

# Policies and Procedures

## Academic Freedom

It shall be the policy of the College to maintain and encourage full freedom for its faculty to teach, research and pursue knowledge subject to the applicable provisions of law.

In the exercise of this freedom the faculty member may, as provided in the U.S. and California Constitutions and other applicable laws, discuss his/her own subject or area of competence in the classroom, as well as any other relevant matters, including controversial matters, so long as he/she distinguishes between personal opinions and factual information.

Faculty shall be free from unlawful harassment or from unlawful interference or restrictions based on political views.

Faculty shall be free from any and all forms of electronic or other listening or recording devices, except with his/her express and non-continuing consent, except where allowed otherwise by law.

The Board shall not unlawfully inquire into, nor predicate any adverse action upon a faculty member's personal, political or organizational activities or preferences.

The Board shall not interfere with a faculty member's freedom of speech or use of materials in any teaching assignment, except as allowed by law.

The intent is to allow those activities protected by constitutional freedom of speech and other forms of academic freedom protected by the laws of the State of California and the laws of the United States.

## Open Enrollment

Unless specifically exempted by statute, every course, course section or class, the average daily attendance of which is to be reported for state aid shall be fully open to enrollment and participation by any person who has been admitted to the college and who meets all prerequisites. Class enrollment is limited by size of facility and program content. Gavilan College is in compliance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990.

## American's With Disabilities Act (ADA) Compliance

If you have a verified disability and need academic materials in an alternate format or other services, contact the Disability Resource Center or the Vice President Student Services for assistance.

## Resources for Students with Disabilities

Students requiring academic or physical accommodations because of visual, physical, learning and/or other verified disabilities should contact the Disability Resource Center at 408-848-4865.

## Prohibition of Harassment and Hate Crimes

Reference: Education Code sections 212.5; 66252; 66281.5

The District is committed to providing an academic and work environment that respects the dignity of individuals and groups. The District shall be free of sexual harassment and all forms of sexual intimidation and exploitation. It shall also be free of other unlawful harassment and hate crimes, including those which are based on any of the following statuses; race, color, religion, ancestry, national origin, disability, sex (i.e., gender), sexual orientation, or the perception that a person has one or more of the foregoing characteristics.

## Non-Discrimination

The district is committed to equal opportunity in educational programs, employment, and all access to institutional programs and activities.

## Sexual Assault

Sexual assault is a crime regardless of when or where it occurs, or what the relationship is between the attacker and the victim. Gavilan College is committed to providing a safe environment for students and staff. Reports of sexual misconduct will be thoroughly investigated and the victim informed of the outcome.

If you, or someone you know, have been the victim of sexual assault, notify Campus Security 848-4703 or 710-7490. Confidential counseling is available on campus through Counseling 848-4723 or Student Health Services 848-4791.

Off campus confidential counseling is available at Community Solutions: (408)779-2115 and (831) 637-SAFE : (831) 637-7233.

## Title VI, Title IX, and ADA/Section 504/508

To file complaints in the following areas please contact the Equal Opportunity Officer, Joseph D. Keeler, Vice President of Administrative Services, HR101 (408-848-4715) or Shairon Williams, Director of Human Resources, HR103 (408-848-4753).

The areas are:

- Civil rights complaints (Title VI)
- Gender equity, sex discrimination/harassment complaints (Title IX)
- Persons with disabilities discrimination complaints (ADA/Section 504/508)

## Vocational English Skills

Limited English language skills will not be a barrier to admission to and participation in vocational education programs.

### Gavilan's Grade Policy

Grade	Grade Points	Definition
A	4	Excellent
A-	3.7	Excellent
B+	3.3	Good
B	3	Good
B-	2.7	Good
C+	2.3	Satisfactory
C	2	Satisfactory
D	1	Passing, Less Than Satisfactory
F	0	Failing
CR*	0	Credit - at least satisfactory, units awarded not counted in grade point average or in consideration of honors.
NC*	0	No Credit - less than satisfactory or failing, units not counted in grade point average.
I	0	Incomplete - incomplete academic work for unforeseeable, emergency and justifiable reasons after the last day to withdraw with a "w". Request for this grade must be initiated by the student. Work to be completed must not involve further class attendance or instruction. The Incomplete must be made up during the next term of attendance, summer excluded, within the next year.
W	0	Withdrew - withdrew from class after the NRS (No Record Shown) period and before the W deadline. Students withdrawing from courses after the W deadline must be awarded a letter grade or, if appropriate, request an incomplete (see above.)
MW	0	Military Withdrawal

\* To be used ONLY if final grade for a course is designated Credit/No Credit

**Drug Free Schools and Campuses Act**

District Policy AP 3550 prohibits “the use, distribution, sale or possession of alcohol, narcotics, dangerous or illegal drugs or other controlled substances, as defined in California statutes, on District property or at any function sponsored by the District.” Gavilan College complies with the Drug-Free Schools and Campuses Act of 1989 and the Drug-Free Workplace Act of 1988.

The college recognizes the legal drinking age of 21 years and enforces all state laws regulating the use of alcoholic beverages. All members of the campus community are subject to disciplinary action and/or criminal prosecution for the on-campus possession, use, sale or distribution (by either sale or gift) of any quantity of inappropriate prescription drugs, or controlled substances as defined by the State of California Health and Safety Code. Students found to be in violation of this policy may be subject to the Standards of Student Conduct and Discipline Procedures. If warranted, employees will also be subject to disciplinary sanction.

**For Free Confidential Assistance:**

On-Campus:

- Counseling Center, 408-848-4723
- Student Health Services, 408-848-4791

Off-Campus:

- Alcoholics Anonymous, 408-374-8511; [www.AASanJose.org](http://www.AASanJose.org)
- Narcotics Anonymous, 408-998-4200
- National Council on Alcoholism & Drug Dependence 408-292-7292

Further detailed information on the risks associated with the use of alcohol and other drugs may be obtained from the Gavilan College website: [www.gavilan.edu](http://www.gavilan.edu). Click on Drug Free Schools and Campus Act of 1989 and the Drug Free Workplace Act of 1988.

**Health Consequences:**

- Impaired learning due to poor concentration, fatigue, drowsiness, anxiety, altered perception, confusion, indifference, depersonalization, memory loss, panic attacks and drug-induced psychosis.
- Impaired judgment leading to driving under the influence of alcohol/other drugs, accidents, violent and abusive behavior, criminal acts, financial troubles, unwanted pregnancy, sexually transmitted diseases, acquaintance rape, attempted or accomplished suicide, permanent injury or death as a result of substance overdose.
- The use of intravenous drugs can result in hepatitis, tetanus, abscesses, and AIDS.
- The use of stimulants can lead to cardiac fibrillation, heart attack, seizures, respiratory arrest and death.
- The most common negative health consequences from occasional drinking are trauma incidents such as auto accidents and violent behavior which involve both the drinker and non-drinking victims.
- Long-term alcohol abuse can cause brain damage, cirrhosis of the liver, hepatitis, permanent coordination loss, ulcer disease, gastritis, pancreatitis, heart disease, stroke, anemia, sexual dysfunction, cancers and many other health problems.

**Legal Sanctions:**

As a student, if you are under the influence of alcohol and/or other drugs, or if you are discovered selling or dispensing drugs on campus or at any college function, you can be suspended, expelled and criminally prosecuted.

If you are an employee at Gavilan College, you may be placed on probation, terminated and criminally prosecuted for the use, sale or possession of illegal drugs and/or alcohol on campus, or at college sponsored events.

For a first offense of driving under the influence of alcohol and/or drugs, you may serve 96 hours to six months in jail and pay a fine. It is unlawful for anyone with a blood alcohol content (BAC) level of .08 percent or above to drive a motor vehicle or ride a bicycle on a highway. For pot or marijuana (1 oz. or less), you can be fined up to \$100 and receive a criminal citation.

- For possession of marijuana (more than 1 oz.) you may receive up to 6 months in county jail, up to a \$500 fine, or both.
- For possession of cocaine you can be imprisoned in a state prison.
- For sales of any illegal drug you can be imprisoned in a state prison.
- Any person under the age of 21 years who has any alcoholic beverage in his or her possession on any street or highway or in any public place can be convicted of a misdemeanor.
- It is a misdemeanor crime to sell, give or furnish alcohol to anyone under 21 years of age.
- Carriers of motor vehicle insurance can increase premiums, cancel or deny renewal as a result of driving-under-the-influence convictions.

**Family Educational Rights and Privacy**

In compliance with the Federal Family Education Rights and Privacy Act of 1974 (also known as the Buckley Amendment) and California Title V regulations (SB 182), Gavilan has adopted the following policy:

- Official academic, discipline and other necessary records are maintained on all students who have applied to attend Gavilan College.
- These records are maintained by and in the Admissions & Records Office and the Office of the Vice President of Student Services.
- These records will be released only upon the written authorization of the student upon payment of any or all fees and charges due the college, except as provided by law. Unless otherwise directed, the following directory of information may be released by Gavilan without written consent of the student:
  - name of the student
  - dates of attendance at Gavilan
  - date of graduation and degree or certificate awarded

Students who do not wish to have the above information released as directory information may notify the Admissions & Records Office in writing within the first week of each term. Copies of the complete federal and state regulations are available in the Vice President of Student Services Office and may be reviewed by students by appointment.

**Parking on Campus**

Permits are available during all registration periods. All vehicles parked on the main campus are required to display a parking permit. Day permits are available from coin-operated machines located in parking lots A, E and at the south entrance to campus. Student parking is permitted in Lots A, C, E or H except where restricted to staff, guests, or the disabled. Parking Lot D is reserved for staff and disabled only. Guest parking permits are issued at the switchboard in Administration building. Disability parking is available in all lots to those displaying a placard from the Department of Motor Vehicles.

Student and staff parking is enforced by the campus security department and local law enforcement: Mon - Thurs: 7am-10 p.m and Fri: 7 am- 5 pm. All other spaces and areas are enforced at all times. A complete list of parking regulations is available at the main switchboard/reception area and outside the security office.

**Smoke-Free Buildings (BP 6500)**

Smoking is prohibited inside all public buildings, within twenty five feet of all entrances/exits, operable windows or ventilation air intake. Smoking is also prohibited in all college-owned vehicles. Tobacco products shall not be sold on campus either through vending machines or campus establishments. Implementation of the campus smoke-free environment policy will be the responsibility of every student, faculty member, staff person and visitor on campus.

**Students’ Problem Resolution Process**

Procedures have been adopted to allow for student grievances against Gavilan staff members. The formal policy is available in the lobby of the Admissions Office, in the Vice President of Student Services Office, in the college catalog and on the Gavilan College website, [www.gavilan.edu](http://www.gavilan.edu). Students are encouraged to resolve issues informally by talking with college staff members.