

## ACADEMIC SENATE MINUTES

### APRIL 1, 2025

Nicole DeRose	President	2023-2025	Y
Elizabeth “Liz” Encarnacion	Vice-President/President-Elect	2024-2025	N
Robin Witt	Secretary/Treasurer	2024-2025	Y
Angela Burk – Herrick	Curriculum Chair	2023-2025	Y
Joseph Lee	Business & Applied Technology	2024-2026	Y
Jonathan Polidano	Business & Applied Technology	2023-2025	Y
Hannah Carter	Chino Campus	2024-2026	Y
Robert Nazar	Chino Campus	2023-2025	Y
Sean Connelly	Fontana Campus	2024-2026	Y
Anthony Guaracha	Fontana Campus	2023-2025	Y
Jayne Clark Frize	Health Sciences	2024-2026	N
Omar Estrada	Health Sciences	2023-2025	Y
Tara Johnson	HFIC	2023-2025	N
Vacant	HFIC	2023-2025	
Terezita Reyes Overduin	Instructional Support	2024-2026	Y
Christina Holdiness	Instructional Support	2023-2025	Y
Robert Hadaway	Kinesiology, Nutrition & Athletics	2024-2026	Y
Annette Henry	Kinesiology, Nutrition & Athletics	2023-2025	N
Laura Santamaria Brady	Language Arts	2024-2026	Y
Phatana Ith	Language Arts	2023-2025	N
Jinny Lee	Mathematics & Science	2024-2026	Y
Robin Witt	Mathematics & Science	2023-2025	Y
Vacant	Social & Behavioral Sciences	2024-2026	
Patricia Gomez	Social & Behavioral Sciences	2023-2025	Y
Myra Andrade	Student Services	2024-2026	Y
Michelle Martinez	Student Services	2023-2025	X
Vacant	Visual & Performing Arts	2024-2026	
Leta Ming	Visual & Performing Arts	2023-2025	X
Sarah Chamberlain	Senator-At-Large	2024-2027	Y
Tamari Jenkins	Senator-At-Large	2023-2026	Y
Jackson Tropp	Senator-At-Large	2022-2025	Y
Vacant	Adjunct Senator-At-Large	2025-2026	
Tina Kuo	Adjunct Senator-At-Large	2023-2025	Y
<b>Alternates</b>			
Jay Scott	Business & Applied Technology	2023-2025	N
Manar Hijaz	Chino Campus	2023-2025	Y
Greg Creel	Fontana Campus	2023-2025	N
Lisa Doget	Health Sciences	2023-2025	Y
Vacant	HFIC	2024-2026	
Shelley Marcus	Instructional Support	2023-2025	Y
Candice Hines-Tinsley	Kinesiology, Nutrition, & Athletics	2023-2025	Y
Stephen Shelton	Language Arts	2024-2026	Y
Justin Keller	Mathematics & Science	2024-2026	Y
Louisa Villeneuve	Mathematics & Science	2024-2025	Y
Vacant	Social & Behavioral Sciences	2024-2026	
Melissa Johannsen	Student Services	2024-2026	Y
Fabiola Espitia	Student Services	2023-2025	Y
Vacant	Visual & Performing Arts	2023-2025	
Vacant	Adjunct Alternate Senator	2023-2025	
Sarah Schmidt	Classified Senate Liaison	2023-2025	N
Anthony Solomon	Chaffey College Student Government	2023-2024	N

**Guests:**

Nistha Aryal, Student, CCSG

Melissa Christian, Executive Director, Institutional Research, Policy & Grant

Shannon Jesson, Biology, STEM

Ekta Kandhway, Spanish Adjunct Faculty, ACD

Andrew Long, Dean of Instructional Support

Michael McClellan, Interim Assoc. Superintendent of Instruction and Institutional Effectiveness

Lissa Napoli, Administrative Assistant, Academic Senate

Rose Ann Osmainan, Success Center Instructional Specialist

**1. P.E. (12:30 P.M.)****2. CALL TO ORDER (12:35 P.M.)****2.1 Land Acknowledgement**

*With respect and honor for the lands where Chaffey College resides and the leaders who came before us, we would like to take a moment to acknowledge the Gabrieleño-Tongva (GABRIEL-EN-YO TONG-VAH) Peoples, the original stewards of these sacred and unceded homelands. The Tongva people's history, language(s), cultural traditions, and legacy continue to shape this region and we recognize their continuing presence in their homelands.*

**2.2 Attendee Identification** (Chino and Fontana Senators, cameras must be on and turn off all virtual backgrounds.)**3. PUBLIC COMMENT** (Reserved for Guests only and limited to two minutes.)**4. ADOPTION OF AGENDA**

- April 1, 2025
- **Motion for Approval** - Senator Joseph Lee moved to adopt the agenda for 4.1.25. Senator Jenkins seconded the motion. The motion was approved. 4.1.25, 22Y/0N/0A.

**5. CONSENT AGENDA****5.1 March 11, 2025 Meeting Minutes.** See attachment titled, "ACADEMIC SENATE MINUTES MARCH 11, 2025 DRAFT"**5.2 Faculty representatives that have been requested to serve on these selection/hiring committees: See ["AP 7120 Committee Compositions"](#)****5.2.1 Program Assistant, Financial Aid (2 Positions)**

Kirk Collins

**5.2.2 Instructor, CNA (One-Year Temp)**

Nicole Tierney

Garrett Kenehan

Omar Estrada

### **5.2.3 AAIL, Workforce and Economic Development**

Bryant Dineros

### **5.2.4 Dean, ACD**

Garrett Kenehan

Elizabeth Encarnacion

Henry Leonor

Kim George

### **5.2.5 Student Career Specialist**

David Nimri

## **5.3 Administrative Procedure (AP) 4103**

Out for constituent review. Previously reviewed and approved by the Academic Senate on [February 25, 2025](#).

- **Motion for Approval** - Senator Overduin moved to approve the 4.1.25 Consent Agenda with 5.2.4 removed. Senator Gomez seconded the motion. The motion was approved. 4.1.25, 22Y/0N/0A.
- Senators expressed concern with the faculty composition in the ACD Dean hiring committee from item 5.2.4. Several senators suggested adding faculty to this committee since there is no faculty representation from the Chino and Fontana Campuses. President DeRose read AP 7120 page 24 on the senate floor. It does not give a maximum number of faculty who can serve on a dean hiring committee, just that the committee should not exceed 10 members total.
- Senator Nazar added that at least four faculty from Chino volunteered to serve but none were selected.
- **Motion for Approval** - Senator Shelton moved to recommend additional faculty be placed on the ACD Dean Hiring Committee to include someone from the Chino and Fontana Campuses and possibly a coordinator. Senator Nazar seconded the motion. The motion was approved. 4.1.25, 23Y/0N/0A.

## **6. REPORT(S)**

**6.1 President:** See attached report titled “Academic Senate President’s Report Tuesday April 1, 2025.”

**6.1.1** The Tenure Reception last week was a huge turn-out. A big thanks to Lissa Napoli for organizing the event and thanks to Tamari Jenkins for hosting at the beautiful Faculty Success Center. Also, thank you to all of the senators and staff who helped make this a success. Again, congratulations to all who received tenure.

**6.1.2** The Collegiality in Action Visit on Friday, April 4th from 1 pm to 3 pm will likely be in the CAA building. In addition to all officers, the senators planning to attend are Louisa Villeneuve, Terezita Overduin, Christina Holdiness, and Jonathan Polidano.

**6.1.3** The Office of Instruction will likely hire two CIS positions instead of the one position on the prioritization list.

**6.1.4** The March 18th, 2025 President’s Cabinet Agenda topics included:

- Classified Appreciation Week, Student Resources Presentation, Aquatics Center Ribbon Cutting,

- Dean hiring update, Commencement, Executive Orders Presentation, Policy & Procedures (AP 4103 out for sun shining).

**6.1.5** At the MacKenzie Scott Advisory Group Meeting on March 28th the agenda, draft summary notes from the 2.28.25 meeting (which were approved without amendments), the revised Parameters Document, and student resources flyer were provided. Attendees were given a presentation of institutional set standards and outcomes for Chaffey, followed by a visioning session for attendees to work in small groups and share ideas for MacKenzie Scott gift use. The materials (except for the presentation) will be shared with the senators following the meeting.

## **6.2 President-Elect - Election update:**

**6.2.1** The next Faculty Lecture of the Year will be Hannah Lucas, Congratulations! Thank you to all of the nominees: Anthony Guaracha, Barbara Ray, and Omar Dphrepaulezz.

**6.2.2** The Senator-At-Large is Jin Liu and Adjunct Senators-At-Large are Carolyn Ward and Ekta Kandhway.

**6.2.3** See the attached chart for the rest of the senator elections. These will be ratified at our next meeting.

## **6.3 Secretary/Treasurer - no report**

## **6.4 Curriculum Chair - no report**

## **6.5 Classified Senate Liaison - no report**

## **6.6 Chaffey College Student Government Liaison - no report**

**6.7** Equity Plan Update, Christina Holdiness (March 4) - Most stakeholders have been identified. Retreat is planned for Wednesday April 16, 9am to 12pm.

**6.8** Student Scholarship Update - we have 14 eligible student applicants. April 15th is the last day to choose the winners.

## **7. GUEST(S)/PRESENTATION(S) \*15 minutes max. - None.**

## **8. UNFINISHED BUSINESS \*10 minutes max - None.**

## **9. NEW BUSINESS \*10 minutes max per item**

**9.1 Action Item:** AP 5055 Enrollment Priorities - Selection of Senators (1-2) to review recommended changes. Report to the Academic Senate no later than April 15. - See attachment titled, "AP 5055 Enrollment Priorities".

NOTE: AP 5055 Enrollment Priorities was [reviewed](#) by the Academic Senate in November but has since been revised to address Senate's comments regarding the process that determines what student groups fall into priority group 2.

**9.2 Action Item:** BP & AP 5040 Student Records, Directory Information, and Privacy- Selection of Senators (1-2) to review recommended changes. Report to the Academic Senate no later than April 15.

See attachments titled “BP 5040 Student Records, Directory Information, and Privacy and AP 5040 Student Records, Directory Information, and Privacy”.

- **Motion for Approval** - Senator Chamberlain moved to approve senator Holdiness and to review and recommend any changes to AP 5055 and President DeRose to review and recommend any changes to BP and AP 5040. Senator Tropp seconded the motion. The motion was approved. 4.1.25, 23Y/0N/0A.

**9.3 Discussion/Possible Action Item:** 2025-2026 “The Vice President and Secretary-Treasurer shall be elected from within and by the membership of the Senate no later than five business days before the date specified in the current Collective Bargaining agreement for a one-year term that will begin July 1.” Chaffey College Academic Senate [Constitution](#), Article IV, Section 5b. Nominees will be from the 2025-2026 Academic Senate membership and elections must be completed by April 15, 2025.

- Nominations so far are Senator Overduin for Vice President and Senator Santamaria Brady for Secretary-Treasurer. President DeRose will email a call for nominations to all senators so those who could not attend today’s meeting will have a chance to nominate someone.

**9.4 Discussion Item:** Librarian concerns raised during public comment at the March 11, 2025 Academic Senate meeting. See attachment titled “Faculty participation in college reorganization.”

- **Motion for Approval** - Senator Overduin moved to discuss librarian concerns brought to the Senate during Public Comments. Senator Santamaria Brady seconded the motion. The motion was approved. 4.1.25, 23Y/0N/0A.
- Librarians had no opportunity to give input to the new dean position for the library. This dean will also be the “night dean.”
- Curriculum Chair Burk-Herrick added that the Academic Senate officers were informed but not consulted. It was not a collegial consultation because dean structure is not in the purview of the Academic Senate.
- Senators discussed the document “Faculty participation in college reorganization” in the agenda packet (see attached).
- Administrative decisions need to be part of the planning process, not made “behind closed doors.” The Governance Handbook will help with this process. We can request revisions be made on relevant AP’s and BP’s to improve the process as well.

*Due to time constraints, the meeting adjourned before item 10.*

**10. FLOOR ITEMS** \*10 minutes max (Reserved to raise concerns within the Academic Senate scope. The Senate will hear your concerns/questions, but may not respond. If requested, the concern can be included on a future agenda.)

## **11. ANNOUNCEMENTS**

### **11.1 Chaffey College Academic Senate**

11.1.1 Save the Date! 2024-2025 [Faculty Lecturer of the Year](#), Angela Cardinale. Tuesday, April 22, 2025, 9:30 AM, Chaffey College Theatre. ***Finding Courage in Chaos: A Call for Transformation.***

## **11.2 Academic Senate for California Community Colleges (ASCCC) Information**

**11.2.1 [2025 Spring Plenary Session](#)**, Thursday, April 24, 8am through Saturday, April 26, 5pm. Hyatt Regency Irvine, 17900 Jamboree Road Irvine, CA 92614 Save the Date! ASCCC's annual Spring Plenary Session, April 24-26, 2025. This is a hybrid event taking place at the [Hyatt Regency Irvine](#) 17900 Jamboree Road Irvine, CA. 92614. We hope that all local faculty leaders will plan to join us in Irvine!

**11.2.2** Check out Academic Senate for California Community Colleges webpage for other great webinars/events at [asccc.org](http://asccc.org)

## **12. ADJOURNMENT (1:50 P.M.)**

**The next Academic Senate meeting will be on Tuesday, April 8, 2025**

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**Lissa A. Napoli, Recording Secretary**

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**Robin Witt, Treasurer / Secretary**

## **Academic Senate President's Report Tuesday April 1, 2025**

APPROVED - Faculty requested to serve on the Interim Dean of STEM selection committee

- Nicole DeRose
- Mark Gutierrez

### DPS Statement for Syllabi

Request from Jacob Peck, Director Disability Programs & Services. Would like to encourage faculty to utilize a DPS Syllabus/Canvas statement and provided the following:

*"I have made every effort to make this course accessible to all students, including students with disabilities. If you are a student with a disability and you encounter a problem accessing anything in this course, please contact me immediately by email, and also reach out to Chaffey College's Disability Programs and Services (DPS) Office with any inquiries regarding available accommodations.*

*Students with disabilities who may need academic accommodations are encouraged to discuss their authorized accommodations from Chaffey College's Disability Programs and Services (DPS) with their professors early in the semester so that accommodations may be implemented as soon as possible. I will work with Chaffey College's DPS Office to ensure that proper accommodations are made for each student. The Chaffey College DPS office, through the interactive process with the student, determines the reasonable accommodations a student may need. This includes accommodations in a clinical setting. You can find more information about DPS and available accommodations at DPS Website."*

This statement has been added to the existing [Syllabus Checklist](#), maintained on the Academic Senate Canvas shell.

## Faculty participation in college reorganization.

Chaffey College Organizational Structure [3100 BP](#) & [3100-AP](#)

The following material is provided to all Community Colleges by ASCCC. The selected material below provides examples of college reorganization questions as they relate to participatory governance.

[Participating Effectively in District and College Governance \(ASCCC & CCLC, 1998, rev. 2020\).](#)

Also [available](#) in the Academic Senate Canvas Shell

Question 9 addresses participation in college reorganization

**9. QUESTION: One of the eleven areas of academic and professional matters is district and college governance structures, as related to faculty roles. Must the district consult collegially on the administrative organization chart of the district or college?**

No. How the administration is organized may be a matter for wide participation by the affected parties but is outside the scope of the district's responsibility to consult collegially with the senate. However, organizational changes that affect academic and professional matters such as curriculum or faculty roles in governance would require consultation with the academic senate.

[Scenarios to Illustrate Effective Participation in District and College Governance \(updated 2020\).](#)

Also [available](#) in the Academic Senate Canvas Shell.

Scenario 12 addresses college organization

### Faculty Roles in District and College Governance Structures

Scenario 12 The college administration met over the summer to discuss college reorganization. When faculty returned in the fall, they were presented with a draft plan that merged discipline departments into new divisions. The merged division offices were to be separated into two locations. In one location would be the classified staff and the faculty mailboxes, and in the other location would be the offices of the division deans. The stated purposes of the draft plan were to enable student services and instruction to work together in an integrated fashion, commingle faculty from the general education and occupational education disciplines, and balance the workload of the division deans.

Issue: The issue is the extent to which this plan constitutes a change in the faculty roles in governance and possibly other academic and professional matters or just a reordering of the administrative organizational chart and new physical location of staff, as well as the process for college decision making during summer or winter breaks.

Citation: Title 5 §53200(c)(6) lists district and college governance structures, as related to faculty roles, as an academic and professional matter. Education Code 70902(b)(4) gives the governing board the power to "Employ and assign all personnel not inconsistent with the minimum standards adopted by the board of governors." Paragraph (d) of that section allows "delegating the power to the district's chief executive officer or any other employee or committee as the governing board may designate." The question thus comes down to determining whether the proposal alters the governance role of faculty or just reorganizes divisions under the rights of assignment that the governing board has delegated to the CEO.

1. If the governance structure is based on faculty representation by division, then the academic senate has the right to collegial consultation regarding how the reorganization will affect that representation. For example, if the composition of the Budget Advisory Committee specifies one faculty member from each division and the reorganization reduces the number of divisions from eight to four, then obviously adjustments in the governance agreement regarding faculty representation on the committee are needed. The change might also alter the development and review of curriculum and educational programs, especially if such processes are based on a divisional structure of related disciplines.
2. If the planned reorganization does not change the governance role of faculty or impact any related academic and professional matter, collegial consultation is not required by Title 5 regulations, and the district or college is not required to reach mutual agreement with or primarily rely on the academic senate. However, Education Code 70902(b)(7) requires governing boards “to ensure faculty, staff, and students the opportunity to express their opinions at the campus level, to ensure that these opinions are given every reasonable consideration. . . .” Even if the reorganization does not affect academic and professional matters, all constituencies must be given the chance to comment on the reorganization and to have their input considered in the plan.

The administration should discuss the plan with the faculty. If the plan is approved by the faculty, the administration should proceed with the plan.

Process: The academic senate should approach the CEO with the faculty’s concerns. If faculty roles are changed or other academic and professional matters are altered, the CEO must allow for collegial consultation with the academic senate before moving ahead. If academic and professional matters are not impacted, the reorganization may proceed. However, the CEO must allow for review of the plan and give reasonable consideration to opinions received.

An additional issue in this scenario is the development of the reorganization plan during summer and the announcement at the beginning of fall. Although many faculty are not on campus during summer and academic senates often do not meet between primary spring and fall terms, colleges cannot cease to operate during such periods. However, requirements for collegial consultation regarding academic and professional matters also are not suspended during summer. College administration should take into consideration the availability of faculty outside of primary terms and should reserve major decisions for periods in which faculty leadership is present on campus. At the same time, academic senates should develop processes to allow for consultation as needed outside of primary terms. In this scenario, if the planned reorganization does not change the governance role of faculty or impact any related academic and professional matter, the administration might have at least notified the leadership of faculty and other concerned constituencies of the proposed plan and allowed for input into the plan’s development during summer or, if the issues that led to the changes do not require immediate remedy, waited until the fall semester to finalize the plan with appropriate input. If the proposed reorganization does require consultation with the academic senate, then the administration should contact the senate to arrange for appropriate consultation and, if the changes are not urgent, should consider postponing

the process of finalizing the plan until the fall semester.

Suggestion: The desire for reorganization was undoubtedly motivated by some perceived problems with the present structure. The college administration can express its leadership by calling together campus representatives to discuss and analyze organizational problems perceived by the administration. Once difficulties have been recognized and defined, a full range of possible solutions can be explored and evaluated. If these solutions affect faculty roles in governance or other academic and professional matters, appropriate consultation with the academic senate must be sought. With that essential input, the administration can then proceed with implementation of the best of the results. In addition, academic senates should make provisions in their bylaws or processes for consultation when necessary outside of primary academic terms. Such provisions might involve authorizing the senate president to make decisions without the usual approval of the full senate, perhaps in consultation with other senate officers, or the possibility of calling emergency senate meetings outside of primary terms. See “Participating Effectively” questions 8, 9, and 24.



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Apr 1, 2025

Chaffey College Academic Senate  
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Rancho Cucamonga, CA  
91737 United States

To Whom It May Concern:

The following election results are certified by Simply Voting to have been securely processed and accurately tabulated by our independently managed service.

Respectfully yours,

Brian Lack  
President  
Simply Voting Inc.

## Results - Faculty Lecturer of the Year 2025-2026 Election (Spring 2025)

**Start:** 2025-03-25 18:36:43 America/Los\_Angeles

**End:** 2025-04-01 11:39:34 America/Los\_Angeles

**Turnout:** 148 (59.0%) of 251 electors voted in this ballot.

### Question 1 - Faculty Lecturer of the Year (24-25)

Option	Votes
Hannah Lucas	64 (43.2%)
Anthony Guaracha	50 (33.8%)
Barbara Ray	17 (11.5%)
Omar Dphrepaulazz	17 (11.5%)

### VOTER SUMMARY

Total	148
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**Senator-At-Large (2025-2028)**

Option	Votes
Jin Liu	75 (51.7%)
Monica Alexander	70 (48.3%)

VOTER SUMMARY	
Total	148
Abstain	3 (2.0%)



Election ID: 255685  
To validate the authenticity of this  
report please contact Simply  
Voting at [info@simplyvoting.com](mailto:info@simplyvoting.com).

## Academic Senate Election Results, Spring 2025

<b>Faculty Lecturer of the Year</b>	Hannah Lucas
<b>Academic Senate Newly Elected Senate Representatives</b>	
<b>School/Unit</b>	<b>Name (term)</b>
BAT	Jonathan Polidano (25-27)
BAT (alternate)	Jay Scott (25-27)
Chino	Manar Hijaz (25-27)
Chino (alternate)	Vacant
Fontana	Anthony Guaracha (25-27)
Fontana (alternate)	Vacant
HS	<i>(election concluding 4/4)</i>
HS (alternate)	Lisa Doget (25-27)
HFIC	Vacant (25-26)
HFIC	Vacant (25-27)
HFIC (alternate)	Vacant (25-27)
IS	Christina Holdiness (25-27)
IS Alternate	Rose Ann Osmanian (25-27)
KNA	Candice Hines-Tinsley (25-27)
KNA (alternate)	Annette Henry (25-27)
LA	Henry Leonor (25-27)
M&S	Louisa Villeneuve (25-27)
M&S	Justin Keller (25-26)
M&S (alternate)	Shannon Jessen (25-27)
SBS	Melanie Bratcher (25-27)
SBS	Patricia Gomez (25-27)
SBS (alternate)	Vacant (25-27)

SS	Wendy Whitney (25-27)
SS (alternate)	Fabiola Espitia (25-27)
VPA	Nicole Ferrand (25-27)
VPA	Vacant
VPA (alternate)	Vacant
Senator At Large	Jin Liu (25-28)
Adjunct At Large	Carolyn Ward (25-26)
Adjunct At Large	Ekta Kandhway (25-27)
Alternate Adjunct At Large	Tina Kuo (25-27)



Review Purpose	<input type="checkbox"/> Adoption	<input checked="" type="checkbox"/> Revision	<input type="checkbox"/> Cyclical Review
Description	CCLC Legal Update  The Service provided updates to include additional categories of students eligible for the highest priority enrollment pursuant to changes in the Education Code and Title 5 regulations.		

Standard mark-up for any recommendations made during review process:

**Red** = CCLC legal update | **Blue** = Administrators, faculty, staff | Insertions | ~~Deletions~~

**Green** = Admin revisions made after initial 10+2 review and recommendation

**NOTE:** The text of the AP has been reorganized into new sections and revised to more closely align with Title 5. For readability purposes, the reorganized text does not show deletions. The original order of the text and initial revisions, including deletions, are shown as struck text beginning on page 4.

DRAFT TEXT

## AP 5055 Enrollment Priorities

The District has established a priority system for registration and enrollment that is consistent with Title 5 and uniformly administered by appropriately authorized employees of the District. Subject to enrollment limitations, registration priorities apply to courses offered during fall, spring, and summer. The District will ensure that course catalogs reflect the requirements of this procedure and that appropriate and timely notice is provided to students.

**Eligibility for Registration Priority.** The District will provide priority registration for students who enroll for the purpose of degree or certificate attainment, transfer to a four-year college or university, or career advancement and who:

- Are continuing, first-time, or returning students, within the meaning of Title 5 § 58108 (c); and
- Have completed orientation, assessment, and developed student education plans; and
- Have not lost registration priority, as defined in these procedures.

Students who have completed a bachelor's degree or higher are not eligible for priority registration.

**Priority Groups.** Priority registration will be provided to eligible students in the following order:



- Priority Group 1: Per Title 5 § 58108, the following students will have the highest and equal priority for enrollment:
  - A member or veteran of the Armed Forces of the United States and who is a resident of California, as specified in Education Code section 66025.8;
  - A student parent who has a child or children under 18 years of age who will receive more than half of their support from that student;
  - A foster youth or former foster youth who is not older than 25 years of age at the commencement of the academic year, as specified in Education Code section 66025.9;
  - A verified homeless youth or former homeless youth under 25 years of age at the commencement of the academic year, as specified in Education Code section 66025.9;
  - A student who has been determined to be eligible for Disabled Student Programs and Services;
  - A student who is receiving services through Extended Opportunity Programs and Services;
  - A student who is receiving services through CalWORKS;
  - A student who is a Tribal TANF recipient; and
  - A student who is receiving services from a program funded by Rising Scholars Network funds.
- Priority Group 2: Specific groups designated by the institution will have priority for enrollment after Priority Group 1.

### Designation Procedure

Pursuant to Title 5 § 58108 (f), the District may adopt registration priorities lower than Priority Group 1. The Director of Admissions and Records maintains a list of student groups with tier 2 designation.

Tier 2 priority registration groups are evaluated after one of the following actions:

1. An identified disparity impacting a student group is brought to the attention of the Executive Team for review/consideration.
2. A specific group of students is identified in an MOU/agreement from the Chancellor's Office requiring priority registration as part of said agreement.

In cases where a disparity is cited, a group of stakeholders from the District shall meet to review and discuss the basis of the request and any potential impacts. This group is to include the following representatives:

- Director of Admissions and Records



- [Executive Director of Student Support Services](#)
- [Representative from the identified group citing a disparity](#)
- [Any other appropriate personnel](#)

[The provisions of Title 5 § 58108 shall be applied during this review. Upon completion, the group of stakeholders will make a recommendation to the Executive Team. After receipt of this recommendation, the Executive Team will review and make a final determination.](#)

[The evaluation process shall not discriminate against, or grant preferential treatment to, any group on the basis of protected classes as defined under state or federal law. Any changes to this designation procedure will be conducted pursuant to the College's governance review process.](#)

- [Priority Group 3: Remaining eligible students will have priority for enrollment after Priority Group 2.](#)

## Enrollment Limitations

Enrollment in courses and programs may be limited to students meeting properly established prerequisites and co-requisites. (See BP/AP 4260)

Additional enrollment limitations may include, but not be limited to, the following:

- health and safety considerations;
- facility limitations;
- faculty workload;
- availability of qualified instructors;
- funding limitations;
- regional planning;
- legal requirements; and
- contractual requirements.

When enrollment must be limited, priorities for determining who may enroll are:

- limiting enrollment to first come, first served, or other non-evaluative selection techniques, provided all prerequisite and/or course requisites have been met;
- in the case of intercollegiate [competition](#), honors courses, or public performance courses, allocating available seats to those students judged most qualified;
- limiting enrollment to any selection procedure expressly authorized by statute;
- limiting enrollment in one or more sections to students enrolled in one or more other courses, provided that a reasonable percentage of all sections of the course do not have such restrictions.



### Loss of Enrollment Priority

Eligibility for registration priority specified above shall be lost at the first registration opportunity after a student:

- Is placed on academic or progress probation or any combination thereof as defined in BP/AP 4250 for two consecutive terms; or
- Has earned one hundred (100) or more degree-applicable semester or quarter equivalent units at the District.
  - This 100-unit limit does not include units for non-degree applicable English as a Second Language or noncredit foundation skills courses as defined by the Chief Instructional Officer.

**Exemptions.** The District will provide exemptions from loss of enrollment priority as authorized by Title 5 § 58108 (h), as follows:

- Students who are foster youth or former foster youth, as specified above, shall not lose enrollment priority status pursuant to Title 5 § 58108 (h)(3).
- Students who are eligible members or veterans of the armed forces, as specified above, are exempt from the 100-unit limit.
- Students enrolled in high unit majors or programs as designated by the Chief Instructional Officer may petition to retain their enrollment priority status.

**Notification.** The District shall notify students who are placed on academic or progress probation, of the potential for loss of enrollment priority. The District shall notify the student that a second consecutive term on academic or progress probation will result in the loss of priority registration as long as the student remains on probation. The District shall notify students who have earned 75 percent or more of the unit limit, that enrollment priority will be lost when the student reaches the unit limit.

**Appeal.** Students may appeal the loss of enrollment priority when the loss is due to extenuating circumstances. Extenuating circumstances are verified cases of accidents, illnesses or other circumstances beyond the control of the student, or when a student with a disability applied for, but did not receive a reasonable accommodation in a timely manner. The Chief Student Services Officer or their designee will determine the appeal in their sole discretion.



Also see BP 4250 Probation, Dismissal, and Readmission; AP 4250 Probation; BP/AP 4260 Prerequisites and Co-requisites; AP 5011 Admission and Concurrent Enrollment of High School and Other Young Students; BP/AP 5052 Open Enrollment.

*[ Note: The following is the original order of the AP language, with notations indicating where the text was moved. ]*

*[ Moved to 2<sup>nd</sup> section-Enrollment Limitations*

### **Enrollment Limitations**

~~Enrollment in courses and programs may be limited to students meeting properly established prerequisites and co-requisites. (See BP and AP 4260 titled Prerequisites and Co-requisites)~~

~~Additional enrollment limitations may include, but not be limited to, the following:~~

- ~~• health and safety considerations;~~
- ~~• facility limitations;~~
- ~~• faculty workload;~~
- ~~• availability of qualified instructors;~~
- ~~• funding limitations;~~
- ~~• regional planning;~~
- ~~• legal requirements; and~~
- ~~• contractual requirements. ]~~

*[ struck Student Groups with Priorities ]*

*[ Moved to opening section, under Eligibility*

~~The District will provide priority registration for students who enroll in a community college for the purpose of degree or certificate attainment, transfer to a four-year college or university, or career advancement. ]~~

*[ Moved to opening section, under Priority Groups*

~~The following students will have the highest and equal priority for enrollment:~~

- ~~• A member of the armed forces or a veteran pursuant to A member or veteran of the Armed Forces of the United States and who is a resident of California, as specified in Education Code section 66025.8;~~
- ~~• A student parent who has a child or children under 18 years of age who will receive more than half of their support from that student;~~
- ~~• A foster youth, former foster youth, homeless youth, or former homeless youth pursuant to A foster youth or former foster youth who is not older than 25 years~~



~~of age at the commencement of the academic year, as specified in Education Code section 66025.9;~~

- ~~• A verified homeless youth or former homeless youth under 25 years of age at the commencement of the academic year, as specified in Education Code section 66025.9;~~
- ~~• A student who has been determined to be eligible for Disabled Student Programs and Services or;~~
- ~~• A student who is receiving services through Extended Opportunity Programs and Services;~~
- ~~• A student who is receiving services through CalWORKS; and~~
- ~~• A student who is a Tribal TANF recipient; and~~
- ~~• A student receiving services from a program funded by Rising Scholars Network funds. ]~~

**[ struck** The following students will have ~~second~~ priority for enrollment: **]**

- ~~• [ Moved to opening section, under Eligibility Continuing students, not on academic or progress probation for two consecutive terms who have not lost registration priority, as defined in these policies and procedures, and first time students who have completed orientation, assessment, and developed student education plans. ]~~

**[ Moved to opening paragraph**

~~These Subject to enrollment limitations, registration priorities apply to courses offered during fall, spring, and summer or intersessions. ]~~

**[ Moved to 3<sup>rd</sup> section-Loss of Enrollment Priority**

~~Eligibility for registration priority specified above shall be lost at the first registration opportunity after a student:~~

- ~~• Is placed on academic or progress probation or any combination thereof as defined in Board Policy and Administrative Procedure BP/AP 4250 titled Probation, Disqualification, and Readmission for two consecutive terms; or~~
- ~~• Has earned one hundred (100) or more degree applicable semester or quarter equivalent units at the District.~~

~~For purposes of this section a unit is earned when a student receives a grade of A, B, C, D or P as defined in Board Policy and Administrative Procedure 4230 titled Grading and Academic Record Symbols. This 100-unit limit does not include units for non-degree applicable English as a Second Language or noncredit foundation skills courses as defined by the Chief Instructional Officer. ] [ Moved to 3<sup>rd</sup> section-Loss of Enrollment Priority, Exemptions~~ Students enrolled in high unit majors or programs as designated by



the Chief Instructional Officer may petition to retain their enrollment priority status. ~~Students who are eligible members or veterans of the armed forces, as specified above, are exempt from the 100-unit limit, or veterans pursuant to Education Code § 66025.8 shall not lose registration priority after exceeding one hundred (100) or more degree-applicable semester or quarter equivalent units. ]~~

*[ Moved to 3<sup>rd</sup> section-Loss of Enrollment Priority, Notification*

**Notification.** ~~The District shall notify students who are placed on academic or progress probation, of the potential for loss of enrollment priority. The District shall notify the student that a second consecutive term on academic or progress probation will result in the loss of priority registration as long as the student remains on probation. The District shall notify students or who have earned 75 percent or more of the unit limit, that enrollment priority will be lost when the student reaches the unit limit. ]~~

*[ ~~struck~~ Appeal of Loss of Enrollment Priority ]*

*[ Moved to 3<sup>rd</sup> section-Loss of Enrollment Priority, Appeal*

**Appeal.** ~~Students may appeal the loss of enrollment priority when the loss is due to extenuating circumstances. Extenuating circumstances are verified cases of accidents, illnesses or other circumstances beyond the control of the student, or when a student with a disability applied for, but did not receive a reasonable accommodation in a timely manner. The Chief Student Services Officer or their designee will determine the appeal in their sole discretion. ]~~

*[ Moved to opening paragraph*

~~These enrollment priorities will be effective in the Fall 2014 semester. The District will ensure that course catalogs reflect the requirements of this procedure and that appropriate and timely notice is provided to students. these procedures are reflected in course catalogs and that all students have appropriate and timely notice of the requirements of this procedure. ]~~

*[ Moved to 2<sup>nd</sup> section-Enrollment Limitations*

~~When enrollment must be limited, priorities for determining who may enroll are:~~

- ~~• limiting enrollment to first come, first served, or other non-evaluative selection techniques, provided all prerequisite and/or course requisites have been met;~~
- ~~• in the case of intercollegiate completion competition, honors courses, or public performance courses, allocating available seats to those students judged most qualified;~~
- ~~• limiting enrollment to any selection procedure expressly authorized by statute;~~
- ~~• limiting enrollment in one or more sections to students enrolled in one or more other courses, provided that a reasonable percentage of all sections of the course do not have such restrictions. ]~~



References: Education Code Sections 66025.8, [66025.81](#), 66025.9, and 66025.92;  
Title 5 Sections 58106 and 58108;  
[California Constitution, Article I, Section 31](#)

Approved: 11/18/14

Revised: 1/17/23

END OF DRAFT TEXT

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*Review information, process notes and legal citations section begins on the next page.*



#### Review information

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#### Specific information:

Chapter	<input type="checkbox"/> 1-The District <input type="checkbox"/> 2-Governing Board <input type="checkbox"/> 3-General Institution <input type="checkbox"/> 4-Instruction <input checked="" type="checkbox"/> 5-Student Services <input type="checkbox"/> 6-Business and Fiscal Affairs <input type="checkbox"/> 7-Human Resources
AP designation(s)	<input type="checkbox"/> Legally required <input type="checkbox"/> Legally advised <input type="checkbox"/> Accreditation standard/ER <input checked="" type="checkbox"/> Suggested as good practice (optional) <input type="checkbox"/> Chaffey specific <input checked="" type="checkbox"/> 10+2
Primary administrative office	<input type="checkbox"/> Superintendent/President (Ch 1, 2, 3) <input type="checkbox"/> AS Administrative Services and Emergency Operations (Ch 3) <input type="checkbox"/> AS Business Services and Economic Development (Ch 3, 6, 7) <input type="checkbox"/> AS Instruction and Institutional Effectiveness (Ch 3, 4) <input checked="" type="checkbox"/> AS Student Services and Strategic Communications (Ch 3, 5)
Advisory office(s)	Admissions & Records
CCLC update	Checked for any legally required or advised language issued by the CCLC Policy Subscriber Service through July 2024 special legal update.   10/29/24 Checked through October 2024 legal update
References	Legal text attached: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No File: 5055-AP Legal Citations OIRPG 918.pdf

#### Process notes

**Standard AP review sequence per AP 2410:** *Initial review (by OIRPG) | Administrator | Faculty 10+2 if required | President’s Cabinet (1<sup>st</sup> reading and information; sunshine with participatory governance groups for input; 2<sup>nd</sup> reading and approval).*

Date	Review Step
09/23/24	Initial review   OIRPG: Melissa Christian (Exec Dir), Trinity Kealoha (Rsch & Policy Spec)  Revisions: CCLC; Puente (A. Serrano); moved text into new sections and made revisions for consideration. See Title 5 § 58108 (c) and (d) re: eligibility, priority, groups, and (h) re: loss of priority, exemptions → review with admin, legal



Process notes	
10/22/24	<p>Admin review   Revised by Admissions &amp; Records, Legal</p> <p>9/26 OIRPG met with administrators to review and revise. 10/22 Final review completed. Reviewed and revised by: Tomeika Carter (Exec Dir, Student Support Svcs), Alisha Serrano (former Dir, A&amp;R), Ryan Church (Legal), Hugo Flores (new Dir, A&amp;R)</p> <p>Note: The AP will be reviewed by Alisha Rosas (Sr. Admin) following 10+2 review.</p>
11/19/24	<p>Faculty 10+2   Revision recommended</p> <p>Nicole DeRose (Academic Senate President) advised OIRPG that the Senate voted to move forward with one suggestion for revision: add language indicating the process by which Priority Group 2 designations are determined.</p> <p>OIRPG will review with A&amp;R.</p>
3/10/25	<p>Revised per Academic Senate recommendation</p> <p>1/10 Section on evaluation process for Priority Group 2 designation added by Tomeika Carter, Ryan Church, Executive Team. 1/17 OIRPG revisions for consideration. 3/10 OIRPG reviewed and revised with Alisha Rosas, Tomeika Carter, Hugo Flores, Ryan Church.</p> <p>Next:</p> <ul style="list-style-type: none"> <li>• send back to Faculty</li> <li>• if no further faculty recommendations, send to cabinet</li> </ul>
TBD	Cabinet

#### Legal citations

Education Code Sections [66025.8](#), [66025.81](#), [66025.9](#), and [66025.92](#); Title 5 Sections [58106](#) and [58108](#); Cal. Const., Article 1, [Sec. 31](#)

### California Education Code

#### EDC Section 66025.8

(a) The California State University and each community college district shall, and the University of California is requested to, with respect to each campus in their respective jurisdictions that administers a priority enrollment system, grant priority in that system for registration for enrollment to any member or former member of the Armed Forces of the United States, and who is a resident of California, who has received an honorable discharge, a general discharge, or an other than honorable discharge, and to any member or former member of the State Guard, for any academic term attended at one of these institutions for four academic years after the member has left state or federal active duty, which the member shall use within 15 years of leaving state or federal active duty.

(b) A former member of the Armed Forces of the United States or the State Guard who received a dishonorable discharge or a bad conduct discharge is not eligible for priority registration for enrollment pursuant to this section.

(c) The priority registration for enrollment provided pursuant to this section shall apply to enrollment for all degree and certificate programs offered by the institution after the military or veteran status of the student has been verified by the institution the student attends.



(d) Students who receive priority registration for enrollment pursuant to this section shall comply with the requirements of subdivision (a) of Section 78212.

(e) (1) For the purposes of this section, "Armed Forces of the United States" means the Air Force, Army, Coast Guard, Marine Corps, National Guard, Naval Militia, Navy, Space Force, and the reserve components of each of those forces, including the California National Guard.

(2) As used in this section, "member or former member of the Armed Forces of the United States" includes, but is not necessarily limited to, any student who is called to active military duty compelling that student to take an academic leave of absence.

(Amended by Stats. 2022, Ch. 379, Sec. 5. (AB 1715) Effective January 1, 2023.)

### **EDC Section 66025.81**

(a) (1) By no later than July 1, 2023, the California State University and each community college district shall, and the University of California is requested to, with respect to each campus in their respective jurisdictions that administers a priority enrollment system, grant priority in that system for registration for enrollment to a student parent.

(2) In implementing this subdivision, each campus of the California Community Colleges, the California State University, and the University of California is encouraged to use information from any or a combination of the following to help determine a student parent's eligibility for the priority registration established pursuant to this subdivision:

- (A) The Free Application for Federal Student Aid (FAFSA).
- (B) The California Dream Act Application (CADAA).
- (C) The application to receive a fee waiver pursuant to Section 76300.
- (D) Any campus form or documentation that identifies student parents.

(b) For purposes of this section, "student parent" means a student who has a child or children under 18 years of age who will receive more than half of their support from that student.

(Added by Stats. 2022, Ch. 935, Sec. 3. (AB 2881) Effective January 1, 2023.)

### **EDC Section 66025.9**

(a) The California State University and each community college district shall, and the University of California is requested to, with respect to each campus in their respective jurisdictions that administers a priority enrollment system, grant priority in that system for registration for enrollment to a foster youth, former foster youth, homeless youth, or former homeless youth.

(b) For purposes of this section:

(1) "Foster youth and former foster youth" means a person in California whose dependency was established or continued by a court of competent jurisdiction, including a tribal court, on or after the youth's 13th birthday and who is no older than 25 years of age at the commencement of the academic year.

(2) "Homeless youth and former homeless youth" means a student under 25 years of age, who has been verified, in the case of a former homeless youth, at any time during the 24 months immediately preceding the receipt of the youth's application for admission by a postsecondary educational institution that is a qualifying institution pursuant to Section 69432.7, as a homeless child or youth, as defined in subsection (2) of Section 725 of the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11434a(2)), by at least one of the following:

(A) A homeless services provider, as that term is defined in paragraph (3) of subdivision (e) of Section 103577 of the Health and Safety Code.

(B) The director of a federal TRIO program or Gaining Early Awareness and Readiness for Undergraduate Programs program, or a designee of that director.

(C) A financial aid administrator for an institution of higher education.

(D) A homeless and foster student liaison designated pursuant to paragraph (1) of subdivision (a) of Section 67003.5.



(E) For American Indian students, a representative of the student's tribe or a representative of a tribal organization that is a homeless services provider.

(c) For purposes of this section, a student who is verified as a homeless youth as defined in paragraph (2) of subdivision (b) shall retain that status for a period of six years from the date of admission to the postsecondary educational institution.

(Amended by Stats. 2021, Ch. 574, Sec. 1. (SB 512) Effective January 1, 2022.)

### **EDC Section 66025.92**

(a) The Legislature finds and declares that the priority enrollment for registration required by this section is necessary to ensure that the flexibility related to educational opportunities that was adopted as part of the broader changes to the California Work Opportunity and Responsibility to Kids (CalWORKs) program in Chapter 47 of the Statutes of 2012 is not undermined by students who are CalWORKs recipients being unable to access necessary classes.

(b) Each community college district that administers a priority enrollment system shall grant priority in that system for registration for enrollment to any student who is a CalWORKs or Tribal TANF recipient.

(c) Students who receive priority registration for enrollment pursuant to this section shall comply with the requirements of subdivision (a) of Section 78212.

(d) For purposes of this section:

(1) "CalWORKs recipient" means a recipient of aid under Chapter 2 (commencing with Section 11200) of Part 3 of Division 9 of the Welfare and Institutions Code or any successor program.

(2) "Tribal TANF recipient" means a recipient of aid pursuant to Section 10553.25 of the Welfare and Institutions Code or any successor provision.

(Amended by Stats. 2017, Ch. 97, Sec. 1. (SB 164) Effective January 1, 2018.)

## **California Code of Regulations Title 5. Education**

### **Title 5 Section 58106**

58106. Limitations on Enrollment.

In order to be claimed for purposes of state apportionment, all courses shall be open to enrollment by any student who has been admitted to the college, provided that enrollment in specific courses or programs may be limited as follows:

(a) Enrollment may be limited to students meeting prerequisites and corequisites established pursuant to section 55003,

(b) Enrollment may be limited due to health and safety considerations, facility limitations, faculty workload, the availability of qualified instructors, funding limitations, the constraints of regional planning or legal requirements imposed by statutes, regulations, or contracts. The governing board shall adopt policies identifying any such limitations and requiring fair and equitable procedures for determining who may enroll in affected courses or programs. Such procedures shall be consistent with one or more of the following approaches:

(1) limiting enrollment to a "first-come, first-served" basis or using other nonevaluative selection techniques to determine who may enroll; or

(2) limiting enrollment using a registration procedure authorized by section 58108; or

(3) in the case of intercollegiate competition, honors courses, or public performance courses, allocating available seats to those students judged most qualified; or



(4) limiting enrollment in one or more sections of a course to a cohort of students enrolled in one or more other courses, provided however, that a reasonable percentage of all sections of the course do not have such restrictions; or

(5) limiting enrollment using any selection procedure expressly authorized by statute; or

(6) with respect to students on probation or subject to dismissal, the governing board may, consistent with the provisions of sections 55031 and 55032, limit enrollment to a total number of units or to selected courses, or require students to follow a prescribed educational plan.

(c) A student may challenge an enrollment limitation established pursuant to subdivision (b) on any of the following grounds:

(1) the enrollment limitation is either unlawfully discriminatory or is being applied in an unlawfully discriminatory manner;

(2) the district is not following its policy on enrollment limitations;

(3) the basis upon which the district has established an enrollment limitation does not in fact exist; or

(4) any other criteria established by the district.

(d) The student shall bear the burden of showing that grounds exists for the challenge. Challenges shall be handled in a timely manner, and if the challenge is upheld, the district shall waive the enrollment limitation with respect to that student.

(e) In the case of a challenge under subdivision (c)(1), the district shall, upon completion of the challenge procedure, advise the student that he or she may file a formal complaint of unlawful discrimination pursuant to subchapter 5 (commencing with section 59300) of chapter 10. Completion of the challenge procedure shall be deemed to be an effort at informal resolution of the complaint under section 59327.

Note: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

Change without regulatory effect amending Note filed 4-7-2022; operative 4-7-2022

## Title 5 Section 58108

58108. Registration and Enrollment Procedures.

(a) Districts shall adopt policies and procedures for registration and standards for enrollment in any course that are consistent with these and other sections of title 5 and uniformly administered by appropriately authorized employees of the district.

(b) It is the intent of the Board of Governors to provide priority registration for students who enroll in a community college for the purpose of degree or certificate attainment, transfer to a four-year college or university, or career advancement.

(c) Districts adopting policies and procedures that include the administration of a registration system that grants priority enrollment to certain students, shall grant registration priority in that system, for each term the registration priority system is administered, to students who:

(1) are first time students within the meaning of section 55530(c) and have completed orientation, assessment, and developed student education plans; or

(2) are not first time students within the meaning of section 55530(c) and have not lost registration priority pursuant to subdivision (h).

(3) who are continuing students not on academic or progress probation for two consecutive terms as defined in section 55031.



(d) Districts shall provide highest and equal priority to students eligible for registration priority pursuant to subdivision (c) who are:

- (1) A member or veteran of the Armed Forces of the United States and who is a resident of California, as specified in Education Code section 66025.8;
  - (2) a student parent who has a child or children under 18 years of age who will receive more than half of their support from that student;
  - (3) a foster youth or former foster youth who is not older than 25 years of age at the commencement of the academic year, as specified in Education Code section 66025.9;
  - (4) a verified homeless youth or former homeless youth under 25 years of age at the commencement of the academic year, as specified in Education Code section 66025.9;
  - (5) determined to be eligible for Disabled Student Programs and Services;
  - (6) receiving services through Extended Opportunity Programs and Services (EOPS);
  - (7) receiving aid from the California Work Opportunity and Responsibility to Kids program (CalWORKS) or the Tribal Temporary Assistance for Needy Families program (Tribal TANF); or
  - (8) receiving services from a program funded by Rising Scholars Network funds.
- (e) To the extent districts have the capacity and resources to require orientation, assessment, and education plans for continuing students, districts may establish orientation, assessment and education plans or any combination thereof as a condition for registration priority.

(f) Districts are permitted to adopt registration priorities for subcategories of students eligible for registration priority pursuant to subdivisions (c) and (d) provided that highest and equal registration priority is granted to students meeting the requirements of subdivision (d)(1) through (d)(8). Districts may not prioritize students in one statutory group, as set forth in (d)(1) through (d)(8), over another.

(g) Districts may establish additional registration priorities for students with priority lower than student groups covered by subdivision (c) of this section.

(h) Registration priority specified in subdivision (c) of this section shall be lost at the first registration opportunity after a student:

- (1) is placed on academic or progress probation or any combination thereof as defined in section 55031 for two consecutive terms; or
- (2) has earned one hundred (100) or more degree-applicable semester or quarter equivalent units at the district.

(A) The 100-unit limit does not include units for non-degree applicable English as a Second Language or noncredit basic skills courses or special classes as defined in section 55000.

(B) Districts may set the unit limit lower than 100 units and may consider units from other higher education institutions.

(C) Districts may adopt policies to exempt from the 100-unit limit categories of students, including but not limited to, those enrolled in high unit majors or programs.

(D) Districts may exempt from the 100-unit limit units earned through credit by examination, advanced placement, International Baccalaureate, or other similar programs.

(3) This subdivision shall not apply to students granted registration priority pursuant to subdivision (d)(3).

(i) Districts shall notify students who are placed on academic or progress probation, or who have earned 75 percent or more of the unit limit, of the potential for loss of enrollment priority. The district shall notify the student that a



second consecutive term on academic or progress probation will result in the loss of priority registration until the student is no longer on probation or that enrollment priority will be lost when the student reaches the unit limit.

(j) Students will not be required to participate in any preregistration activity not uniformly required; nor shall the college or district allow anyone to place or enforce nonacademic requisites that are not expressly authorized in this chapter or in state law as barriers to enrollment in or the successful completion of a class.

(k) With respect to accessibility to off-campus sites and facilities, no student is to be required to make any special effort not required of all students to register in any class or course section. Once enrolled in the class, all students must have equal access to the site.

(l) Each community college district shall establish written procedures by which a student may appeal the loss of priority enrollment status due to extenuating circumstances, or where a student with a disability applied for, but did not receive reasonable accommodation in a timely manner. Extenuating circumstances are verified cases of accidents, illnesses or other circumstances beyond the control of the student. Districts may allow students who have demonstrated significant academic improvement to appeal the loss of priority enrollment status. Significant academic improvement is defined as achieving no less than the minimum grade point average and progress standard established in section 55031 for the term or terms.

(m) Districts shall ensure that the requirements of this section are adopted in local board policies and fully operational for registration for fall 2014 courses. Districts shall ensure that all policies and course catalogs reflect the requirements of this section and that appropriate and timely notice is provided to students.

Note: Authority cited: Sections 66700, 70901 and 78215, Education Code. Reference: Sections 66025.8, 66025.81, 66025.9, 66025.91, 66025.92, 66025.95, 70901, 78215 and 84500, Education Code.  
Amendment of section and Note filed 7-25-2023; operative 8-24-2023

## **Constitution of the State of California**

### **Article I Declaration of Rights, Section 31**

(a) The State shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting.

(b) This section shall apply only to action taken after the section's effective date.

(c) Nothing in this section shall be interpreted as prohibiting bona fide qualifications based on sex which are reasonably necessary to the normal operation of public employment, public education, or public contracting.

(d) Nothing in this section shall be interpreted as invalidating any court order or consent decree which is in force as of the effective date of this section.

(e) Nothing in this section shall be interpreted as prohibiting action which must be taken to establish or maintain eligibility for any federal program, where ineligibility would result in a loss of federal funds to the State.

(f) For the purposes of this section, "State" shall include, but not necessarily be limited to, the State itself, any city, county, city and county, public university system, including the University of California, community college district, school district, special district, or any other political subdivision or governmental instrumentality of or within the State.

(g) The remedies available for violations of this section shall be the same, regardless of the injured party's race, sex, color, ethnicity, or national origin, as are otherwise available for violations of then-existing California antidiscrimination law.

(h) This section shall be self-executing. If any part or parts of this section are found to be in conflict with federal law or the United States Constitution, the section shall be implemented to the maximum extent that federal law and the United States Constitution permit. Any provision held invalid shall be severable from the remaining portions of this section.

(Sec. 31 added Nov. 5, 1996, by Prop. 209. Initiative measure.)

Review Purpose	<input type="checkbox"/> Adoption	<input type="checkbox"/> Revision	<input checked="" type="checkbox"/> Cyclical Review
Description	<p>Chapter 5 review</p> <p>This policy requires review as part of the cyclical review process to determine if revisions are necessary. CCLC issued legal updates to:</p> <ul style="list-style-type: none"> <li>• reflect revised Accreditation Standard and legal citations</li> <li>• add language concerning a student's ability to request name and gender changes in the student's records pursuant to changes in the Education Code</li> </ul>		

Standard mark-up for any recommendations made during review process:

Red = CCLC legal update | Blue = Administrators, faculty, staff | Insertions | ~~Deletions~~

DRAFT TEXT

## BP 5040 Student Records, Directory Information, and Privacy

The Superintendent/President shall assure that student records are maintained in compliance with applicable federal and state laws relating to the privacy of student records. The Superintendent/President may direct the implementation of appropriate safeguards to assure that student records cannot be accessed or modified by any person not authorized to do so.

Any currently enrolled or former student of the District has a right of reasonable access to any and all student records relating to him/her the student maintained by the District. The Superintendent/President shall implement a system by which current students can declare an affirmed name, gender, or both name and gender identification to be used in their records where legal names are not required by law; and, former students can request the District to update and reissue student records to include an updated legal name or gender.

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

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

Directory information shall include:



- Name, ~~address, and phone number.~~
- Dates of attendance.
- Major field of study.
- ~~Most recent institution attended.~~
- Part-time and/or full-time enrollment status.
- Student participation in ~~officially recognized activities and official college~~ sports, including weight, height, and other student athlete information ~~high school of graduation of athletic team members.~~
- ~~Degrees and awards received by students, including honors, scholarship awards, athletic awards, and Dean's List recognition.~~

References: Education Code Sections 66093.3, 66271.4 et seq. and 76200 et seq.;  
Title 5 Sections 54600 et seq.;  
20 U.S. Code Section 1232g subdivision (j);  
ACCJC Accreditation Standard 2

Policy

Category: Executive Expectations

Adopted: 01/22/15  
(Replaces former Board Policy 5.1.4)

END OF DRAFT TEXT

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#### Specific information:

Chapter	<input type="checkbox"/> 1-The District <input type="checkbox"/> 2-Governing Board <input type="checkbox"/> 3-General Institution <input type="checkbox"/> 4-Instruction <input checked="" type="checkbox"/> 5-Student Services <input type="checkbox"/> 6-Business and Fiscal Affairs <input type="checkbox"/> 7-Human Resources
BP designation(s)	<input checked="" type="checkbox"/> Legally required <input type="checkbox"/> Legally advised <input checked="" type="checkbox"/> Accreditation Standard/ER <input type="checkbox"/> Suggested as good practice (optional) <input type="checkbox"/> Chaffey specific <input checked="" type="checkbox"/> 10+2
Primary administrative office	<input type="checkbox"/> Superintendent/President (Ch 1, 2, 3) <input type="checkbox"/> AS Administrative Services and Emergency Operations (Ch 3) <input type="checkbox"/> AS Business Services and Economic Development (Ch 3, 6, 7) <input type="checkbox"/> AS Instruction and Institutional Effectiveness (Ch 3, 4) <input checked="" type="checkbox"/> AS Student Services and Strategic Communications (Ch 3, 5)
Advisory office(s)	Admissions & Records
CCLC update	Checked for any legally required or advised language issued by the CCLC Policy Subscriber Service through: October 2024 legal update
References	Legal text attached: <input checked="" type="checkbox"/> Yes, <i>in part</i> <input type="checkbox"/> No File: 5040_BP Legal Citations OIRPG 515.pdf

#### Process notes

**Standard BP review sequence per AP 2410:** Initial review (by OIRPG) | Administrator | Faculty 10+2 if required | President’s Cabinet (1<sup>st</sup> reading and information; sunshine with participatory governance groups for input; 2<sup>nd</sup> reading and approval) | Governing Board (Policy Liaison; 1<sup>st</sup> reading and information; 2<sup>nd</sup> reading and adoption).

Date	Review Step
2/7/25	Initial review   OIRPG
	Revised by Melissa Christian (Exec Dir), Trinity Kealoha (Rsch & Policy Spec): CCLC; directory information categories per executive team/Ryan Church.
3/10/25	Admin review   Student Services, Legal



Process notes

	OIRPG reviewed and revised with Alisha Rosas (Sr Admin), Tomeika Carter (Acting Exec Dir, Student Support Services), Hugo Flores (Dir, A&R); Ryan Church (Chief Legal Officer)
TBD	Faculty 10+2 – review required
TBD	Cabinet
TBD	Board

Legal citations

EDC §§ [66093.3](#), [66271.4 et seq.](#), [76200 et seq.](#) | Title 5 §§ [54600 et seq.](#) | 20 USC § [1232g](#) (j) | [ACCJC](#) Accreditation Standard 2

**NOTE: The following text is related to revisions made to the language in the BP. It does not include all the above-cited sections.**

**California Education Code**

**EDC § 66271.4**

(a) For purposes of this section, “public postsecondary educational institution” or “institution” means a campus of the University of California, the California State University, or the California Community Colleges.

(b) (1) If a public postsecondary educational institution receives government-issued documentation, as described in subdivision (c), from a former student demonstrating that the former student’s legal name or gender has been changed, the institution shall update the former student’s records to include the updated legal name or gender. If requested by the former student, the institution shall reissue any documents conferred upon the former student with the **former student’s updated legal name or gender**. Documents that shall be reissued by the institution upon request include, but are not necessarily limited to, a diploma conferred by the institution.

(2) An institution shall not charge a higher fee for correcting, updating, or reissuing a document based on a legal name or gender change than the fee it charges for correcting, updating, or reissuing that document generally.

(3) Notwithstanding any other law in conflict with this paragraph, except Section 67400, an institution may use a student’s gender or legal name as indicated in a government-issued identification document only if it is necessary to meet a legally mandated obligation, but otherwise shall identify the student in accordance with the student’s gender identity and affirmed name.

(c) The documentation of a former student sufficient to demonstrate a legal name or gender change includes, but is not necessarily limited to, any of the following:

- (1) State-issued driver’s license or identification card.
- (2) Birth certificate.
- (3) Passport.
- (4) Social security card.
- (5) Court order indicating a name change or a gender change, or both.

(d) This section does not require the institution to modify records that the former student has not requested for modification or reissuance.

(e) Commencing with the 2023–24 graduating class, an institution shall provide an option for a graduating student to request that the diploma to be conferred by the institution list the student's chosen name. Commencing with the 2023–24 graduating class, an institution shall not require a graduating student to provide legal documentation sufficient to demonstrate a legal name or gender change in order to have the student's chosen name be the sole name listed on the student's diploma.

(Amended by Stats. 2023, Ch. 222, Sec. 1. (AB 760) Effective January 1, 2024.)

**EDC § 66271.41**

(a) The governing board of each community college district and the Trustees of the California State University shall, and the Regents of the University of California are requested to, implement a system by which **current students**, staff, and faculty can declare an **affirmed name, gender, or both** name and gender identification **to be used in their records** where legal names are not required by law.

(b) Upon the request of an individual, a community college campus and a California State University campus shall, and a University of California campus is requested to, update any records for current students, staff, and faculty to include the affirmed name, gender, or both name and gender identification. The records that shall be updated include, but are not limited to, all of the following:

- (1) School-issued email addresses.
- (2) Campus identification cards.
- (3) Class rosters.
- (4) Unofficial and official transcripts.
- (5) Diplomas, consistent with subdivision (e) of Section 66271.4, certificates of completion of courses, or similar records.

(c) (1) Commencing with the 2023–24 academic year, community college campus systems shall be fully capable of allowing current students, staff, or faculty to declare an affirmed name, gender, or both name and gender identification.

(2) Commencing with the 2024–25 academic year, California State University campus systems shall, and University of California campus systems are requested to, be fully capable of allowing current students, staff, or faculty to declare an affirmed name, gender, or both name and gender identification.

(d) A community college campus and a California State University campus shall not, and a University of California campus is requested to not, charge a higher fee for correcting, updating, or reissuing a document or record based on the declaration of an affirmed name or gender identification than the fee it charges for correcting, updating, or reissuing that document or record generally.

(e) Notwithstanding any other law in conflict with this subdivision, except Section 67400, a public postsecondary educational institution may use an individual's gender or legal name as indicated in a government-issued identification document only if it is necessary to meet a legally mandated obligation, but otherwise shall identify the individual in accordance with the individual's gender identity and affirmed name.

(Amended by Stats. 2023, Ch. 222, Sec. 2. (AB 760) Effective January 1, 2024.)

**EDC § 76210 (b)**

(b) “**Directory information**” means one or more of the following items: a student’s name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous public or private school attended by the student, and any other information authorized in writing by the student.

#### **EDC § 76240**

(a) (1) Community college districts shall adopt a policy identifying those **categories of directory information**, as defined under Section [1232g](#) of Title 20 of the United States Code as it exists on January 1, 2006, that may be released. The names and addresses of students may be provided to a private school or college operating under Sections 8080 to 8093, inclusive, Sections 33190 and 33191, or Sections 94000 to 94409, inclusive, or its authorized representative. However, no private school or college shall use this information for other than purposes directly related to the academic or professional goals of the institution.

(2) Any violation of this subdivision is a misdemeanor, punishable by a fine not to exceed two thousand five hundred dollars (\$2,500), and, in addition, the privilege of the school or college to receive this information shall be suspended for a period of two years from the time of discovery of the misuse of the information.

(b) Any community college district may limit or deny the release of specific categories of directory information based upon a determination of the best interests of students.

(c) Directory information may be released according to local policy as to any former student or any student currently attending the community college. However, public notice shall be given at least annually of the categories of information that the district plans to release and of the recipients. No directory information shall be released regarding any student or former student when the student or former student has notified the institution that the information shall not be released.

(Amended by Stats. 2005, Ch. 654, Sec. 12. Effective October 7, 2005.)

### **California Code of Regulations Title 5**

#### **Title 5 § 54626 – Directory Information**

(a) Community college districts shall adopt a policy identifying any of the categories of directory information which may be released under Education Code section [76210](#) or allowed under federal law at 34 C.F.R. section [99.3](#).

(b) Directory information, as established by the local governing board, may be released provided that public notice is given at least annually in accordance with Education Code section 76240. Such notice shall also specify the period of time within which the student must inform the district in writing that such personally identifiable information is not to be designated as directory information with respect to that student.

(c) Any district may, in its discretion, limit or deny the release of specific categories of directory information based upon a determination of the best interests of students.

(Amendment of section and Note filed 3-15-2006; operative 4-14-2006)



Review Purpose	<input type="checkbox"/> Adoption	<input type="checkbox"/> Revision	<input checked="" type="checkbox"/> Cyclical Review
Description	<p>Chapter 5 review</p> <p>This procedure requires review as part of the cyclical review process to determine if revisions are necessary. CCLC issued recommendations in legal updates to.</p> <ul style="list-style-type: none"><li>• reflect revised Accreditation Standard and legal citations</li><li>• add legally required language pertaining to the collection and retention of student information and access to student records for immigration enforcement purposes provided by the Office of the California Attorney General</li><li>• incorporate the rights provided under the Educational Debt Collection Practices Act, which prohibits districts from withholding transcripts as a debt collection tactic.</li><li>• update language regarding disclosure of student information to the military for recruitment purposes pursuant to changes in Title 10 of the U.S. Code</li><li>• add language concerning a student's ability to request name and gender changes in the student's records pursuant to changes in the Education Code</li></ul>		

Standard mark-up for any recommendations made during review process:

Red = CCLC legal update | Blue = Administrators, faculty, staff | Insertions | ~~Deletions~~

DRAFT TEXT

## AP 5040 Student Records, Directory Information, and Privacy

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

**CCLC Note:** *The following section on “Collection and Retention of Student Information” is the model language provided by the Office of the California Attorney General. Districts must adopt this language or locally created equivalent language to comply with Education Code Section 66093.3 subdivision (h).*

### Collection and Retention of Student Information

The District shall treat all students equitably in the receipt of all school services, including, but not limited to, the gathering of student and family information for the institution's benefit programs.



The Admissions and Records Office shall maintain in writing District policies and procedures for gathering and handling sensitive student information, and appropriate personnel shall receive training regarding those policies and procedures.

The District will provide students and families with annual notice, at the beginning of each school year, of institutional policies for student privacy and the abilities of parents or eligible students to inspect student information.

The District will provide students an opportunity to opt out of disclosure of directory information. Notices must describe the following:

- The kind of information that the school has identified as directory information;
- The eligible student's ability to refuse to let the school designate the information as directory information, which could be disclosed to outside entities;
- The period of time in which the eligible student has to notify the school in writing that the student does not want the information designated as directory information; and
- That opting out by the noted deadline is the students' only way to prevent the release of directory information.

Any sensitive information, such as a student's, parent's, or guardian's SSN, any AB 540 determinations, or citizenship status information collected by the District or disclosed by the student, should be maintained only for as long as necessary.

If the District possesses information that could indicate immigration status or citizenship status, the District shall not consider the acquired information in admissions decisions or access to educational courses or degree programs.

Students may elect not to provide immigration or citizenship status information to the institution, and this election shall not impede admissions or enrollment in educational programs.

The District shall not create a list of student names linked with immigration status.

Campus Police shall not inquire into an individual's immigration status for immigration enforcement purposes.

Campus Police shall not aid any effort to create a registry containing individuals' country of birth or based on any other protected characteristics of victims, witnesses, or suspects of crimes unless required by law for specified purposes.

## **Release of Student Records**



In accordance with the Family Educational Rights and Privacy Act (FERPA), the District does not release student record information without the written consent of the student or under judicial order, except:

- To officials and employees of the District who have a legitimate educational need to inspect the record.
- To a member of the Governing Board who has a legitimate educational need to inspect the record.
- To a person employed by, or under contract to, the District to perform a special task, such as an attorney or auditor.

Students may request to inspect and review their records. The District will grant a request to inspect and review student records during regular school hours no later than 15 working days following the date of the request.

The District releases student directory information in accordance with the definitions in BP 5040 titled Student Records, Directory Information, and Privacy. The District releases student directory information, except when students have specifically requested that directory information not be released be kept confidential. Directory information may be released by exception upon determination of the Superintendent/President or designee that such release is appropriate and not likely to put students at risk. Additionally, the Superintendent/President or designee may withhold directory information consistent with federal and state laws.

The District designates BP 5040 defines the following as directory information: name, address, phone number, dates of attendance, major field of study, awards and degrees received, most recent institution attended, part-time and/or full-time enrollment status, and student participation in official college activities and sports, including weight, and height, and other student athlete information (for members of athletic teams), and part-time and/or full-time enrollment status. Students must specifically request non-release of their directory information by submitting a Student Update Form. Student Update Forms are available on the District's website or in the Admissions and Records Office. Requested actions will be effective within five working days.

Student records shall be released pursuant to a federal judicial order that has been issued regarding an investigation or prosecution of an offense concerning an investigation or prosecution of terrorism.

Student records may be released to officials and employees of the District only when they have a legitimate educational interest to inspect the record. A legitimate educational interest is defined as existing when an authorized District official, acting within the scope and authority of his/her employment or other authorized relationship with the District, has determined that there is a permissible reason to access one or more education records, including but not limited to: academic counseling, student



disciplinary processes, safety and security needs, degree and other academic achievement checks and reviews, District-authorized research, and other such reasons as may be approved by the Chief Admissions and Records Officer.

Student records may be released to authorized representatives of the Comptroller General of the United States, the Secretary of Education, an administrative head of an education agency, state education officials, or their respective designees or the United States Department of Education Office ~~of~~ for Civil Rights, where that information is necessary to audit or evaluate a state or federally supported educational program or pursuant to federal or state law. Exceptions are that when the collection of personally identifiable information is specifically authorized by federal law, any data collected by those officials shall be protected in a manner that will not permit the personal identification of students or their parents by other than those officials, and any personally identifiable data shall be destroyed when no longer needed for that audit, evaluation, and enforcement of federal legal requirements. Such release may be made following submission of formal request to the Chief Admissions and Records Officer and when necessary reviewed by District legal counsel.

Student records may be released to officials of other public or private schools or school systems, including local, county or state correctional facilities where education programs are provided, where the student seeks or intends to enroll or is directed to enroll. The release is subject to the conditions in Education Code Section 76225. Such release may be made following submission of formal request to the Chief Admissions and Records Officer and when necessary reviewed by District legal counsel.

Student records may be released to agencies or organizations in connection with a student's application for, or receipt of, financial aid, provided that information permitting the personal identification of those students may be disclosed only as may be necessary for those purposes as to financial aid, to determine the amount of the financial aid, or conditions that will be imposed regarding financial aid, or to enforce the terms or conditions of financial aid. Such release may be made following submission of formal request to the Chief Admissions and Records Officer and when necessary reviewed by District legal counsel.

Student records may be released to organizations conducting studies for, or on behalf of, accrediting organizations, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering financial aid programs, and improving instruction, if those studies are conducted in such a manner as will not permit the personal identification of students or their parents by persons other than representatives of those organizations and the information will be destroyed when no longer needed for the purpose for which it is conducted. Such release may be made following submission of formal request to the Chief Admissions and Records Officer and when necessary reviewed by District legal counsel.



Student records may be released to appropriate persons in connection with an emergency if the knowledge of that information is necessary to protect the health or safety of a student or other persons, subject to applicable federal or state law. Such release may be made following submission of formal request to the Chief Admissions and Records Officer and when necessary reviewed by District legal counsel.

The following information shall be released to the federal military for the purposes of federal military recruitment: student names, addresses, District-provided electronic mail addresses, telephone listings, dates and places of birth, levels of education, academic major(s), degrees received, prior military experience, and ~~for~~ the most recent previous educational institutions enrolled in by the students.

***CCLC Note:*** *The following section on “Access to Student Records for Immigration Enforcement Purposes” is the model language provided by the Office of the California Attorney General. Districts must adopt this language or locally created equivalent language to comply with Education Code Section 66093.3 subdivision (h).*

### **Access to Student Records for Immigration Enforcement Purposes**

The District must obtain a student’s written consent before disclosing educational records, unless the information is relevant for a legitimate educational interest or includes directory information only. Neither exception permits disclosing information for immigration enforcement purposes; no student information shall be disclosed for immigration enforcement purposes without a court order or judicial warrant. Without a court order or a judicial warrant, written consent must be signed and dated by the student, or (if the student is a minor) by the student’s parent or guardian, before disclosure of the information, and must specify the records that may be disclosed, the purpose of the disclosure, and the party or class of parties to whom the disclosure may be made.

If desired by the student, the District must provide a copy of the records to be released. The party to whom the information is disclosed may not re-disclose the information to any other party without the prior consent of the student or subsequent court order.

District personnel shall develop a written policy for interactions with immigration authorities seeking to review student records. At minimum, such policies shall include the following information:

- Contact information (name, title, e-mail address and phone number) for the correct person to review and respond to a request for student records.
- Access to sample warrant and subpoena documents that could be used for access onto campus property, or to seize or arrest students or other individuals on campus.



- District personnel shall provide a set of responses for employees to use in response to officers seeking access to records for immigration enforcement purposes.

In addition to notifying the Chief of Police/Director of Public Safety or the Chief Legal Officer/General Counsel, District personnel shall take the following action steps in response to an officer other than Campus Police requesting access to student records:

1. Ask for the officer's name, identification number, and agency affiliation;
2. Record or copy this information;
3. Ask for a copy of any warrants;
4. Inform the officer that you are not obstructing the officer's efforts but that you need to contact a campus administrator or campus counsel for assistance.

Campus Police shall not provide personal information about an individual for immigration enforcement purposes, unless that information is publicly available, or required by a court order or judicial warrant. "Personal information" is defined as any information that identifies or describes an individual, and includes but is not limited to, a student's physical description, home or work address, telephone number, education, financial matters, medical or employment history, and statements made by, or attributed to, the individual. This restriction does not apply to information regarding the immigration or citizenship status of an individual.

Unless the District is served with a judicial subpoena or court order that by its terms prohibits disclosure to the student, the student must be notified of any judicial order or subpoena before the institution complies with the order in accordance with FERPA.

### **Charge for Transcripts or Verifications of Student Records**

A student/former student shall be entitled to two free copies of the transcript of his/her record or to two free verifications of various student records. Additional copies shall be made available to the student, or to an addressee designated by him/her, at the rate of \$5.00 per copy. Students may request special rush processing of a transcript at the rate of \$10.00 per copy. The District will not refuse to provide a transcript for a current or former student on the grounds that the student owes a debt; condition the provision of a transcript on the payment of a debt, other than a fee charged to provide the transcript; charge a higher fee for obtaining a transcript, or provide less favorable treatment of a transcript request because a student owes a debt; or use transcript issuance as a tool for debt collection.

### **Electronic Transcripts**



The District implements a process for the receipt and transmission of electronic student transcripts to participating institutions. Fees for electronic transcripts shall be consistent with charges for all other transcript orders.

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

The District shall not do any of the following:

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

If the District has, prior to January 1, 2004, used an individual's social security number in a manner inconsistent with the above restrictions, it may continue using that individual's social security number in that same manner only if:

- The use of the social security number is continuous;
- The individual is provided an annual disclosure that informs the individual that he/she has the right to stop the use of his/her social security number in a manner otherwise prohibited;
- The District agrees to stop the use of an individual's social security number in a manner otherwise prohibited upon a written request by that individual;
- No fee shall be charged for implementing this request; and the District shall not deny services to an individual for making such a request.

### **Name, Gender Identity, and Gender Changes to Student Records**

Current students can declare an affirmed name, gender, or both name and gender identification to be used in their records where legal names are not required by law. Upon the request of a current student, the District shall update any records for the



student to include the affirmed name, gender, or both name and gender identification. The records that shall be updated include but are not limited to District-issued email addresses, student identification cards, class rosters, unofficial and official transcripts, diplomas, certificates of completion of courses, or similar records. The District **does not** require a current student to provide legal documentation-demonstrating a legal name or gender change in order to have the student's affirmed name listed on the student's records.

If the District receives government-issued documentation, as described below, from a former student demonstrating that the former student's legal name or gender has been changed, the District shall update the former student's records to include the updated legal name or gender. If requested by the former student, the District shall reissue any documents conferred upon the former student with the former student's updated legal name or gender. Documents that shall be reissued by the District upon request include, but are not necessarily limited to, a diploma conferred by the institution.

The documentation of a former student sufficient to demonstrate a legal name or gender change includes, but is not necessarily limited to, any of the following:

- State-issued driver's license or identification card;
- Birth certificate;
- Passport;
- Social security card;
- Court order indicating a name change or a gender change, or both.

The District is not required to modify records that the former student has not requested for modification or reissuance.

The District shall not charge a higher fee for correcting, updating, or reissuing a document or record based on an affirmed name, gender identification, or legal name or gender change than the fee it charges for correcting, updating, or reissuing that document or record generally.

Notwithstanding any other law in conflict with this paragraph, the District may use a student's gender or legal name as indicated in a government-issued identification document only if it is necessary to meet a legally mandated obligation, but otherwise shall identify the student in accordance with the student's gender identity and affirmed name.

References: Education Code Sections 66093.3, 66271.4 et seq. ~~71091~~ and 76200 et seq.;  
Title 5 Sections 54600 et seq. and 59410;  
Civil Code Sections 1788.90 et seq. and 1798.85;  
10 U.S. Code Sections 503 and 983;



20 U.S. Code Section 1232g subdivision (j) (U.S. Patriot Act);  
ACCJC Accreditation Standard 2

Approved: 11/18/14

END OF DRAFT TEXT

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*Review information, process notes and legal citations section begins on the next page.*



#### Review information

**General information:** *The Office of Institutional Research, Policy & Grants (“OIRPG”) is the Superintendent/President’s designee with oversight of the review process. Review information is provided for draft review purposes only and will be removed when the AP is approved.*

*Each chapter is under the purview of a primary administrative office. The senior administrator’s review of the AP is required. (Note: Ch. 3 APs are assigned individually by subject area.) Other administrators and managers whose work should inform AP recommendations provide advisory input. If the AP is designated 10+2, then Academic Senate review is required. If substantive modifications are made to language that is legally required or advised, then CCLC recommends review by District legal counsel. Per AP 2410, non-substantive edits may be made without further institutional review.*

#### Specific information:

Chapter	<input type="checkbox"/> 1-The District <input type="checkbox"/> 2-Governing Board <input type="checkbox"/> 3-General Institution <input type="checkbox"/> 4-Instruction <input checked="" type="checkbox"/> 5-Student Services <input type="checkbox"/> 6-Business and Fiscal Affairs <input type="checkbox"/> 7-Human Resources
AP designation(s)	<input checked="" type="checkbox"/> Legally required <input type="checkbox"/> Legally advised <input checked="" type="checkbox"/> Accreditation Standard/ER <input type="checkbox"/> Suggested as good practice (optional) <input type="checkbox"/> Chaffey specific <input checked="" type="checkbox"/> 10+2
Primary administrative office	<input type="checkbox"/> Superintendent/President (Ch 1, 2, 3) <input type="checkbox"/> AS Administrative Services and Emergency Operations (Ch 3) <input type="checkbox"/> AS Business Services and Economic Development (Ch 3, 6, 7) <input type="checkbox"/> AS Instruction and Institutional Effectiveness (Ch 3, 4) <input checked="" type="checkbox"/> AS Student Services and Strategic Communications (Ch 3, 5)
Advisory office(s)	Admissions & Records
CCLC update	Checked for any legally required or advised language issued by the CCLC Policy Subscriber Service through: October 2024 legal update
References	Legal text attached: <input checked="" type="checkbox"/> Yes, <i>in part</i> <input type="checkbox"/> No File: 5040_AP Legal Citations OIRPG 531.pdf

#### Process notes

**Standard AP review sequence per AP 2410:** *Initial review (by OIRPG) | Administrator | Faculty 10+2 if required | President’s Cabinet (1<sup>st</sup> reading and information; sunshine with participatory governance groups for input; 2<sup>nd</sup> reading and approval).*

Date	Review Step
2/7/25	Initial review   OIRPG  Revised by Melissa Christian (Exec Dir), Trinity Kealoha (Rsch & Policy Spec): CCLC; directory information categories per executive team/Ryan Church; references; clarifying language from EDC, USC.
3/10/25	Admin review   Student Services, Legal



Process notes

	OIRPG reviewed and revised with Alisha Rosas (Sr Admin), Tomeika Carter (Acting Exec Dir, Student Support Services), Hugo Flores (Dir, A&R); Ryan Church (Chief Legal Officer)
TBD	Faculty 10+2 – review required
TBD	Cabinet

Legal citations

EDC §§ [66093.3](#), [66271.4 et seq.](#), [76200 et seq.](#) | Title 5 §§ [54600 et seq.](#) and [59410](#) | CIV §§ [1788.90 et seq.](#) and [1798.85](#) | 10 USC §§ [503](#) and [983](#) | 20 USC § [1232g](#) (j) | [ACCJC](#) Accreditation Standard 2

**NOTE: The following legal text corresponds to revisions made to the language in the AP. It does not include all the above-cited sections.**

**California Education Code**

**EDC § 66093.3 (a), (f), (h)**

The Trustees of the California State University, the governing board of each community college district in the state, and each independent institution of higher education that is a qualifying institution as defined in subdivision (l) of Section 69432.7, shall, and the Regents of the University of California are requested to, do all of the following to the fullest extent consistent with state and federal law:

(a) Refrain from disclosing personal information about students, faculty, and staff except: (1) with the consent of the person identified, or if the person is under 18 years of age, with the consent of the parent or guardian of the person identified; (2) as may legally be disclosed under state and federal privacy laws; (3) for the programmatic purpose for which the information was obtained; (4) as part of a directory that does not include residence addresses or individual persons' course schedules and that the person has not elected to opt out of; or (5) in response to a judicial warrant, court order, or subpoena.

(f) Designate a staff person to serve as a point of contact for any student, faculty, or staff person who may or could be subject to an immigration order or inquiry on campus. Unless the disclosure is permitted by state and federal education privacy law, faculty and staff persons shall be prohibited from discussing the personal information, including immigration status information, of any student, faculty, or staff person with anyone, or revealing that personal information to anyone. Nothing in this subdivision shall be construed to require a college or university to hire staff to fulfill the requirements of this subdivision.

(h) Adopt and implement, by March 1, 2019, the [model policy developed by the Attorney General](#) or an equivalent policy pursuant to the California Values Act (Chapter 17.25 (commencing with Section [7284](#)) of Division 7 of Title 1 of the Government Code), limiting assistance with immigration enforcement to the fullest extent possible consistent with federal and state law.

**EDC § 66271.4**

(a) For purposes of this section, "public postsecondary educational institution" or "institution" means a campus of the University of California, the California State University, or the California Community Colleges.



(b) (1) If a public postsecondary educational institution receives government-issued documentation, as described in subdivision (c), from a former student demonstrating that the former student's legal name or gender has been changed, the institution shall update the former student's records to include the updated legal name or gender. If requested by the former student, the institution shall reissue any documents conferred upon the former student with the **former student's updated legal name or gender**. Documents that shall be reissued by the institution upon request include, but are not necessarily limited to, a diploma conferred by the institution.

(2) An institution shall not charge a higher fee for correcting, updating, or reissuing a document based on a legal name or gender change than the fee it charges for correcting, updating, or reissuing that document generally.

(3) Notwithstanding any other law in conflict with this paragraph, except Section 67400, an institution may use a student's gender or legal name as indicated in a government-issued identification document only if it is necessary to meet a legally mandated obligation, but otherwise shall identify the student in accordance with the student's gender identity and affirmed name.

(c) The documentation of a former student sufficient to demonstrate a legal name or gender change includes, but is not necessarily limited to, any of the following:

- (1) State-issued driver's license or identification card.
- (2) Birth certificate.
- (3) Passport.
- (4) Social security card.
- (5) Court order indicating a name change or a gender change, or both.

(d) This section does not require the institution to modify records that the former student has not requested for modification or reissuance.

(e) Commencing with the 2023–24 graduating class, an institution shall provide an option for a graduating student to request that the diploma to be conferred by the institution list the student's chosen name. Commencing with the 2023–24 graduating class, an institution shall not require a graduating student to provide legal documentation sufficient to demonstrate a legal name or gender change in order to have the student's chosen name be the sole name listed on the student's diploma.

(Amended by Stats. 2023, Ch. 222, Sec. 1. (AB 760) Effective January 1, 2024.)

**EDC § 66271.41**

(a) The governing board of each community college district and the Trustees of the California State University shall, and the Regents of the University of California are requested to, implement a system by which **current students**, staff, and faculty can declare an **affirmed name, gender, or both** name and gender identification **to be used in their records** where legal names are not required by law.

(b) Upon the request of an individual, a community college campus and a California State University campus shall, and a University of California campus is requested to, update any records for current students, staff, and faculty to include the affirmed name, gender, or both name and gender identification. The records that shall be updated include, but are not limited to, all of the following:

- (1) School-issued email addresses.
- (2) Campus identification cards.
- (3) Class rosters.
- (4) Unofficial and official transcripts.



(5) Diplomas, consistent with subdivision (e) of Section 66271.4, certificates of completion of courses, or similar records.

(c) (1) Commencing with the 2023–24 academic year, community college campus systems shall be fully capable of allowing current students, staff, or faculty to declare an affirmed name, gender, or both name and gender identification.

(2) Commencing with the 2024–25 academic year, California State University campus systems shall, and University of California campus systems are requested to, be fully capable of allowing current students, staff, or faculty to declare an affirmed name, gender, or both name and gender identification.

(d) A community college campus and a California State University campus shall not, and a University of California campus is requested to not, charge a higher fee for correcting, updating, or reissuing a document or record based on the declaration of an affirmed name or gender identification than the fee it charges for correcting, updating, or reissuing that document or record generally.

(e) Notwithstanding any other law in conflict with this subdivision, except Section 67400, a public postsecondary educational institution may use an individual's gender or legal name as indicated in a government-issued identification document only if it is necessary to meet a legally mandated obligation, but otherwise shall identify the individual in accordance with the individual's gender identity and affirmed name.

(Amended by Stats. 2023, Ch. 222, Sec. 2. (AB 760) Effective January 1, 2024.)

#### EDC § 76210 (b)

(b) “**Directory information**” means one or more of the following items: a student's name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous public or private school attended by the student, and any other information authorized in writing by the student.

#### EDC § 76230

Any currently enrolled or former student has a right to access to any and all student records relating to him maintained by community colleges. The editing or withholding of any such records, except as provided for in this chapter, is prohibited.

Each community college district shall adopt procedures for the granting of **requests by students to inspect and review records** during regular school hours, provided that access shall be granted no later than 15 working days following the date of the request. Procedures shall include notification of the location of all official student records if not centrally located and the providing of qualified personnel to interpret records where appropriate.

(Amended by Stats. 1977, Ch. 36.)

#### EDC § 76240

(a) (1) Community college districts shall **adopt** a policy identifying those **categories of directory information**, as defined under Section [1232g](#) of Title 20 of the United States Code as it exists on January 1, 2006, **that may be released**. The names and addresses of students may be provided to a private school or college operating under Sections 8080 to 8093, inclusive, Sections 33190 and 33191, or Sections 94000 to 94409, inclusive, or its authorized representative. However, no private school or



college shall use this information for other than purposes directly related to the academic or professional goals of the institution.

(2) Any violation of this subdivision is a misdemeanor, punishable by a fine not to exceed two thousand five hundred dollars (\$2,500), and, in addition, the privilege of the school or college to receive this information shall be suspended for a period of two years from the time of discovery of the misuse of the information.

(b) Any community college district may limit or deny the release of specific categories of directory information based upon a determination of the best interests of students.

(c) Directory information may be released according to local policy as to any former student or any student currently attending the community college. However, public notice shall be given at least annually of the categories of information that the district plans to release and of the recipients. **No directory information shall be released regarding any student or former student when the student or former student has notified the institution that the information shall not be released.**

(Amended by Stats. 2005, Ch. 654, Sec. 12. Effective October 7, 2005.)

## California Code of Regulations Title 5

### Title 5 § 54626 – Directory Information

(a) Community college districts shall adopt a policy identifying any of the categories of directory information which may be released under Education Code section [76210](#) or allowed under federal law at 34 C.F.R. section [99.3](#).

(b) Directory information, as established by the local governing board, may be released provided that public notice is given at least annually in accordance with Education Code section 76240. Such notice shall also specify the period of time within which the student must inform the district in writing that such personally identifiable information is not to be designated as directory information with respect to that student.

(c) Any district may, in its discretion, limit or deny the release of specific categories of directory information based upon a determination of the best interests of students.

(Amendment of section and Note filed 3-15-2006; operative 4-14-2006)

### Title 5 § 59410 – District Debt Collection Activities

Any activity by a district to collect a debt from a student must commence with written notice to the student or former student that they have failed to pay a financial obligation due to the district. The governing board of a community college district may not withhold grades or transcripts from students or former students in an effort to collect a debt. All debt collection activities must promptly end when a student satisfactorily meets their financial obligations to the district.

(Repealer and new section filed 8-19-2020; operative 9-18-2020)

## California Civil Code

### CIV §§ 1788.90 et seq.



**1788.90.** This title shall be known, and may be cited, as **the Educational Debt Collection Practices Act.**

(Added by Stats. 2019, Ch. 518, Sec. 1. (AB 1313) Effective January 1, 2020.)

**1788.91.** The Legislature finds and declares all of the following:

(a) Schools and colleges have threatened to withhold transcripts from students as a debt collection tactic. The practice can cause severe hardship by preventing students from pursuing educational and career opportunities, and it is therefore unfair and contrary to public policy. Moreover, the practice is counterproductive as it may further delay the payment of the debt by creating obstacles to student employment.

(b) It is the purpose of this title to prohibit schools from interfering with student educational and career opportunity by the withholding of transcripts.

(Added by Stats. 2019, Ch. 518, Sec. 1. (AB 1313) Effective January 1, 2020.)

**1788.92.** For purposes of this title, the following terms shall have the following meanings:

(a) "School" means any public or private postsecondary school, or any public or private entity, responsible for providing transcripts to current or former students of a school.

(b) "Debt" means any money, obligation, claim, or sum, due or owing, or alleged to be due or owing, from a student, but does not include the fee, if any, charged to all students for the actual costs of providing the transcripts.

(Added by Stats. 2019, Ch. 518, Sec. 1. (AB 1313) Effective January 1, 2020.)

**1788.93.** Notwithstanding any provision of law, a school shall not do any of the following:

(a) Refuse to provide a transcript for a current or former student on the grounds that the student owes a debt.

(b) Condition the provision of a transcript on the payment of a debt, other than a fee charged to provide the transcript.

(c) Charge a higher fee for obtaining a transcript, or provide less favorable treatment of a transcript request because a student owes a debt.

(d) Use transcript issuance as a tool for debt collection.

(Added by Stats. 2019, Ch. 518, Sec. 1. (AB 1313) Effective January 1, 2020.)

**1788.94.** Any waiver of a provision of this title is contrary to public policy and is void and unenforceable.

(Added by Stats. 2024, Ch. 853, Sec. 13. (AB 3281) Effective January 1, 2025.)

## Title 10 United States Code

### § 503 Enlistments: recruiting campaigns; compilation of directory information

#### § 503 (b)(1)

Compilation of Directory Information.-(1) The Secretary of Defense may collect and compile directory information pertaining to each student who is 17 years of age or older or in the eleventh grade (or its equivalent) or higher and who is enrolled in a secondary school in the United States or its territories, possessions, or the Commonwealth of Puerto Rico.



§983. Institutions of higher education that prevent ROTC access or military recruiting on campus: denial of grants and contracts from Department of Defense, Department of Education, and certain other departments and agencies

**§ 983 (b)**

Denial of Funds for Preventing Military Recruiting on Campus.-No funds described in subsection (d)(1) may be provided by contract or by grant to an institution of higher education (including any subelement of such institution) if the Secretary of Defense determines that that institution (or any subelement of that institution) has a policy or practice (regardless of when implemented) that either prohibits, or in effect prevents-

(1) the Secretary of a military department or the Secretary of Homeland Security from gaining access to campuses, or access to students (who are 17 years of age or older) on campuses, for purposes of military recruiting in a manner that is at least equal in quality and scope to the access to campuses and to students that is provided to any other employer;

(2) access by military recruiters for purposes of **military recruiting**, with respect to students (who are 17 years of age or older) enrolled at that institution (or any subelement of that institution)-

**(A)** names, addresses, electronic mail addresses (which shall be the electronic mail addresses provided by the institution, if available), and telephone listings, which information shall be made available not later than the 60th day following the date of a request; and

**(B)** date and place of birth, levels of education, academic majors, degrees received, and the most recent educational institution enrolled in by the student.

		Present	Adoption of the 4.1.25 Agenda	Approval of Consent Agenda 4.1.25	to recommend additional faculty be placed on the ACD Dean Hiring Committee to include someone from the Chino and Fontana Campuses and possibly a coordinator
<i>Alternate Senators Italicized</i>					
Representation	Name				
President	Nicole DeRose	Y			
Vice President	Elizabeth "Liz" Encarnacion				
Secretary/Treasurer	Robin Witt	Y	Y	Y	Y
Curriculum Chair	Angela Burk-Herrick	Y	Y	Y	Y
Business & Applied Technology	Joseph Lee	Y	Y	Y	Y
Business & Applied Technology	Jonathan Polidano	Y	Y	Y	Y
<i>Business &amp; Applied Technology Alternate</i>	<i>Jay Scott</i>				
Chino Campus	Hannah Carter	Y	Y	Y	Y
Chino Campus	Robert Nazar	Y	Y	Y	Y
<i>Chino Campus Alternate</i>	<i>Manar Hijaz</i>	Y			
Fontana Campus	Sean Connelly	Y	Y	Y	Y
Fontana Campus	Anthony "Tony" Guaracha	Y	Y	Y	Y
<i>Fontana Campus Alternate</i>	<i>Greg Creel</i>				
Health Sciences	Jayne Clark Frize				
Health Sciences	Omar Estrada	Y	Y	Y	Y
<i>*Health Sciences Alternate</i>	<i>Lisa Doget</i>				
HFIC	Tara Johnson				
HFIC	Vacant				
<i>HFIC Alternate</i>	<i>Vacant</i>				
Instructional Support	Terezita Overduin	Y	Y	Y	Y
Instructional Support	Christina Holdiness	Y	Y	Y	Y
<i>Instructional Support Alternate</i>	<i>Shelley Marcus</i>	Y			
Kinesiology, Nutrition, & Athletics	Robert Hadaway	Y	Y	Y	Y
Kinesiology, Nutrition, & Athletics	Annette Henry				
<i>Kinesiology, Nutrition, &amp; Athletics Alternate</i>	<i>Candice Hines-Tinsley</i>	Y	Y	Y	Y
Language Arts	Laura Santamaria Brady	Y	Y	Y	Y
Language Arts	Phatana Ith				
<i>*Language Arts Alternate</i>	<i>Stephen Shelton</i>	Y	Y	Y	Y
Mathematics & Science	Jinny Lee	Y	-	Y	Y
Mathematics & Science	Robin Witt				
<i>Mathematics &amp; Science Alternate</i>	<i>Justin Keller</i>	Y	Y	-	-
<i>Mathematics &amp; Science Alternate</i>	<i>Louisa Villeneuve</i>	Y			
Social & Behavioral Sciences	Vacant				
Social & Behavioral Sciences	Patricia Gomez	Y	Y	Y	Y
<i>*Social &amp; Behavioral Sciences Alternate</i>	<i>Vacant</i>				
Student Services	Myra Andrade	Y	Y	Y	Y
Student Services	Michelle Martinez				
<i>* Student Services Alternate</i>	<i>Melissa Johannsen</i>	Y	Y	Y	Y
<i>* Student Services Alternate</i>	<i>Fabiola Espitia</i>	Y			
Visual and Performing Arts	Vacant				
Visual and Performing Arts	Leta Ming				
<i>*Visual and Performing Arts Alternate</i>	<i>Vacant</i>				
Senator-At-Large	Sarah Chamberlain	Y	Y	Y	Y
Senator-At-Large	Tamari Jenkins	Y	Y	Y	Y
Senator-At-Large	Jackson Tropp	Y	-	-	Y
Adjunct Senator-at-Large	Vacant				
Adjunct Senator-at-Large	Tina Kuo	Y	Y	Y	Y
<i>*Adjunct Alternate Senator</i>	<i>Vacant</i>				
Classified Senate Liaison	Sarah Schmidt				
Chaffey College Student Government	Anthony Soliman				
RED indicates reported absence	PURPLE indicates reported tardy/leave early				
<b>Total Yes Votes</b>		<b>29</b>	<b>22</b>	<b>22</b>	<b>23</b>
<b>Total No Votes</b>			<b>0</b>	<b>0</b>	<b>0</b>
<b>Total Abstentions</b>			<b>0</b>	<b>0</b>	<b>0</b>
- = Not available during meeting to vote					
39 members total - up to 27 voting at any given time. The President is a non-voting member, but counts as quorum. Curriculum Chair now votes per 8.25.20 meeting.					
President ONLY votes to break a tie.					
A quorum shall consist of two-thirds of the voting members of the Academic Senate					
18 members are needed for QUORUM					
37 Present at this meeting = 29 members, 8 visitors					
4.1.25 Academic Senate Meeting					

