

SAN DIEGO COMMUNITY COLLEGE DISTRICT

Policy 2071

October 14, 1998

LEGAL OR ASSUMED NAMES, USE OF BY STUDENTS

POLICY

District practice is to use the legal name of students for registration, enrollment and official record-keeping.

A student who for any reason uses an assumed name such as a stepparent's name, should have this name cross-referenced to the legal name on the permanent records of the college.

PROCEDURES

None.

FORMS/REFERENCES

None.



SAN DIEGO COMMUNITY COLLEGE DISTRICT

Board of Trustees Policy

Chapter 5 - Student Services

BP 3100 - STUDENT RIGHTS, RESPONSIBILITIES, CAMPUS SAFETY AND ADMINISTRATIVE DUE PROCESS

This policy enumerates the rights and responsibilities of all District students. It also outlines the District's commitment to a safe learning environment for all students.

1. STUDENT RIGHTS

All students shall have the right to a safe campus learning environment free from interference and disruption including verbal, physical, sexual or violent acts. The District shall ensure to the best of its ability to afford students the rights contained herein.

- a. Students shall have the right to impartial, objective evaluation of their academic performance. Students shall receive in writing, at the beginning of each course, information outlining the method of evaluating student progress including the method by which the final grade is determined.
- b. Students shall have the right to exercise free expression including, but not limited to, the use of bulletin boards, the distribution of printed materials or petitions, and wearing of buttons, badges, or other insignia, so long as the expression is not obscene, libelous or slanderous according to current legal standards. The expression shall not incite students so as to create a clear and present danger of:
 - 1) The commission of unlawful acts on community college premises;
 - 2) The violation of local, state, or federal laws and regulations; or
 - 3) The substantial disruption of the orderly operation of the community college. The District reserves the right to regulate the time, place and manner of all student activities. (Education Code Section 76120).
- c. Students shall have the right to be free of sexual harassment and all forms of sexual intimidation and exploitation, including acts of sexual violence and other unlawful harassment as identified in Board Policy *BP 3430 Prohibition of Harassment*.
- d. No student with a qualified disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of the District or be subjected to discrimination (see BP 3430 Prohibition of Harassment and AP 3435 Discrimination and Harassment Investigations).
- e. Students shall have the right to be free from the imposition of disciplinary sanctions without proper regard for due process.
- f. Students shall have the right to take reasoned exception to the data or views offered in any course of study without disrupting the instructional environment and to reserve judgment about matters of opinion. However, this does not preclude the expectation that a student must meet the course requirements.

- g. Students shall have the right to participate in the formation of policy affecting them in accordance with established procedures for Shared Governance.
- h. Students shall have the right to petition to organize interest groups and/or join student associations pursuant to AP 3200, Associated Students Organization, Guidelines for Student Clubs and Organizations.
- i. Students shall have the right to develop student publications in accordance with standards established by current District and college policies, procedures and guidelines.
- j. Students with verified disabilities shall have the right to receive appropriate accommodations as specified in Title II of the Americans with Disabilities Act of 1990 as amended by the ADA Amendment Act of 2008, and Section 504 of the Rehabilitation Act of 1973 and District and college policies, procedures and guidelines.
 - 1) Students who believe this right has been violated may file a complaint by visiting the Compliant Process website.

2. STUDENT RESPONSIBILITIES

Student behavior must remain in accordance with specific academic and behavior requirements as specified in District policy and which may be outlined by the course syllabus.

- a. Students shall be responsible for defining and making progress toward their educational goal.
- b. Students are responsible for reading and adhering to the policies and procedures as outlined in catalogs, schedules, course syllabi and other official printed and online materials.
- c. Students with verified disabilities who believe they need academic accommodations are encouraged to identify themselves to instructors to discuss the details and timelines necessary to provide appropriate accommodations. Students who request accommodations or auxiliary aids are responsible for contacting the Disability Support Programs and Services (DSPS) office. Students who make a request directly to the faculty should be referred to DSPS (see AP 3105.1 Academic Accommodations and Disability Discrimination for Students with Disabilities).

Students are responsible for providing professional documentation of a qualified disability to DSPS. The DSPS faculty, in consultation with the student, shall recommend appropriate accommodations. The recommendations shall be documented by DSPS and a copy provided to the student.

Students are advised to consult directly with a Disability Support Programs and Services (DSPS) Counselor Specialist regarding any accommodation. These students will be required to meet timelines and procedural requirements established by the DSPS Office.

3. STUDENT CODE OF CONDUCT

Students are subject to adhering to the policies and procedures of the San Diego Community College District, as well as all federal, state, and local laws. Students are subject to charges of misconduct concerning, but not limited to, the following acts when committed on District-owned or controlled property or at District-sponsored activities.

- a. Academic misconduct or dishonesty as specified in AP 3100.3 Honest Academic Conduct.
- b. Forgery, alteration, falsification, or misuse of campus/District documents, records, electronic devices, or identification.

- c. All forms of nonacademic dishonesty, including but not limited to fabricating information, any form of bribery or knowingly furnishing false information or reporting a false emergency to officials acting in an official capacity.
- d. Act or threat of damage to, or theft of property belonging to, or located on District-controlled property or facilities.
- e. The physical or verbal disruption of instructional or student services activities, administrative procedures, public service functions, authorized curricular or co-curricular activities, the orderly operation of the campus, or prevention of authorized visitors from carrying out the purpose for which they are on campus.
- f. Physical, verbal, or written intimidation or harassment of such severity or pervasiveness as to have the purpose or effect of unreasonably interfering with a student's academic performance or a District employee's work performance. Complaints based on a protected class (national origin, religion, age, gender, gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, or military and veteran status, or because they are 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) will be handled under the procedures of BP 3410 Nondiscrimination, BP 3430 Prohibition of Harassment and AP 3435 Discrimination and Harassment investigations.
- g. Any expression which is obscene, libelous or slanderous according to current legal standards, which so incites others as to create a clear and present danger of the commission of unlawful acts, or the substantial disruption of the orderly operation of the college/campus/District.
- h. Physical altercation or threats of violence including assault or battery upon a student or District personnel on District premises or at any time or place while under the authority of District personnel.
- Unlawful conduct of a sexual nature including but not limited to indecent exposure, prostitution, voyeurism, or loitering for the purpose of soliciting or engaging in any lewd act or conduct.
- j. Sexual assault or physical abuse including but not limited to rape, sexual assault, domestic violence, dating violence, or stalking as defined by California law below:

Consent – Affirmative consent to sexual activity by both parties. "Affirmative consent" means affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other party. Lack of protest or resistance does not mean consent, nor does silence mean consent. Consent must be ongoing and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.

Sexual Assault – Includes but is not limited to rape, forced sodomy, forced oral copulation, rape by a foreign object, sexual battery, or threat of sexual assault.

Dating Violence – Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of a romantic or intimate relationship will be determined based on the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship.

Domestic Violence – Includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with or has cohabitated with the victim as a spouse; by a person similarly situated to a spouse of the victim under California law; or by any other person against an adult or youth victim who is protected from that person's acts under California law.

Stalking – Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or to suffer substantial emotional distress.

- k. Any conduct that threatens the health or safety of any person, including oneself.
- I. Participation in hazing (California Education Code Sections 32050 through 32052).
- m. Possession of weapons, explosives, unlicensed dangerous chemicals or objects which may be used as weapons or to threaten bodily harm, as specified in the California Penal Code or other applicable laws.
- n. Conduct which is in violation of federal, state, or local laws or ordinances; while on District premises or at District-sponsored or supervised activities. (Reference 76020, 76120.)
- Failure to comply with directions of staff members of the District who are acting within the scope
 of their employment. Continued and willful disobedience or open and persistent defiance of the
 authority of District personnel providing such conduct is related to District policies, activities or
 college/campus attendance.
- p. Smoking on District premises, or in vehicles provided by the District used for transporting students; except as permitted by applicable ordinances, laws, college and District guidelines and procedures.
- q. Use, possession, distribution, or sale of alcoholic beverages on campus except as permitted by law.
- r. Use, possession, distribution, manufacture or sale of narcotics or other hallucinogenic drugs or substances or inhaling or breathing the fumes of, or ingesting, any poison classified as such by the California Business and Professions Code Section 4160, Schedule "D," except as provided by law, is prohibited when on District premises.
- s. Violation of Policies & Procedures for Student Organizations as enumerated in *AP 3200, Associated Students Organization, Guidelines for Student Clubs and Organizations.*
- t. Violation of the Student Travel Guidelines

Reference: Administrative Procedure 3200, Board of Trustees Policy 3105 and Administrative Procedure 3540, Administrative Procedure 3105.1, Section 504 of the Federal Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990, as amended by the ADA

Amendment Act of 2008, Education Code Section 76100, Administrative Procedure 3100.3

Adopted: September 8, 2016

Supersedes: Policy 3100 - 5/10/79, 4/16/84, 8/11/94, 10/14/10, 12/11/14, 2/18/16, 9/8/16



SAN DIEGO COMMUNITY COLLEGE DISTRICT

Administrative Procedure

Chapter 5 – Student Services

AP 5130 - FINANCIAL AID

1. FINANCIAL AID

Financial aid is available to eligible students through grants, scholarships, loans, and parttime employment. Recipients may receive more than one category of assistance and in some cases, assistance from all four categories depending upon financial need.

While the District subscribes to, and supports the philosophy that the primary responsibility for funding college expenses rests with students and their families, it recognizes that some students or their families have limited financial resources and are unable to meet all of the expenses associated with higher education without supplemental assistance.

Financial Aid programs offered include, but not limited to:

- a. Board of Governor's Fee Waiver (BOGW)
- b. Cal Grants
- c. Federal Pell Grants
- d. Federal Direct Student Loan Program
- e. SEOG (Supplemental Educational Opportunity Grants)
- f. Student Success Grant for Full Time (SSGFT)
- e.g. Chafee Program (for former Foster Youth)
- f.h. Federal Work Study
- g.i. Scholarships

2. APPLICATION PROCESS

Students who would like to be considered for financial aid must apply using either the Free Application for Federal Student Aid (FAFSA), or the California Dream Act_Application. Links to these forms can be found on the Financial Aid webpages on the college websites. Students who wish to apply for the Board of Governor's Fee Waiver (BOGW) may submit a FAFSA or the California Dream Act application; or they may apply online during the BOGW application window as published in the course catalog and academic calendar.

Some financial aid resources require a student to submit additional application materials; such as scholarships. All students are encouraged to apply for scholarships that may contribute to their financial resources while attending college.

Students will receive their financial aid from their college of record and must be enrolled in at least one class at the college where the student intends to receive his/her financial aid. Student education plans must match the college of record.

3. DEADLINES

See the Financial Aid webpages on the College's website for specific Financial Aid and Scholarship deadlines. All deadlines will be strictly adhered to.

4. STUDENT ELIGIBILITY FOR FINANCIAL AID

Students must meet several requirements in order to be eligible to receive federal aid. Eligibility includes, but is not limited to the following:

- a. Having demonstrated financial need as determined by the Federal Methodology,
- b. Being enrolled as a regular student at the college and working towards a degree, certificate or transfer to a college/university or institution,
- c. Having a high school diploma, a GED, or a completion of high school education in a home school setting approved under the state law,
- d. Being a US citizen, national, or eligible non-citizen,
- e. Being registered with the United States Selective Service (male students only)
- f. Maintaining satisfactory academic progress,
- g. Demonstrate proof of a valid social security number or individual tax identification number.
- h. Not being in default on federal student loans or owing a federal grant repayment,
- i. Not borrowing in excess of annual or aggregate loan limits.

5. PAYMENT PROCEDURES

The Federal Pell Grants will be disbursed in two payments per term. Federal Supplemental Educational Opportunity Grants, and the State Cal Grant Program, will be disbursed in one payment per term. The Federal Work Study Program will be disbursed monthly as employment hours are earned. Loans are paid in two disbursements per loan period.

All eligible programs approved by the Department of Education for Title IV aid are considered credit hour programs.

6. OVERPAYMENTS

The Financial Aid Office at the Campus College- of Record will determine the amount of federal financial aid a student has earned in accordance with federal law. Recipients of federal programs are subject to the Return of Title IV funds requirements. Students who receive federal financial aid and do not attend any classes will be required to repay all of the funds they have received. Students who withdraw from all classes prior to completing more than 60% of the term will have their financial aid eligibility recalculated based on the percentage of the term completed and will be required to repay any unearned financial aid they have received as well as any institutional debt incurred.

In addition, a recalculation of Pell funds will be determined for all students at an established freeze date each term. This date <u>is shall be</u> published on the college financial aid website, in the academic calendar and Financial Aid Bulletin. Students who dropped units may owe an overpayment if they were paid more than their eligible amount. <u>Information about</u> overpayments are available in the Financial Aid Bulletin. Students who received financial

aid funds based on an enrollment level that included short term classes and who fail to attend the class(es) or drops the class before its first day of classes will have their financial aid eligibility recalculated based on the classes enrolled by the Financial Aid Census date minus the units of any dropped or non- attended late start class. The financial Aid Office will send an e-mail notification of the overpayment to the student and to the Student Accounting Office for collection. A hold is placed on the student's record until the funds are recovered following the Department of Education guidelines for overpayments.

7. ACCOUNTING OF FUNDS

The District ensures internal checks and balances by separating the functions of authorizing payment and disbursing or delivering funds so that no single person or office exercises both functions for any student receiving Federal Student Aid (FSA) funds or State funds.

8. DISBURSEMENT OF FUNDS

In order to ensure compliance with Department of Education Regulations regulations pertaining to separation of duties for disbursement of financial aid funds the following is established:

- a. The Chief Business Officer and/or designee, shall be responsible for disbursing financial aid funds as outlined in the Blue Book published by the U.S. Department of Education and other generally accepted accounting procedures.
- b. The <u>Chief Student Services Officer Financial Aid Officers</u> and/or designee, shall be responsible for determining disbursement schedules in consultation with the <u>Chief Student Services Officer and/or designee</u> and the Chief Business Officer and/or designee.

9. FRAUDULENT DOCUMENTS

- a. Submission of fraudulent documents or behavior is a violation of the Student Code of Conduct and as such, subject to disciplinary action. The student will be informed that withdrawing the fraudulent document <u>and/or information</u> is not a pardon from disciplinary action. In addition, students who are found to have submitted fraudulent documents will have to repay any funds received back to the Department of Education.
- b. Any student submitting a fraudulent document <u>and/or information</u> will be referred to the Dean of Student Affairs and/or designee for disciplinary action and reported to the U.S. Office of Inspector General.

10. SATISFACTORY ACADEMIC PROGRESS (SAP)

Federal regulations require that institutions establish Satisfactory Academic Progress (SAP) standards for students applying for and receiving federal aid. These regulations require that the Financial Aid Office review the student's complete enrollment history regardless of whether financial aid was received, to determine if a student is making satisfactory academic progress towards an educational objective.

The Financial Aid Office will send notifications at the end of the Spring semester once

grades have been finalized to students who submit a FAFSA for the subsequent academic year and fail to maintain Satisfactory Academic Progress.

The Satisfactory Academic Progress <u>standards</u>, policy, procedures <u>(which includes maximum units and time frame allowed, excessive units, policy on external credit and warning)</u>, and appeal process, <u>including which financial aid programs SAP rules apply to can be found on the Financial Aid webpage on the college website or in the published Financial Aid Bulletin.</u>

11. EDUCATIONAL OBJECTIVE

Students receiving financial aid must be enrolled in a course of study leading to an AA, AS, AA-T, AS-T, or a Certificate of Achievement and have an education plan on file.

12. ACADEMIC STANDARD

All students must have a cumulative Grade Point Average (GPA) of 2.0 or better.

13. PROGRESS STANDARD

Students must complete a certain percentage of units attempted in order to make progress toward—their goal. Students must have completed at least 67% of their cumulative units attempted.

14. MAXIMUM UNITS/TIME FRAME ALLOWED

Students must also complete their educational objective (graduation, transfer, and certificate in a timely manner) by the time they have attempted 90 units. This includes ALL units attempted at the college. A student can only receive financial assistance for a maximum of 150% of the published length of the program. All units attempted, regardless if required for the major or are for personal enrichment, will count toward the 150% allowable total. A change in education objective—will not start a new maximum time frame. All units taken for prior programs will be included in the 150% allowable total. Courses in which a student receives a "W" are also included in the 150% allowable—total.

The standard for completion of many degree programs at San Diego City, Mesa or Miramar College is 60 units. Thus, 90 units is the maximum for which a student can receive financial assistance (60 units X 150% = 90 units).

Certificate of Achievement programs may have a shorter time frame. Please review the academic program requirements provided for each degree and certificate program in the college catalog.

The maximum unit time frame includes units attempted during all periods of enrollment in which the student did or did not receive financial aid. The maximum unit time—frame also includes evaluated units from prior colleges which meet program requirements of—the student's current academic objective as determined from official transcripts. This is—required if the student has requested inclusion of prior academic credit for any purpose within—the college.

If the student's total units equal or exceed the maximum unit time frame of 150% (equivalent to 90 attempted units for an AA/AS or transfer), his/her eligibility for financial aid will be terminated. If there are extenuating circumstances, the student may appeal for an exception to this policy by submitting a Financial Aid Appeal petition. For further information see the Appeal section of this policy.

15. EXCESSIVE UNITS

- a. Up to 30 units of remedial basic skills courses and all English as a Second Language (ESL) courses will be excluded from the 150% limit.
- b. Military credits will be excluded.
- c. Repeated classes: Financial assistance may be awarded to cover the cost of courses previously—taken to improve a grade. Although the college counts only—the most recent grade earned when the student repeats a course, financial aid must include—the units from every attempt when calculating a student's SAP status. Repeated semester—units will count toward the 150% maximum eligibility allowed.
- d. High Unit Majors

16. OTHER COLLEGE UNITS

All transfer units accepted will be used in determining financial eligibility. Students wishing to receive credit for courses taken at other colleges must submit official transcripts from each college to the Admissions & Records Office. Degree applicable units included in units attempted and earned will be used in the calculation of Maximum Time Length and Pace of Progression.

The Financial Aid Office makes every effort to ensure that all SAP processes are accurate. Students who believe their SAP status has been determined in error should contact the Financial Aid Office immediately to discuss their situation and to determine if an error has been made.

17. UNSATISFACTORY ACADEMIC PROGRESS

The Financial Aid Office will send e-mail notifications at the end of each semester, after grades—are evaluated, to students who fail to maintain Satisfactory Academic Progress. Detailed—information on the Satisfactory Academic Progress policy and procedures is posted on the—Financial Aid webpage on the college website and published in the Financial Aid Bulletin.

18. FINANCIAL AID WARNING

Students will be placed on financial aid warning if they fail to complete 67% of units attempted or if they earn less than a 2.0 cumulative GPA or both. Financial Aid assistance will be continued during this warning period.

19.12. FINANCIAL AID DISQUALIFICATION

A student will be placed on disqualification after one term of warning if they fail to meet the satisfactory academic progress requirements of completing 67% of units attempted, or if they earn less than a 2.0 cumulative GPA or bothmaintain Satisfactory Academic Progress. Students may also be placed on disqualification status if they have reached the

Maximum Units/Time Frame limit or the Financial Aid Office determines they cannot complete their academic program within the allowed time frame.

Financial Aid assistance will cease during the disqualification period.

20.13. APPEALS

Students that are academically not eligible to receive Financial aid due to disqualification disqualified and have documented extenuating circumstances such as injury or illness, death of a relative or other special circumstance(s), may submit an appeal to the campus Financial Aid Office for the Appeal Committee's consideration. Appeals will be considered in the date order with which they are received. Appeals and any supporting documents must be received in the Financial Aid Office by the published deadline date or a student's last day of classes, whichever comes first, for the term of the appeal. Details of the appeals process is delineated in the Financial Aid Bulletin.

If an appeal is approved, a student will be placed on "Financial Aid Probation" for one payment period (one semester) only, and must make Satisfactory Academic Progress (SAP) and comply with any specific conditions in the appeal decision. Students who do not make SAP, or meet the conditions in the appeal decision, will be disqualified again and must meet the reinstatement conditions to be considered for further aid.

The decision of the Appeal Committee is final.

21.14. MISREPRESENTATION

Misrepresentation is defined as any false, erroneous, or misleading statement that the District, a representative of the District, or a service provider with which the District has contracted to provide educational programs, marketing, advertising, recruiting, or admissions services, makes directly or indirectly to a student, prospective student, a member of the public, an accrediting agency, a state agency, or the United States Department of Education.

A misleading statement includes any statement that has the likelihood or tendency to deceive or confuse. If a person to whom the misrepresentation was made could reasonably be expected to rely, or has reasonably relied, on the misrepresentation, the misrepresentation would be substantial.

This procedure does not apply to statements by students through social media outlets or by vendors that are not providing covered services, as reflected herein.

22.15. LOSS OF ELIGIBILITY FOR BOG FEE WAIVER

In accordance with Title 5, students will be ineligible for the Board of Governors Fee Waiver (BOGW) if they do not meet the college standards of academic progress. under the following conditions:

Academic Disgualification:

A student on academic probation status whose subsequent semester GPA falls below a 2.0

Lack of Progress Disqualification:

A student on lack of progress probation whose entries of "W," "I," and "NP" recorded in a subsequent semester reaches or exceeds 40%.

Loss of BOG Fee Waiver eligibility shall become effective at the first registration opportunity after such determination is made.

The District will notify students of their placement on academic or progress probation no later than thirty days following the end of the term that resulted in the student's placement on probation. The notification will advise students about the available student support services to assist them in maintaining and reestablishing BOG Fee Waiver eligibility. Students can find eligibility information on the Financial Aid webpages on the college's website or in the current college catalog.

23.16. REGAINING BOG FEE WAIVER ELIGIBILITY

Students who lose eligibility for the BOG Fee Waiver can have it reinstated if they meet the criteria below:

- a. If successfully granted a BOG Fee Waiver appeal
- b. Return to good academic standing

24.17. BOG FEE WAIVER APPEAL PROCESS

San Diego City, Mesa and Miramar College have established written procedures by which a student may appeal the loss of a BOG Fee Waiver due to the following reasons:

- a. Extenuating circumstances which are verified cases of accidents, illnesses, changes in the student's economic situation, or other circumstances that rendered normal academic functioning likely or impossible. Such circumstances must be verified in writing.
- Evidence that the student was unable to obtain essential student support services. Extenuating circumstances also includes special consideration of the specific factors associated with Veterans, CalWORKs, EOPS, and DSPS student status.
- c. A student with a disability who applied for, but did not receive, a reasonable accommodation in a timely manner. A verification of disability document from the DSPS office must be attached to the appeal form.

All of the above reasons must be supported by written documentation from the student. The Loss of Enrollment and BOG Fee Waiver Appeal form can be found on the Financial Aid on the college's website along with semester submission deadlines. A college designated committee will review all appeals and will make a recommendation to the Vice President of Student Services or his/her designee.

Foster Youth and those receiving BOGW A Special shall not be subject to loss of BOG Fee Waiver due to academic or progress disqualification. This exemption for Foster Youth is effective until the date specified in Education Code Section 66025.9(c). References: Education Code Sections 66021.6 and 76300; Title 5 Sections 58600-58630; 20 U.S. Code Sections 1070 et seq.; Higher Education Amendments of 1986, Public Law 99-49, Section 668.56, as amended: Subpart E of 34 Code of Federal Regulations (CFR) Part 668; U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid Programs under Title IV of the Higher Education Act of 1965, as amended; WASC/ACCJC Accreditation Standard III.D.15 Constance M. Carroll, Ph.D. DATE: _____ APPROVED: _

Supersedes: New Procedure

Chancellor