BOARD POLICY 7370 POLITICAL ACTIVITY

Employees shall not engage in political activity which uses District funds, services, supplies or equipment to urge the passage or defeat of any ballot measure or candidate, including, but not limited to, any candidate for election to the Governing Board. This policy prohibits political activity during an employee’s working hours, but shall not be construed to prohibit an employee from exercising free speech rights in political activity during nonworking hours.

Reference:
Education Code Sections 7054 and 7056
Government Code Section 8314

Replaces:
Board Policy 3.07 Policy concerning Political Activities on district premises
Board Policy 3.08 Civil Rights of Employees

Approved by the Board of Trustees: February 12, 2013
Approved by the Board of Trustees:
ADMINISTRATIVE PROCEDURE 4106 NURSING PROGRAMS

Nursing students who have already earned a baccalaureate or higher degree from a regionally accredited institution of higher learning are not required to complete any general education requirements that may be required for an associate degree. Instead, these students only need to complete the coursework necessary for licensing as a registered nurse.

The district shall utilize criteria published on the Merritt College Nursing Department's web site – www.Merritt.edu/ADN, current catalog, and current nursing department brochure when screening students for admission to the nursing program. General information is as follows:

I. The Associate Degree Nursing (ADN) program is approved by the California Board of Registered Nursing. This program is designed to prepare students for beginning positions in Registered Nursing. Upon successful completion of the program, students are eligible to take the state licensing examination for registered nurses. The course of study includes instruction in applied nursing sciences, related natural and social/behavioral sciences, and clinical nursing experience in hospitals and healthcare facilities located in the San Francisco Bay Area.

A. The AS degree in Nursing will be awarded upon satisfactory completion of the Group A Prerequisite requirements, the Group B General Education/Graduation requirements, and the Group C Major course requirements.

B. Applications are generally accepted each year from January 2 – March 1 for the class admitted the following Fall semester. All applications with supporting data (all transcripts, etc.) must be received no later than March 1. Applications may be hand-delivered or mailed to the Merritt College Associate Degree Nursing Program. Nonresident foreign students must first be cleared for admission through the International Student Advisor’s Office. It is highly recommended that all students interested in the Nursing program see a counselor for guidance in preparation for the program and evaluation of prerequisites prior to applying.

C. No materials will be accepted after the application deadline date. Late or incomplete applications will not be evaluated.

D. Students may apply for admission only once per year.

E. In order to apply for admission into the ADN Program, students must complete the admission prerequisites (Group A courses). After completion of the Group A courses, students may apply to the ADN Program. Applications are evaluated to determine if the student is eligible to continue in the application process based upon the Chancellor’s Advisory Model Prerequisites.

II. Eligibility Requirements:

A. The student must be a graduate of an accredited high school or have passed the GED test or equivalent.

B. All prerequisite courses in Group A must be completed before applying for admission into the program.

C. Foreign transcripts must be submitted to an international education service for evaluation and official sealed results submitted with the application. Forms may be obtained from the Counseling Office.

D. Nonresident foreign students must see the International Student Advisor before applying.
III. Admission Criteria Effective Fall 2008:

The process by which students are admitted to the Associate Degree Nursing Program (ADN) changed for students applying for admission into the Program in Fall 2008 and subsequent terms. The Program adopted the Chancellor's Advisory Model Prerequisites for Enrollment in Associate Degree Nursing Program admission criteria. Students are required to complete all Group A prerequisites prior to applying to the ADN Program for admission. However, it is also highly recommended that students complete the Group B courses prior to entry into the ADN Program.

Application and Admission Process:

A. The application process consists of the following criteria:
   1. All English coursework: 2.0 GPA or above is required.
   2. Biology Core (anatomy, physiology, and microbiology): 2.5 GPA or above is required.
   3. A formula approved by the State Chancellor's Office computes each student's cut score. A cut score of 80% or higher is required to meet eligibility requirements. Biology core repetitions adversely affect the overall score. All repeats, regardless of the grade (including a withdrawal "W" grade), are counted as a repetition.
   4. Students who have met the minimum cut score of 80% must also pass a diagnostic assessment test, the TEAS Exam. Students who fail to achieve a passing score will be required to complete additional Pre-Nursing coursework prior to admission and enrollment in the Nursing program. Pre-Nursing coursework and clearance of diagnostic assessment deficiencies must be completed to become eligible for admission to the program.
   5. A lottery is conducted that includes all students who show academic readiness by having received a passing score on the TEAS Exam. This lottery is used for selecting the students who will be admitted to and enrolled in the Nursing Program.

B. The admission process requires all students selected for admission to the program to meet the following additional requirements:
   1. Attend an ADN Orientation as scheduled.
   2. A recent physical examination (within 6 months) certifying good physical health must be satisfactorily completed, at the student's own expense. Details of this requirement are outlined at the ADN orientation.
   3. CPR (Basic Life Support) certification must be current within one year at the time of admission and must remain current throughout the length of the program.
   4. Complete criminal background check and drug screening as detailed during ADN orientation.

C. Upon admission to the college, students should obtain an Initial Evaluation Request Form from the college's Admissions and Records Office for courses completed at other colleges or universities.
IV. Course Requirements:

Group A – Prerequisite Requirements:

<table>
<thead>
<tr>
<th>Dept/No.</th>
<th>Title</th>
<th>Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>BIOL 20A</td>
<td>Human Anatomy and Physiology (5)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>and</td>
<td></td>
</tr>
<tr>
<td>BIOL 20B</td>
<td>Human Anatomy and Physiology (5)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>BIOL 2</td>
<td>Human Anatomy (5)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>and</td>
<td></td>
</tr>
<tr>
<td>BIOL 4</td>
<td>Human Physiology (5)</td>
<td>10</td>
</tr>
<tr>
<td>BIOL 3</td>
<td>Microbiology</td>
<td>5</td>
</tr>
<tr>
<td>ENGL 1A</td>
<td>Composition and Reading</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>Total Required Prerequisite Units:</td>
<td>19</td>
</tr>
</tbody>
</table>

Group B – General Education/Graduation Requirements:

Although Group B courses meet General Education (GE)/Graduation Requirements and can be completed prior to or after admission into the ADN Program, it is highly recommended that these courses be completed prior to admission into the program. With the exception of Ethnic Studies and Computer Literacy, each Group B course must be completed with a letter grade of grade of "C" or better. "C-" is not acceptable.

<table>
<thead>
<tr>
<th>Dept/No.</th>
<th>Title</th>
<th>Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>MATH 203</td>
<td>Intermediate Algebra</td>
<td>4</td>
</tr>
<tr>
<td>ENGL 1B</td>
<td>Composition and Reading (4)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>or</td>
<td></td>
</tr>
<tr>
<td>ENGL 5*</td>
<td>Critical Thinking in Reading and</td>
<td>3-4</td>
</tr>
<tr>
<td></td>
<td>Writing (3)</td>
<td></td>
</tr>
<tr>
<td>PSYCH 1A</td>
<td>Introduction to General Psychology</td>
<td>3</td>
</tr>
<tr>
<td>SOC 1</td>
<td>Introduction to Sociology (3)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>or</td>
<td></td>
</tr>
<tr>
<td>ANTHR 3</td>
<td>Introduction to Social and Cultural</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>Anthropology (3)</td>
<td></td>
</tr>
<tr>
<td>COMM 20</td>
<td>Interpersonal Communication Skills</td>
<td>3</td>
</tr>
<tr>
<td>Plus:</td>
<td>Computer Literacy requirement</td>
<td>1</td>
</tr>
<tr>
<td>And:</td>
<td>Ethnic Studies requirement</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>Total Required GE/Graduation Units:</td>
<td>20-21</td>
</tr>
</tbody>
</table>

*If ENGL 5 is selected instead of ENGL 1B, an additional Humanities area 3 course is required to satisfy GE requirements. The minimum GE-unit requirement for the Associate degree is 19 units; some of these requirements can be met by the Group A prerequisite courses. Computer Literacy and Ethnic Studies are degree requirements that are not required by the BRN for licensure.
Group C – Degree Major Requirements:

The following courses are to be completed after admission into the ADN program. These courses must be completed with a grade of 75% or better in lecture ("74.99" is not acceptable), and satisfactory clinical performance in each section of a course:

<table>
<thead>
<tr>
<th>Dept/No.</th>
<th>Title</th>
<th>Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>NURS 1</td>
<td>Fundamentals in Nursing: Beginning</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Principles of Health Care</td>
<td>9</td>
</tr>
<tr>
<td>NURS 3A</td>
<td>Perinatal Nursing</td>
<td>4</td>
</tr>
<tr>
<td>NURS 3B</td>
<td>Pediatric Nursing</td>
<td>4</td>
</tr>
<tr>
<td>NURS 4A</td>
<td>Intermediate Medical-Surgical Nursing</td>
<td>4</td>
</tr>
<tr>
<td>NURS 4B</td>
<td>Psychiatric Nursing</td>
<td>4</td>
</tr>
<tr>
<td>NURS 5</td>
<td>Advanced Medical-Surgical Nursing:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Disruption in Homeostasis</td>
<td>9</td>
</tr>
<tr>
<td>NURS 10</td>
<td>Leadership and Management</td>
<td>1</td>
</tr>
<tr>
<td>NURS 11</td>
<td>Ethics and Law</td>
<td>1</td>
</tr>
<tr>
<td>NURS 12</td>
<td>Calculation of Drug Dosages for Health</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Professionals</td>
<td>1</td>
</tr>
<tr>
<td>NURS 13</td>
<td>Pharmacology in Nursing</td>
<td>3</td>
</tr>
<tr>
<td>NURS 14</td>
<td>Nutrition and Diet Therapy in Nursing</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Total Required Major Units:</td>
<td>42</td>
</tr>
</tbody>
</table>

Total Required Program Units: 81-82

Once admitted into the ADN Program, students with prior experience in the healthcare field, such as Licensed Vocational Nursing (LVN), may apply to challenge courses within the Nursing curriculum and seek advanced placement in the program. For information regarding advanced placement, challenge by examination, transfer, or the 30-unit option (BRN Regulation, Section 2736.6), refer to the website at www.Merritt.edu/ADN or contact the Nursing Program located in Building D, Room 102.

Note: Transfer-in or advanced-placement students will be admitted only on a space-available basis.

References:
Education Code Sections 66055.8, 66055.9, 70101-70106, 70120, 70124, 70125, 70128.5, 78260, 78261, 78261.3, 78261.5, 87482, 89267, 89267.3, and 92645;
Title 5 Sections 55060 et seq. and 55521;
Health and Safety Code Section 128050

Approved by the Chancellor: April 12, 2012
Revised: March 6, 2013
Administrative Procedure 4231 Grade Changes and Student Grievance Procedure

I. Regulations

A. The instructor of the course shall determine the grade to be awarded to each student. The determination of the student's grade by the instructor is final in the absence of mistake, fraud, bad faith, or incompetency (per Education Code Section 76224). "Mistake" may include, but is not limited to, errors made by an instructor in calculating a student's grade and clerical errors. "Fraud" may include, but is not limited to, intentional inaccurate recording or the change of a grade by any person who has access to grade records without authorization.

B. No grade can be changed without the consent, in writing, by the instructor who assigned the grade except under the conditions of clerical errors, bad faith, fraud, and incompetency.

C. Grades are not subject to change by reason of a revision of judgment on the instructor's part.

D. No grade except "Incomplete" may be revised by the instructor on the basis of a new examination or additional work undertaken or completed after submission of final grades.

E. No grade will be changed later than two years after the calendar date ending the semester (including intersession and summer session) in which the grade was assigned.

F. Only the instructor is required to sign grade changes from "I" to a grade.

II. Procedural Steps

A. Instructor completes the "Request for Record Correction Form" and submits it to the Divisional Dean of Instruction with a copy of the Class Rollbook. The "Request for Record Correction Form" is available online at: http://eperalta.org/wp/admissions/?p=565

B. Divisional Dean of Instruction, after discussion with the instructor, makes a recommendation to the Vice President of Instruction.

C. Upon approval, the request is then submitted to the Associate Vice Chancellor of Student Services.

D. Upon acceptance, the request will be processed by Admissions and Records.

III. Student Grievance

If a student alleges mistake, fraud, bad faith, or incompetence in the academic evaluation of the student's performance, the grievance procedure is as follows:

Both the informal and formal grievance procedure for "Academic (Grade) Grievance" is contained in the "Student Grievance Procedure" (also in AP 5530, Student Rights and Grievances) which was last revised and approved by the Board of Trustees on March 15, 2011.

The purpose of this procedure is to provide a prompt and equitable means of resolving student grievances. This procedure shall be available to any student who reasonably believes an experience or decision has adversely affected his or her status, rights or privileges as a student. A grievance may be initiated by a student against an instructor, an administrator, or a member of the classified staff. A grievance may also be initiated against another student. That procedure (in full) is as follows:
A. Grounds for Filing Student Grievances

The Student Grievance Procedure shall apply only to grievances involving:

1. Academic (Grade) Grievance: a complaint alleging mistake, fraud, bad faith or incompetence in the academic (grade) evaluation of student performance.

2. Violation of Law, Policy, and Procedures:
   a. Violation of rights which a student is entitled to by law or District policy, including financial aid, exercise of free expression, rules for student conduct, admission, probation, or suspension or dismissal policies.
   b. Act or threat of physical aggression
   c. Act or threat of intimidation or harassment

B. The Student Grievance Procedure does not apply to:

1. Police citations (i.e. "tickets"). Complaints about citations must be directed to the Campus Police in the same way as any traffic violation.

2. Discrimination, Sexual Assault or Sexual Harassment. Any student who feels he/she has been or is presently an alleged victim of sexual harassment, may first contact the Vice President of Student Services to file a complaint verbally or in writing, or may directly contact the District's Equal Opportunity Coordinator at 333 East Eighth Street, Oakland, CA 94606, (510) 466-7220. At the time a complaint is made known, a copy of the complaint procedures and a complaint form shall be made available to the complainant. For additional information regarding reporting of discrimination, sexual assault or sexual harassment, please refer to Discrimination Complaint Procedures in this catalog.

C. Definitions

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

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

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

4. Observer. An individual who is present at a hearing to observe the proceeding, but shall not be allowed to speak and address the committee.

5. Written Notice/Written Decision. Notice sent by personal service or by registered or certified mail with return receipt requested via the U.S. Postal Service.

6. Day. Unless otherwise provided, day shall mean a day during which the college is in session and regular classes are held, excluding Saturdays, Sundays, and District holidays.
D. Grievance Process

1. Informal Resolution

Within 30 days of the allegation, each student who has a grievance shall make a reasonable effort to resolve the matter on an informal basis prior to requesting a grievance hearing:

a. For an academic (grade) grievance, the student shall make an appointment with the faculty against whom he/she has a grievance during the faculty member’s posted office hours or at a mutually-agreed-upon time, in order to discuss the student's complaint. Should the faculty against whom the student has an academic complaint fail to meet with the student in a timely manner, the student may meet with the Division Dean of Instruction of the faculty member.

b. For a grievance based on an alleged violation of law, policy, and procedures, the student shall attempt to solve the problem with the person with whom the student has the grievance, that person's immediate supervisor, or the Vice President of Student Services (or designee).

2. Formal Complaint Procedures

Any student who believes he/she has a grievance must file an approved grievance complaint form with the Vice President of Student Services (or designee). The student may obtain the form from the Office of the Vice President of Student Services.

The student must file within 90 days of the incident on which the grievance is based; or after the student knew or should have known of the basis for the grievance, whichever is later. The grievance complaint must be filed whether or not the student has already initiated efforts at informal resolution, if the student wishes the grievance to become official. Failure to file a formal complaint within such ninety (90) day period constitutes waiver of the student's right to appeal.

a. Complaint. The complaint must include the following:

- The exact nature of the complaint (grounds).
- The specific details of the complaint (e.g., chronology of the event and an explicit description of
  - the alleged violation).
- A description of the informal meeting and attempted resolution, if any.
- The specific resolution/remedy sought.

b. Submission. The complaint should be submitted to the Vice President of Student Services.

c. Meeting with Vice President of Student Services (or designee)

The Vice President of Student Services (or designee) shall provide to the person against whom the grievance has been filed a copy of the grievance and a copy of the procedure.

The Vice President of Student Services (or designee) will provide the grievant with a written copy of the policy and procedures and answer all questions regarding the policy including the student's rights and responsibilities in the process of filing a grievance. For academic (grade) grievance, the Vice President of Student Services (or designee) will inform the student that a grade change may only be made where there is a finding of fraud, mistake, bad faith or incompetence.

The student and Vice President of Student Services (or designee) shall attempt to reach an informal resolution.
c. Request for Grievance Hearing

If an informal resolution cannot be reached, the Vice President of Student Services (or designee) shall make a request for records and documents from the student filing the complaint and forward copies of all documents pertinent to the alleged violation to the Chair of the Grievance Committee and the parties. Documents or accusations not specifically related to the alleged violations shall not be forwarded to the committee or the parties.

i. For academic (grade) grievance, the Chair shall request records and documents from the faculty member against whom the complaint has been filed.

ii. For grievance based on an alleged violation of law, policy, and procedures, the Chair shall request records and documents from the party against whom the complaint has been filed.

The Grievance Hearing timeline may be tolled (postponed) pending a formal investigation of any discrimination claims by or against the student. Such investigation must be concluded no later than 90 calendar days as required by law.

d. Grievance Hearing Committee

Within 90 days following receipt of the grievance complaint form, the Grievance Hearing Committee shall conduct a hearing. The following College Grievance Committee members shall be appointed for a term of one academic year as follows:

- The Vice President of Instruction, who shall Chair the committee;
- One faculty member (and one alternate) jointly appointed by the PFT and the Faculty Senate;
- One administrator (and one alternate) appointed by the College President;
- One student (and one alternate) appointed by the President of the Associated Students

Additional committee member:

- For academic (grade) grievances, one faculty member (and one alternate) jointly appointed by the PFT and the Faculty Senate; or
- For other grievances, one classified employee (and one alternate) jointly appointed by Local 790 and the Classified Senate.

A committee member shall withdraw from participation in the hearing if a conflict of interest is anticipated, in which case the alternate member shall serve. The members of the Committee shall be provided with a copy of the grievance and any written response provided by the respondent before the hearing begins. Four-fifths of the members of the committee shall be present in order for the committee to act.

e. Hearing Procedure

1. The Vice President of Instruction, as Chair, shall provide written notice, including the date, time and place of the hearing to both parties at least ten days prior to the hearing. The notice shall be hard-delivered or sent by certified mail and shall include a copy of the complaint.

2. The Chair shall provide the involved complainant with a written summary of rights he/she may be entitled to by law or contract at least 10 days before the hearing. For academic (grade) grievance, the Chair of the committee shall provide the involved faculty member with a written summary of rights he/she may be entitled to by law or contract at least 10 days before the hearing. Both parties shall be given adequate time (at least 10 days) to read and review all documents, consistent with privacy laws. This right may be waived by either party. Both parties shall be informed that all relevant evidence presented to the hearing committee, whether written or oral, may be used against them in this or any other proceeding unless otherwise prohibited by law. The written notice shall inform the parties of this fact. The Chair
of the committee shall inform both parties orally of this fact at the commencement of the hearing.

3. The decision of the Chair shall be final on all matters relating to the conduct of the hearing unless there is a vote by a majority of the other members of the panel to the contrary. The Chair may do whatever is necessary, so long as it is legally permissible, to ensure that the hearing is conducted in a fair, dignified and orderly manner.

5. The Chair of the committee may exclude a witness from the hearing when the witness is not giving testimony.

6. Anyone who disrupts the proceeding or interferes shall be excluded from the proceeding.

7. All information derived from the complaint is confidential. Information may not be made public nor discussed with anyone except those with a legitimate need to know.

8. The hearing shall be open only to persons directly involved in the matters to be heard. The bargaining agent representing the respondent may send an observer to any hearing.

9. The committee may call in "expert witnesses" if the subject of the grievance is beyond their expertise.

10. The committee shall inform the witnesses (other than the accused) in writing that they are sought for interview purposes and their participation in the process is requested by the committee. Witnesses shall also be informed as to the purpose of the interview, the general subject of the interview, and their right to request representation by anyone of their choosing prior to and during said interview.

11. Any member of the committee may ask questions of any witness.

12. The hearing shall be conducted so as to bring all of the relevant information and evidence to the members of the committee in an orderly and intelligible form. Formal rules of evidence shall not apply. Any relevant evidence shall be admitted, if it is the sort of evidence on which responsible persons are accustomed to rely upon in the conduct of serious affairs. Accusations not specifically related to the alleged violation shall not be considered relevant. The rules of privilege shall apply to the same extent that they are recognized in civil actions.

13. At all steps of the process, both the student filing and the other party have the right to be accompanied, advised and represented by a person or counsel of their choosing. If either party wishes to be represented by an attorney, a request must be presented not less than 10 days prior to the date of the hearing. If the student is permitted to be represented by an attorney, the college representative may request legal assistance. The hearing committee may also request legal assistance; any legal advisor provided to the panel may sit with it in an advisory capacity to provide legal counsel but shall not be a member of the panel nor vote with it.

14. If the respondent or his/her representative, or both, are absent from all or a part of the hearing, the committee shall make its recommendations on the basis of whatever evidence is submitted before the hearing and on whatever evidence and testimony is presented to the committee during the hearing.

15. The committee shall make all evidence, written or oral, part of the record.

16. The committee shall judge the relevancy and weight of testimony and evidence and make its findings of fact, limiting its investigation to the formal charge. The decision shall be based only on the record of the hearing, and not on matter outside of that record.
17. The burden shall be on the grievant to prove by a preponderance of the evidence that the facts alleged are true and a grievance has been sufficiently established.

18. The hearing date may be postponed or continued at the discretion of the Chair of the committee. Both parties shall be given notice of the new or continued hearing date.

19. The votes of the majority of the members present (at least 3 votes) are necessary in order for the committee to make a recommendation to the Vice President of Student Services.

20. The Chair of the committee shall notify the Vice President of Student Services of the committee's recommendation within 10 days.

21. A summary record of the proceedings held in a closed session shall be kept in a confidential file by the Vice President of Student Services and shall be available at all times to the accused person. The Vice President of Student Services has the responsibility to ensure that a proper record is maintained and available at all times.

f. Final Decision by Vice President of Student Services

Based on the grievance hearing committee's recommendations, the Vice President of Student Services (or designee) may accept the recommendation, return it to the committee for further review, or reject it. Within 10 days of receipt of the committee’s recommendation, the Vice President of Student Services (or designee) shall send written notification to the parties and committee informing them of:

i. The committee's recommendation;
ii. The final decision by Vice President of Student Services; and
iii. Appeals procedure.

Any decision to reject findings of the committee must be supported by a summary finding of fact. The decision to recommend a grade change must be supported by a summary finding of fact, establishing mistake, fraud, bad faith or incompetence.

3. Appeals

a. President's Decision

The Vice President of Student Services' (or designee's) decision may be appealed by either party in writing within 10 days of the Vice President of Student Services' (or designee's) decision.

The College President shall issue a written decision to the parties and their representatives within ten (10) days of receipt of the appeal. A decision to change a grade must be supported by a summary finding of fact, establishing mistake, fraud, bad faith or incompetence.

b. Chancellor's Decision

The College President's decision may be appealed to the Chancellor in writing within 10 days of receipt of the decision.

The Chancellor, or designee, shall issue a written decision to the parties and the representatives by certified mail within 10 days of the receipt of the decision. A decision to change a grade must be supported by a summary finding of fact, establishing mistake, fraud, bad faith or incompetence.

c. Board of Trustees' Decision

The Chancellor's (or designee's) decision may be appealed to the Board of Trustees in writing within 10 days of the receipt of the decision.
The Board will review the documentation of the prior steps of the case and determine whether to confirm the Chancellor's decision or hear the appeal. If the Board confirms the Chancellor's decision, the appellant has exhausted his or her remedies. If the Board decides to consider the appeal, it will do so in closed session subject to Education Code 72122, and will issue a final decision within forty-five (45) days after receipt of the decision.

A decision to change a grade must be supported by a summary finding of fact, establishing mistake, fraud, bad faith or incompetence. Implementation of any grade change shall be held in abeyance until the internal appeal process has been exhausted.

All recommendations, resolutions, and actions taken by the Board of Trustees shall be consistent with the State and Federal law, the Peralta Community College District Policies and Procedures, and the PFT and Local 790 Collective Bargaining Agreements. (In the event of a conflict between the Collective Bargaining Agreement and the PCCD Policies and Procedures, the Collective Bargaining Agreement shall govern.)

4. **Time Limits**

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

**Security of Grade Records**

The District has implemented security measures for student records that assure no one without proper authorization may obtain access to student grade records. These measures are installed as part of the computerized grade data storage system in the enterprise management system, PeopleSoft.

The measures implemented by the District include, but are not necessarily limited to, password protection for all student grade data bases, locking mechanisms for computer stations from which grade data bases can be viewed, and strict limits on the number of persons who are authorized to change student grades.

Persons authorized to change grades shall be designated by the Vice Chancellor of Educational Services. No more than six (6) [one at each college in A&R and two at district office A&R] District employees may be authorized to change student grades. Only full-time employees of the District may be authorized to change grades. Student workers shall not have access to or change grades at any time.

Any person who discovers that grades have been changed by someone other than the persons authorized to do so shall notify the Vice Chancellor of Educational Services immediately. The Vice Chancellor of Educational Services immediately shall take steps to lock the grade storage system entirely while an investigation is conducted.

If any student's grade record is found to have been changed without proper authorization, the District will notify (1) the student; (2) the instructor who originally awarded the grade; (3) any known educational institution to which the student has transferred; (4) the accrediting agency; and (5) local law enforcement authorities.

Whenever a grade is changed for any reason, corrected transcripts will be sent to any known educational institution to which the student has transferred.

Any student or employee who is found to have gained access to grade recording systems without proper authorization or who is found to have changed any grade without proper authority to do so, shall be subject to discipline in accordance with the District's policies and procedures.

Any person who is found to have gained access to grade recording systems without proper authorization
or who is found to have changed any grade without proper authority to do so, shall be reported to the appropriate law enforcement agency.

The correction of an awarded grade shall only be allowed for a student-initiated request brought under the provisions of this procedure.

References:
   Education Code Sections 76224 and 76232
   Title 5 Section 55025

Approved by the Chancellor: January 31, 2012
Administrative Procedure 5011 Admission/Concurrent Enrollment of High School and Other Students

In accordance with California Education Code regulations, high school students entering the 10th, 11th or 12th grades may enroll as special part-time students by completing a "High School Concurrent Enrollment Form", which is available online (see H.2 below for the online link) and at any of the four college admissions offices. Enrollment must be recommended by their principal, with parental consent and approval by their high school counselor. Special part-time students are exempted from paying the California Community College Enrollment Fee. All other fees including the AC Transit fee (9 or more units), Health Fee and Campus Center Use fees apply.

A. Peralta Community College District's High School Concurrent Enrollment Program provides enrichment opportunities for high school students who can benefit from college level instruction.

B. Each College in the District may admit a limited number of 10th, 11th, and 12th grade high school students who are under 18 years of age and who have exceptional ability or who desire specialized or advanced training. Such admission must be with the recommendation of the high school counselor and principal of the high school in which the student is enrolled. (Other high school students may be admitted on the basis of a contractual agreement between the District and the high school of attendance.) A student participating in the High School Concurrent Enrollment Program receives college credit. With the approval of the high school, the student also may receive high school credit. The Office of Admissions and Records will send a transcript to the high school upon request.

C. Because the student is enrolling in a college-level course, the student must be assessed (placement test) as required. The student must follow all the regulations and policies of the college, including adhering to any prerequisite requirements. It is recommended that the student bring a high school transcript to assist the college in determining the correct level of courses (transcript required for approval to enroll in 6.5 to 11.5 units).

D. A 10th, 11th, or 12th grade high school student whose high school counselor recommends that the student enroll in more than six units must have the approval of the Vice President of Student Services and provide a high school transcript.

E. Special part-time concurrently enrolled high school students are exempt from paying enrollment fees. However, concurrently enrolled high school students who enroll in more than 11.0 units are subject to the California Community College enrollment fees.

F. The Concurrent Enrollment Program is specifically designed to accelerate the academic or vocational career of high school students. Access to the Concurrent Enrollment Program is not allowed for:
   1. Remedial work (any classes in any discipline that are not college level and cannot be applied to an associate degree or higher are disallowed -- Basic Skills courses numbered 250 or higher).
   2. Work to make up for failed high school or middle school classes.
   3. Recreation or hobbies.
   4. Any class that can be taken at the local high school.

G. Students can obtain additional information from the Office of Admissions and Records at any of the four Peralta colleges.

H. The Steps for Concurrent Enrollment are as follows:
   1. Students should read the class schedule and choose courses they would like to take.
   2. Students should complete the High School Concurrent Enrollment Form
      and take it to their school counselor to obtain his/her signature and discuss course selections.
3. Students then need to obtain the school Principal’s signature.
4. Students then need to get their parents’ approval for attending a college class and have the parents sign the form.
5. Students then need to go online to https://passport.peralta.edu and click “Apply Now” to complete an Admissions application.
6. Students must take assessment tests as required and must adhere to any prerequisite requirements.
7. Students must submit the Concurrent Enrollment Form to the Office of Admissions and Records at the College. Students must fill out a separate concurrent enrollment form each semester they wish to attend.
8. If a student would like to enroll in 6.5 to 11.0 units, the student must obtain permission from the college Vice President of Student Services or designee prior to enrollment and must provide a high school transcript.
9. The High School must comply with section 76001 of the California Education Code.
10. The High School must comply with section 48800 of the California Education Code.

I. Home School Students must provide clearance from their local high school district.

References:
Education Code Sections 48800.5, 76001, and 76002

Approved by the Chancellor: February 19, 2013
Revised: March 6, 2013
ADMINISTRATIVE PROCEDURE 5075 COURSE ADDS AND DROPS

I. Adding Classes

A. Students may add classes throughout the registration period subject to the following:

1. Students must check the “Academic Calendar” for the last day to add classes.
2. After the first day of class, instructors will issue a permission number if space is available. Students, who are on the wait list and present, will be given first priority.

B. If a class is open, students can add the class by:

1. Using the Passport System via the Internet.
2. Going in person to the Office of Admissions and Records at any of the four Peralta colleges.

C. If a class is closed, students can add their name to the Wait List prior to the first day of class.

II. Late Adding of Classes

In very select extenuating circumstances, the College may late add a student. The late add card will need to be signed by the instructor of record and the Vice President of Instruction.

III. Dropping Classes/Withdrawal

A. Students are responsible for dropping classes through the Passport System via the Internet or at the college Office of Admissions and Records.

B. Students should refer to the academic calendar in the catalogs or the class schedule to determine the deadline dates for dropping a class with a refund, with no grade, or with a "W".

C. A withdrawal reported to the District Admissions and Records Office prior to the Census date shall not be noted on the student’s academic record.

D. A "W" symbol will be recorded on the student’s transcript upon withdrawal during the period after the Census date and the end of the fourteenth week of instruction (or between 21% to 75% of instruction for the summer session and short-term courses). The "W" symbol shall not be used to determine academic probation but only to determine progress probation.

E. The academic record of a student who has not withdrawn from class nor has been dropped by an instructor within the time allowed by this policy must reflect a grade other than "W" as awarded by the instructor.

F. Students will not be permitted to withdraw and receive a "W" in a class more than three times (substandard grades are also included in determining the ability to repeat courses).

G. Enrollment Fee Refund Information can be obtained at the following Web link:
http://eperalta.org/wp/admissions/?p=468

IV. Instructional Faculty and Attendance Verification and Census Rosters

A. Each term instructional faculty members receive a memo instructing them on how to report student enrollment by Census Day and Attendance Verification Day. Instructional faculty members are to drop students on the Census and Attendance Verification Rosters for non-
attendance. Instructional faculty members are notified that they cannot drop students on the final grade roster.

References:
Title 5 Sections 55024 and 58004

Approved by the Chancellor: February 19, 2013
Revised: March 6, 2013
ADMINISTRATIVE PROCEDURE 6350 CONTRACTS - CONSTRUCTION

The Vice Chancellor General Services shall be responsible for the planning and programming of new construction, alterations, modernization and repairs of existing plants, and leasing of facilities that require chancellor’s approval. This includes the planning, development and programming of college-initiated new construction, additions to existing plants, and major alterations and repairs of buildings and grounds.

The Vice Chancellor General Services shall be responsible for preparation of drawings and specifications for new buildings, leased facilities, additions, major alterations, modernization and improvements of buildings and grounds together with engineering cost estimates of costs.

The preliminary drawings, which shall cover all proposed facilities together with construction cost estimates, shall be submitted to the Chancellor Board for approval and authorization to proceed with the working drawings and specifications. Upon completion, the working drawings, specifications and revised cost estimates, if any, will be submitted for approval to the Board of Trustees for approval. California Community College Chancellor’s Office and the State Department of General Services as required by statute in the name of the Board of Trustees.

The final working drawings and specifications, approved by the District Department of General Services State Department of General Services and the California Community College Chancellor’s Office, together with revised estimates, if any, shall then be submitted to the Board of Trustees for adoption.

If a capital project is a joint venture between the college/District and the California Community College State Chancellor’s Office, the preliminary drawings (Initial Project Planning - IPP) and engineering cost estimates shall be approved by both the District’s Governing Board of Trustees and California Community College Chancellor’s Office and the State Governing Board of Trustees as required by statute.

The final working drawings in a joint project otherwise known as Final Project Planning (FPP) and specifications shall be approved and funded by both the District’s Governing Board of Trustees and the California Community College Chancellor’s Office through the State Governing Board of Trustees before implementation.

The letting of contracts for construction shall comply with procedures of the District regarding contracts that exceed the statutory minimums for competitive bidding. (See AP 6340 titled Bids and Contracts).

Retention proceed withheld from any payment shall not exceed five percent (5%) of the payment. The Vice Chancellor General Services may withhold in excess of 5 percent (5%) where the governing body has approved a finding during a properly noticed and scheduled public hearing and prior to bid that the project is substantially complex and therefore requires a higher retention amount than 5 percent and the finding is included in the bid documents.

References:
- Education Code Section 81800;
- Public Contract Code Sections 20650 et seq. and 22000 et seq.
- Public Contract Code Section 7201(b)

Approved by the Chancellor: