the course work to be removed was completed.

- Up to 18 semester units of substandard course work may be eliminated from consideration in the cumulative grade point average computation.
- It can be demonstrated that the level of performance in the term(s) under consideration resulted from extenuating circumstances. Such extenuating circumstances shall be those acute medical, family, or other personal problems which rendered normal academic functioning unlikely or impossible. Such circumstances must be verified in writing.
- Academic renewal procedures may not conflict with the District's obligation to retain and destroy records or with the instructor's ability to determine a student's final grade.
- A student may be granted academic renewal only once.
- Academic renewal actions are irreversible. The student's permanent academic record shall be annotated in such a manner that all work remains legible, insuring a true and complete academic history. This policy applies only to Hartnell degree requirements and it might not be accepted at other institutions.
- Academic renewal by Hartnell College does not guarantee that other institutions will honor the elimination of units from consideration in the grade point average. It is the student's responsibility to confirm with a transfer institution whether academic renewal will be accepted.

**Procedures:**

1. Students can pick up an Academic Renewal Petition in the Admissions & Records Office.
2. The student completes and submits the Academic Renewal Petition to a Counselor who verifies that all of the above eligibility conditions have been met.
3. The student then submits the Academic Renewal Petition to the Admissions & Records Office for review and approval/disapproval. The student retains the yellow copy of the petition for their records as proof of submission.
4. The Dean of Enrollment Services or designee will review and process the Academic Renewal Petition within 10 working days from receipt of the petition.
5. If there are any questions about the Academic Renewal Petition, the Dean of Enrollment Services or designee will contact the student immediately by phone or email.
  - a. If approved, the Academic Renewal Petition will then be processed and annotated as having updated the student's academic record.
  - b. If disapproved, the petition will be not be processed. An explanation of why it was disapproved will be annotated on the petition and returned to the student.
6. The pink copy of the Academic Renewal Petition will be mailed to the student's home address.

**Repetition of Courses BP/AP 4225**

Except where allowed by regulation, the maximum number of times a student can enroll in a credit course and receive an evaluative or non-evaluative symbol is three. Grading symbols included in this total are A, B, C, D, F, P, NP, W, and I. Under specific circumstances specified in Title 5 Section 58161, a student may enroll one, or more, additional times in a course in which a grading symbol was recorded.

The permanent academic record shall contain all courses attempted, including repetitions, thus ensuring a true and complete record of the academic history of the student.

The procedures for filing a repetition appeal for special circumstances can be found in our class schedules.

**I. Definitions**

- A. Course Repetition – Course repetition occurs when a student who has previously received an evaluative symbol in a credit course re-enrolls in that course and receives an evaluative symbol.
- B. Repeatable Course – A course that can be repeated one or more times as identified in the college catalog and the official course outline.
- C. Non-repeatable Course – A course not identified in the college catalog and the official course outline as repeatable.
- D. Grade Alleviation – Repeating a course where a substandard grade was recorded in an effort to have the previous grade and credit disregarded from the computation of a student's grade point average.

**II. Repeatable Courses**

- A. Certain courses are repeatable for credit and are so designated in the college catalog.
- B. Substandard grades for repeatable courses may be alleviated according to Section below.
- C. Only the following types of courses are repeatable:
  1. Courses for which repetition is necessary to meet the major requirements of California State Universities or Universities of California for completion of a bachelor's degree. The district must retain supporting documentation

that verifies that the repetition is necessary to meet the major requirements of California State Universities or Universities of California for completion of a bachelor's degree.

2. Intercollegiate athletics, as defined in section 55000; and
  3. Intercollegiate academic or vocational competition, as defined in section 55000, where enrollment in the course and courses that are related in content is limited to no more than four times for semester courses. This enrollment limitation applies even if the student receives a substandard grade or "W" during one or more of the enrollments in such a course or petitions for repetition due to special circumstances.
  4. Students may enroll in active participatory courses, as defined in section 55000, in physical education, visual arts or performing arts that are related in content. These courses are described in the college catalog as a family. Enrollment is limited to four courses within each family. This limitation applies even if a student receives a passing grade, substandard grade, or "W" during one or more of the enrollments in such a course or petitions for repetition due to extenuating circumstances.
- D. When a course is repeated pursuant to this section, the grade received each time shall be included for purposes of calculating the student's grade point average.

### III. Non-Repeatable Courses

Students can only repeat courses designated as "non-repeatable" if they meet one of the criteria listed below. However, students may receive a "W" (non-evaluative) symbol and/or earn a substandard grade of D, F, NP, or NC (evaluative symbol) no more than three times in the same course. The three enrollment limitation in non-repeatable courses is inclusive of any combination of W, D, F, NP, or NC.

- A. Repetition to Alleviate Substandard Academic Work
  1. Any non-repeatable course may be repeated when the grade earned was substandard (D, F, NP, or NC) or a non-evaluative symbol of "W" was reported.
- B. Upon completion of a repeated course in which a substandard grade was earned, the most recent grade will be computed in the cumulative grade point average. The previous grade and credit shall be disregarded in the computation of grade point average, even if the previous grade was higher.
- C. Course Repetition for Satisfactory Grades ("C" or better) a course in which a grade of "C" or better was received may not be repeated unless such repetition is provided for in the official course description or by District policy. Only under specific conditions can a course be repeated in which a satisfactory grade ("C" or better) was earned.
  1. Significant Lapse of Time. A student may repeat a course, one time, where a standard grade was earned after a lapse of no less than 36 months (3 years) or if there is a properly established recency prerequisite for a course or program pursuant to section 55003 or if there is a documented recency requirement at an institution where the student is transferring. The course must be requested and approved through the Course Repetition petition process. Pursuant to petition, students may repeat a course where less than 36 months (3 years) have elapsed if the student documents the repetition is necessary for the student's transfer to an institution of higher education. The previous grade and credit will be disregarded in the student's grade point average.
  2. Legally Mandated Training Requirement. A student may repeat a course any number of times as required to meet legally mandated training requirements as a condition of paid or volunteer employment or the course is required for recertification in a technical or medical field regardless of whether substandard academic work has been recorded. The course must be requested and approved through the Course Repetition petition process. The student is required to certify or document that course repetition is legally mandated. The grade and credit will be included in the student's grade point average each time the course is taken.



3. Occupational Work Experience. A student may repeat a course in occupation work experience under the circumstances described in section 55253. When an occupation work experience course is repeated pursuant to that section, the grade received each time shall be included for purposes of calculating the student's grade point average.
4. Disabled Students as part of a Disability-Related Accommodation. Special classes for students with disabilities can be repeated any number of times based on an individualized determination that such repetition is required as a disability-related accommodation for that particular student. The course must be requested and approved through the Course Repetition petition process. The previous grade and credit will be disregarded in computing the student's grade point average each time the course is repeated.
5. Significant Change in Industry or Licensure Standards. A student may petition the district to repeat a course as a result of a significant change in industry or licensure standards such that repetition of the course is necessary for employment or licensure. Such courses may be repeated for credit any number of times. The course must be requested and approved through the Course Repetition petition process. The student is required to certify or document that there has been a significant change in industry or licensure standards necessitating course repetition. The grade and credit will be included in the student's grade point average each time the course is taken.
6. Military Withdrawals (MW) shall not be counted in progress probation and dismissal calculations or the permitted number of withdrawals or the student enrollment limit.
7. Extenuating Circumstances. A student may petition to repeat a course where a previous standard or substandard grade was earned, one time, for extenuating circumstances based upon extreme documented, verifiable situations beyond the student's control. Extraordinary circumstances are those which would justify the District providing the student a refund. Extenuating circumstances are verified cases of accidents, illness, or other circumstances beyond the control of the student. The course repetition must be requested and approved through the Course Repetition Appeal Request petition process. The previous grade and credit will be disregarded in the student's grade point average.

**IV.** When courses are repeated under this procedure, the student's permanent academic record shall clearly indicate any courses repeated and be annotated in such a manner that the record of all work remains legible, insuring a true and complete academic history.

**V.** Nothing in this procedure can conflict with Education Code Section 76224 pertaining to the finality of grades assigned by instructors, or with Title 5 or district procedures relating to retention and destruction of records.

**VI.** Apportionment will be limited as set forth in section 58161.

## **Auditing Classes BP/AP 4070**

The Board authorizes a person to audit a community college course, and the District may charge that person a fee pursuant to CEC section 76370. The CEO or designee establishes procedures for course audit. Auditing fees will be charged as authorized in BP 5030 and published in the schedule of classes for each term.

Classroom attendance of students auditing a course shall not be included in computing the apportionment due a community college district.

### ***Course Audit may be allowed under the following conditions:***

- Auditors must be eligible for admission to the college as regularly enrolled students.
- Auditors must have exhausted their eligibility to enroll in the course for credit.
- Students enrolling for credit will have priority in all credit classes. Auditors are required to attend the first class meeting but will be permitted to register for the course only at the conclusion of the add/drop period and on a space available basis, but no later than the third week of classes for the fall/spring semesters and two weeks for summer/intersessions.
- Course outline of record must reflect the course is eligible for audit.
- K-12 Concurrent Enrollment students are not permitted to audit.
- Faculty members instructing audit-eligible courses have the right to refuse auditors.
- Audited classes will not be posted to the student's academic transcript.
- No transfer from audit to credit status or the reverse will be permitted.
- Auditors will not be charged the regular enrollment fee that is paid for credit enrollment. As established in Education Code 76370, a non-refundable audit fee will be charged and is payable by the end of the fourth week of classes for the fall/spring semesters and third week for summer/intersession. Students enrolled in ten or more credit units will not be charged a fee for auditing three or fewer units per semester.
- Regular material fees and/or course costs will be charged to auditors.
- Auditors will be allowed to purchase parking permits.
- The non-resident tuition fee will not apply to auditors.

## **Credit by Examination BP/AP 4235**

### **(Challenging a Course)**

Consistent with Title 5 Section 55050, course credit may be awarded to students who satisfactorily pass authorized examinations.

Credit by satisfactory completion of an examination administered by the college in lieu of completion of a course listed in the college catalog. Credit by examinations may be written, oral, and/or demonstrative/manipulative.

**Determination of Eligibility to Take the Examination:**

- The course is listed in the current college catalog.
- The student must have completed a minimum of six semester units at Hartnell College.
- The student must have a cumulative grade point average of 2.0 or better.
- The student must meet all course prerequisites.
- The student must pay all of the fees associated with a credit by examination before the examination will be administered. The student will be charged the same per-unit fee for her/his residency status as for any other course. (Financial Aid programs do not cover the enrollment fees for credit by examination.)
- The student will not be permitted to petition for credit by examination for the course in which she/he was enrolled in the preceding semester.
- The student will not be permitted to petition for credit by examination for the course in which she/he was enrolled in the current semester after the No Grade of Record "NGR" period.
- Only one credit by examination per course may be administered regardless of grade earned.

**Administration:**

- The student's academic record clearly indicates that the credit was earned by examination.
- Credits acquired by examination shall not be counted in determining the 12 semester hours of credit in residence required for an Associate degree.
- Credits acquired by examination do NOT count toward Selective Service deferment, veterans' or Social Security benefits, financial aid, or scholastic honors.
- Applications for Credit by Examination are available in the Admissions & Records Office, and require the approval/signature of a full-time faculty member (if available) in that discipline who will be administering the examination and the Vice President of Academic Affairs.
- Credit by examinations are only offered between the 1st and the 14th week for fall and spring semesters; and the 1st and 4th week for summer sessions.
- In no case may credit be awarded for more than one course in a sequence of courses.
- An applicant for the Associate Degree program in Nursing who uses a challenge procedure must challenge Nursing courses in sequential order and will receive an examination grade and number of units for each course.
- The College reserves the right to deny a Credit by Examination to any specific course.

**Procedures:**

1. Students can pick up the Credit by Examination Petition in the Admissions and Records Office.
2. The student completes and signs the top portion of the petition.
3. The student then obtains the approval/signature of the full-time faculty member in the discipline who will be administering the examination.
4. Upon approval from the instructor, the student then submits the petition to the Vice President of Academic Affairs for final approval.

5. Upon final approval, the Vice President of Academic Affairs or designee will forward the petition to the Scheduling Office within 5 working days.
  - a. *In-lieu of denying the petition, the office of the Vice President of Academic Affairs will contact the student.*
6. Within 5 working days, the Scheduling Office will create a section and annotate the information on the petition and forward the original petition to the Admissions and Records Office.
7. The Admissions and Records Office will enroll the student in the designated section, and mail the student a copy of the processed petition as well as a copy of the registration receipt showing the appropriate fee owed.
8. Upon receiving the registration receipt, the student will pay appropriate fees for the course to the Cashier's Office and make arrangements with the instructor to complete the exam within 2 weeks of receipt of the approved petition. Fees must be paid in full before the examination can be administered.
9. The Admissions and Records Office will also send the original petition to the instructor of record so that the instructor knows that the examination may be administered within 2 weeks.
10. After completion of the examination, the instructor will submit the student's final grade on PAWS and complete the Examination Certification portion of the petition and return it to Vice President of Academic Affairs with the original exam for their signature.
11. The Vice President of Academic Affairs will then forward the signed petition back to Admissions and Records for their records.

### **Attendance Policy BP 5070**

Regular attendance and consistent study are student responsibilities and the two factors which contribute most to a successful college experience. A college student is expected to attend all of his/her class sessions. It is the responsibility of each student to know the attendance and absence policy of each class in which he or she is enrolled.

Failure to attend class can result in a lower grade or dismissal from class. Any student who stops attending a class without officially dropping it in the Admissions & Records Office may receive a grade of "F".

The College's attendance policy relies on the following five basic premises:

1. Students who do not attend the first class meeting may be dropped and may be replaced by other students unless the student notifies the instructor in advance.
2. Any absence from class is detrimental to a student's progress in that class; therefore, an "excused" absence is no less serious than "unexcused." Participation in curricular and extra-curricular college activities is acknowledged to be an integral part of a student's total educational experience. Prior approval from the instructor is necessary for this participation not to be considered an absence.

3. Any lack of attendance which leads an instructor to judge that unsatisfactory progress is being made may result in the student being dropped. Absence from a full-semester class in excess of two weeks (consecutive or non-consecutive) may result in the instructor dropping the student. That is, a student may be dropped after missing one more class meeting than twice the number of class meetings per week.  
Absences in excess of one week (consecutive or non-consecutive) from a summer session class, or any regular semester class from 6-17 weeks in duration, may result in the instructor dropping the student. That is, a student may be dropped after missing one more class meeting than the number of class meetings per week.  
Absence in excess of 10% of the scheduled class meetings in classes from one-five weeks in duration may result in the instructor dropping the student. That is, a student may be dropped after missing one class meeting more than 10% of the total number of scheduled class meetings.
4. When a student is dropped due to the attendance policy, the assignment of a "W" will be based on the drop occurring before the 14th week for a full semester class. After the 14th week, no drops are allowed, and the only grades given will be: "A," "B," "C," "D," "F," "NP," "P." It is the student's responsibility to withdraw formally from classes by the last day to withdraw with a "W." Any student who stops attending a class without officially dropping it in the Admissions & Records Office may receive a grade of "F."
5. If the student has been dropped due to the attendance policy, the instructor may reinstate the student only if all of the following conditions are met:
  - a. the student had been doing satisfactory work,
  - b. in the judgment of the instructor, the student has a reasonable chance of passing the course, and
  - c. the student verifies extenuating circumstances beyond his/her control.

The student must complete a Student Reinstatement Form with supporting documentation. Student Reinstatement Forms may be obtained from the Admissions & Records Office.

If the student is denied reinstatement, the student may petition the Vice President for Student Affairs.

## **Multiple and Overlapping Enrollments (Course Conflict) BP 4226**

Students may enroll in two or more sections of the same credit course during one term, only if the length of the courses does not overlap. No student may enroll in more than one section of the same course at any given time.

Students may petition to enroll in courses where the meeting times of those courses overlap, only under the conditions specified in Title 5, 55007.

A student may not enroll in two or more courses where the meeting times for the courses overlap, by more than 15 minutes unless:

- The student provides a valid justification, other than scheduling convenience, of the need for an overlapping schedule.
- The instructor of the course in which time must be made up must approve the Conflicting Course Petition and state on the Petition exactly when the overlapping time will be scheduled.
- The Dean of Enrollment Services must approve both the makeup schedule and Conflicting Course Petition.
- The student makes up the overlapping hours at some other time during the same week under the supervision of the instructor of the course.
- The instructor must document on his attendance roster when the student made up the time and how much time was made up.

## **Pre-Collegiate Basic Skills Coursework Limitation**

Pre-collegiate basic skills courses are defined as credit courses in reading, writing, computation, and English as a second language which are designated by the District as non-degree applicable credit courses.

A student's need for pre-collegiate basic skills coursework shall be determined using appropriate assessment instruments, methods, or procedures.

No student shall receive more than the equivalent of 30 semester units for pre-collegiate basic skills coursework. A student who exhausts this unit limitation shall be referred to appropriate adult education services.

A student who successfully completes basic skills coursework, or who demonstrates skill levels that ensure eligibility in college-level courses, may enroll in college-level coursework for which they have met the course pre- or co-requisites.

Students enrolled in one or more courses of English as a Second Language, and students identified as having a learning disability, are exempt from the limitations of this procedure.

Students who demonstrate significant, measurable progress toward development of skills appropriate to enrollment in college-level courses may be granted a waiver of the limitations of this procedure.

**SEE YOUR COUNSELOR FOR A LIST OF BASIC SKILLS COURSES.**

#### **Appeal and Waiver Procedures**

1. A student seeking to waive or appeal the unit limitation on enrollment in pre-collegiate basic skills courses shall submit a Pre-Collegiate Basic Skills "Waiver" Petition to a Hartnell counselor. The counselor shall meet with the student to review his/her academic record (transcript) and develop an academic educational plan for the next semester. The student shall forward the Pre-Collegiate Basic Skills "Waiver" Petition, the student's educational plan, and academic record (transcript), to the Dean of Student Affairs
2. The student shall sign a form acknowledging his/her knowledge of the limitations of the waiver.
3. Permission to waive the 30-unit limit will allow the student to enroll in basic skills courses for a period not to exceed one semester and for a maximum of ten basic skills units.
4. Once a waiver is approved, the student will be allowed to register in basic skills classes up to the maximum unit limit approved. If the waiver is *denied*, the counselor shall refer the student to appropriate adult education programs or community services.
5. A student whose waiver was previously denied may start the process at Step 1 above for reinstatement upon the successful completion of coursework, or a community services program, and/or appropriate scores on Hartnell's placement assessment tests. In addition, a Hartnell counselor recommendation for approval on the Pre-Collegiate Basic Skills "Waiver" Petition is required.

## **Student Conduct and Due Process**

### **Student Rights**

In joining the academic community, students enjoy the right of freedom to learn and share responsibility in exercising that freedom. Students, as well as other members of the academic community, are expected to conduct themselves in accordance with the standards of the College which are designed to perpetuate its educational purposes. When a student is charged with misconduct, such a charge will be processed in accordance with the College's Board Policies (BP) and Administrative Procedures (AP) related to Standards of Student Conduct, Student Discipline, and Student Rights, Grievances, and Complaints in order to protect the student's rights and the College's interest. Copies of these policies and administrative procedures are available from the Office of Student Affairs and on Hartnell's website.

### **Privacy Rights of Students**

Students are advised that the College maintains a policy pursuant to federal and state law providing access to students' records only upon written request of students or former students. The College does maintain directory information which is defined as:

1. Name
2. Major field of study
3. Full or part time enrollment status
4. Student participation in officially recognized athletic teams including weight and height and high school of graduation.
5. Dates of attendance
6. Degrees and certificates awarding including honors, scholarship awards, athletic awards and Dean's list recognition.
7. Photographs, video or image of the individual or campus scenes including the individual in College publications, promotional materials, or on the College's website.
8. Names, addresses, phone numbers of graduates and former students for publication in the College alumni directory and only with their consent.
9. A student ID number or other unique personal identifier that is displayed on a student ID card, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN, password, or other factor known or possessed only by the authorized user.

This directory information can and will be made public unless individual students submit an Authorization for Release of Student Records form to the Dean of Student Affairs/Enrollment Services that their name be removed from the directory information.

Unless authorized by the individual student or required by judicial order, the College will not provide access to student records or acknowledge student enrollment to other persons, including parents. Specific written authorization by the student is needed to release records, including the forwarding of transcripts.

Specific exceptions to this statement on accessibility of the records are spelled out in the policy. The detailed policy is not reproduced here, but is available from the Vice President of Student Affairs.

Students (and former students) are also advised that they have a right to challenge the content of their records if they feel that such records contain inaccurate, misleading, or otherwise inappropriate information. Contact the Admissions & Records Office.

### **Solomon Amendment**

Hartnell College fully complies with the Solomon Amendment. For more information on this amendment, see the website <http://www.aacrao.org/resources/compliance/solomon-amendment>

### **Student Grievances**

Grievances and complaints by Hartnell College students, concerning Hartnell College personnel and/or procedures, shall be handled in compliance with Hartnell College BP 5530 and AP 5530, Title IX, the California Education Code. Students shall be granted and assured all rights and procedures inherent in the above, and Hartnell College shall make a comprehensive effort to ensure that all students are informed of these policies and procedures, and assisted with these procedures.

Student Grievances and or complaints can be filed using the Hartnell College online reporting system or in person at the Office of Student Life (C-140).

## **AP 5530 Student Rights, Grievances, and Complaints**

The purpose of this procedure is to provide a prompt and equitable means of resolving student grievances or complaints. These procedures shall be available to any student who reasonably believes a college decision, action, or incident has adversely affected his or her status, rights or privileges as a student. For the purposes of this procedure, the term "complaint" or "grievance" shall be interchangeable. The procedures shall include, but not be limited to, grievances regarding:

- Sex discrimination as prohibited by Title IX of the Higher Education Amendments of 1972
- Sexual harassment
- Financial aid
- Illegal discrimination
- Course grades, to the extent permitted by Education Code Section 76224(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.



## Other Complaint Processes

After completing the Hartnell College grievance process, students and members of the public who desire to file a formal complaint with the California Community College Chancellor's Office or the Accrediting Commission for Community & Junior Colleges (AACJC) may do so by following the web links shown below:

### Chancellor's Office

- [California Community Colleges Chancellor's Office > Complaints Form](http://californiacommunitycolleges.cccco.edu/complaintsform.aspx)  
<http://californiacommunitycolleges.cccco.edu/complaintsform.aspx>

### Accrediting Commission for Community & Junior Colleges

- [Accrediting Commission for Community and Junior Colleges | Western Association of Schools and Colleges](https://accjc.org/complaint-process/)  
<https://accjc.org/complaint-process/>

## Academic Dishonesty

Dishonesty includes, but is not limited to, in-class cheating, out-of-class cheating, plagiarism, knowingly assisting another student in cheating or plagiarism, or knowingly furnishing false information to college staff, faculty, administrators or other officials. Following are definitions of in-class cheating, out-of-class cheating, plagiarism, and furnishing information. These are not all inclusive, and the list itself is not meant to limit the definition of cheating to just those mentioned:

1. In-class cheating: During an examination or on any work for which the student will receive a grade or points; unauthorized looking at or procuring information from any unauthorized sources or from any other student's work.
2. Out-of-class cheating: unauthorized acquisition, reading or knowledge of test questions prior to the testing date and time; changing any portion of a returned graded test or report and resubmitting as original work to be regraded; or presenting the work of another as one's own for a grade or points.
3. Plagiarism: unauthorized use of expression of ideas from either published or unpublished work(s) as a student's own work for a grade in a class. This also includes the violation of copyright laws, including copying of software packages.
4. Furnishing false information: forgery, falsification, alteration, or misuse of College documents, records, or identification in class or in laboratory situations.

### **Instructor Disciplinary Action When Cheating/ Plagiarism Occurs**

When a student is charged with plagiarism or cheating related to a class and the instructor has reasonable proof or documentation or the student admits the violation, the instructor may select one or more of the following options:

1. Issue an oral or written notification and warn the student that further acts of this sort will result in additional disciplinary action.
2. Issue a "NP" or a failing grade ("F") for the assignment in question. The faculty will refer the case to the Dean of Academic Affairs and provide them with the related documentation for record of the violation. The Dean of Academic Affairs Office may consider additional sanctions as outlined in the Student Discipline AP5520 in cases of continued plagiarism or cheating.

The student has a right to appeal any of these disciplinary actions and the right to have the case reviewed by a Hearing Board. If the student wishes to appeal, s/he should contact the Director of Student Affairs (Student Life) within five working days of notification of the disciplinary action.

### **Standards of Student Conduct AP 5500**

The Governing Board, the president of the community college or his or her designee, or an instructor shall suspend a student for good cause. The Governing Board is further authorized to expel a student for good cause when other means of correction have failed to bring about proper conduct, or when the presence of the student causes a continuing danger to the physical safety of the student or others. (Ed. Code § 76030)

1. Causing, attempting to cause, or threatening to cause physical injury to another person.
2. Possession, sale or otherwise furnishing any firearm, knife, explosive or other dangerous object, including but not limited to any facsimile firearm, knife or explosive, unless, in the case of possession of any object of this type, the student has obtained written permission to possess the item from the Director of Campus Security or the Chief Student Services Officer.
3. Unlawful possession, use, sale, offer to sell, or furnishing, or being under the influence of, any controlled substance listed in California Health and Safety Code Sections 11053 et seq., an alcoholic beverage, or an intoxicant of any kind; or unlawful possession of, or offering, arranging or negotiating the sale of any drug paraphernalia, as defined in California Health and Safety Code Section 11014.5.
4. Committing or attempting to commit robbery or extortion.
5. Causing or attempting to cause damage to District property or to private property on campus.
6. Stealing or attempting to steal District property or private property on campus, or knowingly receiving stolen District property or private property on campus.
7. Willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of the college or the District.
8. Committing sexual harassment as defined by law or by District policies and procedures.

9. Engaging in harassing or discriminatory behavior based on disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other status protected by law.
10. Engaging in intimidating conduct or bullying against another student through words or actions, including direct physical contact; verbal assaults, such as teasing or name-calling; social isolation or manipulation; and cyber-bullying.
11. Willful misconduct that results in injury or death to a student or to District personnel or which results in cutting, defacing, or other injury to any real or personal property owned by the District or on campus.
12. Disruptive behavior, willful disobedience, habitual profanity or vulgarity, or the open and persistent defiance of the authority of, or persistent abuse of, college personnel.
13. Cheating, plagiarism (including plagiarism in a student publication), or engaging in other academic dishonesty as defined in the College Catalog.
14. Dishonesty; forgery; alteration or misuse of District documents, records or identification; or knowingly furnishing false information to the District.
15. Unauthorized entry upon or use of District facilities.
16. Lewd, indecent or obscene conduct or expression on District-owned or controlled property, or at District sponsored or supervised functions.
17. Engaging in expression which is obscene, libelous or slanderous, or which so incites students as to create a clear and present danger of the commission of unlawful acts on District premises, or the violation of lawful District regulations, or the substantial disruption of the orderly operation of the District.
18. Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.
19. Unauthorized preparation, giving, selling, transfer, distribution, or publication, for any commercial purpose, of any contemporaneous recording of an academic presentation in a classroom or equivalent site of instruction, including but not limited to handwritten or typewritten class notes, except as permitted by any district policy or administrative procedure.
20. Violations of other applicable federal and state statutes and College rules and regulations.  
Good cause may also include, but not limited to the following offense, occurring while enrolled as a student, regardless of whether the conduct relates to college activity or college attendance.
21. Sexual assault, defined as actual or attempted sexual contact with another person without that person's consent, regardless of the victim's affiliation with the community college. Sexual assault includes, but is not limited to, acts set forth in Education Code section 76033, subdivision (g).
22. Sexual exploitation, defined as a person taking sexual advantage of another person for the benefit of anyone other than that person without that person's consent, regardless of the victim's affiliation with the community college. Sexual exploitation includes, but is not limited to, acts set forth in Education Code section 76033, subdivision (h). (Ed. Code §§ 76033, 76034.)

## **Student Discipline AP5520**

~~The purpose of administrative procedure 5520 is to provide a prompt and equitable means to address violations of the Standards of Student Conduct, which guarantees to the student or students involved the due process rights guaranteed them by state and federal constitutional protections. This procedure will be used in a fair and equitable manner, and not for purposes of retaliation. It is not intended to substitute for criminal or civil proceedings that may be initiated by other agencies.~~

~~Administrative Procedure 5520 is specifically not intended to infringe in any way on the rights of students to engage in free expression as protected by the state and federal constitutions, and by Education Code Section 76120, and will not be used to punish expression that is protected.~~

~~For more information regarding the different forms of student discipline administered in the Hartnell Community College District, please refer to the Hartnell CCD Governing Policies & Administrative Procedures (new and revised) from the Hartnell CCD Governing Board website.~~

The purpose of this procedure is to provide a prompt and equitable means to address violations of the Standards of Student Conduct, which guarantees to the student or students involved the due process rights guaranteed them by state and federal constitutional protections. This procedure will be used in a fair and equitable manner, and not for purposes of retaliation. It is not intended to substitute for criminal or civil proceedings that may be initiated by other agencies.

These Administrative Procedures are specifically not intended to infringe in any way on the rights of students to engage in free expression as protected by the state and federal constitutions, and by Education Code Section 76120, and will not be used to punish expression that is protected.

For alleged violations of the Standards of Student Conduct, complete the Student Incident Report Form (located at the end of this document).

### **1. DEFINITIONS**

District – The Hartnell Community College District

Student – Any person currently enrolled as a student at any college or in any program offered by the District.

Instructor – Any academic employee of the District in whose class a student subject to discipline is enrolled, or counselor who is providing or has provided services to the student, or other academic employee who has responsibility for the student's educational program.

Short-term Suspension – Exclusion of the student by the Director of Student Affairs or Vice President for Student Affairs for good cause from one or more classes for a period of up to ten consecutive days of instruction.

Long-term Suspension – Exclusion of the student by the Superintendent/President for good cause from one or more classes for the remainder of the school term, or from all classes and activities of the college for one or more terms.

Expulsion – Exclusion of the student by the Board of Trustees from all colleges in the District for one or more terms.

Removal from class – Exclusion of the student by an instructor for the day of the removal and the next class meeting.

Written or verbal reprimand – An admonition to the student to cease and desist from conduct determined to violate the Standards of Student Conduct. Written reprimands may become part of a student's permanent record at the college. A record of the fact that a verbal reprimand has been given may become part of a student's record at the college for a period of up to one year.

Withdrawal of Consent to Remain on Campus – Withdrawal of consent by the Director of Student Affairs for any person to remain on campus in accordance with California Penal Code Section 626.4 where the Director of Student Affairs has reasonable cause to believe that such person has willfully disrupted the orderly operation of the campus.

Day – Days during which the District is in session and regular classes are held, excluding Saturdays and Sundays.

## **2. REPORTING OF INCIDENTS OF ALLEGED VIOLATIONS OF THE STUDENT CONDUCT CODE**

Incidents can be reported by either of the following methods:

- a. Submit the Student Incident Report Form (attached at end of document)
- b. Submit an incident report online through the link on the Behavioral Intervention Team web page located on the College web site.

## **3. III. SHORT-TERM SUSPENSIONS, LONG TERM SUSPENSIONS, AND EXPULSIONS**

Before any disciplinary action to suspend or expel is taken against a student, the following procedures will apply:

- a. Notice – The Director of Student Affairs will provide the student with written notice of the conduct warranting the discipline. The written notice will include the following:
  - i. The specific section of the Standards of Student Conduct that the student is accused of violating.
  - ii. A short statement of the facts supporting the accusation.
  - iii. The right of the student to meet with the Director of Student Affairs or designee to discuss the accusation, or to respond in writing.
  - iv. The nature of the discipline that is being considered.
- b. Time limits – The notice must be provided to the student within fourteen (14) days of the date on which the conduct took place; in the case of continuous, repeated or

ongoing conduct, the notice must be provided within ten (10) days of the date on which conduct occurred which led to the decision to take disciplinary action.

- c. Meeting – If the student chooses to meet with the Director of Student Affairs, the meeting must occur no sooner than three (3) days after the notice is provided. At the meeting, the student must again be told the facts leading to the accusation, and must be given an opportunity to respond verbally or in writing to the accusation.

Short-term Suspension – Within ten (10) days after the meeting described above, the Superintendent/President shall, pursuant to a recommendation from the Director of Student Affairs or Vice President for Student Affairs, decide whether to impose a short-term suspension, whether to impose some lesser disciplinary action, or whether to end the matter. Written notice of the Superintendent/President's decision shall be provided to the student. The notice will include the length of time of the suspension, or the nature of the lesser Page 3 of 8 disciplinary action. The Superintendent/President's decision on a short-term suspension shall be final.

Long-term Suspension – Within ten (10) days after the meeting described above, the Superintendent/President shall, pursuant to a recommendation from the Director of Student Affairs or Vice President for Student Affairs, decide whether to impose a long-term suspension. Written notice of the Superintendent/President's decision shall be provided to the student. The notice will include the right of the student to request a formal hearing before a long-term suspension is imposed, and a copy of this administrative procedure describing the procedures for a hearing.

Expulsion – Within seven (7) days after the meeting described above, the Superintendent/President shall, pursuant to a recommendation from the Director of Student Affairs or Vice President for Student Affairs, decide whether to recommend expulsion to the Board of Trustees. Written notice of the Superintendent/President's decision shall be provided to the student. The notice will include the right of the student to request a formal hearing before expulsion is imposed, and a copy of this administrative procedure describing the procedures for a hearing.

#### **4. HEARING PROCEDURES**

- a. Request for Hearing.

Within five (5) days after receipt of the Superintendent/President's decision regarding a long-term suspension or expulsion, the student may request a formal hearing. The request must be made in writing to the Superintendent/President or designee.

Schedule of Hearing – The formal hearing shall be held within five (5) days after a formal request for hearing is received.

Hearing Panel – The hearing panel for any disciplinary action shall be composed of one administrator, one faculty member and one student.

The Superintendent/President, the president of the Academic Senate, and the Director of Student Affairs (Student Life) shall each, at the beginning of the academic year, establish a list of at least five persons who will serve on student disciplinary hearing panels. Those appointed to the panels will continue serve until such time that new panels are established. The Superintendent/President shall appoint the hearing panel from the names on these lists. However, no administrator, faculty member or student who has any personal involvement in the matter to be decided, who is a necessary witness, or who could not otherwise act in a neutral manner shall serve on a hearing panel.

Hearing Panel Chair – The Superintendent/President shall appoint one member of the panel to serve as the chair. The decision of the hearing panel chair shall be final on all matters relating to the conduct of the hearing unless there is a vote by both other members of the panel to the contrary.

b. Conduct of the Hearing

The members of the hearing panel shall be provided with a copy of the accusation against the student and any written response provided by the student before the hearing begins.

The facts supporting the accusation shall be presented by a college representative who shall be the Director of Student Affairs.

The college representative and the student 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 hearing panel determines to proceed otherwise, the college representative and the student shall each be permitted to make an opening statement. Thereafter, the college representative shall make the first presentation, followed by the student. The college representative may present rebuttal evidence after the student completes his or her evidence. The burden shall be on the college representative to prove by the preponderance of the evidence that the facts alleged are true.

The student may represent himself/herself, and may also have the right to be represented by a person of his/her choice except that the student shall not be represented by an attorney unless, in the judgment of the hearing panel, complex legal issues are involved. If the student wishes to be represented by an attorney, a request must be presented not less than five (5) days prior to the date of the hearing. If the student is permitted to be represented by an attorney, the college representative may request legal assistance. The hearing panel may also request legal assistance; any legal

advisor provided to the panel 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 the student requests that it be open to the public. Any such request must be made no less than five (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 panel agree to the contrary.

The hearing shall be recorded by the District either by tape recording or stenographic recording, and 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, the hearing panel 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. Tape recording shall remain in the custody of the District at all times, unless released to a professional transcribing service. The student may request a copy of the tape recording.

All testimony shall be taken under oath; the oath shall be administered by the hearing panel chair. Written statements of witnesses under penalty of perjury shall not be used unless the witness is unavailable to testify. A witness who refuses to be tape recorded is not unavailable.

Within ten (10) days following the close of the hearing, the hearing panel shall prepare and send to the Superintendent/President a written decision. The decision shall include specific factual findings regarding the accusation, and shall include specific conclusions regarding whether any specific section of the Standards of Student Conduct were violated. The decision shall also include a specific recommendation regarding the disciplinary action to be imposed, if any. The 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 accusation, the written response, if any, of the student, and the oral and written evidence produced at the hearing.

c. Superintendent/President's Decision

Long-term suspension – Within ten (10) days following receipt of the hearing panel's recommended decision, the Superintendent/President shall render a final written decision. The Superintendent/President may accept, modify or reject the findings, decisions and recommendations of the hearing panel. If the Superintendent/President modifies or rejects the hearing panel's decision, the Superintendent/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 Superintendent/President shall be final.

Expulsion – Within ten (10) days following receipt of the hearing panel's recommended decision, the Superintendent/President shall render a written recommended decision to the Board of Trustees. The Superintendent/President may accept, modify or reject the findings, decisions and recommendations of the hearing panel. If the Superintendent/President modifies or rejects the hearing panel's decision, he or she shall review the record of the hearing, and shall prepare a new written decision which contains specific factual findings and conclusions. The Superintendent/President decision shall be forwarded to the Board of Trustees.

d. Board of Trustees Decision

The Board of Trustees shall consider any recommendation from the Superintendent/President for expulsion at the next regularly scheduled meeting of the Board after receipt of the recommended decision.

The Board shall consider an expulsion recommendation in closed session, unless the student has requested that the matter be considered in a public meeting in accordance with these procedures.

The student shall be notified in writing, by registered or certified mail or by personal service, at least three (3) days prior to the meeting, of the date, time, and place of the Board's meeting.

The student may, within forty-eight (48) hours after receipt of the notice, request that the hearing be held as a public meeting.

Even if a student has requested that the Board consider an expulsion recommendation in a public meeting, the Board will hold any discussion that might be in conflict with the right to privacy of any student other than the student requesting the public meeting in closed session. (Ed. Code § 72122)

The Board may accept, modify or reject the findings, decisions and recommendations of the Superintendent/President and/or the hearing panel. If the Board modifies or rejects the decision, the Board 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 Board shall be final.

The final action of the Board on the expulsion shall be taken at a public meeting, and the result of the action shall be a public record of the District. (Ed. Code § 72122)

**5. OTHER AVAILABLE SANCTIONS**

a. Immediate Interim Suspension

The Superintendent/President may order immediate suspension of a student where he/she concludes that immediate suspension is required to protect lives or property and to ensure the maintenance of order. In cases where an interim suspension has been ordered, the time limits contained in these procedures shall not apply, and all hearing rights, including the right to a formal hearing where a long-term suspension or expulsion is recommended, will be afforded to the student within ten (10) days. (Ed. Code § 66017)

b. Removal from Class

Any instructor may order a student removed from his/her class for the day of the removal and the next class meeting. The instructor shall immediately report the removal to the Director of Student Affairs who will communicate the action to the Office of Campus Safety and Security. The Director of Student Affairs shall arrange for a conference between the student and the instructor regarding the removal. If the instructor or the student requests, the Director of Student Affairs shall attend the conference. The student shall not be returned to the class during the period of the removal without the concurrence of the instructor. Nothing herein will prevent the Director of Student Affairs from recommending further disciplinary procedures in accordance with these procedures based on the facts, which led to the removal. (Ed. Code § 76032)

c. Withdrawal of Consent to Remain on Campus

The Director of Student Affairs may notify any person for whom there is a reasonable belief that the person has willfully disrupted the orderly operation of the campus that consent to remain on campus has been withdrawn. If the person is on campus at the time, he/she must promptly leave or be escorted off campus by Campus Security. If consent is withdrawn by the Director of Student Affairs a written report must be promptly made to the Superintendent/President.

The person from whom consent has been withdrawn may submit a written request for a hearing on the withdrawal within the period of the withdrawal. The request shall be granted not later than seven (7) days from the date of receipt of the request. The hearing will be conducted in accordance with the provisions of this procedure relating to interim suspensions.

In no case shall consent be withdrawn for longer than five (5) days from the date upon which consent was initially withdrawn.

Any person as to whom consent to remain on campus has been withdrawn who knowingly reenters the campus during the period in which consent has been withdrawn, except to come for a meeting or hearing, is subject to arrest (Penal Code § 626.4).

d. Official Reprimands

The Superintendent/President, Director of Student Affairs, or an instructor may issue a written or verbal reprimand to a student upon a determination that the student's conduct has violated the Standards of Student Conduct. Any written reprimand issued by an instructor shall be referred to the Director of Student Affairs to determine whether the written reprimand may become part of a student's permanent record. A record of the fact that a verbal reprimand has been given may become part of a student's record for a period of up to one year. (Ed. Code § 76031.)

e. **Social Probation**

A student may be excluded from participation in specified or all extra-curricular District activities. Extra-curricular District activities may include any college related activity for which the student receives no academic credit. Any exclusion must be made in writing, and such writing shall set forth the reason or reasons for the imposition of the disciplinary action, the activities to which the exclusion applies, and the length of time for which it is to be imposed. A copy of the written notice of social probation shall be served to the student and shall be placed in the student's record. (Ed. Code § 76031.)

f. **Disciplinary Probation**

A student may be required to adhere to specific written terms and conditions defined by the Director of Student Affairs and/or the Superintendent/President. The terms of probation shall bear a reasonable relationship to the violation committed by the student. The sanction may include, but is not limited to, ineligibility to participate in District or student-sponsored activities, including public performances, and may be imposed upon an individual student or group(s) of students. Disciplinary probation may be imposed for a period not to exceed one year. The terms of the probation shall be issued in writing, including any sanctions, the reasons for the imposition of the disciplinary action, and the length of time for which it is imposed.

Should the student violate one or more of the terms of the probation during the probationary period, the Director of Student Affairs may impose a more stringent Page 8 of 8 disciplinary action, such as suspension. The student will be notified of any violations and more stringent discipline in writing. The Director of Student Affairs shall immediately notify the Superintendent/President. (Ed. Code § 76031.)

**6. TIME LIMITS**

Any times specified in these procedures may be shortened or lengthened if there is mutual concurrence by all parties.

**7. ACADEMIC DISHONESTY**

In addition to disciplinary action in accordance with the procedures set forth above, academic sanctions may be imposed by an instructor in cases of academic dishonesty. Academic sanctions may include, but are not limited to, a written warning, a failing grade on a test, paper, or examination, or a lowered course grade.

Incidents of academic dishonesty and sanctions should be promptly reported in writing to the Director of Student Affairs with a copy to the student. The Director of Student Affairs will determine whether to initiate disciplinary action. (Ed. Code § 76037.)

#### **8. STUDENT RECORD OF DISCIPLINE**

Record of any disciplinary action taken by the District against a student shall be included in that student's record. The student shall have the right to submit a written statement of his/her objections to the decision. This statement shall be included in the student's record. (Ed. Code § 76233.)

If the record concerns disciplinary action in connection with alleged sexual assault or physical abuse, or any conduct that threatens the health and safety of the alleged victim, the alleged victim of that sexual assault or physical abuse shall be informed within three (3) days of the result of any disciplinary action by the community college and the results of any appeal. The victim shall keep the results of that disciplinary action confidential. (Ed. Code § 76234.) (See also AP 3515-Reporting of Crimes, Section I. Reporting of a Crime, for permissible disclosure of disciplinary proceedings.)

### **Service Animals AP3440**

No personal Pets or animals are allowed on any Hartnell College campus except for:

1. Service animals that provide a specific task that is directly related to a student's disability. Prior to bringing a service animal to the District, students with disabilities who use a service animal should contact the Department of Supportive Programs and Services (DSPS). DSPS counselors assist students with disabilities to promote a smooth transition and participation in the College's programs and activities.
2. Animals used in an instructional program. Students not observing this regulation will be in violation of the Student Code of conduct and will be handled through established student disciplinary policy and procedures.