



## The Solomon Amendment

Federal Statute (Public Law 104-208 and Public Law 104-206, commonly known as the Solomon Amendment) requires that Mt. San Jacinto College provide student directory information, (which includes name, address and telephone numbers) to the Department of Defense, including military recruiters, upon request.

## Knowing Your Responsibilities

Mt. San Jacinto College provides you with a wide variety of academic assistance and personal support, but it is up to you to know when you need help and to seek it out.

It is your responsibility to keep informed and to obey the rules, regulations and policies, which control your academic standing and your life as an MSJC student.

Meeting deadlines, completing prerequisites and satisfying the degree and certificate requirements, as found in the program planning guides and in this catalog, are all part of your duties as a student.

Consult this catalog, college announcements, student email account at <http://my.msjc.edu> and the schedule of classes for the information you need.

## ATTENDANCE REQUIREMENTS

Students are expected to attend all classes in which they are enrolled. Experience demonstrates that absence and tardiness contribute to academic failure. Absence interferes with the instructional process; the legitimacy of the reason for absence in no way mitigates the loss incurred.

The instructor of a course is in the best position to judge the effect of any absence on the progress of a student in that course; hence, it is the instructor's prerogative to report excessive absence, to recommend withdrawal or to drop a student from the course when, in the instructor's judgment, such absence has seriously interfered with learning.

Absence due to illness or absence due to participation in a college-sponsored activity certainly introduces the element of extenuating circumstance and presumably will be factors in the instructor's judgment.

Make-up work for absence of any kind must be completed to the satisfaction of the instructor. All instructors recognize the unavoidable nature of illness, and it is institutional policy to support and encourage student involvement in significant activities and experiences outside the classroom. Even so, no absence, whatever the reason, relieves the student of responsibility for completing all work assigned.

Each instructor will, in the individual course requirements, establish the grading criteria; specify the written course of objectives and the standards for attendance in each class.

## Attendance at First Class Meeting

It is extremely important for a student to attend the first class meeting after his or her registration. Instructors are authorized to drop students who do not appear for the first class meeting to make room for others who desire to take the class.

## UNIT OF CREDIT

A unit of credit is approximately one hour of class plus two hours of study per week, or three hours of laboratory per week carried through the term. For each hour of lecture/discussion, two hours of preparation are assumed. To receive credit, the student must be officially enrolled in the course. Students not officially enrolled by the proper date will not receive credit for the course, even if they complete all course work.

## FINAL EXAMINATIONS

No student may be excused from final examinations. Instructors will not ordinarily give final examinations at any time other than that regularly scheduled.

Special permission must be obtained from the instructor for an individual student to take final examinations at other than the regularly scheduled time.

## GRADING POLICY

### Academic Records Symbols and Grade-Point Average (GPA)

Evaluation symbols (grades) are issued in each course at the end of each semester and summer session. The unit of measure utilized at Mt. San Jacinto College is the semester unit.

Students must obtain their final grades by Web. Students may log in at <http://my.msjc.edu>. The college does not mail grades.

In the absence of mistake (to include clerical errors and errors made by an instructor in calculating a student's grade), fraud, incompetence or bad faith, the determination of the student's grade by the instructor shall be final. Final grades are recorded on a transcript, which is the student's official permanent record of all grades issued. Questions regarding final grades of record should be addressed to the attention of the Enrollment Services Office. Evaluative grades are averaged on the basis of the point equivalencies to determine a student's grade-point-average. (**Note:** The symbol "P" is an evaluative symbol without grade points.) Non-evaluative symbols are not used in calculating grade point averages. Evaluative symbols and grade points are as follows:

Evaluative Grade	Symbols Definition	Grade Point Average
A	Excellent	4
B	Good	3
C	Satisfactory	2
D	Passing, less than satisfactory	1
F	Failing	0
P*	Pass (not counted in GPA)	
NP**	No Pass (not counted in GPA)	

\*P grades reflect at least satisfactory performance. Units are awarded.

\*\*NP grades reflect less than satisfactory or failing performance. No units are awarded.

Non-Evaluative Symbols		
I	Incomplete	0
IP	In Progress	0
RD	Report Delayed	0
W	Withdrawal	0
MW	Military Withdrawal	0

### Calculation of Grade-Point Average

The quality of a student's work for one semester is measured by his or her grade-point average (GPA). His or her cumulative GPA indicates the quality of all work a student has completed at the college through one or more semesters.

In calculating students' degree applicable grade point averages, grades earned in non-degree credit courses shall not be included.

#### GPA is determined by:

- Multiplying the number of grade points equivalent to the letter grade received by the number of semester hours for that course
- Adding the grade points received in all courses during the semester
- Dividing the total number of grade points by the total number of semester hours attempted (See example)

Example				
Course	Grade	Grade Value	Semester Hours	Total Grade Points
ENGL-101	B	3	4	12
PSYC-100	A	4	3	12
MATH-140	C	2	4	8
BIOL-110	D	1	4	4
PE-112	A	4	1	4
			16	40
Divide the 40 grade points by the 16 semester hours attempted for a semester grade-point average of 2.50.				

During graduation evaluation, the same process using all grades received for all degree applicable courses and all grades accepted from other accredited colleges and universities determines the cumulative grade-point average for students earning the Associate of Arts or Associate of Science degree. Proficiency credit and CLEP earned at MSJC appear on a student's official transcript, but do not carry any grade value and, therefore, does not affect a student's grade-point average.

### Non-Evaluative Symbols Definitions

**I Incomplete:** Incomplete academic work for unforeseeable emergency and justifiable reasons at the end of the term may result in an "I" symbol being entered in the student's record. In a written record, the instructor shall state the condition for removal of the "I." This record must be given to the student with a copy on file with the Enrollment

Services Office until the “I” is made up or the time limit has passed. A final grade shall be assigned when the work stipulated has been completed and evaluated, or when the time limit for completing the work has passed.

The “I” may be made up no later than six weeks within the subsequent term (excluding summer session) in which it was assigned. A student may petition for an extension of time due to unusual circumstances before the time limit has passed. The “I” symbol shall not be used in calculating units attempted or for grade points.

**IP In Progress:** The “IP” symbol shall be used to denote that the class is scheduled to extend beyond the normal end of an academic term. It indicates that work is “in progress” but that assignment of a substantive grade must await its completion. The “IP” symbol shall remain on the student’s record for the term in which the course is completed. The “IP” shall not be used in calculating grade-point averages.

**RD Report Delayed:** Only the Director of Enrollment Services may assign the “RD” symbol. It is to be used when there is a delay in reporting the grade of a student due to circumstances beyond the control of the student. It is a temporary notation to be replaced by a permanent symbol as soon as possible. “RD” shall not be used in calculating grade-point averages.

**NOTE:** On rare occasions, circumstances beyond the control of Mt. San Jacinto College require that grade reports be issued before some grades are entered. While every effort is made to avoid this situation, there are times when it is unavoidable.

**W Withdrawal:** The “W” symbol shall be used to denote withdrawal from a class. The grade indicates that the course has been removed from the student’s program of study without credit and is not included in the grade point computation.

No notation of “W” or other grade or course entry shall be made on the academic record of the student who withdraws prior to the census date. The census date in a 17-week term is Monday of the third week of instruction. The census date in an 18-week term is Monday of the fourth week of instruction. Additionally, no notation of “W” shall be made on the academic record of the student who withdraws during the summer session and/or short-term class(es) prior to 30% of the course.

The “W” shall not be used in calculating grade-point averages. However, units attempted for which “W” is recorded shall be considered in probation and dismissal procedures.

**MW Military Withdrawal:** Occurs when a student who is a member of an active or reserve United States military service receives orders compelling a withdrawal from courses. Upon verification of such orders, a “MW” symbol will be assigned. Military withdrawals shall not be counted in progress probation and dismissal calculations.

## Petition to Withdraw

Students who have verifiable extenuating circumstances beyond their control may petition for an exception to withdraw from a class after 75% of the term or course and receive a “W” grade. Under normal circumstances, students will be required to drop all classes unless the student can document reason(s) to drop less than all classes. This may be done by completing a *Petition to Drop a Class(es) Beyond 75% of the Term* with supportive documentation attached. The instructor of each course during the semester/term must agree to the withdrawal. Once the form is completed, attach the required documentation to support the request, i.e. verification from medical provider, hospital records, employer, etc., and secure the signature of the instructor(s). The form should be submitted in its entirety to Enrollment Services for the Director to review. Extenuating circumstances may be severe illness, hospitalization, employment relocation, death of a family member or incarceration.

## Grade Change Policy

In any course of instruction for which grades are awarded, the instructor of the course shall determine the grade to be awarded in accordance with the above-stated grading system. The determination of the student’s grade by the instructor shall be final in the absence of mistake, fraud, bad faith or incompetency. The instructor of record may correct grades given in error. All grade changes must take place within five years of initial award of grade.

## Pass/No Pass

Mt. San Jacinto College shall authorize a maximum of twelve (12) pass/no pass units for students to meet college degree and/or certificate requirements.

A “pass” symbol is defined as a grade of “C” (satisfactory) or better. Attendance requirements are the same for students taking the course for “pass/no pass” as those taking the course for a letter grade. The assignments made for students taking the course for “pass/no pass” are the same assignments made for those taking the course for a letter grade.

Students electing this option must file an *Application for Pass/No Pass* in the Enrollment Services Office by the end of the fifth (5<sup>th</sup>) week of a full-term semester or by the end of the first 30% of a short-term course.

Although “pass/no pass” grades are allowed in all designated courses, students should be aware that transfer institutions may not accept courses for transfer taken in a student’s major for which a grade of “P” has been earned. Units earned on a “pass/no pass” basis shall not be used to calculate grade-point averages. However, units attempted for which “NP” is recorded shall be considered in probation and dismissal procedures.

### Limitations of Basic Skills and ESL Credit

Students enrolled in basic skills courses may earn up to thirty (30) units of pass/no pass units. Students enrolled in English as a second language courses and students identified by the district as having a learning disability are exempt from the thirty-unit limitation.

### Documentation Notice

Every effort is made to accurately record all student transactions. However, in case of an error in records, it is the student's responsibility to present receipts and official copies of other pertinent documents in order to obtain adjustments in college records. Students are urged to retain all receipts, registration statements, printed schedules, and other college documents in a safe place for future reference.

### Standards for Probation

#### Academic Probation

A student who has attempted at least 12 semester units as shown by the official academic record shall be placed on academic probation if the student has earned a grade-point average of below 2.0 (C) in all units that were graded on the basis of the grading scale.

#### Progress Probation

A student who has enrolled in a total of at least 12 semester units as shown by the official academic record shall be placed on progress probation when the percentage of all units in which a student has enrolled and for which entries of "W," "I," "NC" and "NP" are recorded reaches or exceeds fifty percent (50%). While on probation, the college will make every reasonable effort to provide counseling and other support services to a student on probation to help the student overcome any academic difficulties. This assistance may include the regulation of the student's study load in accordance with the demonstrated aptitudes and achievements.

Students receiving financial assistance are also subject to additional satisfactory academic progress requirements.

#### Removal from Probation

A student on academic probation for a grade point deficiency shall be removed from probation when the student's accumulated grade-point average is 2.0 (C) or higher.

A student on progress probation because of an excess of units where entries of "W," "I," "NC" and "NP" are recorded shall be removed from probation when the percentage of units in this category drops below fifty percent (50%).

## STANDARDS FOR DISMISSAL

### Academic Dismissal

A student on Academic Probation is subject to dismissal when the student earns a cumulative grade point average of less than 1.75 in all units attempted in three consecutive semesters.

### Progress Dismissal

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

### Dismissal Period

A student may be required to remain out of college one semester, excluding the summer term, but may return on probationary status after one semester's absence.

### Appeal Option

A dismissed student may submit an appeal to Enrollment Services for permission to enroll without loss of one semester if the student feels that the cause for the dismissal reflects extenuating circumstances. The burden of written documentation in support of these circumstances remains with the student.

### Exceptions

A student may submit a petition to Enrollment Services for readmission following dismissal if their dismissal arises from one of the following:

1. Military service obligations
2. Unusual personal problems which interfered with academic performance
3. Serious health problems, substantiated by a doctor's statement, which affected academic performance
4. Conditions that their counselor determines may be rectified by a change of curriculum

### Academic Renewal Regulations

The Academic Renewal Procedure (55046 California Code of Regulations Title 5) permits the alleviation of a student's previously recorded substandard academic performance which is not reflective of the student's present demonstrated ability and level of performance. As a consequence, Academic Renewal may gain for students the benefits of their current level of ability and performance and not permanently penalize them for poor performance in the past.

Therefore, within the regulations listed, Mt. San Jacinto College may disregard particular previously recorded substandard work from a student's cumulative grade point average (GPA). The regulations for course alleviation follow:

1. Up to 18 units may be alleviated from a Mt. San Jacinto College transcript; however, units taken from another college(s) will not be alleviated.

2. Units alleviated may be requested for one or multiple academic terms in any combination.

3. A minimum of twelve (12) months must have elapsed since the most recent coursework to be alleviated was recorded.

4. A minimum of twelve (12) units must be completed at any accredited college or university, with a grade point average of 2.0 in all units since the last semester of requested renewal. Official transcripts are required for units completed at another institution.

5. Courses used in the major in awarding an Associate Degree cannot be alleviated.

6. A student may be granted academic renewal only once and is irreversible once posted to the transcript. Units alleviated will remain on the transcript and will be annotated appropriately but will not be calculated into the overall grade point average.

7. Academic renewal by Mt. San Jacinto College does not guarantee that other institutions outside the District will approve such action. This determination will be made by the respective transfer institutions.

8. All alleviated unit totals will count as attempted units for financial aid purposes.

9. Only substandard grades (D, F, NC and NP) can be alleviated.

10. Academic Renewal may be accomplished by submitting a petition to the Enrollment Services Department.

No part of the regulations and procedures shall conflict with (a) Education Code, §76224, pertaining to the finality of grades assigned by instructors, and (b) Chapter 2.5 of Division of Title 5 (commencing with section 59020), pertaining to the retention and destruction of records, and particularly section 59023 (c) relating to the permanency of certain student records.

## Course Repetition

A student may repeat any course taken in an accredited college or university for the following reasons only:

- The student is repeating the course to alleviate substandard work, which has been recorded on the student's record. The term "substandard" shall be defined as course work for which the grading symbol "D," "F," "NC" and/or "NP" has been recorded; or
- The district finds that the student's previous semester grades are, at least in part, the result of extenuating circumstances beyond control of the student; or
- The district has determined that a student may repeat a course because there has been a significant lapse of time since the student previously took the course. This applies only when substandard work has not been recorded. When a course is repeated due to a

significant lapse of time, the District may disregard the previous grade and credit when computing a student's grade point average.

Special circumstances will be considered for course repetition in courses that a grade of "C" or better was earned when the student must meet a legally mandated training requirement as a condition of continued paid or volunteer employment. Such courses may be repeated any number of times whether or not a substandard grade is earned and each grade will be computed in the student's grade point average.

Course repetition may require prior written permission. Forms may be obtained in the Enrollment Services Office.

## Procedures for Repetition of Substandard Work

Students may repeat courses designated as "non-repeatable" up to a total of two (2) times (third attempt) in which substandard grades (less than "C") were awarded. Students must submit a *Petition to Repeat* to Enrollment Services prior to enrolling in the course. Upon completion of a repeated course, subsequent to substandard coursework, the most recent evaluative grade earned will be computed in the cumulative grade-point average and the student's academic record so annotated.

Students may petition for a third repetition (fourth attempt) of the course if there are extenuating circumstances that justify an additional repetition. Extenuating circumstances are verified cases of accidents, illness, or other circumstances beyond the control of the student. Students must receive prior permission for the fourth attempt from the Academic Standards Committee. If the district finds the circumstances are justified, the previous grades and credit will be disregarded when re-calculating the student's GPA after each repetition. When course repetition occurs, the permanent academic records shall be annotated in such a manner that all work remains legible, ensuring a complete and true academic picture.

## Equivalent Courses to Alleviate Substandard Grades

Students may replace an unsatisfactory grade by repeating a course that has been revised in one of two ways: (a) the units of the revised course must be more than the units of the previous course; or (b) the units of the revised course must be one unit less than the units of the previous course. If the units of the revised course are two (2) or more units less than those of the previous course, then the student may not replace the unsatisfactory grade.

## Repeatable Courses

Certain activity, performance, and skill courses have been designated as repeatable courses and are identified in the catalog's course descriptions.

A student may repeat a course where substandard academic work has not been recorded when repetition is necessary for a student to meet a legally mandated training requirement as a condition of continued paid or volunteer

## General Regulations

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employment. The student must certify or document that course repetition is necessary to complete legally mandated training.

A student who has been identified by the district as possessing a disability may repeat special learning skills classes, with permission from the instructor(s), any number of times under the following circumstances:

- When continuing success of the student in other general and/or special education classes is dependent on additional repetitions of a specific special class;
- When additional repetitions of a specific special class are essential to completing a student's preparation for enrollment into other regular or special classes;
- When the student has a student educational contract that involves a goal other than completion of the special class in question and repetition of the course will further the achievement of the goal.

### Procedures for Repetition – Significant Lapse of Time

Students may be permitted or required to repeat courses in which a “C” or better grade was earned where there was a significant lapse of time since the grade was obtained and:

- The District has defined “significant lapse of time” or has established a recency prerequisite for a course or program; or
- An institution of higher education to which a student wishes to transfer has established a recency requirement that the student cannot satisfy without repeating the course;
- The student has submitted a *Petition to Repeat* to Enrollment Services with documentation of a recency prerequisite.

When a student needs to repeat an activity course due to a significant lapse of time, each repetition attempt will be counted toward the established repetition limits. However, if a student has already exhausted the number of permitted repetitions, then an additional repetition due to significant lapse of time may be permitted or required by the District.

When a course is repeated due to a significant lapse of time, the District may disregard the previous grade and credit when computing a student's grade point average.

### Time Conflicts

Students will not be permitted to register for classes that are scheduled to meet at the same time or at overlapping times.

### Auditing

Students who are not interested in earning credits may audit courses for a fee of \$15 a unit for each semester or intersession. The auditing student is essentially a listener, who does not take examinations or receive credit.

- Auditing of a course is at the discretion and permission of the instructor and has no impact on enrollment capacity.
- The audit fee shall be \$15 per unit per semester or intersession. (Students enrolled in classes to receive credit for ten or more units shall not be charged a fee to audit three or fewer units per semester.)
- Priority in class enrollment shall be given to students desiring to take the course for credit. Therefore, enrollment for audit will not be permitted until the second week of instruction for full-term classes and the second day of instruction for short-term and summer classes.
- Auditing requests are made through the instructor and with the approval of the area Dean of Instruction during the second week of the term. No audit requests are accepted after 10% of the course.
- Once audit enrollment is completed, no student will be permitted to change his/her enrollment to receive credit.
- If a student registers for a class, he/she may not make the request to audit.
- The college may levy a fee on materials used by the student. This fee will be in addition to the auditing fee.
- The college will maintain no attendance or transcript record
- No refunds will be made for student withdrawals unless the college cancels the course.
- Rules and regulations pertaining to the credit student are applicable to the auditing student except tests and grade responsibility.

### Program Changes

Any student wishing to add or drop classes after enrollment may login at <http://my.msjc.edu>. However, commencing the day of the first class meeting, instructor approval is required for all registration via late add codes. Add codes are provided by the instructor and must be used by the expiration date. After the late add code expiration date, a student is required to submit a *Petition to Enter Class Late* to Enrollment Services. This form MUST be signed by the instructor. Students may not drop a class beyond 75% of the course length. Please refer to your registration statement for specific dates.

### Transcripts and Enrollment Verifications

Upon a student's written request, Mt. San Jacinto College will forward an official transcript to another institution or other designated location. The transcript is a duly certified record of all work completed at Mt. San Jacinto College. The first two transcripts and/or enrollment verifications are furnished free of charge upon written request. Additional transcripts and/or enrollment verifications may be obtained for an additional fee. Rush transcripts and/or enrollment verifications are available for an additional service fee. Rush requests are normally processed while you wait, or mailed within 24 hours of receipt of

written request. For information on fees, please refer to [www.msjc.edu](http://www.msjc.edu). Click on Admissions, FAQs and then “What Fees do I have to pay?”

The following types of enrollment verifications will not be charged a service fee:

- Scholarship Verifications
- Child Care Verifications
- GPA Verifications
- In-School Loan Deferment Requests
- Verifications as required for public assistance, rehabilitation, unemployment or other California State services/benefits
- Verifications as required for U.S. Military Agencies or Veterans Affairs Services

High School and college transcripts, which are submitted by other institutions to the Enrollment Services Offices for you, become the property of Mt. San Jacinto College and are not forwarded to other institutions, nor are copies provided to students. Unofficial transcripts are available online at <http://my.msjc.edu>.

## Academic Standing

A student who is in good academic standing is one who has a cumulative GPA of 2.0 (C) or higher.

## Minimum Load

The college does not specify a minimum load except when the student desires to meet certain requirements such as:

- The load requirements for Chapter 34 (Veterans, 1966 Federal Veterans Education Act), for Chapter 35 (War Orphans) and Federal Student Financial Aid are:

Full-time..... 12 units

Three-fourth time..... 9-11 units

One-half time ..... 6-8 units

- Full-time load to maintain status as an “F-1” visa (international student) requirement; 12 units per semester.
- Eligibility to participate in intercollegiate athletics: A student/athlete must be actively enrolled in a minimum of 12 units at his or her community college during the seasons of competition, complete 24 units between season of sports to participate in a second season of the sport and maintain a 2.0 (C) or better grade-point average. See the Associate Dean of Athletics for conference regulations.
- Eligibility to participate in student government requires enrollment in 6 or more units during the semester of participation. Contact the Associated Student Body Office for other requirements.
- Federal Pell Grants are paid on the basis of less than one-half, one-half, three-fourths or full-time enrollment. Any number of units will qualify an otherwise eligible student for a part-time payment on a Pell Grant.

- Eligibility for EOP&S or the CARE program requires full-time enrollment (12 units).

## Schedule Limitations

A regular program is 15 to 18 units, including an activity course in physical education. The maximum load for any student is 20 units for the fall and spring semesters. The maximum load for summer session is 8 units. Exceptions will be made only by signed recommendation of a counselor on a *Student Petition Form* submitted to the Enrollment Services Office.

## HONORS

### Graduation Honors

“With distinction” is accorded those MSJC graduates whose degree applicable cumulative grade-point average is 3.5 or higher in all college work attempted. These graduates wear a gold tassel during commencement.

The names of the candidates for graduation and their GPA group designation will be published in the commencement program.

### President’s Honor List

The Vice President of Student Services recognizes each semester’s outstanding scholars by publishing a list of those who carried 12 or more units of work the previous semester and whose grade-point average is 3.5 or better in all courses attempted. The Superintendent/President then commends each scholar in a written letter and provides a list to the Board of Trustees at a regularly scheduled meeting. Graduates may be on this list independently of qualifying for “with distinction.”



### POLICY FOR EARNING COLLEGE CREDIT

The college provides the following methods of receiving credit for units toward graduation:

- A. Enrollment – The student may enroll in a course and master the objectives required for college credit.
- B. Testing – The student may demonstrate proficiency in a course and receive college credit by taking a written examination or any other approved method which shows the student has mastered the objectives of the course. These methods include:
  1. Credit by Examination – The individual department and/or instructor has the final decision of whether or not the test will be administered. If approved by the instructor, a student who has completed 12 or more units with a 2.0 GPA at MSJC may be granted credit for satisfactorily passing an examination conducted by proper authorities of the college. Such credit may be granted only to a student who is in good standing and registered in a course of three units or more at the time credit by examination is authorized. Credit by examination is allowed only for courses listed in the catalog and is not authorized for a course in which a student is currently enrolled or has already earned a grade in the course including a “W” grade. The examination will be comprehensive and a grade of credit will be recorded on the student academic record and clearly annotated to reflect that the credit was earned by examination. No grade points will be assigned and the credit by examination units cannot exceed twelve (12) as applicable to graduation or counted in determining the twelve (12) units required for residency. Concurrent approval of the instructor, Dean of Instruction, and Director of Enrollment Services is required prior to taking the examination. The approval form is obtained in the Enrollment Services Office and fees are paid in the Cashiers Office. Non-residents are required to pay for these additional units as non-resident tuition. Credit by examination is not treated as part of the student’s class load and is not considered for financial aid or veteran’s benefits in the application of those regulations. The BOGW does not pay enrollment fees for credit by examination. The deadline to apply for credit by examination is Friday of the third week of Fall and Spring terms. Summer session is Thursday of the second week of instruction. The exam deadline for credit by examination is Friday of the 8th week of Fall and Spring terms. Summer session is Thursday of the 5th week of instruction.

2. Tech Prep – Credit by Exam for High School Classes - The Tech Prep program awards college credit to high school students who earn an “A” or “B” in career-related “articulated” high school courses. An articulated course is one in which the high school teacher and the Mt. San Jacinto College faculty have “formally agreed” that the high school course outline, syllabus, textbook, midterm and/or final exam are comparable to those in a course of the same major at Mt. San Jacinto College and that the final exam score will be used as a credit-by-exam for the comparable Mt. San Jacinto College course. (California Education Code §55753.5) MSJC will not award grade points to Tech Prep courses and the units cannot exceed nine (9) as applicable to a specific Certificate or Associate degree at graduation or counted in determining the twelve (12) units required for residency at MSJC. Tech Prep units will be awarded to the high school student’s MSJC transcript within one semester after the high school posts and forwards the high school transcript to MSJC. MSJC will not require Tech Prep approved students to meet the 12 unit residency requirement prior to posting these units.
3. CLEP – A student who has completed MSJC’s residency requirement of twelve (12) or more units with a 2.0 GPA may earn up to 30 semester units of credit/no credit by successful completion of the College Level Examination Program. For amount and type of credit, please refer to the CLEP table in this catalog, the Enrollment Services Office or a counselor. Students transferring to other colleges and universities should check with the receiving institution as to the awarding of credit. Units for which credit is given pursuant to these examinations will not be counted in determining the 12 semester hours for credit in residence required for graduation.

**NOTE:**

A total of 12 pass/no pass units may be used toward the 18 A.A./A.S. degree unit requirements.

### CLEP EXAMINATION MT. SAN JACINTO COLLEGE APPROVED EQUIVALENTS

CLEP Exam (College-Level Examination Program)	Minimum Score	MSJC Course Equivalent AA/AS internal use only	MSJC GE Area and units awarded	CSU GE Area and units awarded
American Government	50	PS 101	B1 or B2 (3 units)	D8 (3 units)
American Literature	50	ENGL 207 or 208	C (3 units)	C2 (3 units)
Analyzing and Interpreting Literature	50	ENGL 106	C (3 units)	C2 (3 units)
Biology (no lab credit awarded)	50	BIOL 115 (no lab units awarded)	A (3 units)	B2 (3 units)
Calculus	50	MATH 211	G (3 units)	B4 (3 units)
Chemistry (no lab credit awarded)	50	N/A	A (3 units)	B1 (3 units)
College Algebra	50	MATH 105	G (3 units)	B4 (3 units)
College Algebra- Trigonometry	50	N/A	G (3 units)	B4 (3 units)
English Literature	50	ENGL 230 or 231	C (3 units)	C2 (3 units)
French Level I	50	FREN 101	N/A	N/A
French Level II	59	FREN 102	C (3 units)	C2 (3 units)
German Level II	60	N/A	C (3 units)	C2 (3 units)
History, United States I	50	HIST 111	B1 or B2 (3 units)	D6 + US 1 (3 units)
History, United States II	50	HIST 112	B1 or B2 (3 units)	D6 + US 1 (3 units)
Human Growth and Development	50	PSYC 103	B2 (3 units)	E (3 units)
Humanities	50	N/A	C (3 units)	C2 (3 units)
Introductory Psychology	50	PSYC 101	B2 (3 units)	D9 (3 units)
Introductory Sociology	50	SOCI 101	B2 (3 units)	D0 (3 units)
Natural Sciences (no lab credit awarded)	50	N/A	A (3 units)	B1 or B2 (3 units)
Pre-Calculus	50	MATH 110	G (3 units)	B4 (3 units)
Principles of Macroeconomics	50	ECON 201	B2 (3 units)	D2 (3 units)
Principles of Microeconomics	50	ECON 202	B2 (3 units)	D2 (3 units)
Principles of Marketing	50	BADM 205	N/A	N/A
Introductory Sociology	50	SOCI 101	N/A	N/A
Spanish Level I	50	SPAN 101	N/A	N/A
Spanish Level II	63	SPAN 102	C (3 units)	C2 (3 units)
Trigonometry	50	N/A	G (3 units)	B4 (3 units)
Western Civilization I	50	HIST 101	B2 or C (3 units)	C2 or D6 (3 units)
Western Civilizations II	50	HIST 102	B2 (3 units)	D6 (3 units)

**Please note:**

The Academic Senate of the California Community College System approved the alignment of a California Community College general education (CCC GE) CLEP exam score equivalency list that is aligned with the California State University (CSU) GE CLEP exam score equivalency lists effective fall 2011. This realignment impacts the units allowed, catalog rights to previous approved units will apply.

A maximum of 12 semester units of CLEP may be used to meet MSJC's AA/AS degrees and certificates. Each California State University will determine how CLEP exams are accepted. Check with your transfer institution for correct CLEP transfer information.

The University of California system will not accept CLEP exams.

## General Regulations

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- C. Advanced Placement at MSJC - MSJC participates in the Advanced Placement Program (AP) offered by the College Board. Advanced Placement Courses are posted to the student's permanent record and annotated as earned credit. Students will be granted semester unit credit as listed below. Advanced Placement credit shall be granted at MSJC according to the following policies:
1. AP test scores of 3, 4 or 5 are considered satisfactory for earning college credit. No credit will be given for scores of 1 or 2.
  2. AP credit can be used to certify general education requirements for transfer to the University of California and California State University under the Intersegmental General Education Transfer Curriculum (IGETC) where our faculty recognize the equivalency between the AP exam and our IGETC approved course and the CSU General Education Breadth pattern approved by CSU faculty (as listed on the following pages).
  3. AP credit units granted at MSJC do not necessarily transfer to other colleges and universities unless noted below. The transferability of AP credit outside of MSJC's is determined by each four-year college or university according to their policies. For further information, please refer to each college or university's own catalog.
  4. Students will not be given duplicate credit for college courses and exams.
  5. Students can petition to obtain AP credit by completing the Student Petition Form and submitting it with a copy of their AP test scores to the Enrollment Services Office. Exams and courses for which AP credit is granted will be posted on the student's transcript when they have completed 12 units of MSJC course work with a 2.0 GPA or higher.
  6. AP credit can be used to meet MSJC graduation requirements for AA and AS degrees (as listed on the following pages).

### **Advanced Placement Examinations for California State University General Education-Breadth Certification**

Per CSU General Education Advisory Committee: Beginning Fall 1997 term and beyond, all institutions participating in General Education-Breadth Certification may treat the AP examinations on the list below as though they were incorporated in the institutions' own General Education-Breadth Certification list.

The following Advanced Placement examinations may be incorporated into certification of completion of CSU General Education-Breadth requirements by any participating institution. Students must have scored 3, 4, or 5 on an Advanced Placement examination listed below to receive the credit indicated. All CSU campuses will accept the minimum units shown below toward fulfillment

of the designated General Education-Breadth area if the examination is included in a full or subject-area certification; individual CSU campuses may choose to accept more units than those specified below towards completion of General Education-Breadth requirements. The CSU campus to which the student is transferring determines the total number of units awarded for successful completion of an Advanced Placement examination and the applicability of the examination to other graduation requirements.

### **Advanced Placement Examinations for the University of California System**

The University of California grants credit for all College Board Advanced Placement Tests in which a student scores 3 or higher. The credit may be subject credit, graduation credit or credit toward general education or breadth requirements, as determined by evaluators at each UC campus.

The units granted for AP tests are not counted toward the maximum number of credits required for formal declaration of an undergraduate major or the maximum number of units a student may accumulate prior to graduation from the University.

Students who enter the University with AP credit do not have to declare a major earlier than other students, nor are they required to graduate earlier. Counselors should advise students that the College Board reports all AP test results to the University. Students may not choose which test scores they wish reported.

Students should be aware that college courses taken prior to or after enrolling at the University may duplicate the content of AP examinations. In these cases, the University may not award credit for both the course and the AP exam.

Credit awarded for Advanced Placement tests is described by campus (see appropriate UC catalog). Even if subject credit or credit toward specific requirements is not mentioned in the campus lists, students receive University credit as described above for all AP tests on which they score 3 or higher. The unit maximums noted in the box for subjects with more than one examination applies in all schools and colleges at all campuses.

Note about AB Sub score on Calculus BC Examination: Students who take the Calculus BC examination and earn a sub score of 3 or higher on the Calculus AB portion will receive credit for the Calculus AB examination, even if they do not receive a score of 3 or higher on the BC examination.

Note about Music Theory Sub score: The University grants credit for the full Music Theory exam. Students who earn only a sub score will not receive exam credit.

The University grants credit for AP tests as described in the following chart. Credit is expressed in quarter and semester units. Space does not permit discussion of how AP credit is granted for each program, so students should be advised to thoroughly investigate this area at each UC. The campus UC Admissions Offices can advise counselors and students about these issues

**UC NOTES: All AP exams are reevaluated by the UC at time of application.**

A maximum of 8 quarter/5.3 semester units is allowed in each of the following combined areas:

Art (Studio), English, Mathematics, Music and Physics.

A maximum of 4 quarter/2.67 semester units is allowed for A and AB Computer Science exams.

Asterisks (\*) denotes a maximum number of elective units per exam at the UC.

LOTE = "Language Other Than English" on the IGETC

**UC AP test credit – elective units and UC**

**Eligibility Code: E=English, M=Math, H=Humanities, B=Behavioral and Social Sciences, S =Biological and Physical Sciences**

**Art, Studio**

2-D Design Portfolio 5.3 semester units

3-D Design Portfolio 5.3 semester units

Drawing Portfolio 5.3 semester units

(5.3 semester units maximum for all three tests)

**Art, History of (UC-H)** 5.3 semester units

**Biology (UC-S)** 5.3 semester units

**Chemistry (UC-S)** 5.3 semester units

**Computer Science**

Computer Science A 1.3 semester units

Computer Science AB 2.7 semester units

(2.7 semester units maximum for both tests)

**Economics**

Macroeconomics **(UC-B)** 2.7 semester units

Microeconomics **(UC-B)** 2.7 semester units

**English**

Language and Composition **(UC-E)** 5.3 semester units

Literature and Composition **(UC-E/H)** 5.3 semester units

(5.3 semester units maximum for both tests)

**Environmental Science (UC-S)** 2.7 semester units

**Government and Politics**

Comparative **(UC-B)** 2.7 semester units

United States **(UC-B)** 2.7 semester units

**History**

European History **(UC-B/H)** 5.3 semester units

United States History **(UC-B/H)** 5.3 semester units

World History **(UC-B/H)** 5.3 semester units

**Human Geography (UC-B)** 2.7 semester units

**Language Other Than English**

Chinese Language and Culture **(UC-H)** 5.3 semester units

French Language **(UC-H)** 5.3 semester units

French Literature **(UC-H)** 5.3 semester units

German Language **(UC-H)** 5.3 semester units

Italian Language and Culture **(UC-H)** 5.3 semester units

Japanese Language and Culture **(UC-H)** 5.3 semester units

Latin Literature **(UC-H)** 2.7 semester units

Latin Vergil **(UC-H)** 2.7 semester units

Spanish Language **(UC-H)** 5.3 semester units

Spanish Literature **(UC-H)** 5.3 semester units

**Mathematics**

Calculus AB **(UC-M)** 2.7 semester units

Calculus BC **(UC-M)** 5.3 semester units

(5.3 semester units maximum for both tests)

**Music Theory (UC-H)** 5.3 semester units

**Physics**

Physics B **(UC-S)** 5.3 semester units

Physics C: Mechanics **(UC-S)** 2.7 semester units

Physics C: Electricity and Magnetism **(UC-S)** 2.7 semester units

(5.3 semester units maximum for all three tests)

**Psychology (UC-B)** 2.7 semester units

**Statistics (UC-M)** 2.7 semester units

For information on how AP exams can be applied to IGETC requirements see following pages.

**CSU NOTES: Individual CSU campuses may grant more credit for AP exams.**

AP Studio Art examination is not approved for CSU GE Breadth certification.

AP examination will not be accepted to fulfill the Area A3 (Critical Thinking) requirement.

AP Government & Politics: U.S. does not meet the CSU California State and Local Government requirement for graduation.

AP U. S. History will meet the CSU U.S. History requirement for graduation.

**CSU AP test credit – elective units****Art, Studio**

2-D Design Portfolio 3 semester units

3-D Design Portfolio 3 semester units

Drawing Portfolio 3 semester units

**Art, History of** 6 semester units

**Biology** 6 semester units

**Chemistry** 6 semester units

**Computer Science**

Computer Science A 3 semester units

Computer Science AB 6 semester units

**Economics**

Macroeconomics 3 semester units

Microeconomics 3 semester units

**English**

Language and Composition 6 semester units

Literature and Composition 6 semester units

**Environmental Science** 4 semester units

**Government and Politics**

Comparative 3 semester units

United States 3 semester units

**History**

European History 6 semester units

United States History 6 semester units

World History 6 semester units

**Human Geography** 3 semester units

**Language Other Than English**

Chinese Language and Culture 6 semester units

French Language 6 semester units

French Literature 6 semester units

German Language 6 semester units

Italian Language and Culture 6 semester units

Japanese Language and Culture 6 semester units

Latin Literature 6 semester units

Latin Vergil 3 semester units

Spanish Language 6 semester units

Spanish Literature 6 semester units

**Mathematics**

Calculus AB 3 semester units

Calculus BC 6 semester units

**Music Theory** 6 semester units

**Physics**

Physics B 6 semester units

Physics C: Mechanics 4 semester units

Physics C: Electricity and Magnetism 4 semester units

**Psychology** 3 semester units

**Statistics** 3 semester units

For information on how AP exams can be applied to CSU-GE or IGETC requirements see following pages.

AP Examination (Advanced Placement)	Minimum Score	MSJC Course Equivalent AA/AS (Internal use only)	AA/AS GE Area and units	CSU GE Area and units	IGETC Area and units
<b>ART STUDIO</b>					
Drawing Portfolio	3, 4 or 5	Art 108 – Beginning Drawing	n/a	n/a	n/a
2-D Design Portfolio	3, 4 or 5	Art 120 – Design I	n/a	n/a	n/a
3-D Design Portfolio	3, 4 or 5	Art 122 – 3D Design	n/a	n/a	n/a
<b>ART HISTORY</b>					
<b>BIOLOGY</b> (Lab credit accepted for UC, no lab credit accepted for CSU)	3, 4 or 5	ART 101 – Art History: Prehistoric Through Medieval Art + ART 102 – Art History: Renaissance to 20 <sup>th</sup> Century Art	C (3 units)	C1 or C2 (3 units)	3A or 3B (3 units)
<b>CHEMISTRY</b> (lab credit included for both UC and CSU, UC has credit limitation)	3, 4 or 5	BIOL 115 – Topics in Biology	A (4 units)	B2+B3 (4 units)	5B+lab (3 units)
<b>CHEMISTRY</b> (lab credit included for both UC and CSU, UC has credit limitation)	3, 4 or 5	CHEM 101 – General Chemistry I + CHEM 102 – General Chemistry II	A (4 units)	B1+ B3 (4 units)	5A+lab (3 units)
<b>COMPUTER SCIENCE</b>					
Computer Science A	3, 4 or 5	No comparable/elective	n/a	n/a	n/a
Computer Science AB	3, 4 or 5	No comparable/elective	n/a	n/a	n/a
<b>ECONOMICS</b>					
Microeconomics	3, 4 or 5	ECON 202 – Principles of Microeconomics	B2 (3 units)	D2 (3 units)	4B (3 units)
Macroeconomics	3, 4 or 5	ECON 201 – Principles of Macroeconomics	B2 (3 units)	D2 (3 units)	4B (3 units)
<b>ENGLISH</b>					
Language and Composition	3, 4 or 5	ENGL 101 – Freshman Composition	D1 (3 units)	A2 (3 unit)	1A (3 units)
Literature and Composition	3, 4 or 5	ENGL 101 – Freshman Composition	D1 (3 units)	A2 + C2 (6 units)	1A or 3B (3 units)
<b>ENVIRONMENTAL SCIENCE GOVERNMENT AND POLITICS</b>					
United States (CSU accepts credit for 1 course)	3, 4 or 5	ENVS 101 – Environmental Science	A (3 units)	B1 + B3 (4 units)	5A+lab (3 units)
Comparative	3, 4 or 5	PS 101 – Introduction to American Government and Politics	B1 or B2 (3 units)	D8 + US2 (3 units)	4H + US 2 (3 units)
<b>HISTORY</b>					
United States History	3, 4 or 5	HIST 111 – U. S. History to 1877 +	B1 or B2 or C (3 units)	D8 (3 units)	4H (3 units)
European History	3, 4 or 5	HIST 112 – U. S. Since 1865	B2 (3 units)	D8 (3 units)	4H (3 units)
World History	3, 4 or 5	HIST 102 – Western Civilization II: 1500 to the Present Era HIST 103 – History of World Civilization: to 1500 +	B2 or C (3 units)	C2 or D6 + US1 (3 units)	3B or 4F + US (3 units)
<b>HUMAN GEOGRAPHY LANGUAGE OTHER THAN ENGLISH</b>					
Chinese Language & Culture	3, 4 or 5	HIST 104 – History of World Civilization: Since 1500	B2 or C (3 units)	C2 or D6 (3 units)	3B or 4F (3 units)
French Language	3, 4 or 5	GEOG 102 - Cultural Geography	B2 (3 units)	D5 (3 units)	4E (3 units)
		No Comparable/elective	C (3 units)	C2 (3 units)	3B + 6A (3 units)
		FREN 101 – Elementary French I +	C (3 units)	C2 (3 units)	3B + 6A (3 units)

			FREN 102 – Elementary French II				
			FREN 101 – Elementary French I				
French Literature		3, 4 or 5	FREN 102 – Elementary French II			C (3 units)	C2 (3 units)
German Language		3, 4 or 5	No Comparable/elective			C (3 units)	C (3 units)
Italian Language & Culture		3, 4 or 5	No Comparable/elective			C (3 units)	C2 (3 units)
Japanese Language & Culture		3, 4 or 5	No Comparable/elective			C (3 units)	C2 (3 units)
Spanish Language		3, 4 or 5	SPAN 101 – Elementary Spanish I			C (3 units)	C2 (3 units)
Spanish Literature		3, 4 or 5	SPAN 102- Elementary Spanish II			C (3 units)	C2 (3 units)
Latin Literature		3, 4 or 5	No Comparable/elective			C (3 units)	C2 (3 units)
Vergil		3, 4 or 5	No Comparable/elective			C (3 units)	C2 (3 units)
<b>MATHEMATICS</b>							
Calculus AB		3, 4 or 5	MATH 211 – Calculus I and Analytic Geometry			G (3 units)	B4 (3 units)
Calculus BC		3, 4 or 5	MATH 212 – Analytic Geometry and Calculus II			G (3 units)	B4 (3 units)
<b>MUSIC THEORY</b> (maximum UC credit of 5.3 semester units for full exam)		3, 4 or 5	MUS 103 – Music Theory I: Diatonic Harmony			n/a	C1 (3 units)
<b>PHYSICS</b>			MUS 104- Music Theory II: 18 <sup>th</sup> and 19 <sup>th</sup> Century Harmony				n/a
Physics B		3, 4 or 5	PHY 101 – Basic Physics: Energy and Motion			A (4 units)	B1+ B3 (4 units)
Physics C Mechanics (3 units maximum for IGETC certification)		3, 4 or 5	PHY 102 – Basic Electricity and Modern Physics			A (3 units)	B1+ B3 (4 units)
Physics C Electricity and Magnetism		3, 4 or 5	PHY 201 – Mechanics and Wave Motion			A (3 units)	B1+ B3 (4 units)
<b>PSYCHOLOGY</b>		3, 4 or 5	PHY 202 – Electricity and Magnetism			B2 (3 units)	D9 (3 units)
		3, 4 or 5	PSYC 101 – Introduction to Psychology			G (3 units)	B4 (3 units)
<b>STATISTICS</b>		3, 4 or 5	MATH 140 – Introduction to Statistics				2A (3 units)
<p>Students seeking certification in GE Breadth prior to transfer must have passed the AP exam before the certification date. If a student passes more than one AP exam in calculus or computer science, only one examination may be applied to the baccalaureate at CSU. Students who pass AP Environmental Science or AP Physics C with a score of 4 units of credit. Tests prior to Fall 2009 may apply to B1+B3 or B2+B3 of CSU GE Breadth. Fall of 09 or later, those credits may only apply to B1+B3. If a student passes more than one AP exam in physics, only six units of credit may be applied to the baccalaureate, and only four units of credit may be applied to a certification in CSU GE Breadth. Actual AP transfer credit awarded for these exams and other AP exams for admission is determined by the CSU and UC. Please note that some universities do not accept AP scores for major preparation. Check with your transfer institution for AP acceptance for major.</p> <p>MSJC AA/AS units are internal use and may only apply to the degree at MSJC.</p> <p>06/01/11</p>							

## General Regulations

Mt. San Jacinto College accepts the International Baccalaureate (IB) for pass along into the CSU and UC systems and for the MSJC General Education Option A. The IB is awarded by diploma or exam certificate: the diploma, with a score of 30 or above, awards 20 semester units for transfer and the certificate with scores of 5, 6 or 7 on the Higher Level exams earns 5.3 semester units at University of California. For General Education Breadth and/or U.S. History, Constitution, and American Ideals IB exams are approved for area as directed in Executive Order 1036, Section 1.2.4. Note: each campus in the University of California and the California State University systems determine how they will apply IB external examinations toward credit in the major (major preparation. See chart below.

Students who have earned credit from an IB exam should not take a comparable college course because transfer credit will not be granted for both.

<b>International Baccalaureate (IB) Exam</b>	<b>Passing Minimum Score</b>	<b>MSJC General Education Area and Units</b>	<b>American Institutions or CSU GE Breadth Area and units</b>	<b>IGETC Area for Certification and units</b>
IB Biology HL	5	A (3 units)	B2 (3 units)	5B (without lab credit) (3 units)
IB Chemistry HL	5	A (3 units)	B1 (3 units)	5A (without lab credit) (3 units)
IB Economics HL	5	B2 (3 units)	D2 (3 units)	4B (3 units)
IB Geography HL	5	B2 (3 units)	D5 (3 units)	4E (3 units)
IB History (any region) HL	5	B2 (3 units)	C2 or D6 (3 units)	3B or 4F* (3 units)
IB Language A1 (any language) HL	4 (CSU) 5 (UC)	C (3 units)	C2 (3 units)	3B (3 units)
IB Language A1 (any language except English) HL	5 (UC)	C (3 units)	C2 (3 units)	3B or 6A (3 units)
IB Language A2 (any language) HL	4 (CSU) 5 (UC)	C (3 units)	C2 (3 units)	3B (3 units)
IB Language A2 (any language except English) HL	5 (UC)	C (3 units)	C2 (3 units)	3B or 6A (3 units)
IB Language B (any language) HL <sup>7</sup>	4 (CSU) 5 (UC)	C (3 units)	n/a	6A (3 units)
IB Mathematics HL	4 (CSU) 5 (UC)	G (3 units)	B4 (3 units)	2A (3 units)
IB Physics HL	5	A (3 units)	B1 (3 units)	5A (without lab credit) (3 units)
IB Psychology HL	5	B2 (3 units)	D9 (3 units)	4I (3 units)
IB Theatre HL	4 (CSU) 5 (UC)	C (3 units)	C1 (3 units)	3A (3 units)

\*IB exam may be used in either area regardless of where the certifying CCC's discipline is located.

<sup>7</sup>The IB curriculum offers language at various levels for native and non-native speakers. Language B courses are offered at the intermediate level for non-natives. Language A1 and A2 are advanced courses in literature for native and non-native speakers, respectively.

Actual IB Higher Level transfer credit awarded for admission is determined by the CSU and UC. The UC Policy for IB credit can be found in the publication "Quick Reference for Counselors".

The CSU also has a systemwide policy for awarding transfer credit for admission. The CSU policy for IB can be found at [http://www.calstate.edu/app/general\\_education.shtml](http://www.calstate.edu/app/general_education.shtml).

## 2+2 Articulation

### (High School Articulation)

See Credit By Exam.

## Nursing Credit

Diploma school registered nurse graduates licensed in California may receive 30 units of nursing credit and must complete 36 units of general education and science requirements (with a minimum of 12 units in residency for an Associate in Science – Registered Nurse degree). Seek counseling advisement for further information.

## Law Enforcement

Students may submit a Student Petition Form to Enrollment Services to substitute credit for completion of a P.O.S.T. Basic Peace Officers Academy through an accredited institution. Students must attach official college transcripts and an Academy course outline or syllabus to the student petition. The Administration of Justice department chair will determine the amount of credit to award the student. A maximum of 12 units may be awarded toward the Administration of Justice degree or certificate.

Transfer credit shall only be approved subject to the student providing appropriate and adequate documentation of the courses under consideration.

## Occupational Internship

Eight units of credit will be accepted toward the associate degree and four units may be applied toward completion of some certificate programs. For additional information, see the Occupational Internship program page.

## Military Credit

Veterans may be awarded 3 units of credit for the healthful living and physical education requirement for graduation by submitting their DD 214, verifying 180 days active military duty, to the Enrollment Services Specialist. Upon request and submission of official transcripts to the Enrollment Services Office, military course work will be evaluated based on recommendations of the American Council on Education as stated in "A Guide to the Evaluation of Educational Experiences in the Armed Services." All requests for evaluation should be made in the Enrollment Services Office. No more than a total of 30 units may be granted for military service and course work.

## Foreign Country Units

Upon formal evaluation by an approved transcript evaluation service, credit will be given for a maximum of 48 units, as indicated by the service. The student will be responsible for requesting of the service, supplying of the documents and for any cost involved in the evaluation. (Contact counseling or an Enrollment Services Specialist for approved evaluation service list.)

## Petitions Procedure

Students feeling that there are circumstances warranting special consideration for adjustment or deviation from established procedures and policies of the college in their case may file an Academic Standards Petition, attach supportive documentation, obtain staff recommendation and submit to the Enrollment Services Office for the Academic Standards Committee review.



### STUDENT CODE OF CONDUCT

Board Policy 5500 – Student Code of Conduct

#### A. Jurisdiction of the College

Generally, College jurisdiction and discipline shall be limited to conduct which occurs on College premises or which adversely affects the College Community and/or the pursuit of its objectives.

#### B. Conduct – Rules and Regulations

Any student found to have committed the following misconduct is subject to the following disciplinary sanctions:

1. Actions of dishonesty, including but not limited to the following:
  - a) Cheating, plagiarism, or other forms of academic dishonesty;
  - b) Furnishing false information to any College official, faculty members, or office;
  - c) Forgery, alteration, or misuse of any College document, record or instrument of identification;
  - d) Tampering with the election of any College recognized student organization.
2. Disruption or obstruction of teaching, administration, disciplinary proceedings, other College activities, including its public-service functions on or off campus, or other authorized non-College activities, when the act occurs on College premises;
3. Physical abuse, verbal abuse, threats, intimidation, stalking, harassment, coercion and/or other conduct which threatens or endangers the physical and/or mental health and safety of any person;
4. Attempted or actual theft of and/or damage to property of the College or property of a member of the College Community or other personal or public property;
5. Hazing, defined as an act which endangers the mental or physical health or safety of a student, or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in, a group or organization;
6. Failure to comply with directions of College officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to one of these persons when requested to do so;
7. Unauthorized possession, duplication or use of keys to any college premises or unauthorized entry to or use of College premises;
8. Violation of published College policies, rules, or regulations;
9. Violation of federal, state, or local law on College premises or at College sponsored or supervised activities;
10. Use, possession or distribution of narcotics or other controlled substances except as expressly permitted by law or appearing on campus or at a college event while under the influence of these illegal substances;
11. Use, possession or distribution of alcoholic beverages except as expressly permitted by law and College regulations, or public intoxication on College premises;
12. Illegal or unauthorized possession of firearms, explosives, other weapons or dangerous chemicals on College premises;
13. Participation in a campus demonstration which disrupts the normal operations of the College and infringes on the rights of other members of the College community; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area; intentional obstruction which unreasonably interferes with freedom of movement, either pedestrian or vehicular, on campus;
14. Obstruction of the free flow of pedestrian or vehicular traffic on College premises or at College sponsored or supervised functions;
15. Conduct which is disorderly, lewd, or indecent; breach of peace; or aiding, abetting, or procuring another person to breach the peace on College premises or at functions sponsored by, or participated in by the College;
16. Theft or other abuse of computer time, including but not limited to:
  - a) Unauthorized entry into a file to use, read, or change the contents, or for any other purpose;
  - b) Unauthorized transfer of a file;
  - c) Unauthorized use of another individual's identification and password;
  - d) Unauthorized use of phone and electronic devices such as radios, etc.
  - e) Use of computing facilities to interfere with the work of another student, faculty member or College Official;
  - f) Use of computing facilities to send obscene or abusive messages;
  - g) Use of computing facilities to interfere with normal operation of the College computing systems;
17. Abuse of the Judicial System, including but not limited to:
  - a) Failure to obey the summons of a Judicial Body or College Official;
  - b) Falsification, distortion, or misrepresentation of information before a Judicial Body;
  - c) Disruption or interference with the orderly conduct of a judicial proceeding;
  - d) Initiation of a judicial proceeding knowingly without cause;
  - e) Attempting to discourage an individual's proper participation in, or use of, the judicial system;
  - f) Attempting to influence the impartiality of a member of a Judicial Body prior to and/or during the course of the judicial proceeding;
  - g) Failure to comply with the sanction(s) imposed under the Student Code;
  - h) Influencing or attempting to influence another person to commit an abuse of the judicial system;

**C. Violation of Law and College Discipline**

1. College disciplinary proceedings may be instituted against a student charged with violation of a law which is also a violation of this Student Code; for example, if both violations result from the same factual situation without regard to the pendency of civil litigation in court or criminal arrest and prosecution. Proceedings under this Student Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus.
2. When a student is charged by federal or local authorities with a violation of law, the College will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also the subject of a proceeding before a Judicial Body under the Student Code; however, the College will cooperate fully with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators. Individual students and faculty members, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

**Definition of Terms**

The term "College" means Mt. San Jacinto College.

The term "district" is the Mt. San Jacinto Community College District.

The term "student" includes all persons enrolled in courses or programs offered by the District in addition to any person engaged in the matriculation process.

The term "faculty member" means any person hired by the College to conduct classroom activities, perform professional counselor duties, or perform professional librarian duties.

The term "College official" includes any person employed by the College performing assigned administrative, professional, or staff responsibilities.

The term "member of the College Community" includes any person who is a student, faculty member, College official, or any other person employed by the College. A person's status in a particular situation shall be determined by the Superintendent/President.

The term "College premises" includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the College or location where a College-sponsored activity is occurring (including adjacent streets and sidewalks).

The term "organization" means any number of persons who have complied with the formal requirements for College recognition.

Unless otherwise specified in this policy, the term "day" shall refer to "working day," which shall be defined as any day Monday through Friday on which the college offices are open.

The term "Appellate Committee" means any person or persons authorized by the Superintendent/President to determine whether a student has violated the Student Code and to recommend imposition of sanctions.

The term "Administrator" means the College official authorized to impose sanctions upon students found to have violated the Student Code. The Administrator shall be the Vice President of Student Services. The Superintendent/President may authorize an Administrator to serve simultaneously as an Administrator and the sole member or one of the members of an Appellate Committee. Should a conflict of interest exist between the Administrator and a specific case, the Superintendent/President shall appoint an ad hoc Administrator to handle that specific case.

The term "Appellate Board" means any person or persons authorized by the Superintendent/President to consider an appeal from an Appellate Committee's determination that a student has violated the Student Code or from the sanctions imposed by the Administrator.

A "Certificate of Mailing" is a receipt that provides evidence of the date that mail was presented to the U.S. Postal Service for Mailing.

The term "shall" is used in the imperative sense.

The term "may" is used in the permissive sense.

The Vice President of Student Services is responsible for the administration of the Student Code of Conduct.

The term "policy" is defined as the written regulations of the College as found in, but not limited to the Board Policy Manual, the Student Handbook, and College Catalogs.

The term "cheating" includes, but is not limited to: (1) use of any unauthorized assistance in taking quizzes, tests, or examinations; (2) use of the aid of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments; or (3) the acquisition, without permission, of tests or other academic material belonging to a member of the College faculty or staff (3) Collaboration with other students that results in a shared intellectual product without the express permission of the instructor of record.

The term "plagiarism" includes, but is not limited to, the use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgment. It also includes the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials.

**Student Discipline Procedures**

The Superintendent/President shall establish procedures and designate appropriate staff members with the responsibility for the imposition of discipline on students in accordance with the requirements for due process of the federal and state law and regulations.

The purpose of this procedure is to provide a prompt, fair, just and equitable means to address violations of the Standards of Student Conduct, which guarantees to the student or students involved the due process rights guaranteed them by state and federal constitutional

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protections. This procedure is not intended to substitute for criminal or civil proceedings that may be initiated by other agencies. Any suspected violations determined to be violations of law will be referred to the Mt. San Jacinto College Campus Police for further action.

### A. Notice of Student Code of Conduct Violation

1. Written notice shall be submitted to the Administrator that a violation has been committed by filing the "Violation of Student Code of Conduct" form **within five (5) working days of the violation**. Complaints submitted through email, voicemail or any other means will not be accepted.
2. Violations submitted beyond the 5 day period will be accepted at the discretion of the Administrator.
3. Persons filing a complaint are responsible for keeping their own records. All information will become the property of the Administrator once filed.
4. Complaints involving classroom misconduct must be accompanied by the instructor's syllabus.
5. Complaints involving academic dishonesty must include all supporting documentation including the instructor's syllabus, the student's work and relevant materials that are a part of the complaint. Internet links or web addresses are not acceptable documentation.

### B. Investigation

1. An investigation of the allegations will proceed once all of the relevant paperwork has been received.
2. As a part of the investigation, all parties may be interviewed to clarify or request additional information.
3. A determination will be made by the Administrator whether a violation of the code of student conduct has occurred and the appropriate sanctions to be applied.

### C. Notice to Student

1. A letter (verified by a "Certificate of Mailing") will be mailed to the student that a student code of conduct violation has been filed when there is a reasonable belief a violation has occurred. An email communication may also be used to notify the student to contact the Administrator's office.
2. The letter may contain a request for a meeting with the Administrator. The student will have five (5) working days from the receipt of the letter to respond.
3. Failure to respond to the Administrator's request may result in a HOLD being placed on the student's records for not following the direction of a college official (Student Code of Conduct Policy, Section B.6).

### Removal by Instructors of Disruptive Student

An instructor may remove a student for "good cause" from his or her class for the day of removal and the next class meeting 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 (Education Code §76032). Removal must be reported to the Administrator, in writing by the end of the day of such removal. The following procedure should be followed for managing disruptive behavior:

### A. Non-Violent Students – First Warning

1. Speak with student privately when appropriate about his or her behavior and about the standards in your class. Inform the student that such behavior will not be tolerated in the future and could lead to a suspension from class. Advise the student that the behavior and subsequent suspension may lead to further action by the Administrator.
2. If the behavior continues at a subsequent session, the faculty member has the authority to inform the student to leave that class session and the next class session. The student is responsible for any assignments or work missed as a result of the suspension.
  - a. The faculty member must inform the Administrator in writing of his/her action and the facts leading up to his/her action by the end of the day.
  - b. The Administrator may require a student conference for continued class attendance.
  - c. If the student will not leave the classroom, the instructor should contact the MSJC Campus Police at extension 7777 (San Jacinto Campus) or extension 7777 (Meniffee Valley Campus)

### B. Violent or Threatening Students

College personnel, faculty or students that are in eminent physical danger should call MSJC Campus Police immediately at extension 7777 or 911

### Removal by Staff of Disruptive Student

Any administrator/management/supervisory staff member of Mt. San Jacinto College who supervises a service area has the authority to remove a student from that area for that day and the next day 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 or the orderly operations of the College. The manager shall submit a written report to the Administrator when a student is removed. This authority is comparable to the instructor's authority (Education Code §76032) to remove a student for interfering with the educational process.

### Summary Ten-Day Suspension

The Superintendent/President, or designated authority, may order immediate exclusion from campus and/or classes for a period not to exceed ten (10) days when it is determined that immediate suspension is required to protect lives or property and to ensure the maintenance of order (Education Code §660171). A student may be summarily suspended for good cause prior to a conference or hearing. Ten-day suspension is designed to provide an opportunity for investigation, to serve as a means of relieving tension of the student body due to a serious infraction of the Standards of Student Conduct, or to remove a threat to the well-being of the students and/or the good order of the College which would prevent the continued normal conduct of the academic community.

### Initiating Student Discipline Procedures

All proceedings held in accordance with these procedures shall relate specifically to an alleged violation of this adopted Standards of Student Conduct.

A request for disciplinary action may be initiated by any faculty, student, or college employee and shall be made to the Administrator in writing on the Violation of Student Code of Conduct form. Electronic communication or verbal reports are not acceptable. The Administrator will then take any action deemed appropriate under the circumstances.

The Administrator shall determine if any aspect of the student's conduct constitutes good cause to initiate any disciplinary action.

The student disciplinary provisions do not apply to:

- A. Student Grievance Procedures;
- B. Removal by Instructor or Staff of Disruptive Students;
- C. State Residence Determination; and,
- D. Other academic and legal requirements for admissions, retention, and conferral of degrees or certificates.

Disciplinary measures may be taken by the College independently of any charges filed through civil or criminal authorities, or both.

### Disciplinary Actions

If after reviewing the situation with the student the Administrator concludes disciplinary action is appropriate, the Administrator shall submit in writing any of the following types of sanctions. The following sanctions may be imposed upon any student found to have violated the Student Code:

- A. Warning: A verbal or written notice that continuation or repetition of misconduct will be cause for future disciplinary action.
- B. Probation: A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating any institutional regulation(s) during the probationary period.
- C. Loss of Privileges: Denial of specified privileges for a designated period of time.
- D. Restitution: Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
- E. Discretionary Sanctions: Work assignments, service to the College or other related discretionary assignments (such assignments must have the prior approval of the Administrator)
- F. Hold on Records: The Administrator may place a "HOLD" on all of a student's records for a period not to exceed one (1) calendar year.
- G. Summary Suspension: A student may be summarily suspended for good cause (Education Code §76033) prior to a conference or hearing. A written Notice of 10-Day Summary Suspension

(Education Code §76031), and the reasons for such Summary 10-Day Suspension will be mailed to the student. Immediate exclusion from campus and/or classes for a period not to exceed ten (10) days by the Superintendent/President, the Administrator or designated authority, when it is determined that immediate suspension is required to protect lives or property and to ensure the maintenance of order.

Long Term Suspension: A suspended student is barred from occupying any portion of the campus or buildings from contacting or talking with specific student, faculty or staff members, or from taking a specific class or classes, and may be denied all College privileges, including attendance, for a specified period of time up to two (2) years. Conditions for re-admission to the College may apply.

- H. College Expulsion: Permanent separation of the student from the College. If an Appellate Committee recommends expulsion, it shall require the concurrence of the Vice President of Student Services and the Superintendent/President, who shall recommend that the Board of Trustees approve the expulsion.

More than one of the sanctions listed above may be imposed for any single violation.

Disciplinary sanctions and all documents related to the disciplinary process may be made available upon subpoena or student request. The student's confidential record will be expunged of disciplinary actions other than College suspension or College expulsion based upon regulations and time lines provided in the Education Code and in Title 5 of the California Code of Regulations.

The following sanctions may be imposed upon groups or organizations:

- A. Those sanctions listed under Disciplinary Actions, A through E.
- B. Deactivation: Loss of privileges including College recognition, for a specified period of time.
- C. In each case in which an Appellate Committee determines that a student has violated the Student Code, the sanction(s) shall be determined and imposed by the Administrator. In cases in which persons other than or in addition to the Administrator have been authorized to serve as the Appellate Committee, the recommendation of all members of the Appellate Committee shall be considered by the Administrator in determining and imposing sanctions. The Administrator is not limited to sanctions recommended by members of the Appellate Committee.

### Disciplinary Appeal Process (Sanctions, 10-Day Suspensions, Long-term Suspensions, and Expulsions)

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

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## Hearing and Disciplinary Appeal Procedures

### A. Notification of Charges

Students charged with violations of the Student Conduct of Conduct shall be notified that they are required to meet with the Administrator to discuss the alleged violations and any disciplinary action that may or will result if the charges are found to be true. The student will be given ten (10) days from the receipt of notification to respond to all of the charges. If the student fails to respond, the charges and sanctions will be applied.

Any and all charges will be applied as if the student was notified and all relevant sanctions will be applied.

### B. Preliminary Meeting

The meeting with the Administrator shall consist of the following:

1. The student will be given a copy of the Student Code of Conduct.
2. The student will be given a written statement of the alleged violation(s).
3. The student will be given a reasonable opportunity to answer each alleged violation(s).
4. The student will be informed of any possible disciplinary action(s) that may be taken.
5. The student will be provided written notice of further meetings if the Administrator deems such action necessary.
6. The student will be provided written notice of his or her right to appeal any adverse decision of the Administrator to the Disciplinary Appeal Committee for a hearing on the matter.

### C. Administrator's Actions

If, after reviewing the situation with the student, the Administrator concludes that disciplinary action is appropriate, the Administrator shall deliver in writing one or more of the following types of disciplinary action, unless the Administrator and the student agree to another appropriate disciplinary action:

1. Warning
2. Probation
3. Loss of Privileges
4. Restitution
5. Discretionary Sanctions
6. Hold on Records
7. Summary Suspension
8. Suspension\*
9. Expulsion\*

\*A disciplinary hearing is required or by mutual agreement of the Administrator and student

### D. Time Limit for Appeal to Disciplinary Appellate Committee

From the date the student is notified of the Administrator's decision, any request for a hearing before the Appellate Committee must be in writing and delivered to the office of Student Services. The student's request must be mailed to the Administrator, postmarked within ten (10) days of notice of the decision of the Administrator, or

hand-delivered by the student or designee and received and receipted by the Administrator within ten (10) days from the date of notification to the student of the Administrator's decision.

The letter notifying the student of the Administrator's decision shall include a Certificate of Mailing, specifying the date the letter was mailed. The Administrator is deemed to have notified the student of his or her decision on the date of the Certificate of Mailing receipt.

In the event that the student requests a hearing before the Appellate Committee, the Administrator may suspend such disciplinary action until the requested hearing is completed. A suspension of disciplinary action shall be in writing, signed, and dated by the Administrator. In no event shall the Administrator suspend a Summary 10-Day Suspension.

### E. Miscellaneous

Whenever the student to be suspended or expelled is under 18 years of age, his/her parent(s) or guardian shall be notified in writing by the Administrator.

Under Suspension or Expulsion of a student for violation of Penal Code 245 (assault with a deadly weapon likely to produce great bodily harm), the Administrator shall first notify the Mt. San Jacinto College Police or appropriate law enforcement agency if a sworn officer is not available.

Specified period of suspension may be shortened or lengthened by mutual written agreement of all parties.

The fact of any disciplinary action and the reasons therefore, shall be documented in the student's permanent file, subject to access, review, and comment by the student as authorized by the Family Educational Rights and Privacy Act, 10 U.S.C. 2332g and Education Code §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.

## Appellate Appeal Procedure

### A. The Hearing Panel

There shall be an on-campus standing panel from which one or more Appellate Committees may be appointed. The panel shall be made up of the following:

Group 1: All students enrolled in 9 or more units with a cumulative grade point average of 2.0 or better.

Group 2: All tenured contract certificated or regular classified personnel except those designated as management.

Group 3: All full-time, certificated, and classified management personnel with the exception of the Vice President of Student Services or designee.

From Group 1, the Associated Student Body President shall appoint one student and one alternate; from Group 2, the President of the Academic Senate shall appoint one certificated personnel and one alternate when appropriate, or in the alternative, the Chairperson of the Classified Senate

shall appoint one classified non-management employee and one alternate; and from Group 3, the President shall appoint one management person and one alternate.

**B. Committee Composition**

The hearing shall be convened by the Vice President of Student Services or designee. The Vice President of Student Services shall introduce the members of the Appellate Committee. All members of the Appellate Committee, including alternates, are required to maintain confidentiality concerning all aspects of the hearing that could reasonably identify the students and allegations set forth. Any violation of confidentiality will cause the committee member to be prohibited from the committee for an unspecified period of time.

The Vice President of Student Services or Administrator may recuse any committee member if a conflict of interest exists.

**C. Selection of Committee Chairperson**

The Vice President of Student Services shall designate a member to serve as Chairperson. The Chairperson shall preside over the hearing and make rulings as to its conduct.

Non-voting committee members: Vice President of Student Services and the Chairperson.

**D. Right to Representation**

The student or Administrator may represent himself or herself or may be represented by an attorney. If represented by an attorney, the student or Administrator shall notify the Vice President of Student Services, in writing, of that fact no later than thirty-five (35) days prior to the date of the hearing. The Appellate Committee may then be provided District legal counsel. Such counsel may sit with the Appellate Committee in an advisory capacity but shall not be a member of the Committee nor vote with it.

**E. Scope of Appellate Committee Hearing**

All hearings will be closed to the general public and are considered to be confidential (see “Committee Composition”). In a closed hearing, witnesses shall not be present at the hearing when not testifying unless all parties and the panel agree to the contrary.

The hearing shall be recorded by the District either by tape, video, or stenographic recording, and shall be the only recording made. No witness who refuses to be recorded may be permitted to give testimony. In the event the recording is by tape or video recording, the hearing panel chair shall, at the beginning of the hearing, ask each person present to identify himself or herself by name, and thereafter shall ask witnesses to identify themselves by name. The recording shall remain in the custody of the District at all times, unless released to a professional transcribing service. The student may request a copy of the recording.

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

The Appellate Committee shall limit the scope of their appeal hearing to the following:

1. Did the evidence support the findings of the Administrator?
2. Was the disciplinary action levied by the Administrator within the range of disciplinary actions delineated in the Standards of Student Code of Conduct Policy?

**F. The Hearing**

1. Opening: The Committee meets to hear an appeal of disciplinary action against said student by the College and to take action as it deems appropriate within the scope of authority as defined in the Student Code of Conduct Policy.
2. The Chairperson shall distribute copies of the charges and disciplinary action taken.
3. Plea: The student shall admit or deny each charge. If the student admits each charge and wishes to present no evidence of mitigating circumstances or other defense, the Committee shall retire to make its decision. If the student denies any or all of the charges or wishes to present evidence of mitigating circumstances, the hearing shall proceed.
4. Burden of Proof and of Producing Evidence: The student has the burden of proving the evidence did not support the Administrator’s findings and/ or the Administrator acted outside the scope of his/ her authority or arbitrarily imposed the appealed disciplinary measure. The student may present evidence in support of his or her position, and then the Administrator may present evidence to refute such evidence.
5. Arguments: First the student and then the Administrator shall be afforded an opportunity to make or waive an opening statement. The Administrator may reserve his or her opening statement until after the student has presented his or her evidence. After the opening statements, first the student and then the Administrator shall have the opportunity to present witnesses and other relevant evidence.
6. Evidence
  - a. Oral evidence shall be taken only on oath or affirmation.
  - b. Each party shall have these rights: to call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses on any matter relevant to the issues even though the matter was not covered in the direct examination; to rebut the evidence against him or her. If the student does not testify in his or her own behalf, he or she may be called and examined as if under cross-examination.
  - c. The hearing need not be conducted according to technical rules relating to evidence and witnesses, except as hereinafter provided. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of the evidence over objection in

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civil actions. Hearsay evidence may be used for the purpose of supplementing or explaining the evidence but shall not be sufficient to support a finding unless it would be admissible over objection in civil actions, or if it is a signed and dated written declaration of a witness who is shown to be unavailable. Irrelevant and unduly repetitious evidence shall be excluded.

7. Hearings: Hearings shall be closed to the general public and confidential. All witnesses shall be excluded before and after testifying. Both the Administrator and the student shall be entitled to call witnesses and to question witnesses presented by the other. Any member of the Committee may ask questions at any time upon recognition by the Chairperson. Either side may recall a witness, who again may be questioned by both parties and the Committee.

The hearing shall be recorded. The recording may be used by the Superintendent/President and/or the Board of Trustees in the case of an appeal. Copies of the proceedings will be available to either party upon request. The cost of a copy of the tape or video-recorded proceedings will be at the expense of the requestor. The response time for the production of a copy of the tape or video recording shall be determined by mutual agreement.

8. Absence of the Student and/or the Administrator: If the student and/or the Administrator do not appear and no satisfactory explanation for the absence is made at the earliest opportunity, or if the student and/or the Administrator leave the hearing before its conclusion, the hearing shall proceed without the absent party, and the Committee shall reach a decision based on the evidence presented.
9. Conclusion: First the student and then the Administrator shall be afforded the opportunity to make or waive a closing argument. The Committee shall retire to deliberate with all of the members of the Committee present and may include the legal advisor when appropriate. The Committee shall reach its decision based only upon the record of the hearing and shall not consider matters outside of that record. Within five (5) days of the hearing, the Chairperson shall deliver to the Vice President of Student Services, or designee, their written findings and decision arrived at by a simple majority of the Committee. The Appellate Committee's notification of their decision to the student and the Administrator will be by Certificate of Mailing, which will be sent to the student within fifteen (15) days of the hearing date. The Appellate Committee is deemed to have mailed such letter on the date so declared.
10. The student may include a written statement or response concerning the disciplinary action for inclusion in the student's record.
11. Any disciplinary action in connection with any alleged sexual assault or physical abuse, or threat of sexual assault, or any conduct that threatens the health and safety of the alleged victim, the alleged victim of that sexual assault or physical abuse shall be informed within 10 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.

All materials distributed to the Appellate Committee will be collected and destroyed.

The decision of the Appellate Committee is binding on all parties.

### **G. Appeal to the Superintendent/President**

Either the student or the Administrator may appeal the decision of the Appellate Committee to the Superintendent/President by filing an appeal with the Superintendent/President. Any such appeal shall be made in writing and either mailed, postmarked evidencing the date of such mailing, or hand-delivered, received and accepted by the Superintendent/President within ten (10) working days of the mailing of the decision by the Committee and shall state specifically the grounds for appeal. Appeal shall be based only on the record of the Appellate Hearing. Both the student and the administrator may submit written statements on appeal. No personal appearances will be made before the Superintendent/President. The decision will be based upon the record.

The Superintendent/President shall report his/her decision to all relevant parties including the Board of Trustees within fifteen (15) working days of receiving the appeal request. The Superintendent/President's notification of his/her decision to the student will be by the United States mail, or other common carrier, which shall include a Certificate of Mailing. The Superintendent/President is deemed to have mailed such letter on the date so declared.

### **H. Appeal to the Board of Trustees**

Either the student or the Administrator may appeal the decision of the Superintendent/President to the Board of Trustees by filing an appeal with the Superintendent/President. An appeal shall be made in writing and either mailed, postmarked evidencing the date of the mailing, or hand-delivered, received and accepted by the Superintendent/President **within ten (10) working days of the mailing of the decision by the Superintendent/President** and shall state specifically the grounds for appeal. Any appeal shall be based only on the record of the Appellate Hearing. Both the student and the Administrator may submit written statements on appeal. No personal appearances will be made before the Board of Trustees. The decision will be based upon the record.

The Board of Trustees' shall consider appeals at any regularly scheduled public meeting held within thirty (30) working days of receipt of the appeal by the Superintendent/President.

The Board of Trustees' shall consider the matter in closed session. Before calling such an executive session, the Board of Trustees shall, in writing, by registered or certified mail, notify the student and the Administrator of the intent of the Board of Trustees to call and hold such executive session. The final action of the Board of Trustees shall be taken at a public meeting and the result of such action shall be a public record.

The Board of Trustees' review shall be limited to the record of the Appellate Hearing, and the decision of the Superintendent/President. The Board shall not consider any evidence outside the record.

The Board of Trustees' action shall be final and binding on all parties.

## Student Grievance

Every student has the right to pursue an educational goal in an environment that is supportive, fair, and conducive to learning. It is the policy of the Mt. San Jacinto Community College District that all students who believe they have been treated unfairly or inappropriately have the right to pursue a grievance against the employee or employees alleged to have committed the unfair act or acts against the student. The college shall develop, maintain and publish procedures for students to seek redress of their grievances in a fair and timely manner.

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### Grievance Officer

- The Superintendent/President shall designate an individual to handle student grievances. That individual will be responsible for ensuring the timely due process in a Student Grievance.
- The Superintendent/President shall appoint an individual (in addition to the individual identified above) who will serve as a hearing officer to conduct grievance hearings. The hearing officer may be appointed on a case-by-case basis or for the academic year.

### Items That Are Grievable

- Americans with Disabilities Act (A.D.A.) for issues of student access or alleged illegal discrimination – heard under separate process handled by the A.D.A./§504 Coordinator.
- Sexual Harassment by an employee against a student – heard under separate process handled by Human Resources.
- Harassment based upon gender, race/ethnicity, religion/creed, or other areas protected under the law.
- Unfair acts by an employee against a student where the act has a negative impact on the student.

### Items That Are Not Grievable

- Grades except with evidence of:
  - o Mistake – unintentional error on the part of the instructor;
  - o Fraud – intentional misrepresentation of any or all facts, which lead to a negative outcome;
  - o Bad Faith – includes fraud and any other intentional act of the instructor, which negatively impacts the grade of the student;

- o Incompetence – there is evidence that the instructor does not have the knowledge skills and/or abilities to conduct and fairly grade the course. Incompetence is usually pervasive, and not restricted to one student or one incident.
- Acts by another student (see Student Code of Conduct)
- Acts which, though deemed unfair, do not have a specific negative impact on the student. Included among non-grievable issues are situations which are deemed to be petty or to have no significant negative impact upon the student in question.
- Acts which affect another student. Only the student affected by an act may file a grievance. A student may not file on behalf of another student

### Grievance Levels

Prior to filing a Level I grievance, the student must meet with the employee and attempt an informal resolution. If the concern is academic in nature, the student must speak with the instructor.

Level I – If the concern or complaint is not resolved satisfactorily, then the student should meet with the department head or lead instructor and the appropriate dean.

- Must be within 20 working days of the alleged act.

Level II – Mediation session between the student and the other party

Level III – Student meets with supervising administrator and/or area Vice President

Level IV – Formal request for hearing

- Individual designated by the college Superintendent/President reviews charges and determines if a case exists based upon the following:
  - o The alleged act must have taken place on campus or during a college-sponsored event or be connected to the student's college-relationship to the employee named. This also includes any time when the employee is acting in their official capacity as an employee of the district.
  - o Must include all evidence, including names of witnesses to be called and copies of pertinent documents
  - o Must include evidence that steps I and II have been completed or attempted but have been unsuccessful
  - o May not add new charges or defendants
  - o The alleged act must have had an inappropriate negative impact on the student
  - o The student must identify the desired remedy if the grievance is found in their favor.
- A panel is named including:
  - Chair – hearing officer as appointed by the Superintendent/President votes only in case of a tie vote
  - 2 faculty appointed by the Academic Senate
  - 2 students appointed by the Associated Student Body (A.S.B.)
- A hearing is called:
  - During the academic year

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1. Notice is sent within 10 days of verification of the complaint.
2. The hearing will take place no sooner than 10 days after the notice of hearing is mailed unless mutually agreed by both the filing student(s) and the responding employee(s) parties.
3. The hearing will take place no more than 20 working days after notice is mailed.

During the summer or major vacation periods, due to the lack of availability of faculty and students, it is not always possible to adhere to all timelines. As a result, significant delays may be unavoidable, including delay until the beginning of the next academic period.

1. Notice is sent within 15 days of verification of complaint.
  2. The hearing will take place no sooner than 10 days after the notice of hearing is mailed unless mutually agreed by all parties.
  3. An effort will be made to have the hearing take place no more than 20 working days after notice is mailed. However, due to limited availability of students and faculty, significant delays may occur. The appropriate Vice President may determine that the hearing will be delayed until the beginning of the next academic period.
- The proceedings are tape-recorded and the tape is the sole record of the hearing.
  - Only the panel members, the complaining student(s) and the responding employee(s) remain in the room throughout the proceedings.
  - Each party may bring an advisor, but the advisor may not speak for or in any way represent the person whom they are advising.
  - Should anyone fail to attend the hearing, the hearing will be held without the missing person(s).
  - The panel shall base its decision solely on the evidence and testimony presented.
  - In general, written statements from individuals not present at the hearing will not be admissible without some authentication of the statement, such as a notary signature and seal.
  - The panel shall have the right to question all parties.
  - Both the complaining student and the responding employee may bring witnesses to speak on their behalf.
  - Following the presentation of all evidence and testimony, the panel will excuse all other individuals and conduct their deliberations in private.
  - Results of the hearing are sent forward to the appropriate Vice President or other designee of the Superintendent/President within 5 working days of the conclusion of the hearing.
  - The appropriate Vice President or Presidential designee notifies in writing the parties in question within 10 working days of receiving the recommendation from the hearing panel.

## Appeal

### Superintendent/President

- Either party may appeal the decision of the hearing.
- Appeals must be filed within 5 working days.
- Appeals are addressed to the Superintendent/President.
- Appeals must cite one or more specific flaws in the conduct of the process of review. Merely disagreeing with the outcome is not sufficient grounds to submit an appeal.
- The only new evidence which may be submitted with the appeal is new evidence which comes to light after the hearing and which was not available prior to the time of appeal.
- No new respondents may be added to the grievance at the appeal level.
- The appeal is considered based solely upon the written record. However, the Superintendent/President may conduct an investigation at her/his discretion.
- The Superintendent/President will respond within 5 working days of receipt of the appeal.

### Board of Trustees

- Either party may appeal the decision of the Superintendent/President.
- Appeals must be filed within 5 working days of receipt of the decision. The appeal will be heard at the next available Board of Trustees meeting for which there is sufficient time to include the agenda item in the legal notice of the meeting.
- Appeals are addressed to the Board of Trustees c/o the Superintendent/President.
- Appeals must cite one or more specific flaws in the implementation of the process of review. Merely disagreeing with the outcome of the appeal is not sufficient grounds to file a final appeal.
- Appeals are conducted based solely on the written record. However, it shall be the right of the Board to call and question any individuals related to the issues at hand.
- Hearings are held in closed session and the decision is announced in open session.
- The Superintendent/President will respond within 5 working days of the Board's action on the appeal.
- Appeal to the Board is the final step in the student's "due process" procedures.
- Concerning requested remedy: Issues of remedy sometimes include requests for disciplinary action against one or more employees. It is not within the power of the grievance process to assign or implement any disciplinary action against college employees. Students are discouraged from listing disciplinary action as their sole remedy. Employee discipline is strictly governed by state and local laws and regulations as well as by employment contracts. Provided all other requirements are met, the results of a grievance may be included in an employee's evaluation only to the degree permissible by contract and by law.

## **Nondiscrimination Policy and Complaint Procedures Under Sections 59300 et seq.**

### **Introduction and Scope**

This is intended as notice and clarification of the grievance procedures that apply to different forms of unlawful discrimination, including disability harassment concerning the implementation of the District's nondiscrimination policy and complaint procedures pursuant to California Code of Regulations, Title 5, sections 59300 et seq.

### **Unlawful Discrimination Policy**

The policy of the Mt. San Jacinto Community College District is to provide an educational and employment environment including but not limited to access to its services, classes and programs in which no person shall be unlawfully denied full and equal access to, the benefits of, or be unlawfully subjected to discrimination on the basis of ethnic group identification, national origin, religion, age, sex or gender, race, color, ancestry, sexual orientation, or physical or mental disability, or because he or she is perceived to have one or more of the foregoing characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics in any program or activity that is administered by, funded directly by, or that receives any financial assistance from the State Chancellor or Board of Governors of the California Community Colleges.

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

Employees, students, or other persons acting on behalf of the District who engage in unlawful discrimination as defined in administrative procedure # 3410 or by state or federal law may be subject to discipline, up to and including discharge, expulsion, or termination of contract.

The Superintendent/President shall establish administrative procedures that ensure all members of the college community can present complaints regarding alleged violations of this policy and have their complaints heard in accordance with the Title 5 regulations and those of other agencies that administer state and federal laws regarding nondiscrimination.

No District funds shall ever be used for membership, or for any participation involving financial payment or contribution on behalf of the District or any individual employed by or associated with it, to any private organization whose membership practices are discriminatory on the basis of ethnic group identification, national origin, religion, age, sex or gender, race, color, ancestry, sexual orientation, physical or mental disability, or because he or she is perceived to have one or more of the foregoing characteristics, or because of his or her association with a person or group with one or more of these actual or perceived characteristics.

## **Reports of Discrimination**

The District requires that all reports of discrimination, including harassment on the basis of disability, be addressed by the District's complaint procedure pursuant to California Code of Regulations, Title 5, sections 59300 et seq. The District's procedures for complaints of discrimination may be found in the "Mt. San Jacinto Community College District Policy and Procedures for Handling Complaints of Unlawful Discrimination Under Sections 59300 et seq." and in "Mt. San Jacinto Community College District Notice of Grievance Procedures for Complaints of Discrimination Under Sections 59300 et seq."

### **District's Response to Reports of Discrimination**

The District is responsible and has an affirmative duty to respond to complaints of discrimination in a timely manner. The District has identified the Vice President of Human Resources as its Responsible District Officer. All complaints of discrimination pursuant to section 59300 et seq, will be processed by the Vice President of Human Resources. The address for the Vice President of Human Resources office is as follows:

Vice President of Human Resources

1499 N. State St.

San Jacinto, CA 92583

(951) 487-3156

### **Statement Regarding Formal and Informal Complaint Procedures**

The purpose of the informal resolution process is to allow an individual who believes she/he has been unlawfully discriminated against or sexually harassed to resolve the issue through a mediation process rather than the formal complaint process. Typically, the informal process will be invoked when there is a simple misunderstanding or the complainant does not wish to file a formal complaint. Resolution of an informal complaint may require nothing more than a clarification of the misunderstanding or an apology from the respondent and an assurance that the offending behavior will cease.

#### *Informal Complaint Procedures*

Whenever any person brings charges of unlawful discrimination to the attention of the Responsible District Officer in the form of an unwritten complaint or a complaint that is not submitted on the form prescribed by the State Chancellor, that officer shall undertake efforts to informally resolve the charges and advise the complainant that he or she need not participate in informal resolution. Additionally, the Responsible District Officer shall notify the person bringing the charges of his or her right to file a formal complaint and explain the procedure for doing so. The Responsible District Officer shall also advise the complainant that he or she may file a nonemployment-based complaint with the Office for Civil Rights of the U.S. Department of Education (OCR) where such a complaint is within that agency's jurisdiction

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and that if the complaint is employment-related, the complainant should also be advised that he or she may file a complaint with the U.S. Equal Employment Opportunity Commission (EEOC) and/or the California Department of Fair Employment and Housing (DFEH) where such a complaint is within the jurisdiction of those agencies.

Efforts at informal resolution need not include any investigation unless the District's responsible officer determines that an investigation is warranted by the seriousness of the charges. Accordingly, because the District is responsible for maintaining a safe and discrimination free educational environment, serious allegations may need to be investigated even if the complaining party considers the matter resolved. Efforts at informal resolution may continue after the filing of a formal written complaint, but after a complaint is filed an investigation is required to be conducted pursuant to Title 5, section 59334, and must be completed unless the matter is informally resolved and the complainant dismisses the complaint or the complainant files with the DFEH and the Chancellor elects not to require further investigation pursuant to Title 5, section 59328(f)(2). Any efforts at informal resolution after the filing of a written complaint will not exceed the 90-day period for rendering the administrative determination pursuant to Title 5, section 59336.

### *Formal Complaint Procedures*

If a complainant decides to file a formal written unlawful discrimination complaint against the District, he or she must file the complaint on a form prescribed by the State Chancellor. These approved forms are available from the District and also at the State Chancellor's website, as follows:

<http://www.cccco.edu/divisions/legal/Discrimination/discrimination.htm>

The completed form must be filed with the District representative or mailed directly to the State Chancellor's Office of the California Community Colleges.

Once a complaint is filed, the individual(s) accused of engaging in prohibited discriminatory conduct should be advised of that filing and the general nature of the complaint. This should occur as soon as possible and appropriate under the circumstances. The District will also advise the accused that an assessment of the accuracy of the allegations has not yet been made, that the complaint will be investigated, that the accused will be provided an opportunity to present his/her side of the matter, and that any conduct that could be viewed as retaliatory against the complainant or any witnesses must be avoided. A written response summarizing the District's investigatory actions and investigative findings will be provided to the complainant.

### *Handling Discrimination Complaints*

As stated above, in an informal process the district officer shall advise the complainant of his or her rights and responsibilities under both the formal and informal processes. If the complainant declares his or her preference for the informal process, the responsible district officer shall present the complainant with a document that describes the informal/formal process that contains the basics of

complainant's allegations of unlawful discrimination. This document will clearly indicate that the complainant opted for the informal resolution process and should be signed and dated by the complainant. The informal resolution process will not be made a predicate to the process and investigation of a formal complaint. If a formal complaint is filed, an investigation must be completed within the time required unless it is voluntarily rescinded by a complainant as a result of a successful informal resolution.

Selecting an informal resolution does not extend the time limitations for filing a formal complaint. Efforts at informal resolution may continue after the filing of a formal written complaint, but after a formal complaint is filed an investigation is required to be conducted pursuant to Title 5, section 59334, and must be completed unless the matter is informally resolved and the complainant dismisses the complaint or the complainant files with the DFEH and the Chancellor elects not to require further investigation pursuant to Title 5, section 59328(f)(2). Any efforts at informal resolution after the filing of a written complaint will not exceed the 90-day period for rendering the administrative determination pursuant to Title 5, section 59336.

If an informal complaint is filed and an understanding cannot be reached by the parties involved, the Responsible District Officer will render a written decision to the complainant regarding the District's actions and findings within 90-days of receiving the informal complaint. If the parties are able to come to an understanding and no investigation is necessary, no written decision regarding the complaint will be rendered to the complainant. However, if the informal complaint requires an investigation, regardless of any understanding reached by the parties, the District will provide a written decision summarizing the results of the investigation to the complainant regarding the District's actions and findings within 90-days of receiving the informal complaint. If a formal complaint is received by the Responsible District Officer, the District must investigate the complaint and a written decision summarizing the investigation results will be provided to the complainant within 90-days of receiving the informal complaint.

: Full discrimination policy and forms can be located at:

<http://www.msjc.edu/CollegeInformation/Administration/Documents/Discrimination-Policy.pdf>

## **Sexual Harassment Policy**

**(Applies to all Students, Faculty and Staff)**

### **Purpose and Philosophy**

Sexual harassment is one of many forms of discrimination and abusive behavior. Other forms of discrimination, such as that based on race, color, sex, ancestry, national origin, disability (mental and physical), including HIV and AIDS, medical conditions such as cancer, age (40 and above), and marital status, are also prohibited. Sexual harassment is abusive and illegal behavior that harms victims and negatively impacts the district's culture by creating an environment of fear, distrust and intolerance.

Because the district is committed to provide a safe, healthy environment for all employees and students that promote respect, dignity, and equality, it is the purpose of this policy to create and preserve an educational environment free from unlawful sexual harassment and discrimination on the basis of sex.

## References

- 20 U.S.C. §1681, Education Amendments of 1972, Title IX. No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.
- 34 C.F.R. §§106.1-106.71, U.S. Department of Education Office for Civil Rights Regulations Implementing Title IX. This provision requires designation of Title IX Coordinator, grievance procedure, and public notice of Title IX policies and procedures.
- 42 U.S.C. §2000e, Civil Rights Act of 1964, Title VII. This provision prohibits employers from discriminating on the basis of sex.
- 29 C.F.R. §1604.11, Equal Employment Opportunity Commission (EEOC) Regulations Implementing Title VII.

The following regulations provide guidelines on sexual harassment in the workplace.

- California Fair Employment and Housing Act (Government Code §12900 et seq.)
- Sex Equity in Education Act (Education Code §§51 et seq.)
- Assembly Bill 80 of 1977 (Government Code §§11135 et seq.)
- Chapter 2, Division 4, Title 2, of the California Administrative Code.
- Subsection 1 (Commencing with §53000), Section 2, Chapter 1, Division 4, Title 5, of the California Administrative Code.
- §§87100 of the California Education Code.

## Monitoring Responsibility

The Vice President of Human Resources and Title IX Coordinator, as designated by the Board of Trustees, will be responsible for ensuring compliance with this policy. The Vice President of Human Resources will yearly evaluate, among other things: The frequency and nature of complaints under this policy; employee and student compliance with the policy; employee and student perceptions of the policy's effectiveness. Results of the evaluation will be used to modify or update the policy as appropriate, with an emphasis on remedying deficiencies.

## Policy

- In order to provide a safe and healthy environment that encourages respect, dignity, and equality, it is district policy to provide an educational and employment environment free from sexual harassment and discrimination on the basis of sex. Under both Title VII of Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972, the district considers sexual harassment to be unlawful discrimination on the basis of sex. In addition, discrimination on the basis of sex is prohibited by the California State Constitution. Finally, sexual harassment/assault by any individual may constitute a sexual crime under the California State Criminal Code.
- The district strictly prohibits all forms of sexual harassment on district grounds, and at all district-sponsored activities, programs, and events including those that take place at locations outside the district. The district also strictly prohibits all forms of sexual harassment against individuals associated with the district (i.e. contractors, consultants, etc.), whether or not the harassment occurs on district grounds.
- Because sexual harassment can occur employee to employee, employee to student, student to employee, student to student, male to female, female to male, male to male, female to female, it shall be a violation of this policy for any student, employee, or third party (district visitors, vendors, etc.) to sexually harass any student, employee, or any other individual associated with the district (i.e. contractors, consultants, etc.).
- The district encourages all victims of sexual harassment and persons with knowledge of sexual harassment to report the harassment immediately. All persons who complain or file a complaint have the right to be free from retaliation of any kind.
- The district will promptly investigate all formal, informal, verbal, and written complaints of sexual harassment, and take prompt corrective action to end the harassment.

## Definitions

“Sexual harassment” is defined as being unwelcome sexual advances, requests for sexual favors, other unwanted physical or verbal conduct or communications of a sexual nature, and any other gender-based harassment, whether initiated by students, district employees, or third parties, when:

- Submission to the conduct is made explicitly or implicitly a term of employment or condition of a student's education (including any aspect of the student's participation in district-sponsored activities, or any other aspect of the student's education);
- Submission to, or rejection of the conduct is used as the basis for decisions affecting employment status decisions, or a student's academic performance, or participation in district-sponsored activities or creates an intimidating, hostile, or offensive educational environment.

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### Unacceptable Conduct

Complaints received will be thoroughly investigated to determine whether the totality of the behavior and circumstances meet any of the elements of the definitions in 5.1 and should be treated as sexual harassment. Unacceptable conduct may or may not constitute sexual harassment. Normally, unacceptable behavior must be severe or pervasive to be considered sexual harassment.

In evaluating the totality of the circumstances and making a determination of whether conduct constitutes sexual harassment, employees who observe unacceptable behavior, as well as administrators conducting an investigation, should consider:

- Is the conduct sexual in nature?
- Is the conduct derogatory toward one gender?
- Is the conduct unwelcome?
- Would the behavior be offensive to a reasonable person of the same gender as the victim?
- The nature, severity, and scope of the incidents;
- The number of students or employees involved directly or indirectly;
- The relationship of the parties involved (i.e. employee/student, fellow students, etc.), and whether there is equal power between the parties;
- The past discipline history of the parties involved;
- The frequency and duration of the behavior;
- Whether there is a pattern of behavior;
- Whether the conduct is verbal or physical.

EXAMPLES: Campus-related conduct that the district considers unacceptable and often a part of sexual harassment includes, but is not limited to, the following:

- Rape, attempted rape, sexual assault, attempted sexual assault, forcible sexual abuse, hazing, and other sexual and gender-based activity of a criminal nature as defined under the California State Penal Code;
- Unwelcome sexual invitations or requests for sexual activity in exchange for grades, promotions, preferences, favors, selection for extracurricular activities, or job assignments, homework, etc.;
- Any unwelcome communication that is sexually suggestive, sexually degrading, or implies sexual motives or intentions, such as sexual remarks or innuendoes about an individual's clothing, appearance or activities or exploits; sexual rumors and "ratings lists;" howling, catcalls, and whistles; sexually graphic computer files; messages or games, etc.;
- Unwelcome and offensive name-calling or profanity that is sexually suggestive, sexually degrading, implies sexual intentions, or that is based on sexual stereotypes or sexual preference;
- Unwelcome leers, stares, gestures, or slang remarks that are sexually suggestive, sexually degrading, or imply sexual motives or intentions;
- Unwelcome written or pictorial display or distribution of pornographic or other sexually explicit materials such as magazines, videos, films, Internet material, etc.;

- Any other unwelcome gender-based behavior that is offensive, degrading, intimidating, demeaning, or that is based on sexual stereotypes and attitudes.

### Complaint Procedures

- In compliance with applicable federal and state law, it is the policy of the district to investigate promptly and resolve equitably all complaints of sexual harassment and discrimination on the basis of sex.
- Victims of sexual harassment shall be afforded avenues for filing complaints that are free from bias, collusion, intimidation, or reprisal.
- Victims of sexual harassment should document the harassment as soon as it occurs. In order to assist investigators, victims should document the harassment with as much detail as possible, including: the nature of the harassment; dates, times, and places it has occurred; name or names of harasser or harassers; witnesses of the harassment; and the victim's response to the harassment.
- To the extent they feel safe and comfortable doing so, victims are first encouraged to confront the harasser, verbally or in a letter and/or with an advocate present, and tell the harasser to stop the conduct because it is unwelcome. Victims should document the incident or incidents of continuing harassment, and any conversations they have with the harasser, noting such information as time, date, place, what was said or done, and other relevant circumstances surrounding the incident(s) and the effect or impact of the behavior on the victim.
- If the victim's concerns are not resolved satisfactorily by communicating with the harasser, or if the victim feels he or she cannot discuss the concerns with the harasser, the victim should directly inform a district employee of the complaint and should clearly indicate what action he or she wants taken to resolve the complaint.
- Any district employee who receives a complaint of sexual harassment from a student or another employee shall inform them of their obligation to report the complaint to the district's administration, and then shall immediately notify the Vice President of Human Resources and/or the school Title IX Coordinator.
- District employees who fail to report complaints of sexual harassment to appropriate administrators or law enforcement authorities may face disciplinary action, up to and including reprimand, suspension, or termination.
- District administrators, or other district officials who fail to report student or employee complaints of sexual harassment may also face disciplinary action, including reprimand, probation, or termination.
- Victims who contact a district employee with a complaint are encouraged to submit the complaint in writing. (See Attachment B – Discrimination Compliant Form available in the Human Resources Office.) However, complaints may be filed verbally. Alternate methods of filing complaints (such as tape recorders, scribes, etc.) shall be made available to individuals with disabilities who need accommodation.

- The district encourages all persons involved to report complaints as soon as possible (i.e. within ninety (90) days after the incident), in order that complaints can be effectively investigated and resolved.
- Reports/Complaints to Law Enforcement Authorities
  - Consistent with district Policy, where a complaint contains evidence of violence or criminal activity, the employee and/or district Title IX Coordinator shall refer the complaint to the district Vice President of Human Resources and/or law enforcement authorities for investigation.
  - The district encourages any individual who has knowledge of sexual harassment of a violent or criminal nature to independently report the information to law enforcement authorities.
- California Community Compliance and Enforcement (Discrimination Complaints). The district will comply with Title 5 of the California Code of Regulations, Subchapter 5, Article 3 and 4, §59334 et. Al. (See Attachment A available in the Human Resources Office.)
- Complaints may be filed with the following individuals: (See Attachment C available in the Human Resources Office.)
  - Vice President of Human Resources (employees or students)
  - Any administrator or supervisor (employees or students)
  - Title IX Coordinator (students only)
- As soon as possible, but no later than three (3) working days following receipt of a complaint, the Vice President of Human Resources shall commence an investigation of the complaint according to the following steps:
  - Interview the victim and document the conversation. Instruct the victim to have no contact or communication regarding the complaint with the alleged harasser. Ask the victim specifically what action he or she wants taken in order to resolve the complaint.
  - Review any written documentation of the harassment prepared by the victim. If the victim has not prepared written documentation, instruct the victim to do so, providing alternative formats for individuals with disabilities who have difficulty writing.
  - Interview the alleged harasser regarding the complaint and inform the alleged harasser that if the objectionable conduct has occurred, it must cease immediately. Document the conversation. Provide the alleged harasser an opportunity to respond to the charges in writing.
  - Instruct the alleged harasser to have no contact or communication regarding the complaints with the victim and to not retaliate against the victim. If the alleged harasser does not comply with this instruction, he or she shall be subject to immediate disciplinary action.
  - Interview any witnesses to the complaint. Where appropriate, obtain a written statement from each witness. Caution each witness to keep the complaint and his or her statement confidential.
  - Review all documentation and information relevant to the complaint.
  - Where appropriate, suggest mediation as a potential means of resolving the complaint. In addition to mediation, utilize appropriate informal methods to resolve the complaint, including but not limited to:
    - Discussion with the alleged harasser, informing him or her of the district's policies and indicating that the behavior, if occurring, must stop;
    - Conducting training for the department or area in which the behavior occurred, calling attention to the consequences of engaging in such behavior;
    - Requesting a letter of apology to the complainant;
    - Writing letters of caution or reprimand;
    - Separating the parties.
    - Student or Employee Involvement and Notification
  - The representatives or advocates of students who file complaints are welcome to attend each stage of both informal and formal investigation and resolution procedures.

### Confidentiality

It is district policy to respect the privacy and anonymity of all parties and witnesses to complaints brought under this policy. However, because an individual's need for confidentiality must be balanced with the district's obligations to cooperate with police investigations or legal proceedings, to provide due process to the alleged harasser, to conduct a thorough investigation, or to take necessary action to resolve a complaint, the district retains the right to disclose the identity of parties and witnesses to complaints to individuals only in appropriate circumstances.

### Initial Investigation and (Informal)

#### Resolution Procedures

(See Attachment A available in the Human Resources Office.)

- The Vice President of Human Resources and/or Title IX Coordinator (for students) has the responsibility of conducting a preliminary review when he, she or they receive a verbal or written complaint of sexual harassment, or if he, she or they observe sexual harassment. Except in the case of severe or criminal conduct, the Vice President of Human Resources and/or Title IX Coordinator shall make all reasonable efforts to resolve complaints informally. The goal of informal investigation and resolution procedures is to end the harassment and obtain a prompt and equitable resolution to a complaint.

## General Regulations

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Employees bringing complaints shall be informed of their right to be advised by union officials or other professional representatives.

- Report back to both the victim and the alleged harasser, notifying them in writing, and also in person as appropriate, regarding the outcome of the investigation and the action taken to resolve the complaint. Instruct the victim to report immediately if the objectionable behavior occurs again or if the alleged harasser retaliates against him or her.
- Notify the victim that if he or she desires further investigation and action, he or she may request a formal district investigation by contacting the Vice President of Human Resources or Title IX Coordinator. Also, notify the victim of his or her right to contact the U.S. Department of Education's Office for Civil Rights, the Department of Fair Employment and Housing (DFEH), and/or a private attorney.

Whenever a sexual harassment complaint is made, district administrators must take action to refer the complaint to the Vice President of Human Resources or Title IX Coordinator for investigation, even if the student does not request any action or withdraws the complaint.

If the initial investigation results in a determination that sexual harassment did occur, and the harasser repeats the wrongful behavior or retaliates against the victim, the Vice President of Human Resources shall consult with the appropriate Vice President and the Superintendent/President to determine appropriate disciplinary action.

The Vice President of Human Resources must consider the severity or pervasiveness of the conduct and exercise discretion in determining whether a formal investigation is necessary. If a complaint contains evidence or allegations of serious or extreme harassment, such as criminal touching, or quid pro quo (e.g. offering an academic reward or punishment as an inducement for sexual favors), the complaint shall be investigated immediately. In addition, where there is reasonable suspicion that the alleged harassment involves criminal activity, the Vice President of Human Resources will immediately contact law enforcement authorities. Where criminal activity is alleged or suspected, the alleged harasser (employee) shall be placed on administrative leave pending the outcome of the investigation.

### Formal Investigation

(See Attachment A and Section 7 available in the Human Resources Office.)

### Right to Representation and Other Legal Rights

The victim and the alleged harasser have the right to be represented by a person of their choice, at their own expense, during sexual harassment investigations and hearings. Students who file complaints may elect to be accompanied by another student of their choice at each stage of the

complaint procedure. Victims also have the right to register sexual harassment complaints with the U.S. Department of Education's Office for Civil Rights (OCR).

### Students and Employees

U. S. Department of Education  
Office for Civil Rights, Region VIII  
Federal Office Building  
1244 Speer Boulevard, Suite #310  
Denver, CO 80204  
Tel: (303) 844-5695

### Employees

State of California  
State and Consumer Services Agency  
Department of Fair Employment & Housing  
110 West "C" Street, Suite 1702  
San Diego, CA 92101  
Tel: (619) 645-2691

### United States Equal Employment Opportunity Commission (EEOC)

San Diego Area Office  
401 "B" Street, Suite 1550  
San Diego, CA 92101  
Tel: (619) 557-7282

**Nothing in this policy shall be construed to limit the right of the complainant to file a lawsuit in either state or federal court.**

### Retaliation Prohibited

Any act of retaliation against any person who opposes sexually harassing behavior, or who has filed a complaint, is prohibited and illegal and, therefore, subject to disciplinary action. Likewise, retaliation against a person who has testified, assisted, or participated in any manner in an investigation, proceeding, or hearing of a sexual harassment complaint is prohibited. For purposes of this policy, retaliation includes but is not limited to: verbal or physical threats, intimidation, ridicule, bribes, destruction of property, spreading rumors, stalking, harassing phone calls, and any other form of harassment. Any person who retaliates is subject to immediate disciplinary action, up to and including suspension, probation or termination.

### Discipline

Any individual, including an individual with disabilities, who violates this policy will be subject to appropriate disciplinary action under applicable Board Policies, Unit Bargaining Agreements, and Education Code discipline procedures. Disciplinary measures available to district authorities may include, but are not limited to, the following:

- Verbal warnings/reprimands;

- Written warning/reprimand in the employee or student's file;
- Requirement of verbal and/or written apology to victim;
- Mandatory education and training on sexual harassment by means of reading assignments, videos, classes, or other presentations;
- Involvement of policy and/or other law enforcement authorities.

In addition, if the harassment is severe or persistent, an individual who violates this policy may be subject to suspension, expulsion, probation or termination. Moreover, students who violate this policy may lose the privilege of participating in extracurricular activities such as athletics, student government, cheerleading, graduation ceremonies, etc. These penalties may be imposed even for first offenses, which are severe or extreme.

In determining what disciplinary or corrective action is appropriate, district officials shall consider the totality of the circumstances, including but not limited to:

- The number of victims and harassers involved;
- The prior disciplinary records of the harasser or harassers;
- The disability status of the victim and/or harasser or harassers;
- The threatened or actual harm caused by the harassment; and
- The frequency and/or severity of the harassment.

If district administrators have reasonable suspicion that the harassment involves sexual assault, rape, or any other activity of a criminal nature, they shall notify appropriate law enforcement authorities and immediately initiate appropriate due process proceedings to remove the alleged harasser party from the situation.

### **False Complaints**

False or malicious complaints of sexual harassment will result in corrective or disciplinary action being taken against the complainant. The disciplinary measures available to the district are the same as those listed under the Discipline section of this policy.

### **Training**

- All students shall be informed of this policy in student handbooks, folders, and registration materials. A summary of this policy shall also be posted in a prominent location. All Associated Student Body officers shall receive district training about the policy at the beginning of each school year.
- All new employees shall receive information about this policy at new employee orientation. All other employees shall be provided information annually and attend awareness training at least once every five (5) years regarding this policy and the district's commitment to a harassment-free learning and working environment.

- The Title IX Coordinator, and other administrative employees who have specific responsibilities for investigating and resolving complaints of sexual harassment shall receive yearly training on this policy and related legal developments from the Vice President of Human Resources.
- The Vice President of Human Resources and department administrators shall be responsible for informing students and employees on a yearly basis of the terms of this policy, including the procedures established for investigation and resolution of complaints, general issues surrounding sexual harassment, the rights and responsibilities of students and employees, and the impact of sexual harassment on the victim.

### **Records**

Separate confidential records of all sexual harassment complaints and investigations shall be maintained in the Vice President of Human Resources Office. Records of investigations shall be maintained in the office of the Vice President of Human Resources.

- Records of informal investigations and resolutions shall be retained for at least three (3) years.
- Records of investigations shall be retained for at least six (6) years.
- Records of complaints and investigations of blatant violations involving criminal touching, quid pro quo situations, or other criminal acts shall be retained permanently.

### **Policy Dissemination and Review**

A summary of this policy and related materials shall be posted in a prominent place in each district facility. Notification of this policy, along with a summary, shall also be published in student registration materials, student handbooks, employee handbooks, and other appropriate district publications as directed by the Vice President of Human Resources.

The Academic Senate, Faculty and Staff Diversity Committee, Management Leadership Council and President's Cabinet shall annually review this policy's effectiveness. The Vice President of Human Resources and the district's legal counsel shall review this policy annually to determine its compliance with applicable state and federal law, and shall update the policy accordingly.

### **Acquired Immune Deficiency Syndrome**

Mt. San Jacinto Community College District is committed to provide a safe, fair, sensitive and nondiscriminatory environment for study. Toward these ends, the following guidelines will apply:

- An individual with Acquired Immune Deficiency Syndrome (AIDS), AIDS-Related Complex (ARC) or a positive Human-Immunodeficiency Virus (HIV) antibody test result will not be denied enrollment for instruction in any classroom activity as long as he or she is able to perform in accordance with established standards.

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- Persons with AIDS or ARC or who are perceived to have such conditions are considered disabled under state and federal law and may be served through state-funded Disabled Students Programs and Services.
- The administration will develop and implement plans to provide up-to-date AIDS education to students and employees with the purpose of: (1) to prevent further spread of the virus; and, (2) to dispel myths and unreasonable fears about the disease.

### Americans with Disabilities Act (A.D.A.)

Mt. San Jacinto College is committed to compliance with both the spirit and the letter of the Americans with Disabilities Act, as well as the Rehabilitation Act of 1973, and other laws protecting the rights of persons with disabilities. The Board of Trustees has established compliance with the Americans with Disabilities Act as an institutional priority, where this will not pose an undue burden or fundamentally alter the programs of the institution. The Vice President of Human Resources or designee is the Americans with Disabilities Act coordinator for the district. Student and community members with concerns related to access to the college's facilities, programs and services should contact the Vice President of Human Resources. Employees or employment applicants with A.D.A. related concerns should also contact the Vice President of Human Resources.

Should an individual feel that there has been an inappropriate restriction of access to employment or educational opportunities for one or more qualified persons with one or more disabilities, and an adequate remedy has not been forthcoming from the appropriate college office, that individual may file a petition in accordance with the following procedures:

- Petition for Review of Access to Employment or Educational Opportunity shall be filed with the Vice President of Human Resources or designee, who shall investigate each complaint and respond within ten (10) working days.
- The response to the petition shall include either a statement of what remedy to the complaint will be provided, or establish the date for a hearing by the A.D.A. Task Force.
  - o Should a hearing be called, it will take place within thirty (30) working days from the date of notice.
  - o Following the hearing, the A.D.A. Task Force will provide a written response within ten (10) working days following the hearing.
- If the response of the Vice President of Human Resources (or designee) or of the hearing does not resolve the concerns of the petitioner, an appeal may be filed with the Superintendent/President who shall respond to the petition within ten (10) working days.
- Should the Superintendent/President's response not satisfy the petitioner, the Board of Trustees shall be the last level of appeal. The decision of the Board of Trustees shall be final.

## FREEDOM OF SPEECH

The campuses of the Mt. San Jacinto Community College District are non-public forums, except for those areas designated as Free Speech areas, which are limited public forums. The Superintendent/President shall enact such administrative procedures, as are necessary to reasonably regulate the time, place and manner of the exercise of free expression in the limited public forums.

The administrative procedures promulgated by the Superintendent/President shall not prohibit the right of students to exercise free expression, including but not limited to the use of bulletin boards designated for such use, the distribution of printed materials or petitions in those parts of the college designated as Free Speech areas, and the wearing of buttons, badges, or other insignia. Students shall be free to exercise their rights of free expression, subject to the requirements of this policy. Speech shall be prohibited that is defamatory, obscene according to current legal standards, or which so incites others as to create a clear and present danger of the commission of unlawful acts on district property or the violation of district policies or procedures, or the substantial disruption of the orderly operation of the district.

Nothing in this policy shall prohibit the regulation of hate violence, so long as the regulation conforms to the requirements of the First Amendment to the United States Constitution, and of Section 2 of Article 1 of the California Constitution. Students may be disciplined for harassment, threats, intimidation, or hate violence unless such speech is constitutionally protected.

### Campus Speaking Area

In order to permit a forum for discussion and advocacy of issues and ideas outside the college curriculum, a Free Speech area shall be designated on each campus. This area shall be:

- Readily accessible to all students;
- Located so as not to require students to travel through it;
- Open to use on a first come, first served basis.

#### Speech in the designated Free Speech areas shall not be limited except that:

- There shall be no use of electronic or other sound amplification that interferes with the conduct of classroom, laboratory, library, or office activities on campus.
- There shall be no obscene or slanderous speech or distribution of obscene or libelous materials.
- No speech shall be permitted which advocates the overthrow of the government.
- No speech shall express or advocate racial, ethnic, religious, sex-based, other hate-based prejudice or other speech that incites students so as to create a clear and present danger of the imminent commission of unlawful acts or of the substantial disruption of the orderly operations of the college.

- The Free Speech area will not be used for any commercial activity, nor shall there be any solicitation of funds of any kind in the area, nor shall there be any implied solicitation of funds in the area.
- Speakers are responsible to ensure that all printed and other materials brought into the Free Speech area are removed at the conclusion of the activity, and that college funds shall not be required to return the Free Speech area to its original condition as the result of any individual or group exercising their rights of Free Speech in this area.

## Campus Posting/Distribution of Materials

All non-classroom materials posted or distributed on any Mt. San Jacinto College campus or in any Mt. San Jacinto College facility, which are not published by Mt. San Jacinto College, must be approved in advance by the designee of the Associated Student Body, or the Office of the Vice President Student Services or designee.

- The approval will include a stamp placed on the front of the material.
- The expiration date for the approval will be included on the stamp. Posted materials will be removed from bulletin boards after the expiration date.
- Materials being distributed may only be distributed in the Free Speech area unless these materials are being distributed as part of an otherwise approved activity.
- No printed material may contain the name Mt. San Jacinto College or in any way imply sponsorship or approval by Mt. San Jacinto College without advanced approval in writing. Use of the institution's name requires advance approval of the Board of Trustees.
- A single copy of each printed item will be kept on file in the office of the Vice President of Student Services. The file copy must include the name of the organization (if any) as well as the individual responsible for the item, along with appropriate address and telephone number.

The posting of printed materials shall in no way deface or mar the surface or substance of college facilities or other property.

- All items posted will be posted on designated bulletin boards/kiosks.
- Posting will be done with thumbtacks or pushpins only. No staples, brads, nails, tape or other objects will be used.
- No materials will be taped or in any way attached to walls, pillars, painted surfaces, windows or other glass surfaces, trees, doors or other surfaces not specifically designated for the purpose of posting printed materials.
- It is not permissible to enter a classroom or laboratory for the purpose of posting printed materials when the classroom or laboratory is in use.
- Individuals damaging college property as a result of violating the above rules shall be required to pay for appropriate repair/replacement of the damaged property.

- No printed materials will be distributed on automobiles or other vehicles in Mt. San Jacinto College parking lots.

All printed materials posted or distributed at Mt. San Jacinto College shall conform to the following district requirements:

- Printed materials may not contain any obscene, slanderous or libelous content.
- Printed materials may not contain any material, verbal or graphic, which incites so as to create a clear and present danger of imminent commission of unlawful acts on college premises or of the violation of college regulations or the substantial disruption of college activities.
- Bulletin boards in the classrooms are designated for instructional and college materials only.
- No non-college material may be posted or distributed for which there is a charge or request for donation, or for which explicitly or implicitly suggests a charge or donation.
- Specific materials which benefit students, i.e. college book sales, local rooms for rent, health services, local employment opportunities, child care, secretarial services, tutoring services, carpooling information, etc., may be posted in designated areas.

Students have the right to expect that all items approved for posting and/or distribution will be available through the expiration date assigned by the college. Individuals or groups who remove approved items without the permission of the individual or group approved to place the materials, and who remove these materials prior to the expiration date assigned by the college, shall be subject to discipline under the college's Student Code of Conduct. Should the charge be proven, the individual and/or group will lose any rights to post materials at any Mt. San Jacinto College site for the remainder of the academic year. Additional discipline may be required, per the Student Code of Conduct.

## Notice

The following notice will be posted on all bulletin boards:

"Mt. San Jacinto College cannot be held responsible for the truthfulness and accuracy of content, or the quality of services or products offered as it relates to any public speech or posted materials."

## Alcohol and Drug Free School

Mt. San Jacinto College is committed to maintaining a drug-free environment. State law and local regulation strictly prohibit the use, possession or distribution of drugs or alcohol on campus or at any college event, activity or on any college site. Violators will be subject to college discipline as well as arrest by local and/or state law enforcement agencies.

Students are warned that the use of alcohol as well as the abuse of illegal drugs is hazardous to your health and the health of others. This notice is provided in compliance

## General Regulations

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with federal laws and regulation. Further information can be obtained from the Riverside County Health Department, as well as other state and local agencies.

### Children on Campus

Unsupervised minor children on campus constitute an unnecessary and unacceptable insurance risk. Therefore, minor children will not be permitted on campus unless enrolled in college courses or classes, participating in a college-approved event for which adult supervision is provided, or in the immediate supervision of their parent or guardian. This includes children of MSJC employees.

**NOTE:** Non-enrolled children will not be permitted to attend class, even if accompanied by parents or guardians. Exceptions in order to further the stated educational objectives of a course may be requested in writing through the office of the Vice President of Instructional Services.

### Complaints

Any complaint about a grade, an instructor, or course content should be made to the instructor involved, then to that instructor's Department Chair, then to the Division Dean, and if necessary, to the Vice President of Instructional Services. See the Student Grievance Policy for a more formal procedure that is also available.

### Crime Awareness

Mt. San Jacinto Community College District is required by the United States Department of Education to post and/or publish crime statistics. Crime statistics are available on the college website at [www.msjc.edu](http://www.msjc.edu).

### Smoking Policy

The Board of Trustees for Mt. San Jacinto College acknowledges and accepts the U.S. Surgeon General's claim that smoking and the use of tobacco products is a leading cause of cancer and is associated with other health-related problems. The smoke from such tobacco products is an issue of concern for the entire campus community as it affects everyone on campus, smokers and non-smokers alike.

Effective January 1, 2006, Mt. San Jacinto College became a smoke-free environment EXCEPT for designated smoking areas (Board Policy 5555). Individuals found smoking outside of the designated smoking areas will be cited. Repeated violators of the smoking policy will be subject to removal from campus and/or appropriate disciplinary actions. (This policy is currently under review.)

### Revision of College Regulations

Any regulation adopted by the Board of Trustees and the administration of Mt. San Jacinto College, subsequent to the printing of this catalog, shall have the same force as a printed regulation in the catalog and shall supersede any ruling on the same subject which may appear in the printed catalog or official bulletins of the college.

