

**SHARED CONSULTATION COUNCIL**  
STRATEGIC PLANNING ~ POLICY & PROCEDURE APPROVAL ~ ISSUE MANAGEMENT ~ CAMPUS COMMUNICATION  
**Wednesday, May 2, 2012 3:00 – 5:00 L238 N & S**

**SWC Mission Statement**

*Southwestern Community College District promotes student learning and success by committing to continuous improvement that includes planning, implementation and evaluation. We serve a diverse community of students by providing a wide range of dynamic and high quality academic programs and comprehensive student services*

**Funding Priorities**

*Preserve Jobs (Employment Integrity); Preserve Classes (Instructional Integrity);  
Preserve Support to Students (Student Services Integrity); Preserve Safety (Environmental/Security Integrity)*

**Members**

<b>SCC Co-Chairs: Melinda Nish and Angelina Stuart</b>			
<b>4 Academic Senate Representatives:</b>	<b>4 CSEA Representatives:</b>	<b>7 Planning Representatives</b>	
<i>Victoria Lopez</i>	<i>Bruce MacNintch</i>	<i>AOC: Mink Stavenga</i>	
<i>Janelle Williams</i>	<i>Michele Fenlon</i>	<i>FSC: John Brown</i>	
<i>Eric Maag</i>	<i>Heather MacNintch</i>	<i>IPRC: Linda Hensley</i>	
<i>Chris Hayashi</i>	<i>Deborah Peckenpaugh</i>	<i>ITC: Paul Norris</i>	
<b>4 SCCDAA Representatives:</b>		<i>OIE: Diana Kelly</i>	
<i>Aaron Starck</i>	<b>4 Associated Student Representatives:</b>	<i>EP/EMC: Mia McClellan</i>	
<i>Patti Larkin</i>	<i>Claudia Duran</i>	<i>ISLO: Rebecca Wolniewicz</i>	
<i>Debbie Trujillo</i>	<i>Candy Arias</i>	<b>Non-Voting Resource Staff</b>	
<i>Silvia Cornejo-Darcy</i>	<i>Angel Castro</i>	<i>C.M. Brahmhatt, Interim VPBFA</i>	
<b>1 Confidential Representative</b>	<i>Miriam Hernandez</i>	<i>Linda Gilstrap, Dean, OIE/FED</i>	
<i>Patti Blevins</i>		<i>Joseph Quarles, Interim VPHR</i>	
	<b>1 SCEA Representative</b>	<i>Ben Seaberry, IT Director</i>	
<i>Valerie Goodwin-Colbert (Facilitator)</i>	<i>Andy MacNeill</i>	<i>Angélica Suárez, VPSA</i>	
<i>Rosalva Garcia (Recorder)</i>		<i>Kathy Tyner, Interim VPAA</i>	
<b>Guest(s):</b> <i>Randy Beach</i>		<i>Susan Brenner, VPAS</i>	

**10 + 1 Mutual Agreement Items:**

9. District and college governance structures, as related to faculty roles.
10. Processes for institutional planning and budget development including self-study and annual reports.
11. + 1 Other academic and professional matters as mutually agreed between the Gov. Board & the Academic Senate.

**A G E N D A**

AGENDA ITEM	PRESENTER/S	ITEM TYPE	TIME	DECISION
1. Call to Order /Approval of Agenda Approval of Minutes:	Co-Chairs Nish/Stuart	Action	5 min	
2. SCC 2012-2013 Meeting Schedule	Co-Chairs Nish/Stuart/Beach	Action	5 min	
<b>I. Strategic Planning</b>				
3. Revised ISLOs & new GE SLOs: 1 <sup>st</sup> Reading	Wolniewicz	Info	5 min	
<b>II. Policy &amp; Procedures</b>				
4. Policy 7120	Task Force	Action	10 min	
5. Policy & Procedures 5040: 1 <sup>st</sup> Reading Student Records, Directory Information and Privacy	Suárez/McClellan	Info	5 min	
6. Policy & Procedures 5045: 1 <sup>st</sup> Reading Student Records-Challenging Content & Access Log	Suárez/McClellan	Info	5 min	
7. Procedure 5500: 1 <sup>st</sup> Reading Student Standard of Conduct	Suárez/McClellan	Info	5 min	
<b>III. Issue Management</b>				
8. One-Year Contract Faculty Hires - Update	Co Chair Nish Brahmbhatt Quarles	Info	10 min	

9. Reorganization Forum Input - <a href="#">Update</a>	Gilstrap/Suarez Stuart/Tyner	<a href="#">Info</a>	<a href="#">20 min</a>	
<b>IV. Campus Communication</b>				
10. Hiring Committee Confidentiality & Process	Nish/Quarles	<a href="#">Info</a>	<a href="#">5 min</a>	
11. Travel Limitations Recommendation (Enclosure)	Nish Suarez/Tyner	<a href="#">Info</a>	<a href="#">5 min</a>	
12. Hiring of Non-Academic Hourlies	Quarles/Unger	<a href="#">Info</a>	<a href="#">5 min</a>	
<b>V. Meeting Summary – Nish (5 min)</b>				
<b>VI. IBB Process Check – Nish (5 Min)</b>				
Meeting Feedback	Co-Chairs Nish/Stuart			
<u>Task Force Updates:</u> <ul style="list-style-type: none"> <li>✓ Reorganization Task Force</li> <li>✓ Smoking Policy Task Force</li> <li>✓ Parking Issues</li> <li>✓ SPDM Handbook Revision Task Force</li> </ul>				

Next SCC Meeting: [Wednesday, June 6, 2012 \(Tentatively\)](#)  
[Location: L238 N & S](#)

**SHARED CONSULTATION COUNCIL**  
STRATEGIC PLANNING ~ POLICY & PROCEDURE APPROVAL ~ ISSUE MANAGEMENT ~ CAMPUS COMMUNICATION  
**Wednesday, April 18, 2012 3:00 – 5:00 L238 N & S**

**SWC Mission Statement**

*Southwestern Community College District promotes student learning and success by committing to continuous improvement that includes planning, implementation and evaluation. We serve a diverse community of students by providing a wide range of dynamic and high quality academic programs and comprehensive student services*

**Funding Priorities**

*Preserve Jobs (Employment Integrity); Preserve Classes (Instructional Integrity);  
Preserve Support to Students (Student Services Integrity); Preserve Safety (Environmental/Security Integrity)*

**Members**

<b>SCC Co-Chairs: Melinda Nish and Angelina Stuart</b>			
<b>4 Academic Senate Representatives:</b>	<b>4 CSEA Representatives:</b>	<b>7 Planning Representatives</b>	
x Victoria Lopez	x Bruce MacNintch	x AOC: Mink Stavenga	
x Janelle Williams	x Michele Fenlon	FSC: John Brown	
x Eric Maag	x Heather MacNintch	x IPRC: Linda Hensley	
x Chris Hayashi	x Deborah Peckenpangh	x ITC: Paul Norris	
<b>4 SCCDAA Representatives:</b>		x OIE: Diana Kelly	
x Aaron Starck		EP/EMC: Mia McClellan	
x Patti Larkin	<b>4 Associated Student Representatives:</b>	x ISLO: Rebecca Wolniencz	
x Debbie Trujillo	x Claudia Duran		<b>Non-Voting Resource Staff</b>
x Silvia Cornejo-Darcy	x Alex Lopez	ex C.M. Brahmbhatt, Interim VPBFA	
<b>1 Confidential Representative</b>	ex Candy Arias	x Linda Gilstrap, Dean, OIE/FED	
ex Patti Blevins	x Miriam Hernandez	x Joseph Quarles, Interim VPHR	
	<b>1 SCEA Representative</b>	x Ben Seaberry, IT Director	
Randy Beach for Valerie Goodwin-Colbert (Facilitator)	x Andy MacNeill	x Richard Fielding for Kathy Tyner, Interim VPAA	
Rosalva Garcia (Recorder)		x Angelica Suarez, VPSA	
Guest(s): Malia Flood, Robert Ungar		x Susan Brenner, VPAS	

**10 + 1 Mutual Agreement Items:**

9. District and college governance structures, as related to faculty roles.
10. Processes for institutional planning and budget development including self-study and annual reports.
11. + 1 Other academic and professional matters as mutually agreed between the Gov. Board & the Academic Senate.

## M I N U T E S

AGENDA ITEM	PRESENTER/S	Time	DECISION
1. Call to Order /Approval of Agenda Approval of Minutes			Both agenda and minutes approved by consensus
2. SCC Summer Schedule			After discussion, the SCC agreed by consensus to schedule two tentative meetings; one in June and one in July to meet, as needed.
3. SCC Retreat			Instead of having the SCC Retreat on the first Weds. in August as has been the past practice, it was decided to hold the retreat closer to the start of the fall semester, on August 15 or 16, to accommodate Independent Flex Day activities. This will be worked on collaboratively between the Staff Development Coordinator and the Co-Chairs.
<b>I. Strategic Planning</b>			
4. Protocol for Governing Board Contacts			There was much discussion about the need for Governing Board contacts protocol. If any employee of the District is contacted by a board member the protocol is to facilitate the contact through the Office of the S/P. The role of the S/P's office is to facilitate meetings between GB members and College District staff.  The SCC is concerned about Governing Board and the District compliance with Accreditation as micromanagement is a sanctionable item by ACCJC. This behavior could potentially bring the District back

	<p>to sanction despite the Board's best intentions. One recommendation is to provide little cards to remind staff as well as GB members of ACCJC standards. The SCC had the following recommendations:</p> <ul style="list-style-type: none"><li>✓ Set policy</li><li>✓ Written protocols, guidelines and internal training should be provided for the Board and the District regarding Governing Board contacts and employees regarding protocols and guidelines should be provided for Governing Board Member. The need to be aware of a clear set of written protocol rules and guidelines.</li><li>✓ District Employees should never converse with the Governing board about operational items, personnel issues, or the needs in their departments. Staff members should feel comfortable chatting socially with GB Trustees at College events, however.</li></ul>
5. Prioritization Review & Debrief	<p>The SCC debriefed on the prioritization results and they were advised to review the results, which are posted in public folders under Shared Consultation Council. Ben Seaberry will post prioritization comparisons. Co-Chair Nish charge the SCC with reviewing four reports from the SCC Master Prioritization Results.</p> <p>There was an assessment of the Prioritization process at SCC. Pros and cons discussed: and will be taken under review for next year's process</p> <p><u>Pros:</u></p> <ul style="list-style-type: none"><li>✓ The technology portion was fantastic in assisting with an easy process.</li><li>✓ It was a lot easier than last year.</li><li>✓ The process should only get better and better. The college is moving forward and moving in the right direction.</li></ul> <p><u>Cons:</u></p> <ul style="list-style-type: none"><li>✓ Did not like picking without enough information. Even though, it included the rationale it was not enough.</li><li>✓ It was not set up properly: comparisons do not seem comparable, as far as budget funds. It's apples and oranges.</li><li>✓ The Master List may not be giving us what we think we are getting because the items being prioritized are not equal. It was suggested that this process is not a true prioritization but rather what's more rationale.</li><li>✓ There was a mention about being against the idea of</li><li>✓ "cherry picking," as SCC members felt that their choices were non-existent and that their input did not matter.</li><li>✓ The process felt constrained. It created a bit of silo effect in selecting only from the either areas if there was not an opportunity to look at the big picture and discuss it prior to prioritizing. It would have helped to have something to compare thing to. Are we looking at the priorities as a whole of what's good for the District?</li></ul>

	<p>The following suggestions were made to improve the Prioritization process:</p> <ul style="list-style-type: none"> <li>✓ Take all the comments and send them back to the IPRC for discussion.</li> <li>✓ The SCC could have a sub-group to look at the prioritization cycle.</li> <li>✓ It was suggested that the SCC should develop a standardized rubric so that all Standing committees are using similar items as well as the SCC itself when it prioritizes.</li> </ul> <p>Comparisons will be brought back to the next SCC meeting, May 2. Co-Chair Nish commended everyone for their hard work and added that SWC is doing a great job in comparison other community colleges.</p> <p>There was a motion to ask the IPRC (technical piece of advise) to review the prioritization process for validity and reliability and then tasked the IPRC with bringing their recommendations backs to the SCC in the fall. <b>Approved by consensus</b></p>
<p>6. SCC Organizational Chart</p>	<p>After discussion and explanation, the SCC <b>approved by consensus</b> the revised SCC Organizational Chart, which now includes the Budget Committee as a standing committee of the SCC and the newly developed SPS (Strategic Planning Committee), which facilitates strategic planning for the SCC to act upon.</p>
<p><b>II. Issue Management</b></p>	
<p>7. Update &amp; Discussion of One-Year Contract Faculty Hires</p>	<p>After much discussion, the SCC <b>approved by consensus</b> moving forward and accepting the recommendation from the Budget Committee to hire twenty one-year faculty positions. The Academic Senate also had recommended the same at its last meeting. This recommendation will also be forwarded to Cabinet for review and action. Deans are advised to recruit faculty to serve on screening committees immediately and revise and finalize job descriptions and for advertisement. The Senate faculty present also voiced a desire to have a portion of these positions be tenure-track positions in order to honor the FHP List.</p> <p>The twenty faculty will be recruited for 2012-2013 in accordance with the 2011-2012 FHP List. Continuation of these positions as tenure track in the subsequent year (2013-14) will be contingent upon funding. As per the agreement in Budget Committee, it was noted that should there be a reduction in FON in 2012-2013, the number of tenure-track faculty positions in the subsequent year will be reduced accordingly in reverse order of the FHP List. The intent of the recruitment and hiring of faculty on these one-year contracts is to not put anyone in a situation of becoming permanent due to prior adjunct service at SWC.</p>
<p>8. Reorganization Forums Update</p>	<p>The Reorganization Forums are moving into Phase II. The information gathered in Phase I will be used to generate a number of potential organizational structures, or “straw designs.” These will be presented at each of the upcoming forums. The Reorganization Task Force will provide a report at the next meeting, May 2.</p> <p>Co-Chair Nish shared that there has been much conversation about reorganization of the entire District. She stated that we have been into a</p>

	de facto reorganization. The goal with the forums is to learn the best way to organize the District using current resources. It was noted that one straw design does not have to be “voted” upon but that pieces or portions of the designs can be recommended to her for input.
9. Prop R Phase I Cost on Technology	Ben Seaberry, Director of IT, discussed the cost for Prop R Phase I technology, which will mainly focus on the wireless network and the wired infrastructure to support this and the wide area network, language which was on the original bond language. The cost for Phase I is approximate \$3 to \$5 Million. This item will be going to the GB for approval soon.  Phase II included the technology infrastructure fiber optic cabling necessary for optimal District efficiency.
<b>III. Campus Communication</b>	
10. Hiring Committee Confidentiality & Process	<a href="#">Tabled for May 2 Meeting</a>
11. Hiring of Non-Academic Hour lies	<a href="#">Tabled for May 2 Meeting</a>
12. Travel Limitations Recommendation (Enclosure)	<a href="#">Tabled for May 2 Meeting</a>
13. IFC Membership	The SCC made a motion to the IFC to move forward with an extra member from DSS and it was approved by consensus. Malia Flood was appointed. It is unclear in the operating principles, or not stated at all, whether standing committees can recommend to the SCC or if they need to get its permission. This item will need to be re-visited again in the future.
<b>IV. Meeting Summary – Nish (5 min)</b>	
<b>V. IBB Process Check – Nish (5 Min)</b>	
Meeting Feedback	Co-Chairs Nish/Stuart
<u>Task Force Updates:</u> <ul style="list-style-type: none"> <li>✓ Reorganization Task Force</li> <li>✓ Policy 7120 Task Force</li> <li>✓ Smoking Policy Task Force</li> <li>✓ SPDM Handbook Revision Task Force</li> </ul>	

## Institutional Student Learning Outcomes (ISLOs)

4-24-12 Draft

Changes and additions are in **bold**.

- A. Communication Skills (Listening, Speaking, Reading, Writing)
  - 1. Listen and speak actively and critically to identify a person's position and then analyze it to determine its quality.
  - 2. Present ~~their~~ ideas in a clear and organized way to others.
  - 3. Analyze and evaluate text in writing.
  
- B. Thinking and Reasoning (Creative Thinking, Critical Thinking, Quantitative Reasoning)
  - 4. Formulate and share ideas, analyze the ideas of others, integrate them into their thinking.
  - 5. Assess and analyze data and information as they investigate issues and solve problems.
  - 6. Use quantitative reasoning to identify, analyze and solve quantitative problems.
  
- C. Information Competency (Research and Technology)
  - 7. Research topics by identifying, analyzing and assessing the ideas from a variety of sources to conduct research.
  - 8. Students will use print material and technology to identify research needs and develop and evaluate information effectively and responsibly.
  
- D. Global Awareness **and Ethics** (Social, Cultural, and Civic Responsibility)
  - 9. Collegially work with diverse groups of people.
  - 10. Identify and examine the cultural values of different ethnic groups in a sensitive and respectful manner.
  - 11. **Analyze and evaluate the influence that science, mass media, politics, socio-economics, technology, lifestyle, art, environment, religion or history have on society.**
  - 12. **Analyze and critique the ethical implications of decision making on personal behavior, and on social, political or economic institutions.**
  - 13. **Evaluate and determine if a given set of economic, social and environmental systems and practices are sustainable in the long term.**
  
- E. Aesthetic Sensitivity and Historical Literacy (History, Creativity, and Artistic and Perceptual Experiences.)
  - 14. **Identify, examine and critique the aesthetic, political, scientific, philosophical ~~or~~ and historical elements of human culture.**
  - 15. **Demonstrate creative thinking and artistic sensitivity in creating works of art and effectively describe the artistic processes used.**
  - 16. **Analyze and critique the philosophical, technical, historical, cultural and aesthetic qualities of works of art.**

**GE SLOs**  
Draft 4-24-12

**Plan A: Associates Degree Requirement**

- A. Language and Analytical Thinking  
Demonstrate critical thinking by analyzing and creating central arguments and lines of reasoning.
- B. Natural Science  
Examine issues related to the natural sciences from an evidence-based perspective and use in applied contexts.
- C. Humanities  
Evaluate and critique the influence of artistic techniques and expression on culture and society.
- D. Social, Political and Economic Institutional and Behavior, Historical Background  
Identify and analyze data, perspectives, trends, concepts or issues pertaining human social function and experience.

**Plan B: CSU Breadth Requirement**

- A. English Language, Communications and Critical Thinking  
Demonstrate critical thinking by analyzing and creating central arguments and lines of reasoning.
- B. Scientific Inquiry Quantitative Reasoning  
Analyze and apply mathematical concepts and scientific methods to interpret and to evaluate data in order to effectively problem-solve issues in a variety of contexts.
- C. Art and Humanities  
Evaluate and critique the influence of artistic techniques and expression on culture and society.
- D. Social Sciences  
Identify and analyze data, perspectives, trends, concepts, and issues pertaining to human social function and experience.

**IGETC: Intersegmental General Education Transfer Curriculum (UC/CSU)**

- Area 1. English Communication  
Demonstrate critical thinking by analyzing and creating central arguments and lines of reasoning.
- Area 2. Mathematical Concepts and Quantitative Reasoning  
Analyze and apply mathematical concepts and scientific methods to interpret and to evaluate data to effectively problem-solve issues in a variety of contexts.
- Area 3. Arts and Humanities  
Evaluate and critique the influence of artistic techniques and expression on culture and society.
- Area 4. Social and Behavioral Sciences  
Analyze and critique data, perspectives, trends, concepts and issues pertaining to human social function and experience.
- Area 5. Physical and Biological Sciences  
Examine and evaluate issues related to the physical and biological sciences from an evidence-based perspective and use in applied contexts.
- Area 6. Languages Other Than English  
Acquire proficiency using the vocabulary, syntax and semantics of a foreign language to effectively speak, read, and write using that language.



**Southwestern Community College District  
Shared Consultation Council (SCC)**

**Request for Consultation Form**

(All items for consultation will be submitted to the SCC for first consultation on an SCC agenda)

<b>Title:</b>	5040: Student Records, Directory Information and Privacy – Policy and Procedures 5045: Student Records – Challenging Content and Access log – Procedures only		
Brief Overview of Proposal (attach additional support documentation as appropriate): 1. 5040 Student Records, Directory Information and Privacy - Policy and Procedures 2. 5045 Student Records—Challenging Content– Procedures only.			
<b>STEP 1</b>	Date of First SCC Consultation: 5/2/2012		
<b>STEP 2</b>	Consultation Start Date:		
<b>STEP 3</b>	Name of Originator: Mia McClellan, Dean of Student Services		
	Sponsoring Constituency Group: Admissions and Records – Student Affairs		
	Extension: 6369	Email: <a href="mailto:mmclellan@swccd.edu">mmclellan@swccd.edu</a>	
<b>STEP 4</b>	Timeline determined by SCC	<input checked="" type="checkbox"/> <b>Normal</b> (14-21 Calendar Days)	
		<input type="checkbox"/> <b>Urgent</b> (5-7 Calendar Days) Must provide a rationale:	

<b>STEP 5</b>			
	SCC Constituency Group Required for Consultation(Check all that apply)		Additional Stakeholders Required For Consultation
<input checked="" type="checkbox"/>	Academic Senate	1.	Dean’s Council
<input checked="" type="checkbox"/>	ASO	2.	Student Services Council
<input type="checkbox"/>	Classified Senate	3.	
<input type="checkbox"/>	CSEA	4.	
<input type="checkbox"/>	Confidentials Employee Group	5.	
<input type="checkbox"/>	SCEA	6.	
<input type="checkbox"/>	SCCDAA	7.	

**STEP 6****Acknowledgment of Consultation Tracking**

This form is intended to track acknowledgment of consultation and to confirm that the SCC representatives for each constituent group below has had an opportunity to consult with the appropriate constituent group in the manner most effective for that group. This form does not imply agreement, only acknowledgement that opportunity consultation has occurred.

<b>Constituency Group-Representative</b>	
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Date	<b>Academic Senate-Academic Senate President</b>
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Signature	
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Manner of consultation (e.g. global e-mail, committee meeting, Academic Senate meeting):

Academic Senate meeting

Date	<b>Associated Student Organization- ASO President</b>
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Signature	
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Manner of consultation (e.g. global e-mail, committee meeting, ASO meeting):

ASO Senate Meeting

Date	<b>California School Employees Association-CSEA President</b>
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Signature	
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Manner of consultation (e.g. global e-mail, committee meeting, CSEA meeting):

Date	<b>Classified Senate- Senate President</b>
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Signature	
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Manner of consultation (e.g. global e-mail, committee meeting, Classified Senate meeting):

Date	<b>Confidential Employees-Confidentials Designee</b>
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Signature	
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Manner of consultation (e.g. global e-mail, committee meeting):

Date	<b>Southwestern College Education Association-SCEA President</b>
Signature	
Manner of consultation (e.g. global e-mail, committee meeting, SCEA meeting):	
Date	<b>Southwestern Community College Administrators Association -SCCDAA President</b>
Signature	
Manner of consultation (e.g. global e-mail, committee meeting, CMT meeting):	

<b>STEP 7</b>	<b>Results of SCC Action</b>
<input type="checkbox"/>	Item Approved Date:
<input type="checkbox"/>	Item Not Approved Date:
<input type="checkbox"/>	Item Tabled Date:
<input type="checkbox"/>	Item Postponed / No Action Date:

**STUDENT RECORDS, AND DIRECTORY INFORMATION, AND PRIVACY**

*References: Education Code Sections 76200 et seq.; Title 5 Sections 54600 et seq.*

The Superintendent/President shall assure that student records are maintained in compliance with applicable federal and state laws relating to the privacy of student records. Any currently enrolled or former student of the District has the right to access any and all student records relating to him or her maintained by the District.

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

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

Southwestern College is authorized to verify public directory information concerning currently enrolled students at the College.

Directory information is defined as: student's name, email address, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, and degrees and awards received.

The directory information may be released by Admissions and Records, unless prior written objection is received from the student and placed on file in Admissions and Records.

Southwestern College may limit or deny the release of former and current student directory information based on a determination of the best interest of the student.

Directory information shall ~~only~~ be released to military recruiters in compliance with the Solomon Act passed in 1995. Directory information is defined as student's name, address, telephone listing, date of birth, level of education, and degrees received.

Office of Primary Responsibility: Admissions & Records

Student Affairs

STUDENT RECORDS, DIRECTORY INFORMATION AND PRIVACY

References: Education Code Sections 76200 et seq.; Title 5 Sections 54600 et seq.; US Patriot Act; Civil Code Section 1798.85

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

Former and currently enrolled students have the right of access to their student records. Student records maintained by the District include information relevant to admissions, registration, academic history, student benefits or services, extracurricular activities, counseling and guidance. Access to a student's own records shall be granted to any student filing a written request with the Dean of Student Services or designee. Access shall be granted no later than 15 working days following the request.

**Release of Student Records**

No instructor, official, employee, or member of the Board of Trustees of the Southwestern Community College District shall authorize access to student records to any person except under the following circumstances:

- The District may permit access to student records to any person for whom the student has executed consent specifying the records to be released and identifying the party or class of parties to whom the records may be released. Consent must be signed and dated by the student, and the recipient must be notified that the transmission of the information to other parties is prohibited. The consent notice shall be kept with the permanent file. Parents of non-minor students do not have access, except when written permission is received from the student.
- Student records may be released to officials and employees of the district only when they have a legitimate educational interest to inspect a record. The person requesting the information must contact the Admissions and Records Office. Legitimate educational requests may include; academic counseling, student disciplinary processes, college safety and security needs, degree and other academic achievements check and reviews. The Dean of Student Services or designee will review requests. If the request is deemed legitimate, the information will be released.
- Student records may be released to authorized representatives of the Comptroller General of the United States, the Secretary of Education, an administrative head of an educational agency, state education officials or their respective designees or the United States Office of Civil Rights, where such information is necessary to audit or evaluate a state or federal supported education program or pursuant to a federal or state law. Exceptions are when the collection of personally identifiable information is

specifically authorized by federal law, any data collected by those officials shall be protected in a manner which will not permit the personal identification of students or their parents by other than those officials, and any personally identifiable data shall be destroyed when no longer needed for that audit, evaluation, and enforcement of federal legal requirements. All requests must be directed to the Office of Admissions and Records.

- Student records may be released to officials of other public or private schools or school systems, including local, county or state correctional facilities where educational programs are provided, where the student seeks or intends to enroll, or is directed to enroll. The release is subject to the conditions in Education Code Section 76225. Students must provide a written request with their signature to the Office of Admissions and Records requesting this action. The official transcript will be sent to the address provided by the student.
- Student records may be released to agencies or organizations in connection with a student's application for, or receipt of financial aid provided that information permitting the personal identification of those students may be disclosed only as necessary for purposes which may include; to determine the amount of the financial aid, the conditions which will be imposed regarding the financial aid or enforce the terms or conditions of the financial aid. The Financial Aid office is responsible for release of this information.
- Student records may be released to organizations conducting studies for, or on behalf of accrediting organizations, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering financial aid programs, and/or improving instruction. When those studies are conducted it will be in such a manner as will not permit the personal identification of students or their parents by persons other than representatives of those organizations and the information will be destroyed when no longer needed for the purpose for which it is conducted. The organization conducting the study will submit the request in writing to the Dean of Student Services or designee.
- Student records may be released to appropriate persons in connection with an emergency if the knowledge of that information is necessary to protect the health or safety of a student or other persons, subject to applicable federal or state law. Request will be submitted in writing to the Dean of Student Services or designee.
- Student records shall be released pursuant to a federal judicial order that has been issued regarding an investigation or prosecution of an offense concerning an investigation or prosecution of terrorism. Request will be submitted in writing to the Dean of Student Services or designee.

- Student records shall be released pursuant to a judicial order or a lawfully issued subpoena. When receiving a subpoena, designated Admissions and Records staff will:
  - Careful review and examine its legitimacy
  - Verify that student's name, social security number, and date of birth are consistent with school records.
  - Verify and make copies of documents requested. The documents are sent in a sealed envelope with a declaration certifying the copies are true records on file with the Southwestern Community College District. In addition, instructions for opening the sealed documents are attached to the envelope.
  - When in doubt, review of subpoena will be by the Dean of Student Services.
- The following information shall be released to military recruiter, in compliance with the Solomon Act for the purposes of military recruitment; Student names, addresses, telephone listings, dates and places of birth, levels of education, degrees received, prior military experience, and/or most recent previous educational institutions enrolled by students. This information, unless prior written objection is received from the student and placed on file with Admissions and Records will be released.

### **Use of Social Security Numbers**

Southwestern College has not used a student Social Security Number as a student identifier since January 1, 2007, when legislation was passed. The District is prohibited from the following:

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

### **Directory Information**

Directory information may be released in accordance with the definitions in Governing Board Policy 5040. Directory information is defined as: student's name, email address; participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, and degrees and awards received.

The directory information may be released by Admissions and Records, unless prior written objection is received from the student and placed on file in Admissions and Records.

**Charge for Official Transcripts of Student Records**

A student/former student shall be entitled to two free copies of their official transcript. Additional copies shall be made available to the student or an address designated by the student at the current rate per copy. Students may request special processing of an official transcript. Please refer to the College Catalog for current transcript fees.

Office of Primary Responsibility: Admissions & Records and Office of Student Services



**STUDENT RECORDS—CHALLENGING CONTENT**

**References:** Education Code Sections 76222 and 76232; Title 5 Section 54630

**Challenging Content**

Any student may file a written request with the Dean of Student Services or designee to correct or remove information recorded in his or her student records. Information that the student alleges may include: (1) inaccurate; (2) unsubstantiated personal conclusion or inference; (3) conclusion or inference outside of the staff person area of competence; or (4) not based on the personal observation of the student with the time and place of the observation noted.

Within 30 working days of receipt of the request, the Dean of Student Services or designee shall meet with the student and the employee who recorded the information in question, if the employee is presently employed by the District. The Dean of Student Services or designee shall then sustain or deny the allegations.

If the Dean of Student Services or designee sustains any or all of the allegations, he or she shall order the correction or removal and destruction of the information. If the Dean of Student Services or designee denies any or all of the allegations and refuses to order the correction or removal of the information, the student may appeal to the Vice President for Student Affairs in writing within 10 working days of the refusal.

If the Vice President of Student Affairs or designee sustains any or all of the allegations, he or she shall order the correction or removal and destruction of the information. If the Vice President of Student Affairs or designee denies any or all of the allegations and refuses to order the correction or removal of the information, the student may appeal to the Superintendent/President in writing within 10 working days of the refusal.

If the Superintendent/President or designee sustains any or all of the allegations, he or she shall order the correction or removal and destruction of the information. If the Superintendent/President or designee denies any or all of the allegations and refuses to order the correction or removal of the information, the student may appeal to the Governing Board in writing within 10 working days of the refusal.

Within 30 days of receipt of an appeal, the Governing Board shall in closed session with the student and the employee who recorded the information in question to determine whether to sustain or deny the allegations. If the Governing Board sustains any or all of the allegations, it shall order the Superintendent/President or designee to immediately correct or remove and

destroy the information. The decision of the Governing Board shall be in writing and shall be final

If the final decision of the Governing Board is unfavorable to the student, the student shall have the right to submit a written statement of objection. The statement shall become part of the student's record until the information objected to is corrected or removed.

### **Disciplinary Records:**

Whenever there is any information in the student disciplinary record concerning an action, the student shall be allowed to include a written statement or response concerning the disciplinary action. Appeals to any disciplinary action will follow the guidelines in the Standards of Student Conduct Procedure – 5500.

When there is any student disciplinary record information concerning any action in connection with any alleged sexual assault or physical abuse, threat of sexual assault, or any conduct that threatens the health and safety of the alleged victim, the alleged victim shall be informed within three days of the results of the disciplinary action and the results of any appeal. The alleged victim shall keep the results of that disciplinary action and appeal confidential.

### **Access Log:**

A log or record shall be maintained for each student's record that lists all persons, agencies, or organizations requesting or receiving information from the record and their legitimate interests. The listing does not include any of the following:

- Students seeking access to their own records;
- Parties to whom directory information is released;
- Parties for whom written consent has been executed by the student;
- Officials or employees having a legitimate educational interest.

The log or record shall be open to inspection only by the student and the Dean of Student Services or designee and to the Comptroller General of the United States, the Secretary of Education, an administrative head of an education agency, and state educational authorities as a means of auditing the operation of the system.

Offices of Primary Responsibility: Office of Student Services

**Southwestern Community College District  
Shared Consultation Council (SCC)**

**Request for Consultation Form**

(All items for consultation will be submitted to the SCC for first consultation on an SCC agenda)

<b>Title:</b>	5500, <del>5520</del> , <del>5530</del> : Standards of Student Conduct Procedures		
Brief Overview of Proposal (attach additional support documentation as appropriate):			
1. Standards of Student Conduct Policy and Procedures were approved in 2007. Policy remains the same, but there is a need for change in the procedures.			
<b>STEP 1</b>	Date of First SCC Consultation:		
<b>STEP 2</b>	Consultation Start Date:		
<b>STEP 3</b>	Name of Originator: Mia McClellan, Dean of Student Services		
	Sponsoring Constituency Group: Grievance and Order Committee – Student Affairs		
	Extension: 6369	Email: <a href="mailto:mmclellan@swccd.edu">mmclellan@swccd.edu</a>	
<b>STEP 4</b>	Timeline determined by SCC	<input checked="" type="checkbox"/> <b>Normal</b> (14-21 Calendar Days)	
		<input type="checkbox"/> <b>Urgent</b> (5-7 Calendar Days) Must provide a rationale:	

<b>STEP 5</b>			
	SCC Constituency Group Required for Consultation(Check all that apply)		Additional Stakeholders Required For Consultation
<input checked="" type="checkbox"/>	Academic Senate	1.	Dean's Council
<input checked="" type="checkbox"/>	ASO	2.	Student Services Council
<input type="checkbox"/>	Classified Senate	3.	
<input type="checkbox"/>	CSEA	4.	
<input type="checkbox"/>	Confidentials Employee Group	5.	
<input type="checkbox"/>	SCEA	6.	
<input type="checkbox"/>	SCCDAA	7.	

<b>STEP 6</b>
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**Acknowledgment of Consultation Tracking**

This form is intended to track acknowledgment of consultation and to confirm that the SCC representatives for each constituent group below has had an opportunity to consult with the appropriate constituent group in the manner most effective for that group. This form does not imply agreement, only acknowledgement that opportunity consultation has occurred.

Constituency Group-Representative

Date	<b>Academic Senate-Academic Senate President</b>
Signature	
Manner of consultation (e.g. global e-mail, committee meeting, Academic Senate meeting):  Academic Senate meeting	
Date	<b>Associated Student Organization- ASO President</b>
Signature	
Manner of consultation (e.g. global e-mail, committee meeting, ASO meeting):	
Date	<b>California School Employees Association-CSEA President</b>
Signature	
Manner of consultation (e.g. global e-mail, committee meeting, CSEA meeting):	
Date	<b>Classified Senate- Senate President</b>
Signature	
Manner of consultation (e.g. global e-mail, committee meeting, Classified Senate meeting):	
Date	<b>Confidential Employees-Confidentials Designee</b>
Signature	
Manner of consultation (e.g. global e-mail, committee meeting):	
Date	<b>Southwestern College Education Association-SCEA President</b>
Signature	

Manner of consultation (e.g. global e-mail, committee meeting, SCEA meeting):	
Date	<b>Southwestern Community College Administrators Association -SCCDAA President</b>
Signature	
Manner of consultation (e.g. global e-mail, committee meeting, CMT meeting):	

<b>STEP 7</b>	<b>Results of SCC Action</b>
<input type="checkbox"/>	Item Approved Date:
<input type="checkbox"/>	Item Not Approved Date:
<input type="checkbox"/>	Item Tabled Date:
<input type="checkbox"/>	Item Postponed / No Action Date:

## **STANDARDS OF STUDENT CONDUCT PROCEDURES**

**References:** Education Code Section 66300; Accreditation Standard II.A.7.b

In joining the academic community, the student enjoys the right and shares the responsibility of exercising the freedom to learn. Like other members of the academic community, each student's conduct is expected to be in accordance with the standards of the college that are designed to promote its educational purposes. A charge of misconduct may be imposed upon a student for violating provisions of college policy/procedure and the state education and administrative codes. Where a student is subject to charges of misconduct, such charges shall be processed in accordance with the Southwestern Community College District's policy and procedure #5500.

The Superintendent/President's designee shall, in consultation with the Academic Senate, establish procedures for the imposition of discipline on students in accordance with the requirements for due process of the Federal and State law and regulations.

The procedures shall clearly define the conduct that is subject to discipline and shall identify potential disciplinary actions including, but not limited to, the removal, suspension or expulsion of a student. The procedures shall be made widely available to students through the College Catalog and other means.

## **DISCIPLINARY ACTIONS VIOLATIONS**

1. Cheating, or engaging in other academic dishonesty including copying from another's work; discussion prohibited by the instructor; obtaining exam copies without permission; and using notes, other information, or devices that have been prohibited. ~~plagiarism (including plagiarism in a student publication)~~
2. Plagiarism in individual or group work or in a student publication, including the act of taking the ideas, words or specific substantive materials of another and offering them as one's own without giving credit to the sources.
3. Disruptive behavior, willful disobedience or the open and persistent defiance of the authority, or persistent abuse of college personnel which may or may not include habitual profanity or vulgarity.
4. Assault or battery upon another person or any threat of force or violence or causing, attempting to cause, or threatening to cause physical injury to another person.
5. 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 Dean of Student Services ~~Superintendent/President~~ or his/her designee.
6. Unlawful possession, use, sale, offer to sell, furnishing, or being under the influence of any controlled substance, alcoholic beverage, or intoxicant of any

kind. ~~Of~~ Unlawful possession of, offering, arranging or negotiating the sale of any drug or drug paraphernalia.

7. Committing or attempting to commit robbery or extortion.
8. Causing or attempting to cause damage and/or defacing district property or private property on district controlled facilities.
9. Theft, attempted theft ~~or attempting to steal~~, or knowingly receiving stolen district property or private property.
10. Willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of the District.
11. Engaging in harassing or discriminatory behavior based on race, sex, gender, religion, sexual orientation, age, national origin disability, or any other status protected by law.
12. Committing sexual harassment as defined by law or by College District policies and procedures.
13. Willful misconduct which results in injury or death to a student or to college personnel or which results in cutting, defacing, or other injury to any real or personal property owned by the College District or on campus
14. Misrepresentation and/or impersonation including arranging for or allowing another individual to impersonate or otherwise misrepresent the student, in person or in an online environment.
15. Dishonesty, forgery, alteration or misuse of college documents, records or identification, or knowingly furnishing false information to the College District.
16. Unauthorized entry upon or use of District facilities.
17. Lewd, indecent or obscene conduct on District-owned or controlled property, or at District sponsored or supervised functions.
18. Engaging in expression which is obscene; libelous, or slanderous; or that so incites students as to create a clear and present danger of the commission of unlawful acts on college any District premises, or the violation of lawful District administrative procedures, or the substantial disruption of the orderly operation of the District.
19. Engaging in physical or verbal disruption of instructional or student services activities, administrative procedures, public service functions, authorized curricular or co-curricular activities or prevention of authorization guests from carrying out the purpose for which they are District property.
20. Engaging in physical or verbal intimidation or harassment of such severity or pervasiveness as to have the purpose of effect of unreasonably interfering with a

student's academic performance, or District employee's work performance, or of creating an intimidating, hostile or offensive educational or work environment.

21. Violation of Board policies and/or procedures governing to use of student user accounts, computers, and telecommunication resources, including but not limited to the unauthorized entry, opening or viewing of a file; the unauthorized use of another individual's identification and password; arranging for, allowing, and/or impersonation of one person by another; sending obscene or abusive messages or files; and/or use of computing facilities to interfere with the work of another student or employee of District.
22. Violation of a duly issued restraining order, Stalking, and/or defined as a pattern of conduct by a student with intent to follow, alarm, or harass another person, and/or which causes that person to reasonably fear for his or her safety, and where the pattern of conduct student has persisted after the student person has demanded that the pattern of conduct been asked to cease.
23. Persistent, serious misconduct where other means of correction have failed to bring about proper conduct or where the presence of the student causes a continuing danger to the physical safety of students or others.
24. Violation of college regulations or state laws.

### **DISRUPTION IN THE CLASSROOM, COLLEGE OFFICES AND/OR COLLEGE EVENTS.**

In the event a student is involved in either unethical practice or display of disruptive behavior which is considered not conducive to maintaining a proper learning environment in the classroom, and/or disrupting the business of the college, the student will be disciplined as outlined in the disciplinary action procedures.

The instructor has the right to exercise immediate disciplinary action and may temporarily exclude the student with respect to disruptive actions in the classroom effective for the remainder of the class period and the following class session.

The administrator has the right to exercise appropriate disciplinary action in temporary exclusion with respect to actions in a college office.

The Dean of Student Services may impose an immediate interim suspension of 48 hours when he/she concludes that immediate suspension is required to protect lives or property and to ensure the maintenance of order.

### **DISCIPLINARY ACTION PROCEDURES**

1. The faculty, college staff member or administrator concerned who believes disruptive behavior or student conduct violation has occurred shall first attempt to resolve the misconduct by informal consultation with the student when appropriate.



2. If this proves to be less than satisfactory, the faculty, college staff member or administrator will inform the School/Center Dean or Supervisor of the area. The School/Center Dean or Supervisor should meet with the faculty, college staff member or administrator, and the student(s) involved in an attempt to resolve the problem.
3. If the faculty/college staff member still believes that the issue has not been resolved satisfactorily at these levels, a completed "Report of Student Misconduct" shall be filed with the Dean of Student Services. In cases in which the College Police has been called or has become involved or in which the situation has become an issue of safety, steps 1 and 2 need not be adhered to.
4. The Dean of Student Services shall confer with the student for the purpose of reviewing the misconduct and attempting to resolve the matter.
5. The Dean of Student Services, or designee, may also obtain information relating to the misconduct from other parties involved. Whenever appropriate, the Dean of Student Services shall assess damage to property and injury to person(s).
6. Students charged with misconduct may be subject to the following sanctions: All sanctions will be documented and misconduct files kept in the Student Services office. Verbal Warning and Written Reprimand sanctions will be kept in Office of Student Services. Disciplinary Probation and Disciplinary Suspension. Expulsion sanctions will become part of the student's official disciplinary record.
  - a. Verbal Warning: Student receiving a warning will have met with the Dean of Student Services to discuss the inappropriate behavior.
  - b. Written Reprimand: A student receiving a reprimand by the administrator is thereby notified that continued conduct of the type described may result in further disciplinary action against the student.
  - c. Disciplinary Probation: Any misconduct during the probation period will be cause for suspension or other disciplinary action.
  - d. Disciplinary Suspension: Exclusion from class, privileges or activities for a specified period of time as set forth in the notice of suspension.
  - e. Expulsion: Termination of student status. Expulsion requires formal action by the Governing Board.
  - f. Remand the case to formal hearing.

~~It should be noted that~~ Ithe Dean of Student Services shall have the power to impose

suspension and to recommend expulsion. If the student does not accept the action of the Dean of Student Services, the student has the right to challenge and request a formal hearing under the Guidelines for Due Process. Students who have been suspended and waiting for a hearing will not be able to attend any on-campus or college sponsored activities. If the violation of Student Conduct include issues of campus or personal safety, the student may be prohibited to contact any college staff, faculty or other student.

If permissible, the student ~~wishes, he/she~~ may contact his/her instructor(s) or appropriate college office by email or voicemail to receive class assignments or other information may do so. Assignments or college documents can be turned into the College Campus Police to be forwarded to the appropriate parties.

The Governing Board shall consider any recommendation from the Superintendent/ President for expulsion. The Governing Board shall consider an expulsion recommendation in closed session unless the student requests that the matter be considered in a public meeting. Final action by the Governing Board on the expulsion shall be reported in ~~taken at~~ a public meeting.

## **STUDENT GRADE DISPUTE PROCEDURES**

If a student feels that an instructor has given him/her a grade based on prejudiced or capricious action in the evaluation of the student's academic performance, the student must be able to substantiate the claim by showing evidence of a mistake, fraud, bad faith, and/or incompetence.

California Education Code 76224 states:

“When grades are given for any course of instruction taught in 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 incompetence, shall be final.”

Students should note the following definitions which are taken from Black's Law Dictionary:

- **Mistake** - some unintentional act, omission, or error by the instructor,
- **Fraud** - an intentional perversion of the truth for the purpose of inducing another to part with something valuable or to surrender a legal right;
- **Bad Faith** - synonymous with fraud neglect, or refusal to fulfill some duty or contractual obligation, not prompted by an honest mistake as to one's rights or duties;
- **Incompetence** - lack of ability, legal qualification, or fitness to discharge a required duty.

If the student feels that an instructor has given a grade based on a mistake, fraud, bad

faith, or incompetence and the student has evidence to substantiate the claim, these steps must be followed:

1. The student must contact his/her professor to discuss, clarify, and attempt to resolve the grade dispute in person, via electronic mail, or in writing within 30 working days of the time the official grade report was posted on WebAdvisor or on the transcript sent to the student. Grades are posted within one week of the end of a semester. If the concern is not resolved satisfactorily, then:
2. The student must discuss the matter with the School Dean or Designee in person, via electronic mail or in writing within 10 working days. The School Dean or Designee will try to resolve the dispute and will respond to the student in writing.
3. If the concern is still unresolved the student must, within 10 working days discuss the matter with the Vice President for Academic Affairs or designee in person, via electronic mail or in writing. The Vice President for Academic Affairs in consultation with the Academic Senate President will render a final decision in writing within 15 working days.
4. The decision made by the Vice President of Academic Affairs or designee, in consultation with the Academic Senate President will be final. There will be no requests granted for a due process hearing.

## **STUDENT GRIEVANCE PROCEDURES**

The student is encouraged to pursue academic studies and other college-sponsored activities that will promote intellectual growth and personal development. In pursuing these ends, the student should be free of unfair and improper action by any member of the academic community. A grievance may be initiated by a student when he/she believes he/she has been subject to an unjust action or denial of rights as stipulated in college regulations and in the state education and administrative codes. Such action may be instituted by the student against another student, a faculty member, an administrator or other staff member. A grievance must be initiated no later than of the end of the term during which incident occurred. Where a student believes an injustice has been done, the student may seek redress through the following policy and procedure.

Students may initiate grievance for any of the following reasons:

1. Intimidation, ~~assault~~, battery, or harassment\*
2. Arbitrary action or imposition of sanctions by a college representative without proper regard to procedural due process as specified in the section on Guidelines for Due Process.

~~\*In Cases of Formal unlawful discrimination complaints should be filed as Title V complaints with the Office of Human Resources at (619) 482-6331. The student may file with the Office of Civil Rights complaints and/or Federal Office of Civil Rights. These complaints will be processed through the Human Resources Office.~~

### **Preliminary Action Procedure**

1. The student who believes an injustice has occurred shall attempt to resolve the grievance by informal consultation with the student, staff, faculty or administrator concerned.
2. If this proves to be less than satisfactory, the student will inform the School/Center Dean or Supervisor of the area.
3. If the student still believes that the issue has not been resolved satisfactorily at these levels, the student shall submit a completed "Report of Grievance" form to the Dean of Student Services. In cases in which the College Police has been called or has become involved or in which the situation has become an issue of safety, steps 1 and 2 need not be adhered to.
4. The Dean of Student Services shall confer with the student for the purpose of reviewing the grievance and attempting to resolve the matter.
5. The Dean of Student Services or designee may also obtain information relating to the grievance from other parties involved. Whenever appropriate, the Dean of Student Services shall assess damage to property and injury to person(s).

The Dean of Student Services will notify each party regarding any of the following actions:

#### **Against the College faculty member or college staff member:**

- Dismiss the grievance for lack of merit.
- Work towards an equitable solution.
- Remand the case to a formal hearing. (See Guidelines for Due Process)

#### **Against another student:**

- Dismiss the grievance for lack of merit.
- Work towards an equitable solution.
- Charge the student with misconduct. (See Disciplinary Action procedures)
- Remand the case to a formal hearing. (See Guidelines for Due Process)
- ~~Recommend expulsion to the Governing Board.~~

From the date the student is notified of the Administrator's decision, any request for a hearing to the Student Grievance and Order Committee must be received postmarked or hand delivered in three (3) working days. Any appeal shall be made in writing and-

delivered to the office of the Dean of Student Services.

The Dean of Student Services shall arrange a review of the case by formal hearing to consider the disposition. Please see Guidelines for Due Process.

## **GUIDELINES FOR DUE PROCESS**

Procedural due process is the method established to resolve faculty, staff, and student conduct issues in a clear, fair, and orderly manner. These procedures apply to actions which interfere with or exert a harmful effect upon the function of the college. Due process is intended to achieve an equitable solution that will resolve the issue with due regard for the rights of the accused, the protection of the student body, and the interest of the college. Any action taken by a student under this due process procedure shall preclude any further action.

The implementation of procedural due process on campus, will consist of the following due process procedures, and will take place within a reasonable length of time.

## **PRELIMINARY ACTION PROCEDURE**

### **A. SUBMITTING OF OFFICIAL FORMS**

The Dean of Student Services shall receive ~~and may issue~~ any charge of alleged grievance or misconduct made against a student by another student or a member of the college. The complainant shall file a Report of Student Misconduct form or Report of Student Grievance form with the Dean of Student Services hereafter called "Administrator".

### **B. NOTIFICATION OF CHARGES**

Students charged with violations of the Standards of Student Conduct shall be notified that they are required to schedule an appointment with the Administrator to discuss such alleged violations and/or any disciplinary actions that may or will result if such charges are found to be true. The notice will be mailed to the student's address on file in the college's Admissions Center by US Mail and either Certified or FedEx mail.

A student who does not report to the Office of Student Services to address a grievance or misconduct report will have an administrative hold placed on his/her records, in addition to possibly being dropped from his/her classes.

### **C. PRELIMINARY MEETING**

The meeting with the Administrator shall consist of the following:

1. A copy of the ~~adopted~~ Standards of Student Conduct Procedure #5500 to be given to the student.
2. A written statement of the charges given to the student.

3. Informing the student of any disciplinary action(s) that may be or will be taken.

D. ADMINISTRATOR ACTIONS

The Administrator will obtain information relating to the charge from the student and other persons. Whenever appropriate, the Administrator shall assess damage to property and injury to persons. The Administrator may take any of the following actions and will notify the student of that action:

- Dismiss the charge for lack of merit.
- Issue the student one or more of the following types of disciplinary actions, unless the Administrator and the student agree to another appropriate disciplinary action:
  1. Verbal Warning: Student receiving a warning will have met with the Dean of Student Services to discuss the inappropriate behavior.
  2. Written Reprimand: A student receiving a reprimand by the Administrator is thereby notified that continued conduct of the type described may result in further disciplinary action against the student.
  3. Disciplinary Probation: Any misconduct during the probation period will be cause for suspension or other disciplinary action.
  4. Disciplinary Suspension: Exclusion from class, privileges or activities for a specified period of time as set forth in the notice of suspension.
  5. Expulsion: Termination of student status. Expulsion requires formal action by the Governing Board.
  6. Remand the case to formal hearing.

A letter notifying the student of the Administrator's decision shall be sent by US Mail and either certified or FedEx mail, specifying the mailing date of such letter. The Administrator is deemed to have notified the student of his or her decision on the date.

Students in violation of any additional college policies, procedures and/or state regulations while on disciplinary action may be subject to the extension or addition of disciplinary sanctions. If additional misconduct(s) are filed, while students are on disciplinary action, the due process and procedures may be repeated again.

The Dean of Student Services may issue a suspension and make the recommendation for expulsion to the Superintendent/President.

E. APPEAL TO GRIEVANCE AND ORDER COMMITTEE

From the date the student is notified of the Administrator's decision, any request for a

hearing to the Student Grievance and Order Committee must be received postmarked or hand delivered in three (3) working days. Any appeal shall be made in writing and delivered to the Office of the Dean of Student Services. If the student is suspended, they can deliver the letter of appeal in writing to the Campus Police, who will hand deliver the letter to the Office of Student Services.

The Administrator will convene the Grievance and Order Committee to conduct the hearing when school is in session.

## **II. HEARING APPEAL PROCEDURE**

### **1. FORMAL HEARING PROCESS**

The Formal Hearing Process is the college's administrative due process to resolve grievances or misconducts. Parties are allowed to present testimony and witnesses to support their position.

### **2. THE HEARING PANEL**

There shall be a ~~campus~~ standing Grievance Committee which one or more Grievance and Order hearing panels ~~Committees~~ may be appointed. A Grievance and Order ~~Committee~~ shall be comprised of at least one member from each of the following groups:

1. Two students and two alternates (enrolled in 6 or more units) who shall be appointed by ASO president and;
2. Two full-time academic personnel staff, and two alternates, except those designated as management, who shall be appointed by the Academic Senate and;
3. Two full-time classified personnel, and two alternates, except those designated as management, who shall be appointed by the Classified Senate and/or Classified Union and;
4. Two full-time management personnel and two alternates, (who shall be appointed by the Superintendent/President) with the exception of the Vice President for Student Affairs and Dean of Student Services.

### **C. SCOPE OF THE STUDENT GRIEVANCE AND ORDER COMMITTEE HEARING**

The Grievance and Order Committee shall limit the scope of its appeal hearing to the following:

1. Determine if the evidence supports the findings of the Administrator.
2. Determine if the disciplinary action levied by the Administrator is within range of disciplinary actions delineated in the Standards of Student Conduct Procedures #5500.

3. Make recommendations to the Dean of Student Services or designee.

#### D. RESPONSIBILITIES OF THE CHAIRPERSON

The Chairperson shall preside over the hearing and make rulings as to its conduct. Disruptive behavior will not be tolerated and will result in exclusion of the person(s) from the proceedings.

#### E. RIGHT TO REPRESENTATION

This is an internal due process hearing conducted by Southwestern College. Parties are allowed to present testimony and witnesses to support their positions. However, parties are not allowed to be represented by legal counsel at any time during the hearing process.

#### F. FORMAL HEARING PROCEDURE

##### 1. Opening

The Chair shall call the hearing to order, introduce the participants, explain the hearing is being recorded and proceedings are confidential, and announce the purpose of the hearing, e.g., "The Committee meets to hear an appeal of disciplinary action against (student's name) and/or to submit its findings to the Administrator".

##### 2. Evidence for hearing

- Any and all evidence will be entered for the record.

##### 3. Challenge of a Committee member

- Refer to Section area III, D "Right to Challenge Committee Composition."

##### 4. Request for Open Hearing

- All hearings are closed, unless otherwise requested open by student. Refer to Section area III, E

##### 5. Identification of witnesses

- Witnesses are to identify themselves and state for the record, the reason for their presence.

##### 6. Swearing in of both parties

- Swear in both the complainant and defendant

##### 7. Opening Statements



- Both parties will make opening statements.
- Person who filed charges will make first opening statement
- Each party will be given five minutes.

#### 8. Questioning Protocol

- Grievance and Order Committee members may ask questions of both parties.
- Parties may submit questions to the chair.
- The Chair will pose questions to appropriate party.
- Rebuttal two minutes each.

#### 9. Calling witnesses

- Witnesses are sworn in
- Witnesses are questioned by committee members
- Parties may submit questions to Grievance and Order Committee chair

#### 10. Closing Statements

- Both parties will make closing statements.
- Person who filed charges will make first closing statement.
- Each party will be given five minutes.

### **III. EXPLANATION OF FORMAL HEARING**

#### **A. BURDEN OF PROOF AND OF PRODUCING EVIDENCE**

The student seeking appeal has the burden of proving that the evidence filed in the Report of Student Misconduct or Report of Student Grievance did not support the Administrator's findings and/or the Administrator acted outside the scope of his/her authority or acted arbitrarily in imposing the appealed disciplinary measure. The student may present evidence in support of his or her position, and then the person filing the misconduct/grievance may present evidence to refute such evidence.

#### **B. ARGUMENTS**

Arguments will be presented first by the person filing the Report of Student Misconduct or Report of Student Grievance. The student shall be afforded an opportunity to make or waive an opening statement. After the opening statements, the person filing the Report of Student Misconduct or Student Grievance shall have the first opportunity to present witnesses and other relevant evidence. The student shall have the opportunity to present witnesses and other relevant evidence.

C. EVIDENCE

- Irrelevant and unduly repetitious evidence shall be excluded.
- All evidence will be submitted 24 hours (one working day) prior to hearing.

D. RIGHT TO CHALLENGE COMMITTEE COMPOSITION

The student charged in the Report of Student Misconduct or Report of Student Grievance may challenge any member of the Grievance and Order Committee for cause. Grounds for cause shall be limited to any personal involvement in the situation giving rise to the disciplinary action, any statement made on the matters at issue, or any other act or statement indicating that person could not act in a neutral manner. Validity of any such challenges shall be determined by the Chair of the Committee. A ~~majority of five (5)~~ panel members will be the minimum number to conduct a hearing.

E. OPEN/CLOSED HEARINGS

1. Hearings shall be confidential and closed to the general public, and all witnesses shall be ~~excused before and after testifying~~, present only when testifying unless the student requests an open hearing. Both the person filing the Report of Student Misconduct or Report of Student Grievance and the student shall be entitled to call witnesses. ~~The~~ Any questions directed to the witnesses will be ~~directed~~ in writing and given to the chair.
2. Any Members of the Committee may ask questions to either party at any time upon recognition by the Chairperson. Either side may recall a witness, who again may be questioned by the Committee.
3. A brief caucus may be called by the Chairperson or any member, with all other person's excused except for the Grievance and Order Committee.
4. The hearing shall be recorded. The recording may be used by the Superintendent/President, in case of an appeal.

F. ABSENCE OF THE COMPLAINANT AND/OR THE DEFENDANT

It is imperative that all parties are present during the hearing process. Disruptive behavior will result in removal of the person(s), and the hearing will continue in their absence. If the student(s) and/or the college staff person(s) who are involved in the Report of Student Misconduct or Report of Student Grievance do not appear, or ~~if the student and/or the person~~ leave the hearing before its conclusion, the hearing shall proceed without the absent parties, and the Committee shall reach a decision based on the evidence presented.

#### G. CONCLUSION

First, the student and then the college staff person filing the Report of Misconduct shall be afforded the opportunity to make or waive a closing argument. The Committee shall recess to deliberate in closed session with all of the members. The Administrator and the college legal advisor may be present to advise. The Committee shall reach its decision based upon the record of the hearing and shall not consider matters outside of that record.

Within one working day of the hearing, the Chairperson shall deliver to the administrator a written decision arrived at by majority vote of the Committee. The Committee's decision may include one of the following recommendations:

- Exoneration
- Written warning
- Disciplinary Probation: conditional continued enrollment
- Disciplinary Suspension: specified period of time
- Expulsion (see section V )
- Any other recommendation(s) that the committee members deem necessary for a successful resolution.

#### IV. FINAL ACTION

Upon receiving the findings of the Committee, the Administrator shall render a decision within three (3) working days and transmit it in writing to the student, the Committee and other appropriate administrative officers by US mail and either Certified or FedEx mail.

#### **APPEAL TO THE SUPERINTENDENT/PRESIDENT**

From the date the student is notified of the Administrator's decision, any request for an appeal to the Superintendent/President must be received postmarked or hand delivered in three (3) working days. Any appeal shall be made in writing and delivered to the Office of the Superintendent/ President. If the student is suspended, they can deliver the letter of appeal in writing to the Campus Police, who will hand deliver the letter to the Office of Superintendent/President.

~~The student and the Committee Chairperson may submit written statements on appeal.~~

The Superintendent/President may do the following:

- Concur with the Committee's decision.
- Reduce the recommended sanction.
- Reverse the finding of the misconduct.
- Increase the sanction.

The letter rendering the Superintendent/President's decision shall be mailed to the student by US Mail and either certified or FedEx mail. Include a certification of mailing by the President or designee specifying the date of mailing such letter.

The Superintendent/President's action shall be final and binding on all parties, with the exception of expulsion (see section V).

## V. EXPULSION

According to Education Code 76030 "a student may be expelled "for good cause when other means of correction fail 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." ~~re is an immediate concern for the safety of the members of the campus community.~~

In the case of expulsion, the Superintendent/President's recommendation (see section IV) must be forwarded to the Governing Board. The student must be notified of the intent to expel in writing by ~~registered mail,~~ US Mail and either certified or FedEx mail. ~~personal service.~~

The Governing Board must consider the expulsion in closed session unless the student requests to have the matter heard in open session. A written request addressed to the Superintendent/President must be received from the student within the 48 hours of the receipt of the written notice of intent to expel, otherwise, ~~or~~ the matter will be reviewed in closed session.

Students may not request a public hearing if any discussion might be in conflict with the right to privacy of any student other than the student requesting the public meeting.

- The final action of the governing board shall be reported in ~~taken at~~ a public meeting in accordance with student privacy rights and the result of that action shall be a public record of the College. ~~district.~~
- The duration of the expulsion may be indefinite.
- The expulsion shall be noted in the student's ~~permanent and~~ disciplinary file.
- Re-admittance after expulsion requires action by the Governing Board.

## MAINTENANCE OF STUDENT RECORDS

The facts of any disciplinary action, as provided in Section IV (D) (2) (b) through Section IV (D) (2) (g), and the reasons therefore, shall be documented in the student's disciplinary record, subject to access, review, and comment by the student as authorized by the Family Educational Rights and Privacy Act (10 USC Section 2332g) and Education Code Section 76200 et seq. All access to, or release of such records to members of the public shall also be in accordance with state and federal law. The student's disciplinary record will be maintained in the office of the Dean of Student Services for three years for a minor offense of written reprimand or less, and for ten years for disciplinary probation and suspension. The condition for the expulsion will be stated in the student's disciplinary record.

## GLOSSARY OF TERMS

- A. ADMINISTRATOR - The Dean of Student Services or Designee.
- B. PRESIDENT - The Superintendent/President of the college or Designee.
- C. CAMPUS POLICE - Southwestern College District College Police.
- D. DAY - When the college is in session and regular classes are held.
- E. REPORT OF STUDENT MISCONDUCT OR REPORT OF STUDENT GRIEVANCE
- Complainant Person filing a Report of Student Misconduct or Report of Student Grievance.
  - Defendant: Person being charged
- F. COLLEGE - Southwestern Community College District.
- G. VERBAL WARNING - Oral notice to the student that continuation or repetition of misconduct may be cause for further disciplinary action.
- H. WRITTEN REPRIMAND - An admonishment by the Dean of Student Services that becomes part of the student file and may be considered in the event of future violations; a written censure by the Administrator for violation of specific regulations.
- I. DISCIPLINARY PROBATION - Specific period of conditional participation in campus and academic affairs, which may involve any or all of the following:
- Ineligibility for all student organization offices
  - Removal from any student organization office held
  - Revocation of the privilege of participating in college and/or student-sponsored activities.
- J. SUSPENSION - Denial of all campus privileges for a specified period of time.
- K. EXPULSION - The removal of a student from any and all classes of the college; permanent termination of the student.



## Travel Limitations Recommendation

The Budget Committee recognizes the importance of attending professional conferences and workshops but in these difficult budget times, our Budget Funding Values continue to be: Preserve Jobs; Preserve Classes; Preserve Student Support; Preserve Safety & Security. We are making critical savings decisions to thwart ultimately having to go to salary or job reductions.

Accordingly, the Budget Committee is submitting to SCC the recommendation to implement “near” suspension of all General Fund travel (non-mandatory meeting, conference, or workshops) unless absolutely necessary. Grant-funded travel is exempt from these limitations. Most colleges have already suspended all but mandated attendance at a conference or meeting due to the severe budget cuts, although we value professional development, when the College is making severe cuts elsewhere in the budget, at this time, it is difficult to justify non-mandated General Fund travel in the scheme of things, especially when we have areas where funding is still desperately needed. Of the nearly \$500,000 in travel budgeted last year, we spent approximately \$200,000. We are hoping to save even more this year.

### **RECOMMENDATIONS:**

1. Effective immediately, no General Fund budget transfers will be approved from travel budgets.
2. Governing Board Approval Required: As required for insurance coverage and reimbursement, all conference/ workshop travel, regardless of funding source, needs to be approved by the Governing Board BEFORE the travel occurs. Although this is a standard process throughout the community college system statewide, this is a new process for SWC and something that we should have been doing all along because finance and auditing protocols presume that travel reimbursement does not occur unless the Board has pre-approved the conference/workshop. This will require significant advance planning to ensure you submit the required travel requests through the approval process prior to the request being submitted to the Governing Board for final approval. Also, there are insurance issues if the travel has not been pre-approved. If there are extenuating circumstances where a last-minute mandated attendance is required, an exception may be made by the Division Vice President and the Superintendent/President for submittal as ratification (after the fact) to the Board.
3. Meetings, Conferences, Workshops:
  - a. **Local Area Meetings: Defined as travel within 200 miles and less than \$150.**
    - 1) **Does not require Board Approval (continue to follow current approval process prior to attendance).**
    - 2) **Mandatory or regular meeting travel** (for accreditation, program certification/requirements, safety, required state or federal, safety, etc.), regardless of the funding source, will continue to be approved as required. Optional meetings will be reviewed and approved based on program integrity or necessity.

- b. ***Conference/Workshop travel: Defined as travel over 200 miles and greater than \$150.***
  - 1) ***Requires Board Approval prior to the travel.***
  - 2) ***Mandatory or regular meeting travel***, regardless of the funding source, will continue to be approved as required. Suspension of all optional conferences, workshops, or meetings is recommended to save budget dollars but, in unusual circumstances, may be approved by the area Vice President and the Superintendent/President upon justification for maintaining program integrity or for grant-funded projects.
- c. Federal, State, and agency-mandated or required travel for accreditation, program certification will be approved through the current approval process but must be submitted prior to the travel for Governing Board approval.
- d. Out-of-state and out-of-country travel, if required, must be approved prior to the travel by the Supervisor, Dean, Division Vice President, Superintendent/President, and Governing Board.
- e. Employees who wish to conference/workshop travel at no cost to the District still need to complete the travel request form and obtain prior Governing Board approval to authorize the time away from the job and to provide insurance coverage if needed.
- f. Exceptions for General Fund paid travel may be submitted to the respective Supervisor, Dean, Vice President, and Superintendent/President with a valid documented rationale for the extenuating circumstances justifying the exception.

## 2012/2013 SCC Summer Fall and Spring Meeting Schedule

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<b>Summer 2012</b>	
June 6	2:00 – 4:00 p.m.
July 11	2:00 – 4:00 p.m.

SCC Retreat August 15 12:00 – 4:00 p.m. L238 N & S
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<b>Fall 2012</b>	
September 5	3:00 – 5:00 p.m.
September 19	3:00 – 5:00 p.m.
October 3	3:00 – 5:00 p.m.
October 17	3:00 – 5:00 p.m.
November 7	3:00 – 5:00 p.m.
November 21	3:00 – 5:00 p.m.
December 5	3:00 – 5:00 p.m.

<b>Spring 2013</b>	
January 16	3:00 – 5:00 p.m.
February 6	3:00 – 5:00 p.m.
February 20	3:00 – 5:00 p.m.
March 6	3:00 – 5:00 p.m.
March 20	3:00 – 5:00 p.m.
April 3	3:00 – 5:00 p.m.
April 17	3:00 – 5:00 p.m.
May 1	3:00 – 5:00 p.m.