
**Kern Community College District
Administrative Procedure
Chapter 5 – Student Services**

AP 5010 Admissions and Concurrent Enrollment

Accreditation Related

References:

Education Code Section 76000;
34 Code of Federal Regulations Part 668.16 subdivision (p) (U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid Programs under Title IV of the Higher Education Act of 1965, as amended);
ACCJC Accreditation Standard II.C.6

Note: This procedure is legally required.

The Chief Instructional Officer at each respective college shall be responsible for evaluating the validity of a student's high school completion if the college or the United States Department of Education has reason to believe that the high school diploma is not valid or was not obtained from an entity that provides secondary school education.

The District may deny or place conditions on a student's enrollment upon a finding by the Board or designee that the applicant has been expelled within the preceding five years or is undergoing expulsion procedures in another California Community college District, and the applicant continues to present a danger to the physical safety of students and/or employees of the District.

Admission to Impacted Programs

In the event the number of applicants designated to be eligible for admission exceeds the number of student positions in a program, the following selection process may be used to determine student admission.

Applicants who are eligible will be admitted in the order in which their names appear on an eligibility list established for each program. The applicant's position on the list will be determined by specific procedures established for each program. Screening and selection criteria will be applied consistently for all applicants at each College respective college. Criteria which may be used to establish priority for admittance are noted in the following sections or may be allowed by using other non-evaluative techniques to determine who may enroll.

Academic prerequisites may include high school graduation or equivalent, grade point average, and completion of high school courses, or college courses which are directly related to the curriculum content of the impacted program.

Standard testing procedures may include aptitude tests, attitude or personality tests, skills performance, and competency tests in specific fields.

Criminal background checks, drug screening, and physical health assessments of an applicant may be used to assure that the health and safety of the public is protected and to assure the student is able to perform the work required in the program. {See Title 5, Section 58106(b).}

An interview procedure may be used in the screening and selection process. The interview shall be preceded by instructions to the applicant indicating the purpose, conduct, and general content of the interview. The interview procedure shall be uniform for all applicants, contain items relevant to the discipline, and result in a quantitative evaluation. The interview committee shall consist of two (2) or more persons.

Previous experience may be used as a criterion for screening and selection. Student failure to complete the application procedure may preclude admittance.

Each cCollege shall have available for interested applicants the specific and current criteria for implementing this policy.

In Administration of Justice courses approved by the Commission on Peace Officer Standards and Training, preference in enrollment may be given to employed law enforcement trainees who are required to complete such courses pursuant to law. Preference should only be given when the trainee cannot complete the course within the time required by statute and when no other training program is reasonably available. Preference is limited to eighty-five percent (85%) of enrollment when there are sufficient numbers of non-law enforcement trainees available.

Limitations on Enrollment in Courses or Programs

Enrollment may be limited by the College President or designee to students meeting validated prerequisites and co-requisites established by the respective college's Curriculum Committee. (See Title 5, Section 55003).

Enrollment may be limited due to health and safety considerations, facility limitations, faculty workload, the availability of qualified instructors, funding limitations, or legal requirements.

Enrollment will be allowed on a first-come, first-served basis or by using other non-evaluative techniques to determine who may enroll.

Enrollment in intercollegiate competition courses, honors courses, or public performance courses may be allocated to those students judged most qualified.

Enrollment in individual sections of multi-section courses may be limited to a cohort of

students enrolled in one or more other courses provided, however, a reasonable percentage of all sections of the course do not have such restrictions.

The colleges will limit the total number of units in which students who have been disqualified or placed on probationary status may enroll. (See [Administrative Procedure 4250](#).)

Students may challenge an enrollment limitation on the grounds that: ~~the~~The limitation is either unlawfully discriminatory or is being applied in an unlawfully discriminatory manner; the District is not following its policy on enrollment limitations; or the basis upon which the ~~district~~District has established an enrollment limitation does not, in fact, exist.

The student shall bear the burden of showing that grounds exist 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. In the case of a challenge under this Policy, the District shall, upon completion of the challenge procedure, advise the student that he or she may file a formal complaint for unlawful discrimination. (See [Administrative Procedure 5530](#).)

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AP 5011 Admission and Concurrent Enrollment of High School and Other Young Students

References:

Education Code Sections 48800, 48800.5, 76001, 76002, and 76004

Note: This procedure is legally required if the District admits high school students or younger students.

If the decision to offer a class on a high school campus is made after publication of the District's regular schedule of classes, and the class is only advertised to the general public through electronic media, the class must be advertised for a minimum of 30 continuous days prior to the first meeting of the class.

If the class is offered on a high school campus, the class may not be held during the time the campus is closed to the general public, as defined by the school board.

If the class is a ~~P~~physical ~~education~~ Education class, no more than ~~40~~ ten percent ~~of~~ (10%) of the enrollment of the class may consist of special part-time or full-time students.

To be considered for admittance as a special part-time student, the student must meet the eligibility standards as established in Education Code Sections 48800 and 76001.

Admission is subject to seat availability. The student must submit:

- ~~district~~ District application for admission;
- ~~written~~ Written and signed parental or guardian consent;
- ~~written~~ Written and signed approval of his/her/their principal; and
- ~~demonstration~~ Demonstration that the student is capable of profiting from instruction.

To be considered for admission as a special full-time student, the student must meet the eligibility standards as established in Education Code Section 48800.5.

The student must submit:

- ~~written~~ Written and signed parental or guardian consent;

- ~~written~~Written and signed approval of his/her principal that the student has availed himself/herself of all opportunities to enroll in an equivalent course at his/her school of attendance; and
- ~~demonstration~~Demonstration that the student has adequate preparation in the disciplines to be studied.

Courses in which high school and other young students are permitted to enroll will be open to the entire college population and will be taught with the rigor appropriate to college-level courses in accordance with the approved ~~course~~Course outlineOutline of Record.

If a request for special part-time or full-time enrollment is denied for a pupil who has been identified as highly gifted, the Board shall provide written findings and reasons for the denial within 60 days. A recommendation regarding the request for admission, and the denial shall be submitted to the Board at a regularly scheduled meeting that falls at least 30 days after the request for admission has been submitted.

College and Career Access Pathways (CCAP)

The ~~governing board~~Board shall adopted all the legal requirements of Education Code Section 76004 in order to participate in the College and Career Access Pathways (CCAP) partnership with the governing board of a school district for the purpose of offering or expanding ~~dual~~Dual enrollmentEnrollment opportunities for students who may not already be college bound or who are underrepresented in higher education, with the goal of developing seamless pathways from high school, including continuation high schools, to community college for career technical education or preparation for transfer, improving high school ~~shall adopt~~ graduation rates, and/or helping high school pupils achieve college and career readiness.

The District may enter into a CCAP partnership with a school district partner that is governed by a CCAP partnership agreement approved by the governing boards of both districts. As a condition of adopting a CCAP partnership agreement, the governing board of each district, shall do both of the following:

- For career technical education pathways to be provided under the partnership, consult with, and consider the input of, the appropriate local workforce development board to determine the extent to which the pathways are aligned with regional and statewide employment needs. The governing board of each district shall have final decision-making authority regarding the career technical education pathways to be provided under the partnership; and
- Present, take comments from the public on, and approve or disapprove the ~~dual~~Dual enrollmentEnrollment partnership agreement at an open public meeting of the ~~governing board~~Board of ~~Trustee~~the district.

The CCAP partnership agreement shall be filed with the California Community Colleges Chancellor's Office and with the department before the start of the CCAP partnership, and shall:

- ~~outline~~ Outline the terms of the CCAP partnership and shall include, but not necessarily be limited to, the total number of high school pupils to be served and the total number of full-time equivalent students projected to be claimed by the ~~community college~~ District for those pupils; the scope, nature, time, location, and listing of community college courses to be offered; and criteria to assess the ability of pupils to benefit from those courses.;
- ~~establish~~ Establish protocols for information sharing, in compliance with all applicable state and federal privacy laws, joint facilities use, and parental consent for high school pupils to enroll in community college courses. The protocols shall only require a high school pupil participating in a CCAP partnership to submit one parental consent form and principal recommendation for the duration of the pupil's participation in the CCAP partnership.;
- ~~identify~~ Identify a point of contact ~~for from~~ the ~~participating community college~~ District and school district partner.;
- ~~certify~~ Certify that any community college instructor teaching a course on a high school campus has not been convicted of any sex offense as defined in Education Code Section 87010 or any controlled substance offense as defined in Education Code Section 87011.;
- ~~certify~~ Certify that any community college instructor teaching a course at the partnering high school campus has not displaced or resulted in the termination of an existing high school teacher teaching the same course on that high school campus.;
- ~~certify~~ Certify that a qualified high school teacher teaching a course offered for college credit at a high school campus has not displaced or resulted in the termination of an existing community college faculty member teaching the same course at the partnering community college campus.;
- ~~include~~ Include a plan by the ~~participating community college~~ District to ensure all of the following:
 - A community college course offered for college credit at the partnering high school campus does not reduce access to the same course offered at the partnering community college campus;
 - A community college course that is oversubscribed or has a waiting list shall not be offered in the CCAP partnership; and
 - Participation in a CCAP partnership is consistent with the core mission of the community colleges pursuant to Education Code Section 66010.4, and that pupils participating in a CCAP partnership will not lead to enrollment displacement of otherwise eligible adults in the community college.
- ~~certify~~ Certify that both the District and the school district partners ~~and community college district partners~~ comply with local collective bargaining agreements and all state and federal reporting requirements regarding the qualifications of the teacher

or faculty member teaching a CCAP partnership course offered for high school credit.

- ~~specify~~ Specify both of the following:
 - Which participating district will be the employer of record for purposes of assignment monitoring and reporting to the county office of education; and
 - Which participating district will assume reporting responsibilities pursuant to applicable federal teacher quality mandates.

- ~~certify~~ Certify that any remedial course taught by community college faculty at a partnering high school campus shall be offered only to high school pupils who do not meet their grade level standard in math, English, or both on an interim assessment in grade 10 or 11, as determined by the partnering school district, and shall involve a collaborative effort between high school and community college faculty to deliver an innovative remediation course as an intervention in the pupil's junior or senior year to ensure the pupil is prepared for college-level work upon graduation.

~~A community college district participating in a~~ The CCAP partnership shall not provide ~~physical~~ Physical education ~~Education~~ course opportunities to high school pupils or any other course opportunities that do not assist in the attainment of at least one of the following goals:

- ~~developing~~ Developing seamless pathways from high school to community college for career technical education or preparation for transfer;
- ~~improving~~ Improving high school graduation rates; or
- ~~helping~~ Helping high school pupils achieve college and career readiness.

The District will not enter into a CCAP partnership with a school district within the service area of another community college district, except where an agreement exists, or is established, between those community college districts authorizing that CCAP partnership.

A high school pupil enrolled in a course offered through a CCAP partnership shall not be assessed any fee that is prohibited by Education Code Section 49011.

The District may assign priority for enrollment and course registration to a pupil seeking to enroll in a community college course that is required for the pupil's CCAP partnership program that is equivalent to the priority assigned to a pupil attending a middle college high school as described in Education Code Section 11300 and consistent with middle college high school provisions in Education Code Section 76001. Units completed by a pupil pursuant to a CCAP agreement may count towards determining a pupil's registration priority for enrollment and course registration at a community college.

The District may limit enrollment in a community college course solely to eligible high school students if the course is offered at a high school campus, either in person or using an online platform, during the regular school day and the community college course is

offered pursuant to a CCAP partnership agreement.

The District may allow a special part-time student participating in a CCAP partnership agreement established pursuant to this article to enroll in up to a maximum of 15 units per term if all of the following circumstances are satisfied:

- The units constitute no more than four (4) community college courses per term;
- The units are part of an academic program that is part of a CCAP partnership agreement established pursuant to this article; and
- The units are part of an academic program that is designed to award students both a high school diploma and an associate degree or a certificate or credential.

The ~~governing board~~ Board of the District exempts special part-time students from the following fee requirements:

- Student representation fee (Education Code Section 76060.5);
- Nonresident tuition fee and corresponding permissible capital outlay fee or processing fee (Education Code Section 76140);
- Transcript fees (Education Code Section 76223);
- Course enrollment fees (Education Code Section 76300);
- Apprenticeship course fees (Education Code Section 76350); and
- Child ~~development~~ Development center Center fees (Education Code Section 79121)

The District shall not receive a ~~state~~ State allowance or apportionment for an instructional activity for which the partnering district has been, or shall be, paid an allowance or apportionment.

The attendance of a high school pupil at a community college as a special part-time or full-time student pursuant to this section is authorized attendance for which the community college shall be credited or reimbursed pursuant to Education Code Section 48802 or 76002, provided that ~~no a~~ school district has not received reimbursement for the same instructional activity. For purposes of calculating classroom-based average daily attendance for classroom-based instruction apportionments, at least ~~80~~ eighty percent (80%) of the instructional time offered by a charter school pursuant to an authorized CCAP partnership agreement shall be at the school site, and the charter school shall require the attendance of a pupil for a minimum of ~~50~~ fifty percent (50%) of the minimum instructional time required to be offered pursuant to paragraph (1) of subdivision (a) of Education Code Section 47612.5, ~~if~~ If the pupil is also a special part-time student enrolled in a community college pursuant to this section and the pupil will receive academic credit upon satisfactory completion of enrolled courses.

For each CCAP partnership agreement entered into pursuant to this section, the ~~district~~ District shall report annually to the California Community Colleges Chancellor's Office, the Legislature, the Director of Finance, and the Superintendent all of the following information:

- The total number of high school pupils by school site enrolled in each CCAP partnership, aggregated by gender and ethnicity, and reported in compliance with all applicable ~~state~~State and federal privacy laws~~;~~;
- The total number of community college courses by course category and type and by school site enrolled in by CCAP partnership participants~~;~~;
- The total number and percentage of successful course completions, by course category and type and by school site, of CCAP partnership participants~~;~~;
- The total number of full-time equivalent students generated by CCAP partnership community college district participants~~;~~; and
- The total number of full-time equivalent students served online generated by CCAP partnership community college district participants.

**Kern Community College District
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AP 5012 International Students

References:

Education Code Section 76000;
34 Code of Federal Regulations Part 668.16 subdivision (p) (U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid Programs under Title IV of the Higher Education Act of 1965, as amended);
ACCJC Accreditation Standard II.C.6

Note: This procedure is legally required.

Each college shall adhere to federal requirements regarding immigration documentation and shall implement procedures that address:

i. ~~Application Process~~ process including submission of ~~Visa~~ visa information.

i. International students who seek admission must satisfy the following conditions:

- A. Submission of the District's International Student Application and a recent photo, including processing fee.
- B. Submission of high school grade reports and, if applicable, English language program transcripts and all other college or university grade reports. Transcripts must be translated into English and must bear the school seal and be signed by the registrar or appropriate school official. English language and translated secondary school and college transcripts. Transcripts that are hand delivered, opened by the student, or mailed by the student will not be accepted.
- C. Submission of confidential financial statement and bank certification letter showing proof of sufficient funds to cover a minimum of one year of studies.
- D. Submission of a copy of valid passport.
- E. F-1 students must purchase the medical insurance plan, which is approved by the District.

ii. Attendance pursuant to an F-1 visa;

iii. F-1 visa students must certify that their intent is to attend college on a full-time basis and that ~~no~~ employment is not required. Students are required to enroll in ~~no less than~~ a minimum of 12 units (full-time) per semester and expected to complete their community college education in a timely manner.

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~~units (full-time) per semester and expected to complete their community college education in a timely manner.~~

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- iv. Maintaining a minimum of 2.00 GPA;
- v. Reporting a change in major to the Designated School Official (DSO);
- vi. Reporting a change in address to the DSO;
- vii. Receiving permission to leave the United States from the DSO;
- viii. Not engaging in any employment unless permitted to do so by the DSO and the Department of Homeland Security;
- ix. Meeting all deadlines regarding an extension of visa and departure from the United States;
- x. International students are required to maintain the same standard of scholarship as other students and are subject to the same rules of academic standing (e.g. probation and disqualification);
- xi. Required TOEFL (Test of English as a Foreign Language) scores, such as:
 - o TOEFL (Test of English as a Foreign Language) score: ~~minimum~~ Minimum score of 450 (~~on the~~ paper-based test) or score of 45 (~~on the~~ ~~internet~~internet-based test). Score ~~r~~Reports must be less than two (2) years old.
 - o IELTS (International English Language Testing System) test: ~~minimum~~ Minimum score of 4.5.
 - o TOEIC (Test of English for International Communication): ~~minimum~~ Minimum score of 620.
 - o iTEP (International Test of English Proficiency): ~~minimum~~ Minimum score of 4.0
 - o GTEC (Global Test of English Communication)
:https://www.benesse.co.jp/gtec/; Minimum score of 903-945.
 - o EIKEN (STEP) test (EIKEN/Society for Testing English Proficiency): ~~minimum~~ Minimum score of 2a (test offered by Japanese high schools and universities).
 - o CSU Bakersfield IELC (Intensive English Language Center): ~~minimum~~ Minimum is of "Advanced" level.
 - o ELS Centers in the US or overseas: ~~minimum~~ Minimum Level score of 109.
 - o Studied in an English-speaking country.
 - o Completed "O" or "A" levels in a former British colony (e.g. Singapore).
 - o Studied English language as an exchange student for at least two (2) semesters in one of the U.S. schools and achieved grade "C" or higher.
 - o Is transferring directly from an academic program at a U.S. college or university.

xii. Residence ~~determination~~Determination:

A. Alien Students Who Are Not Precluded From Establishing Residency

i. ~~1.~~ 1. Alien Student Establishing Residency: ~~a~~A student who is an alien may establish his/~~or~~ her/their residence pursuant to the provisions of the laws and regulations of the United States Immigration Code and the laws and regulations of California residency if not precluded by the Immigration and Nationality Act from establishing domicile in the United States; ~~;~~, provided that the student has had residence in California for more than one year prior to the residence determination date for the semester or term (summer or winter) for which attendance is proposed.

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ii. 2. Residency Policy and Procedure: Students who hold a visa type that may be eligible to establish residency will ~~need to~~must abide by the College District policy and procedure regarding residency.

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iii. 3. Jurisdiction of Change in Residency or Residency Petitions: Students who hold a visa type that is not precluded from establishing residency and who ~~wishes~~wishes to establish California residency shall inquire with the respective College's Office of Admissions & Records.

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B. Alien Students Who Are Precluded From Establishing Residency:

An alien is precluded from establishing domicile in the United States if the alien entered the United States illegally, or under a visa which requires that the alien have residence outside the United States, or that he/~~she/they or she~~ entered the United States solely for a temporary purpose. An alien is precluded from establishing domicile in the United States and shall not be classified as a resident of this state State if he/~~she/they or she~~ holds a visa that is covered by the International Student Program. ~~They are~~Specifically:

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4i) F-1, F-2 – Academic student, spouse and children

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2ii) J-1, J-2 – Exchange visitor, spouse and children

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3iii) M-1, M-2 – Nonacademic or vocational student, spouse and children

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C. C. Exemptions from ~~nonresident Nonresident tuition-Tuition~~ as ~~authorized~~Authorized by Education Code Section 76140(a)(2).

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~~xiii.~~i. F-1, J-1, and M-1 students may be exempted from nonresident tuition provided they have a documented case of economic hardship. Under no circumstance may the number of F-1 students granted an exemption exceed ten percent (10%) of that population. The ~~district-District~~ reserves the right to limit any exemption to one term or a ~~proscribed-prescribed~~ period of time. The ~~district-District~~ also reserves the right to rescind any exemption. Exemptions shall only be granted upon the recommendation of the Superintendent/President of the College Chancellor or desiginee.

~~xiv.~~ii. Calculation of nonresident tuition fee applicable to noncitizens who have not, or cannot, establish residence, in an amount not to exceed the amount expended by the District for capital outlay in the preceding fiscal year divided by the total full-

time equivalent students. This fee cannot exceed ~~50~~fifty percent (50%) of the nonresident tuition charged other nonresidents.

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AP 5013 Students in the Military

References:

Education Code Sections 68074, 68075, 68075.5, and 68075.7;
Title 5 Sections 55023, 55024, 54041, 54042, 54050, and 58620;
Military and Veterans Code Section 824;
38 U.S. Code Section 3679

NOTE: This policy is **legally advised**.

Residence Determinations for Military Personnel and Dependents

A student who is a member of the Armed Forces of the United States stationed in California, except a member of the Armed Forces assigned for educational purposes to a state-supported institution of higher education, is entitled to resident classification. Such student shall retain resident classification in the event that the member of the Armed Forces is thereafter transferred on military orders to a place outside of California or thereafter retires from active duty, so long as the student remains continuously enrolled in the District.

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An undergraduate student who is a natural or adopted child, stepchild, or spouse who is a dependent of a member of the Armed Forces of the United States stationed in this state on active duty and is in attendance at, or has been admitted to, the District shall be entitled to resident classification. Such student shall retain resident classification if he/she/they is thereafter transferred on military orders to a place outside of California, so long as the student remains continuously enrolled in the District.

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A veteran who was discharged or released from at least 90 days of active service and/or his/her/their dependents is eligible for Veteran Affairs (VA) benefits, who enrolls in a course shall receive in-state tuition.

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An individual who is the child or spouse of a service member who, on or after September 11, 2001, died in the line of duty while serving on active duty as a member of the Armed Forces who resides in California is entitled to resident classification.

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An individual who is entitled to transferred Post-9/11 GI Bill program benefits by virtue of their relationship to a member of the uniformed services who is serving on active duty is entitled to resident classification.

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A parent who is a federal civil service employee and his/her/their natural or adopted dependent children are entitled to resident classification if the parent has moved to this state as a result of a military mission realignment action that involves the relocation of at least 100 employees. This classification shall continue until the student is entitled to be classified as a resident, so long as the student continuously attends an institution of public higher education.

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A student claiming the residence classifications provided for in this procedure must provide a statement from the service member's Commanding Officer or personnel officer providing evidence of the date of the assignment to California, and that the assignment to active duty in California is not for educational purposes. A student claiming the residence classifications provided herein for the dependent of military personnel shall provide a statement from the service member's Commanding Officer or personnel officer that the service member's duty station is in California on active duty as of the residence determination date, or has been transferred outside of California on active duty after the residence determination date, or that the service member has retired from active duty after the residence determination date. (Title 5 Sections 54041 and 54042)

Withdrawal Policies for Members of the Military

A student who is a member of an active or reserve United States military service and who receives orders compelling a withdrawal from courses shall be permitted to withdraw upon verification of such orders. A withdrawal symbol may be assigned which may be a "W" or a "MW" (Military Withdrawal). A Military Withdrawal shall not be counted in progress probation, dismissal calculations, or in calculating the permitted number of withdrawals. In no case may a military withdrawal result in a student being assigned an "FW" grade. In no case may a college require a student who is required to report for military duty to withdraw from a course by a specified date in order to receive a full refund of the tuition and fees the student paid to the college for the academic term in which the student was required to report for military service.

Military Absence Policy

Long Term Military Absence

A student informing campuses under Kern Community College District (Bakersfield College, Cerro Coso Community College, or Porterville College) of absence for more than 30 days of military service may choose from among the following options:

- Withdraw retroactively to the beginning of the academic term with a full refund of tuition and fees (California Education Code § 99130 and Section 824 of the Military and Veterans Code); or

- If at least 75 percent of the academic term has been completed, the student may request that the faculty member assign a grade for the course based on the work the student has completed. The faculty member shall make the final decision as to whether to grant the student's request (California Education Code § 99130).

If the faculty member assigns a grade of "I" (Incomplete) for the student's coursework, the student shall have a minimum of four (4) weeks after returning to the campus to complete the course requirements. Additional time may be granted if alternative arrangements are made with the faculty member, and provided that the alternative arrangements are consistent with the requirements of and Section 824 of the Military and Veterans Code (California Education Code § 99130).

Short-Term Military Absence

Students currently serving in the US Armed Forces, and particularly those in the Reserve or National Guard, may be called to active duty or be required to fulfill reserve military obligations for periods shorter than 30 days. In recognition that such service is mandated by State or federal government authorities, absences for these duties shall be considered "excused absences" and shall be accommodated by the colleges of the Kern Community College District. Such students shall not be penalized for the absence.

The instructor will provide the servicemember with reasonable alternative arrangements and due dates to complete coursework missed due to mandatory military service. Examples of alternative arrangements may include, but not limited to:

- Rescheduling exams and quizzes;
- Creating alternative assignments;
- Offering online opportunities to participate in class;
- Establishing alternative dates, times, or modalities for presentations; and/or
- Offering independent study options to complete course requirements

Coursework submitted by the revised deadline shall not incur a reduced grade penalty.

A student whose service meets the requirements for short-term military leave may also choose from the following options for absences less than 30 days of service:

- Withdraw from the institution, retroactively to the beginning of the academic term, with a full refund of tuition and fees (California Education Code § 99130 and Section 824 of the Military and Veterans Code); or
- If at least 75 percent of the academic term has been completed, the student may request that the faculty member assign a grade for the course based on the work the student has completed. The faculty member shall make the final decision as to whether to grant the student's request (California Education Code § 99130).

If the faculty member assigns a grade of "I" (Incomplete) for the student's coursework, the student shall have a minimum of four (4) weeks after returning to the institution to complete the course requirements. Additional time may be granted if alternative arrangements are made with the faculty member, and provided that the alternative arrangements are consistent with the requirements of and Section 824 of the Military and Veterans Code (California Education Code § 99130).

Credit for Military or Public Service—

Credit for military service and for course of study taken while in the military service may be allowed upon verification and evaluation. All such credit shall be designated on the student's permanent record as credit earned while in the armed service.

A Veteran student who has successfully completed Basic Military Training/Recruit Training, with any character discharge, excluding dishonorable, may be awarded up to twelve (12) semester units as listed below:

- Health Education (3 Units),
- Physical Education (2 Units), and;
- General Education (7 Units)

Refer to AP 4255 – Credit for Prior Learning for additional information.

~~4C3A A maximum of two (2) units of credit may be granted to a student for honorable service in the Armed Forces or public service similar to Peace Corps. The minimum service period for earning these two (2) units shall be the usual period of basic training or indoctrination.~~



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AP 5015 Residence Determination

References:

Education Code Sections 68000 et seq., 68130.5, 68074-68075.7, and 68086;
Title 5 Sections 54000 et seq.;
38 U.S. Code Section 3679

Note: This procedure is legally required.

Residence Classification – Residency classifications shall be determined for each student at the time of each registration and whenever a student has not been in attendance for more than one (1) semester. Residence classifications are to be made in accordance with the following provisions:

- A residence determination date is that day immediately preceding the ~~opening-first~~ day of instruction for any session during which the student proposes to attend; ~~and~~
- Residence classification is the responsibility of the ~~Office of Admissions & Records. Admission's Office.~~

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Students must be notified of residence determination within 14 calendar days of ~~submission of~~ their application.

A student seeking to enroll exclusively in career development and college preparation courses, and other courses for which no credit is given, shall not be subject to this residency classification requirement.

~~The District~~ Each college shall publish the residence determination date and summary of the rules and regulations governing residence determination and classification in ~~their~~ District-respective college catalog or addenda thereto.

Rules Determining Residence

- A student who has resided in the state for more than one year immediately preceding the residence determination date is a resident.

- A student who has not resided in the state for more than one year immediately preceding the residence determination date is a nonresident.

The residence of each student enrolled, ~~in~~ or applying for enrollment, in any class or classes maintained by this District shall be determined in accordance with the Education Code which states that every person has, in law, a residence. In determining the place of residence, the following rules are to be observed:

- Every person who is married or 18 years of age, or older, and under no legal disability to do so, may establish residence;
- A person may have only one residence;
- A residence is the place where one remains when not called elsewhere for labor or other special or temporary purpose and to which one returns in seasons of repose;
- A residence cannot be lost until another is gained;
- The residence can be changed only by the union of act and intent;
- A man or a woman may establish his/her/their residence. A woman's residence shall not be derivative from that of her husband;
- The residence of the parent with whom an unmarried minor child maintains his/her/their place of abode is the residence of the unmarried minor child. When the minor lives with neither parent, the minor's residence is that of the parent with whom the last place of abode was maintained, provided the minor may establish his/her/their residence when both parents are deceased and a legal guardian has not been appointed; ~~and~~;
- The residence of an unmarried minor who has a living parent ~~living~~ cannot be changed by the minor's own act, by the appointment of a legal guardian, or by relinquishment of a parent's right of control.

Determination of Resident Status

A resident is a student who has been a bona fide resident of the state for one year prior to the residence determination date. A bona fide resident is a person whose residence is in California as determined above, except:

- A student who is a minor and remains in this state after the parent, who was previously domiciled in California and has established residence elsewhere, shall be entitled to retain resident classification until attaining the age of majority and has resided in the state the minimum time necessary to become a resident, so long as continuous attendance is maintained at an institution;

- A student who is a minor and who provides evidence of being entirely self-supporting and actually present in California for more than one year immediately preceding the residence determination date with the intention of acquiring a residence therein, shall be entitled resident classification until he/she/they has resided in the state the minimum time necessary to become a resident~~;~~.
- A student who has not been an adult for one year immediately preceding the residence determination date for the semester for which the student proposes to attend an institution shall have the immediate pre-majority-derived California residence, if any, added to the post-majority residence to obtain the one year of California residence~~;~~.
- A student holding a valid credential authorizing service in the public schools of this state, who is employed by a school district in a full-time position requiring certification qualifications for the college year in which the student enrolls in an institution, shall be entitled to resident classification if each student meets any of the following requirements:
 - He/she/they holds a provisional credential and is enrolled in courses necessary to obtain another type of credential authorizing service in the public schools~~;~~.
 - He/she/they holds a credential issued pursuant to Education Code Section 44250 and is enrolled in courses necessary to fulfill credential requirements~~;~~.
 - He/she/they is enrolled in courses necessary to fulfill the requirements for a fifth year of education prescribed by subdivision (b) of Education Code Section 44259~~;~~ or
 - A student holding a valid emergency permit authorizing service in the public schools of this state, who is employed by a school district in a full-time position requiring certification qualifications for the academic year in which the student enrolls at an institution in courses necessary to fulfill teacher credential requirements, is entitled to resident classification only for the purpose of determining the amount of tuition and fees for no more than one year. Thereafter, the student's residency status will be determined under the other provisions of this procedure.
- A student who is a full-time employee of the California State University, the University of California or a community college, or of any state agency~~;~~ or a student who is a child or spouse of a full-time employee of the California State University, the University of California or a community college, or of any state agency~~;~~ may be entitled to resident classification, until the student has resided in the state the minimum time necessary to become a resident~~;~~.

- A student who is a natural or adopted child, stepchild, or spouse who is a dependent of a member of the ~~armed~~ Armed forces-Forces of the United States stationed in this state on active duty and is attendance at or has been admitted to the District shall be entitled to resident classification. If the member of the ~~armed~~ Armed forces-Forces of the United States later transfers on military orders to a place outside this state or retires as an active member of the armed forces of the United States, the student dependent shall not lose his/her/their resident classification, so long as he/she/they remains continuously enrolled in the District.;
- A student who is a member of the armed forces of the United States stationed in this state, except a member of the Armed Forces assigned for educational purposes to a state-supported institution of higher education, is entitled to resident classification only for the purpose of determining the amount of tuition and fees. If the student later transfers on military orders to a place outside this state, the student shall not lose his/her/their resident classification, so long as he/she/they remains continuously enrolled in the District.;
- A veteran who was discharged or released from at least 90 days of active service less than three (3) years before the date of enrollment in a course commencing on or after July 1, 2015, and his/her/their dependents, regardless of the veteran's state of residence is entitled to resident classification.;
- An individual who is the child or spouse of a person who, on or after September 11, 2001, died in the line of duty while serving on active duty as a member of the Armed Forces who resides in California.;
- An individual who is entitled to transferred Post-9/11 GI Bill program benefits by virtue of their relationship to a member of the uniformed services who is serving on active duty.;
- A student who is a minor and resides with his/her/their parent in a district or territory not in a district shall be entitled to resident classification, provided that the parent has been domiciled in California for more than one year prior to the residence determination date for the semester, quarter or term for which the student proposes to attend.;
- A ~~student who is a~~ Native American student is entitled to resident classification for attendance at a community college if the student is also attending a school administered by the Bureau of Indian Affairs located within the Kern community Community college-College district District.;
- A student who is a federal civil service employee and his/her/their natural or adopted dependent children are entitled to resident classification if the parent has moved to this state as a result of a military mission realignment action that involves the relocation of at least 100 employees. This classification shall continue until the

student is entitled to be classified as a resident, so long as the student continuously attends an institution of public higher education-;

- A student who resides in California and is 19 years of age or under at the time of enrollment, who is currently a dependent or ward of the state through California's child welfare system or was served by California's child welfare system and is no longer being served either due to emancipation or aging out of the system, may be entitled to resident classification until he/she/they has resided in the state the minimum time necessary to become a resident-;
- A student who lives with a parent who earns a livelihood primarily by performing agricultural labor for hire in California and other states, and the parent has performed such labor in this state for at least two months per year in each of the two preceding years, and the parent resides in this District and the parent of the student has claimed the student as a dependent on his/her/their state or federal personal income tax return if he/she/they has sufficient income to have personal income tax liability shall be entitled to resident classification-;
- A student who demonstrates financial need, has a parent who has been deported or was permitted to depart voluntarily, moved abroad as a result of that deportation or voluntary departure, lived in California immediately before moving abroad, attended a public or private secondary school in the state for three or more years, and upon enrollment, will be in his/her/their first academic year as a matriculated student in California public higher education, will be living in California, and will file an affidavit with the District stating that he/she/they intends to establish residency in California as soon as possible-; or
- A student who has a special immigrant visa that has been granted status under Section 1244 of Public Law 110-181 or under Public Law 109-163, or is a refugee admitted to the United States under Section 1157 of Title 8 of the United States Code, and who, upon entering the United States, settled in California, shall be exempt from paying the nonresident tuition fee required by Education Code Section 76140 for the length of time he/she/they lives in this state up to the minimum time necessary to become a resident.

Right to Appeal – Students who have been classified as non-residents have the right to a review of their classification (Title 5 Section 54010 subdivision (a)). Any student, following a ~~final~~ decision of residence classification by the Office of Admissions & Records Admission's Office may make written appeal to the Director of Admissions & Records within 30 calendar days of notification of ~~final~~ decision by the college regarding classification.

Appeal Procedure – The appeal is to be submitted to the Admission's Office of Admissions & Records which must forward it to the designated officer within five (5) working days of receipt. Copies of the original application for admission, the residency questionnaire, and evidence or

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documentation provided by the student, including with a cover statement indicating ~~upon~~ what the basis upon which the residence classification decision was made, must be forwarded with the appeal.

The designated officer shall review all the records and have the right to request additional information from either the student or the ~~Admissions-Office~~ of Admissions & Records.

Within 30 calendar days of receipt, the Director of Admissions & Records send a written determination to the student. The determination shall state specific facts on which the appeal decision was made.

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Reclassification – A student previously classified as a non-resident may be reclassified as of any residence determination date. A residence determination date is that day immediately preceding the opening day of instruction for any session during which the student proposes to attend.

Petitions are to be submitted to the Office of Admissions ~~Office & Records~~.

Petitions must be submitted prior to the semester for which reclassification is to be effective. Extenuating circumstances may be considered in cases where a student failed to petition for reclassification prior to the residency determination date. In no case, however, may a student receive a non-resident tuition refund after the date of the first census.

Written documentation may be required of the student in support of the reclassification request.

A questionnaire to determine financial independence must be submitted with the petition for reclassification. Determination of financial independence is not required for students who were classified as non-residents by the University of California, the California State University, or another community college district (Education Code Section 68044).

A student shall be considered financially independent for purposes of residence reclassification if the applicant meets all of the following requirements:

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- Has not and will not be claimed as an exemption for state and federal tax purposes by his/her/their parent in the calendar year the reclassification application is made and in any of the three calendar years prior to the year the reclassification application is made;
- Has not and will not receive more than seven-hundred fifty dollars (\$750) per year in financial assistance from his/her/their parent in the calendar year the reclassification application is made and in any of the three (3) calendar years prior to the reclassification; and
- Has not lived and will not live for more than six (6) weeks in the home of his/her/their parent during the calendar year the reclassification application is made and in any of the three (3) calendar years prior to the reclassification application.

A student who has established financial independence may be reclassified as a resident if the student has met the requirements of Title 5 Sections 54020, 54022, and 54024.

Failure to satisfy all of the financial independence criteria listed above does not necessarily result in denial of residence status if the one-year requirement is met and demonstration of intent is sufficiently strong.

Financial dependence in the current or preceding calendar year shall weigh more heavily against ~~finding California residence~~ establishing residency in California than financial dependence in the preceding second and third calendar years. Financial dependence in the current or preceding calendar year shall be overcome only if ~~(1)~~ the parent upon whom the student is dependent is a California resident, or ~~(2)~~ there is no evidence of the student's continuing residence in another state.

The designated officer will make a determination, based on the available evidence, and will notify the student not later than 14 days of receipt of the petition for reclassification.

Students have the right to appeal according to the procedures above.

Non-Citizens – The District will admit any non-citizen who is 18 years of age or a high school graduate.

If non-citizens are present in the United States illegally or without any type of a temporary visa, they will be classified as non-residents and charged non-resident tuition unless they meet the exceptions contained below.

If, for at least one year and one day prior to the start of the semester in question, a non-citizen has possessed any immigration status that allows him/her/them to live permanently in the United States and he/she/they meets the California residency requirements, the student can be classified as a resident.

Any students who are U.S. citizens, permanent residents of the U.S., and aliens who are not nonimmigrants, ~~(including those who are undocumented)~~, may be exempt from paying nonresident tuition if they meet one of the following requirements:

- Total attendance ~~of~~ in courses, or attainment of credits earned, while in California equivalent to three (3) or more years of full-time attendance or attainment of credits at any of the following: (a) California high schools; (b) California high schools established by the State Board of Education; (c) California adult schools established by either a county office of education, unified or high school district, or ~~The the California~~ Department of Corrections and Rehabilitation; (d) campuses of the California community colleges; or (e) a combination thereof; or
- Three or more years of full-time high school coursework in California, and a total of three or more years of attendance in California elementary schools, or a combination of California elementary and secondary schools.

Additionally, the following requirements must be met:

- Graduation from a California high school or attainment of the equivalent thereof; or completed an associate degree from a California Community College; or completed the minimum requirements at a California Community College, or fulfill the minimum transfer requirements established for the University of California or the California State University for students transferring from a campus of the California Community Colleges;
- Registration or enrollment in a course offered by any college in the District for any term commencing on or after January 1, 2002,
- Completion of a questionnaire form prescribed by the Chancellor of the California Community Colleges and furnished by the Kern Community College District of enrollment, verifying eligibility for this nonresident tuition exemption; and
- In the case of a student without lawful immigration status, the filing of an affidavit that the student has filed an application to legalize his/her/their immigration status, or will file an application as soon as he/she/they is eligible to do so.

Documents and information obtained in implementing this exemption are confidential.

The initial residency classification will be made at the time the student applies for admission. Students may file residency questionnaire forms through the third week of the semester to request a review of their residency status. Final residency determination is made by the designated officer. Students may appeal the decision.

Resident Classification for Employees- A full-time employee of the Kern-Kern Community College District, or a student who is a child or spouse of a full-time employee of the District, is entitled to resident classification until he/she/they has resided in the State the minimum time necessary to become a resident. (Education Code Section 68079)

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**Kern Community College District
Administrative Procedure
Chapter 5 – Student Services**

**AP 5017 Responding to Inquiries of Immigration Status, Citizenship Status,
and National Origin Information**

References:

Education Code Sections 66093, 66093.3, and 68076;
Title 5 Section 41905

Note: This procedure is legally required.

Unless required by federal or state law, the District shall not inquire specifically about a student's citizenship or immigration status or the citizenship or immigration status of a student's parents or guardians; nor shall personnel seek or require, to the exclusion of other permissible documentation or information, documentation or information that may indicate a student's immigration status, such as a green card, voter registration, a passport, or citizenship ~~papers~~documents.

Where any law contemplates submission of immigration status or citizenship status information to satisfy the requirements of a special program, the District shall not use that documentation or information for decisions related to admissions or enrollment in courses or degree programs.

The District ~~is not permitted to~~shall not use immigration status, citizenship status, or national origin information in personal statements outside the application process, other than for legitimate educational interests, including the provision of a service or benefit relating to the student, such as health care, counseling, job placement or financial aid.

If the District learns of a student's immigration status through its application process, ~~(including the students' personal statement or answers to personal insight questions)~~, the District shall create policies and procedures to protect such personal identifiable information and retain the information only to the extent it is necessary or required by law. The District shall avoid the disclosure of information that might indicate a student or family's citizenship or immigration status if the disclosure is not authorized by the Family Educational Rights and Privacy Act (FERPA) or state law.

Where permitted by law, the designated officer of the District shall enumerate alternative means to establish residency, age, or other eligibility criteria for enrollment or programs,

and those alternative means shall include ~~among them~~ documentation or information that are available to persons regardless of immigration status or citizenship status, and that do not reveal information related to citizenship or immigration status.

Examples of documents that can be used as proof of residency include, but are not limited to:

- Registering a motor vehicle operated in California;
- Obtaining a California driver's license or California identification card;
- Filing a resident or nonresident California state income tax return;
- Listing a California address on a federal income tax return;
- Listing a permanent military address or home of record in California;
- A professional or vocational license obtained from a California state licensing agency (e.g., nursing, teaching credentials);
- Maintaining active resident memberships in California based professional organizations (e.g., police union, teachers' union); and
- Maintaining an active bank account at a California bank.

Where ~~thea~~ District is permitted by law to request a minor student's parent's/guardian's residency information in order to determine tuition or aid, the ~~educational institution~~ colleges shall only require documentation or information that is available to persons regardless of immigration status, (as noted above).

Where residency, age, and other eligibility criteria for purposes of enrollment or any program may be established by alternative documents or information permitted by law or this administrative procedure, the District's procedures and forms shall describe to the applicant, and accommodate, all alternatives specified in law and all alternatives authorized under this ~~administrative~~ procedure.

Specifically, where the District must determine a student's residency for purposes of in-state tuition, the District shall not inquire about a parent/guardian's citizenship or immigration status and shall enumerate alternative means of establishing a parent/guardian's residency. If the student is considered a minor dependent of a California resident, the ~~colleges or university~~ shall only require documents to determine whether the parent/guardian has resided in California for one year (e.g. vehicle registration, lease agreements, etc.)

Kern Community College District
Administrative Procedure
Chapter 5 – Student Services

AP 5020 Nonresident Tuition

References:

Education Code Sections 68075.65, 68130.5 and 76140 et seq.;
Title 5 Section 54045.5

Note: This procedure is legally required.

Exemptions to nonresident tuition include:

- Any students, other than non-immigrant aliens under 8 U.S. Code Section 1101(a)(15), who meet the following requirements:
 1. ~~either-Either~~ high school attendance in California for three or more years OR attainment of credits earned in California from a California high school equivalent to three or more years of full-time high school coursework and a total of three or more years of attendance in California elementary schools, California secondary schools, or combination of those schools;
 2. ~~graduation-Graduation~~ from a California high school or attainment of the equivalent thereof;
 3. ~~registration-Registration~~ or enrollment in a course offered for any term commencing on or after January 1, 2002;
 4. ~~completion-Completion~~ of a questionnaire form prescribed by the California Community Colleges Chancellor's Office verifying eligibility for ~~this~~ nonresident tuition exemption; and
 5. ~~in-In~~ the case of a student without lawful immigration status, the filing of an affidavit that the student has filed an application to legalize his/her/~~their~~ immigration status or will file an application as soon as he/she/~~they~~ is/~~are~~ eligible to do so.
- Any students who meet the following requirements:
 1. ~~demonstrates-Demonstrates~~ financial need;
 2. ~~has-Has~~ a parent who has been deported or was permitted to depart voluntarily;
 3. ~~moved-Moved~~ abroad as a result of that deportation or voluntary departure;
 4. ~~lived-Lived~~ in California immediately before moving abroad;

5. ~~attended~~ Attended a public or private secondary school in ~~the State~~ California for three ~~(3)~~ or more years; and
 6. Upon enrollment, will be in his/her/~~their~~ first academic year as a matriculated student in California public higher education, will be living in California, and will file an affidavit with the District stating that he/she/~~they~~ intends to establish residency in California as soon as possible.
- Any nonimmigrant aliens granted “T” or “U” visa status under title 8 U.S. Code Section 1101(a)(15)(T)(i) or (ii), or section 1101(a)(15)U(i) or (ii), respectively, who meet the following requirements:
 1. ~~high~~ High school attendance in California for three or more years;
 2. ~~graduation~~ Graduation from a California high school or attainment of the equivalent thereof;
 3. ~~registration~~ Registration or enrollment in a course offered for any term or commencing on or after January 1, 2002; and
 4. ~~completion~~ Completion of a questionnaire form prescribed by the California Community Colleges Chancellor’s Office verifying eligibility for ~~this~~ nonresident tuition exemption.
 - A special part-time student, other than a nonimmigrant alien under 8 U.S. Code Section 1101(15)(a), participating in a College and Career Access Pathways (CCAP) partnership program and enrolled in no more than 15 units per term.
 - A requirement that the nonresident tuition fee be set not later than March 1 of each year.
 - A requirement that the calculation reflect the current expense of education calculated according to the Budget and Accounting Manual.
 - Exemptions, if any, due to reciprocity with bordering states.
 - Processing fees, if any, for international students.
 - A requirement that the calculation include the expense of education in the preceding fiscal year.
 - A requirement that the calculation reflect fees in contiguous Districts.
 - A requirement that the calculation provide for students enrolled in ~~more or less~~ than 15 units per term.
 - A requirement that a notice listing persons exempt from paying nonresident tuition be posted on the District’s website.

Out-of-State Resident Tuition:—

Out-of-State residents shall be charged tuition in accordance with the regulations of the Board of Governors of the California Community Colleges- (Education Code Sections 68051 and 76004) See AP 5020 for procedures related to non-resident tuition refunds. ~~Procedure 4A58 of this Manual for Non-Resident Tuition Refund procedures.~~

Nonresident ~~enrollment~~ Enrollment fees ~~Fees~~ and ~~tuition~~ Tuition:

—Unless expressly exempted, or entitled to a waiver, nonresident students shall be charged nonresident fees and tuition for all units enrolled, unless otherwise required by law.

~~Permissive exemptions from nonresident tuition and fees apply to the following students:~~

Any nonresident who is both a citizen and a resident of a foreign country who has demonstrated a financial need will be exempted. Not more than 10 percent (10%) of the nonresident foreign students attending any community college district may be ~~se~~ exempted.

(1) The student shall be credited any excess non-resident tuition computed based on the units of current enrollment if a student drops a course within:

- Two (2) weeks after the starting date of the semester for a semester length course, or
- A date calculated to be ten ~~(10)~~ percent (10%) from the starting date of a course other than semester length.

If a course is ten (10) days or less in length, the course must be dropped before the second (2nd) meeting to be credited a refund, computed based on units of current enrollment.

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(2) If a class is cancelled or rescheduled, the student shall be credited any excess non-resident tuition computed based on units of current enrollment.

(3) A student entitled to receive the non-resident tuition must apply for the refund before the end of the second consecutive semester of non-attendance (summer session is not considered a semester) and shall use the appropriate campus refund request form.

~~Apply for the refund before the end of the second consecutive semester of non-attendance (summer session is not considered a semester) and shall use the appropriate campus refund request form.~~

(4) If a student does not apply for a fee refund within the timeframe noted ~~in number three (3)~~ above, the available funds will revert to the District.

(5) Exceptions to these procedures must be approved by the College President or designee.



**Kern Community College District
Administrative Procedure
Chapter 5 – Student Services**

AP 5030 Fees

Accreditation Related

References:

Education Code Sections 66025.3, 68120, 70902 subdivision (b)(9), 76300, 76300.5,
Title 5 Sections 51012, 58520, and 58629;
California Community Colleges Chancellor's Office (CCCCO) Student Fee Handbook;
ACCJC Accreditation Standard I.C.6

Note: This procedure is legally required.

Required fees include:

- Enrollment ~~fees~~ (Education Code Section 76300 and 76300.5; Title 5 Sections 58500 and 58509)
- Baccalaureate degree pilot program fees (Title 5 Section 58520)
- Nonresident tuition with these permissive exemptions (Education Code Sections 76140 and 76140.5):
 - All nonresident students enrolling for ~~six (6)~~ or fewer units; ~~or~~
 - A student who is a citizen and resident of a foreign country who demonstrates financial need and this required exemption (Education Code Section 68130.5); ~~or~~
 - All students, other than nonimmigrant aliens under 8 U.S. Code Section 1101 subdivision (a)(15), who meet the following requirements:
 - ~~high-High~~ school attendance in California for three or more years;
 - ~~graduation-Graduation~~ from a California high school or attainment of the equivalent thereof;
 - ~~registration-Registration~~ or enrollment in a course offered for any term commencing on or after January 1, 2002;
 - ~~completion-Completion~~ of a questionnaire form prescribed by the California Community Colleges Chancellor's Office verifying eligibility for this nonresident tuition exemption; and

- ~~in~~ In the case of a student without lawful immigration status, the filing of an affidavit that the student has filed an application to legalize his/her/~~their~~ immigration status or will file an application as soon as he/she/~~they~~ is eligible to do so.
- Student representation (Education Code Section 76060.5; Title 5 Sections 54801 and 54805)

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Fees authorized by law include:

- Non-District ~~physical~~ Physical education ~~Education~~ facilities (Education Code Section 76395)
- Noncredit courses (Education Code Section 76385)
- Community ~~service~~ Service courses (Education Code Section 78300)
- Auditing of courses (Education Code Section 76370)
- Instructional materials (Education Code Sections 73365, 81457, and 81458; Title 5 Sections 59400 and 59408)
- Athletic insurance (Education Code Section 70902 subdivision (b)(9))
- Cross-Enrollment with the California State University (CSU) or University of California (UC) (Education Code Section 66753)
- Health fees (Education Code Section 76355)
- Parking fees (Education Code Section 76360)
- Transportation fees (Education Code Sections 76361 and 82305.6)
- Student Center fees (Education Code Section 76375; Title 5 Section 58510)
- Copies of student records (Education Code Section 76223)
- Dormitory (Education Code Section 81670)
- Childcare (Education Code Sections 79121 et seq. and 66060)
- Nonresident capital outlay (Education Code Section 76141)
- Nonresident application processing (Education Code Section 76142)
- Credit for Prior Learning (Education Code Section 76300; Title 5 Section 55050)
- Use of facilities financed by revenue bonds (Education Code Section 81901 subdivision (b)(3))
- Refund processing (Title 5 Section 58508)
- Telephone registration (Education Code Section 70902 subdivision (a))
- Physical fitness test (Education Code Section 70902 subdivision (b)(9))
- Instructional ~~if~~ ape ~~Lease~~ lease/Deposit ~~deposit~~ (Education Code Section 70902 subdivision (b)(9))
- Credit ~~Card~~ card ~~Use~~ use fees (Education Code Section 70902 subdivision (b)(9))
- International Student Medical Insurance (Education Code Section 70902 subdivision (b)(9))

Prohibited fees include:

- Late application (CCCCO Student Fee Handbook)
- Add/drop (CCCCO Student Fee Handbook)
- Mandatory student activities (CCCCO Student Fee Handbook)
- Student Identification Cards (CCCCO Student Fee Handbook)
- Student Body Organization (CCCCO Student Fee Handbook)
- Nonresident application (CCCCO Student Fee Handbook)
- ~~• For dependents of certain veterans (Education Code Section 66025.3)~~
- ~~• For dependents of certain victims of the September 11, 2001, terrorist attacks (CCCCO Student Fee Handbook)~~
- ~~• For certain recipients of the Medal of Honor and certain children of the recipients of the Medal of Honor (Education Code Section 66025.3)~~
- ~~• For surviving spouses and children of a firefighter employed by the federal government whose duty assignment involved the performance of firefighting services in California (Education Code Section 68120)~~
- ~~• For students who have been exonerated of a crime through writ of habeas corpus or pardon that meet certain conditions (Education Code Section 69000)~~
- Required or funded services (CCCCO Student Fee Handbook)
- Refundable deposits (CCCCO Student Fee Handbook)
- Distance ~~education~~ Education (other than the statutorily authorized enrollment fee) (CCCCO Student Fee Handbook)
- Mandatory mailings (CCCCO Student Fee Handbook)
- Rental of practice rooms (CCCCO Student Fee Handbook)
- Apprenticeship courses (Education Code Section 76350)
- Technology fee (CCCCO Student Fee Handbook)
- Late payment fee (Title 5 Sections 58502 and 59410)
- Nursing/healing arts student liability insurance (Title 5 Section 55234)
- Cleaning (CCCCO Student Fee Handbook)
- Breakage (CCCCO Student Fee Handbook)
- Test proctoring (CCCCO Student Fee Handbook)

Students Exempted from Fees:

- For dependents of certain veterans (Education Code Section 66025.3)
- For dependents of certain victims of the September 11, 2001, terrorist attacks (CCCCO Student Fee Handbook)
- For certain recipients of the Medal of Honor and certain children of the recipients

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of the Medal of Honor (Education Code Section 66025.3)

- For surviving spouses and children of a firefighter employed by the federal government whose duty assignment involved the performance of firefighting services in California (Education Code Section 68120)
- For students who have been exonerated of a crime through writ of habeas corpus or pardon that meet certain conditions (Education Code Section 69000)

Enrollment Fee – K-12 students admitted as special part-time students are exempt from paying the enrollment fee.

Prior to the last day of open registration, students ~~will~~ may be dropped for non-payment of enrollment and tuition fees of \$200 or more, ten (10) days after the date that they registered for the particular course(s). Students whose unpaid enrollment and tuition fees are less than \$200 ~~will~~ may have holds placed on their transcripts, grades, and diplomas until their enrollment fees are paid.

Beginning with the first day of the term, students owing \$200 or more will not be dropped for non-payment of enrollment fees; however, these students will have holds placed on their transcripts, grades, diplomas, and registration privileges until all fees are paid. Students whose unpaid fees are less than \$200 will have holds placed on their transcripts, grades, and diplomas until all fees are paid. Students unable to pay for tuition and fees are encouraged to contact the Office of Financial Aid to explore options for financial support.

Enrollment fee waivers will be granted according to law. The

following enrollment fee waivers are authorized by law:

1. Special full-time or part-time students enrolled in college courses only for high school credit are not subject to the enrollment fee, and no waiver or exemption is necessary. ~~-(This is noted in the Student Fee Handbook, page four, paragraph four, but there is no legal citation, since this is a Constitutional matter. See Counsel Ralph Black's letter of September 23, 2004, which supports this ruling.)~~
2. Children or dependents of a deceased or disabled veteran [Education Code Section 66025.3(a)(2)(A)]. ~~This section also has other related categories of eligibility for waivers.~~
3. Apprentices in courses of supplemental or related instruction (Section 3074.7 of the Labor Code and Education Code Section 76350).
4. Recipients of benefits under the Temporary Assistance to Needy Families (TANF) program [Education Code Section 76300(g)(1)].
5. Recipients of benefits of Supplemental Security Income/State Supplementary program [Education Code Section 76300(g)(1)].
6. General Assistance program recipients [Education Code Section 76300(g)(1)].
7. Students who demonstrate eligibility according to income standards established by the Board of Governors and contained in Title 5, Section 58620 and Education

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Code Section 76300 (g)(2)-;:

8. California State University or University of California students enrolled in remedial classes provided by a community college district on a campus of the University of California or a campus of the California State University, for whom the District claims an attendance apportionment pursuant to an agreement between the District and the California State University or the University of California [Education Code Section 76300(e)(2)]. Any student, who, at the time of enrollment, is a dependent, or surviving spouse who has not remarried, of any member of the California National Guard who, in the line of duty and while in the active service of the State, was killed [Education Code Section 72252(h)], died of a disability resulting from an event that occurred while in the active service of the State, or is permanently disabled as a result of an event that occurred while in the active service of the State [Education Code Section 76300(h)];
 9. Students enrolled in the non-credit courses designated by Education Code Section 84757- [Education Code Section 76300(e)(1)];
 10. Students enrolled in credit contract education courses pursuant to Education Code 78021- [Education Code Section 76300(e)(3)];
 11. A student who is the surviving spouse or the child, natural or adopted, of a deceased person who met all of the requirements of Education Code Section 68120 which refers to law enforcement officials killed in the performance of actual law enforcement or fire suppression duties. [Education Code Section 76300(i)];
 12. A student who is a dependent of any individual killed in the September 11, 2001, terrorist attacks according to the stipulations of Education Code Section 76300(j)&(k)-;
 - ~~13. Guaranteed Transfer Option (GTO) students, with appropriate documentation, who enroll at a California community college campus for 2004-05 are entitled to an Enrollment Fee Waiver for 2004-05, and for one (1) year thereafter, irrespective of financial need while the student is enrolled at that campus.~~
- Subsequent to 2004-05, GTO students enrolling at a California community college will have their enrollment fees waived if they can establish financial need according to the standards noted in Title 5, Section 58620. [Education Code Section 66744(a)&(b)]

Enrollment fees are due at the time of registration.

Enrollment Fee Refund

(1) The student shall be credited any excess enrollment fee computed based on units of current enrollment, if a student drops a course within:

- Two (2) weeks after the starting date of the semester for a semester length course, or
- A date calculated to be ten (10) percent from the starting date of a course other than semester length.

If a course is ten (10) days or less in length, the course must be dropped before the second (2nd) meeting to be credited a refund, computed based on units of

current enrollment.

- (2) If a class is cancelled or rescheduled, the student shall be credited any excess enrollment fee computed based on units of current enrollment.
- (3) A student entitled to receive the enrollment fee refund shall be issued such refund by the end of the second consecutive semester of non-attendance (summer session is not considered a semester)
- (4) In the case of students who are members of an active or reserve military service, and who receive orders compelling a withdrawal from courses, the entire enrollment fee shall be refunded, unless academic credit is awarded.

Course Audit Fee

Students auditing credit classes shall be charged a fee, except as excluded below [in 'Waiver of Fees.'](#)

A student in a course shall not be permitted to change enrollment from credit to audit or audit to credit.

Priority in class enrollment shall be given students desiring to take the course for credit.

A course audit shall be approved under only one of the following conditions:

Participation by audit serves a specific educational purpose necessary to achieve the student's educational goal

Participation by audit benefits other registered participants in performance arts or intercollegiate athletics courses.

The course instructor and College President or designee shall approve audit enrollments.

Student Body Operating and Building Fee

~~Effective Fall Semester 1990 through Spring Semester 2020,~~ Bakersfield College may charge an annual building and operating fee for the purpose of financing, constructing, enlarging, remodeling, refurbishing and operating a student body center. The fee shall not exceed one dollar (\$1.00) per credit hour for courses offered on the main campus up to a maximum of ten dollars (\$10.00) per student per fiscal year.

The following student body operating and building fee waivers are authorized by law:

- (1) Aid to Families with Dependent Children (AFDC) program recipients
- (2) Supplemental Security Income/State Supplementary program recipients
- (3) General Assistance program recipients

- (4) K-8 students who are taking classes
- (5) Students who are in apprenticeship programs

The following student body operating and building fee refund procedures shall apply:

- (1) The student shall be credited any excess student body operating and building fee based on the units or current credit enrollment, if a student drops a course within: Two (2) weeks after the starting date of the semester for a semester length course, or A date calculated to be within ten (10) percent from the starting date of a course other than semester length.
- (2) If a class is cancelled or rescheduled, the student shall be credited any excess student body operating and building fee computed based on units of current credit enrollment.
- (3) A student entitled to receive the student body operating and building fee refund must apply for the refund before the end of the second consecutive semester of non- attendance (summer session is not considered a semester) and shall use the appropriate campus refund request form.
- (4) If a student does not apply for the student body operating and building fee refund within the timeframe noted in number three (3) above, the available funds will revert to the District.
- (5) Exceptions to these procedures must be approved by the College President or designee.

Health Fee Guidelines Health Fee Refund

- 1) The student will be credited the health fee if all classes on the main campus are dropped and an enrollment fee credit is generated by a main campus class during the transaction.
- 2) A student entitled to receive the health fee refund must apply for the refund before the end of the second consecutive semester of non-attendance (~~excluding~~ ~~summer sessions is not considered a semester~~) and shall use the appropriate campus refund request form.
- 3) If a student does not apply for the health fee refund within the time frame noted ~~in number two (2)~~ above, the available funds will revert to the District.

Health Fee Exemptions

The following Health Fee exemptions are authorized by law:

- 1. Students who depend exclusively upon prayer for healing in accordance with the teachings of a bona fide religious sect, denomination, or organization.
- 2. Students who are attending a community college under an approved apprenticeship training program.

The following local exemptions also are authorized:

- 1. Students enrolled at campuses and centers where no health services are provided.

2. Students enrolled on weekends (only) when no health services are provided.

Waiver of Fees

The District may waive enrollment fees which were not collected in a previous session where the enrollment fees were not collected as a result of the District's error in awarding a California College Promise Grant (formerly known as Board of Governors Fee Waiver) to an ineligible student and not through the fault of the student, and ~~to collect if the~~ collection of the enrollment fee would cause the student undue hardship.

**Kern Community College District
Administrative Procedure
Chapter 5 – Student Services**

AP 5031 Instructional Fees

References:

Education Code Section 76365;
Title 5 Sections 59400 et seq.

Note: This procedure is legally required.

Students may be required to provide instructional materials required for a credit or non-credit course. Such materials shall be of continuing value to a student outside of the classroom setting and shall not be solely or exclusively available from the District.

Required instructional materials shall not include materials used or designed primarily for administrative purposes, class management, course management, or supervision.

Where instructional materials are available to a student temporarily through a license or access fee, the student shall be provided options at the time of purchase to maintain full access to the instructional materials for varying periods of time ranging from the length of the class ~~up~~ to at least two (2) years. The terms of the license or access fee shall be provided to the student in a clear and understandable manner prior to purchase.

Instructors shall take reasonable steps to minimize the cost and ensure the necessity of instructional materials.

The District will publish these regulations in each college catalog.

Definitions

"Required instructional materials" means any materials which a student must procure or possess as a condition of registration, enrollment or entry into a class; or any such material which the instructor determines is necessary to achieve the required objectives of a course.

"Solely or exclusively available from the District" means that the instructional material is not available except through the District, or that the District requires that the instructional material be purchased or procured from it. A material shall not be considered to be solely or exclusively available from the District if it is provided to the

student at the District's actual cost; and: 1) the instructional material is otherwise generally available but is provided solely or exclusively by the District for health and safety reasons; or 2) the instructional material is provided in lieu of other generally available but more expensive material which would otherwise be required.

"Required instructional materials which are of continuing value outside of the classroom setting" are materials which can be taken from the classroom setting and which are not wholly consumed, used up, or rendered valueless as they are applied in achieving the required objectives of a course to be accomplished under the supervision of an instructor during the class.

Establishing Required Materials and Related Fees

- Periodically, the ~~Vice President of Instruction~~respective college's Chief Instructional Officer or designee conducts a review of instructional materials fees.
- Instructional materials fees for courses are published in the college's schedule of classes.
- All such fees must be paid within the timeframe allotted to avoid a drop for non-payment.
- When new courses are initiated by faculty and an instructional materials fee is recommended, ~~The the~~ recommended fee shall be reviewed by the ~~Vice President of Instruction~~Chief Instructional Officer or designee to ensure compliance with regulations.
- The ~~Vice President of Instruction~~Chief Instructional Officer or designee is primarily responsible for gathering related data and responding to inquiries from the California Community Colleges Chancellor's Office regarding these fees.
- Individual departments, disciplines, and or faculty members will be responsible for obtaining the necessary materials.



Kern Community College District
Administrative Procedure
Chapter 5 – Student Services

AP 5035 Withholding of Student Records

References:

Title 5 Section 59410

Note: This procedure is legally required.

The Office of Admissions & Records may withhold diplomas and registration privileges from any student or former student who fails to pay a proper financial obligation to the District. The student shall be given written notification and the opportunity to ~~explain~~ provide an explanation if the financial obligation is in error.

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The definition of proper financial obligation shall include, but is not limited to: student fees; obligations incurred through the use of facilities, equipment or materials; library fines; unreturned library books; materials remaining improperly in the possession of the student; or any other unpaid obligation a student or former student owes to the District. A proper financial obligation does not include any unpaid obligation to a student organization.

Upon proper notification and justification by the college administrator(s) ~~The overseeing the student discipline process~~ Dean of Students, upon proper notification and justification by administrators in charge of student discipline, may withhold student records, registration, and/or counseling privileges for students who are under suspension, academic or progress probation, or are in violation of any disciplinary contract may be withheld. ~~The~~ Each college's cCollege Catalog contains the most current information regarding the withholding of student records, which is. ~~This document should be regularly~~ updated regularly.



AP 5040

**Kern Community College District
Administrative Procedure
Chapter 5 – Student Services**

Governance Process: Information Only

Reason for Revision: To Amend District Procedure

AP 5040 Student Records, Directory Information, and Privacy

Accreditation Related

References:

Education Code Sections 66093.3, 66271.4, and 76200 et seq.; Title 5 Sections 54600 et seq. and 59410;
Civil Code Sections 1788.90 et seq. and 1798.85;
20 U.S. Code Section 1232g subdivision (j) (U.S. Patriot Act); ACCJC Accreditation Standard II.C.8

Note: This procedure is legally required.

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

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 ~~Colleges-colleges~~ 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 ~~Colleges-colleges~~ 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 ~~Colleges-colleges~~ 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~~the designate designation of 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 he/she/they 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.

~~District police or security departments~~Campus Safety departments shall not inquire into an individual's immigration status for immigration enforcement purposes.

Campus Safety departments ~~District police or security departments~~ 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: No instructor, official, employee, or Board of Trustees member shall authorize access to student records to any person except under the following circumstances:

- Student records shall be released pursuant to a student's written consent. Students wishing to inspect, review, or challenge any of their educational records must make a request in writing to the Director of ~~Enrollment Services~~Admissions & Records;
- "Directory information" may be released in accordance with the definitions in Board Policy 5040~~;~~;
- Student records shall be released pursuant to a judicial order or a lawfully issued subpoena~~;~~;
- 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~~;~~ or;

- Student records may be released to officials and employees of the District only when they have a legitimate educational interest to inspect the record.

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 Office of 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.

Student records may be released to officials of other public or private schools or school systems, including local, county, or state correctional facilities ~~where—through~~ ~~education~~ ~~which education~~ programs are provided, ~~and~~ 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.

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.

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 to~~ permit the personal identification of students or their parents by persons other than representatives of those organizations, and ~~that~~ the information will be destroyed when no longer needed for the purpose for which it is conducted.

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.

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

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 not be disclosed for immigration enforcement purposes without a court order or judicial warrant. ~~Without a court order or a judicial warrant~~ Otherwise, written consent must be signed and dated by the student, or, (if the student is a minor) ~~by~~ by the student's parent(s) or guardian(s), 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 for the correct person to review and respond to a request for student records is as follows: Office of General Counsel, Phone: 661-336-5040 Kern Community College District, General Counsel, 2100 Chester Avenue, Bakersfield, CA 93301. ~~for the correct person to review and respond to a request for student records. (See BP 3810.)~~
- 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 building personnel to use in response to officers seeking access to records for immigration enforcement purposes.

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In addition to notifying the designated campus officer, District personnel shall take the following action steps in response to an officer other than Campus Safety officers ~~campus police~~ requesting access to student records:

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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; and
4. Inform the officer that you are this process is not obstructing his/her/their efforts but that you need is a required procedure to contact a campus administrator or campus counsel for assistance.

Campus ~~security~~ Safety departments 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 (2) free copies of the transcript of his/her/their record or to two (2) free verifications of various student records. Additional copies shall be made available to the student, or to an addressee designated by him/her/them, at the rate not to exceed \$20 per copy. The exact cost of additional copies varies by college and method of processing the transcript. Students may request special processing of a transcript. 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 may elect to implement a process for the receipt and transmission of electronic student transcripts contingent upon receipt of sufficient funding.

Use of Social Security Numbers

The District shall not do any of the following:

- Publicly post or publicly display an individual's ~~social~~ Social security ~~Security number~~ Number;
- Print an individual's ~~social~~ Social security ~~Security number~~ Number on a card required to access products or services;
- Require an individual to transmit his/her/their ~~social~~ Social security ~~Security number~~ Number over the internet using a connection that is not secured or encrypted;
- Require an individual to use his/her/their ~~social~~ Social security ~~Security number~~ Number to access an ~~internet~~ Web ~~website~~ without also requiring a password or unique personal identification number or other authentication device; 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~~ Social security ~~Security number~~ Number.

If the District has, prior to January 1, 2004, used an individual's ~~social~~ Social security ~~Security~~

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~~number-Number~~ in a manner inconsistent with the above restrictions, it may continue using that individual's ~~social-Social Ssecurity number-Number~~ in that same manner only if:

- The use of the ~~social-Social security-Security number-Number~~ is continuous;
- The individual is provided an annual disclosure that informs the individual that he/she/they has the right to stop the use of his/her/their ~~social-Social security-Security number-Number~~ in a manner otherwise prohibited; or
- The District agrees to stop the use of an individual's ~~social-Social security-Security number-Number~~ in a manner otherwise prohibited upon a written request by that individual; or
- 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 and Gender Changes to Former Student 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 transcript or a diploma conferred by the institution.

The District 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.

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.

Commencing with the 2023–24 graduating class, a graduating student may request that the District confer the diploma in the student's chosen name. The District cannot require a graduating student to provide legal documentation to demonstrate a legal name or gender change in order to have the student's chosen name listed on the student's diploma.

~~**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/their 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/them, at a designated rate. Students may request special processing of a transcript. 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 may elect to implement a process for the receipt and transmission of electronic student transcripts contingent upon receipt of sufficient funding.~~

~~**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/their social security number over the internet using a connection that is not secured or encrypted;~~
- ~~• Require an individual to use his/her/their social security number to access an Internet Web site without also requiring a password or unique personal identification number or other authentication device; 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/they has the right to stop the use of his/her/their 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.~~



Kern Community College District
Administrative Procedure
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AP 5045 Student Records – Challenging Content and Access Log

References:

Education Code Sections 76222 and 76232;
Title 5 Section 54630

Note: This procedure is legally required.

Challenging Content

Any student may file a written request with the Director of Admissions & Records to correct or remove information recorded in his/her/their-or-her student records that the student alleges to be:

- 1. inaccurate.
2. an unsubstantiated personal conclusion or inference.
3. a conclusion or inference outside of the observer's area of competence; or
4. not based on the personal observation of a named person with the time and place of the observation noted.

Within 30 days of receipt of the request, the designated officer shall meet with the student and the employee who recorded the information in question, if any, if the employee is presently employed by the District. The designated officer shall then sustain or deny the allegations.

If the designated officer sustains any or all of the allegations, he/she/they shall order the correction or removal and destruction of the information. If the designated officer denies any or all of the allegations and refuses to order the correction or removal of the information, the student, within 30 days of the refusal, may appeal the decision in writing within 30 days of the refusal.

Within 30 days of receipt of an appeal, the Governing Board/Board of Trustees shall, in closed session with the student and the employee who recorded the information in question, determine whether to sustain or deny the allegations. If the governing board sustains any or all of the allegations, it shall order the District Chancellor or designee, to immediately correct or remove and destroy the information. The decision of the governing board shall be final.

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If the final decision is unfavorable to the student, the student shall have the right to submit a written statement of his/her/their objections to the information. This statement shall become a part of the student's record until the information objected to is corrected or removed.

Whenever ~~there is included in any student record~~ information concerning any disciplinary action is included in any student record, the student shall be allowed to include in such record a written statement or response concerning the disciplinary action.

Whenever information concerning any disciplinary action in connection with any alleged sexual assault or physical abuse, or threat of sexual assault, or any conduct that threatens the health and safety of the alleged victim ~~there is included in any student record information concerning any disciplinary action in connection with any alleged sexual assault or physical abuse, or threat of sexual assault, or any conduct that threatens the health and safety of the alleged victim~~, the alleged victim of that sexual assault or physical abuse shall be informed within three days of the results of the disciplinary action and the results of any appeal. The alleged victim shall keep the results of that disciplinary action and appeal confidential.

Access Log

A log or record shall be maintained for each student's record that lists all persons, agencies, or organizations requesting or receiving information from the record and their legitimate interests. The listing need not include any of the following:

- Students seeking access to their own records;
- Parties to whom directory information is released;
- Parties for whom written consent has been executed by the student; or
- ~~Officials or employees having a legitimate educational interest.~~

◆ The log or record shall be open to inspection only by the student and the designated officer, and to the Comptroller General of the United States, the Secretary of Education, an administrative head of an education agency, and state educational authorities as a means of auditing the operation of the system.

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**Kern Community College District
Administrative Procedure
Chapter 5 – Student Services**

AP 5050 Student Success and Support Program

Accreditation Related

References:

Education Code Sections 78210 et seq.;
Title 5 Sections 55500 et seq.;
ACCJC Accreditation Standard II.C.2

Note: This procedure is legally required

The District shall provide Student Success and Support Program services to students to further equality of educational opportunity and academic success. The Student Success and Support Programs shall identify and close opportunity gaps that impact student success and improve the District's commitment to diversity, equity, and inclusion to better support student success. The Student Success and Support Program brings the student and the District into agreement regarding the student's educational goal through the District's established programs, policies, and requirements. The agreement is implemented by means of the student educational plan.

Each student, in entering into an educational plan, will do all of the following:

- ~~identify-Identify~~ an education and career goal;
- ~~identify-Identify~~ a course of study;
- ~~be-Be~~ assessed to determine appropriate course placement;
- ~~complete-Complete~~ orientation;
- ~~participate-Participate~~ in the development of the student educational plan;
- ~~complete-Complete~~ a student educational plan no later than the term after which the student completes 15 semester units of degree applicable credit coursework;
- ~~diligently-Diligently~~ attend class and complete assigned coursework; and
- ~~complete-Complete~~ courses and maintain progress toward an educational goal

Student Success and Support Program services include, but are not limited to, ~~all of~~ the following:

- Orientation on a timely basis, information concerning campus procedures, academic expectations, financial assistance, and any other appropriate matters
- Assessment and counseling upon enrollment, which shall include, but not be limited to, ~~all of~~ the following:
 - Administration of assessment instruments to determine student competency in computational and language skills;
 - Assistance to students in the identification of aptitudes, interests, and educational objectives, including, but not limited to, associate of arts degrees, transfer for baccalaureate degrees, and vocational certificates and licenses;
 - Evaluation of student study and learning skills;
 - Referral to specialized support services as needed, including, but not limited to, federal, state, and local financial assistance; health services; mental health services; campus employment placement services; extended opportunity programs and services; campus childcare services programs that teach English as a second language; and disabled student services;
 - Advisement concerning course selection; and
 - Follow-up services and required advisement or counseling for students who are enrolled in remedial courses, who have not declared an educational objective as required, or who are on academic probation.

~~The District shall not use any assessment instrument except one specifically authorized by the Board of Governors of the California Community Colleges.~~

The District shall ~~do all of the following~~:

- Inform students of their rights to access transfer-level coursework in English, Mathematics (or quantitative reasoning), credit English as a Second Language and of the multiple measures placement policies or other college placement processes including the availability of challenge processes;
- Include information about the student's course placement options in the college catalog, in orientation and advisement materials, on the college's website, and in any written communication by counseling services;
- Provide annual reports to the California Community Colleges Chancellor's Office in a manner and form described by the California Community Colleges Chancellor's Office; and
- Publicly post the college's placement results, including the number of students assessed and the number of students placed into transfer-level coursework, transfer-level coursework with concurrent support, or transfer-level or credit English as a Second Language coursework, disaggregated by race and ethnicity.

The District shall not use any assessment instrument except one specifically authorized by the Board of Governors of the California Community Colleges.

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Kern Community College District
Administrative Procedure
Chapter 5 – Student Services

AP 5052 Open Enrollment

References:

Title 5 Sections 51006, 58106, and 58108

Note: This procedure is legally advised.

All courses of the District shall be open to enrollment in accordance with BP 5052 – Open Enrollment and a priority system consistent with AP 5055 Enrollment Priorities. Enrollment may be limited to students meeting properly validated prerequisites and co-requisites, or due to other non-evaluative, practical considerations as determined by the College President or designee.

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No student is required to confer or consult with designated college personnel or required to receive permission to enroll in any class offered by the District, except as provided for in AP 5055 Enrollment Priorities.

Students are not required to participate in any pre-registration activities not uniformly required, ~~and no~~ registration procedures ~~are may not be used implemented~~ that result in restricting enrollment to a specialized clientele, except as provided for in AP 5055 Enrollment Priorities.

A student may challenge an enrollment limitation on any of the following grounds:

- The limitation is unlawfully discriminatory or is being applied in an unlawfully discriminatory manner;
- The District is not following its enrollment procedures; or
- The basis for the limitation does not in fact exist.

The District may deny or place conditions on a student's enrollment upon a finding by the Board of Trustees or designee that the applicant has been expelled within the preceding five (5) years, or is undergoing expulsion procedures in another California community college district, and that the applicant continues to present a danger to the physical safety of the students and employees of the District.

Limitations on Enrollment in Courses or Programs

Enrollment may be limited by the College President or designee to students meeting validated prerequisites and co-requisites established by the Curriculum Committee. (See Title 5, Section 55003.)

Enrollment may be limited due to health and safety considerations, facility limitations, faculty workload, the availability of qualified instructors, funding limitations, or legal requirements.

Enrollment will be ~~allowed-permitted~~ on a first-come, first-served basis or by using other non-evaluative techniques to determine who may enroll.

Enrollment in intercollegiate competition courses, honors courses, or public performance courses may be allocated to those students judged most qualified.

Enrollment in individual sections of multi-section courses may be limited 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.

The colleges will limit the total number of units in which students who have been disqualified or placed on probationary status may enroll.

Students may challenge an enrollment limitation on the grounds that: the limitation is either unlawfully discriminatory or is being applied in an unlawfully discriminatory manner; the District is not following its policy on enrollment limitations; or the basis upon which the ~~district-District~~ has established an enrollment limitation does not, in fact, exist.

The student shall bear the burden of ~~showing-demonstrating~~ that grounds exist 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. In the case of a challenge under this ~~p~~Policy, the District shall, upon completion of the challenge procedure, advise the student that he/~~she/they~~ ~~or she~~ may file a formal complaint for unlawful discrimination. Challenges are submitted in writing to the ~~Vice President of Instruction~~Chief Instructional Officer or designee for official consideration.



**Kern Community College District
Administrative Procedure
Chapter 5 – Student Services**

AP 5055 Enrollment Priorities

Rely Primarily Upon the Advice and Judgment

References:

Education Code Sections 66025.8, 66025.9, and 66025.92;
Title 5 Sections 58106 and 58108

Note: This procedure is legally advised.

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

Enrollment may be limited due to the following:

- ~~health~~Health and safety considerations;
- ~~facility~~Facility limitations;
- ~~faculty~~Faculty workload;
- ~~availability~~Availability of qualified instructors;
- ~~funding~~Funding limitations;
- ~~regional~~Regional planning;
- ~~legal~~Legal requirements; and/or
- ~~contractual~~Contractual requirements.

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.

- 1) Priority registration appointments are scheduled prior to open registration.
- 2) ~~In~~person registration will be available for courses requiring instructor or departmental approval.
- 3) Students not in good academic standing or ~~having who have~~ a hold ~~that prevents preventing~~ registration will not be allowed to register until they have obtained clearance from appropriate ~~College~~college personnel.
- 4) Students with two (2) or more ~~or~~ a combination of any two (2) or more ~~or~~ “D’s”, “F’s”, “W’s”, “NP’s” in a single course will be prevented from registering for that course until they have obtained clearance in accordance with the ~~c~~College’s established

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procedures.

5) Students are required to complete an 'Admissions' form or 'Update' form prior to registration every term. These forms may be completed on the web.

6) At the time of registration students can check their class schedules and their account information via the web.

7) Enrollment fees are due at the time of registration.

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Order of Priority Registration

Order of student registration is, in part, mandated by California legislation.

Priorities 1-5 require completion of assessment, orientation, ~~and~~ counseling/advising, ~~and plus~~ the completion of an abbreviated Student Educational Plan.

Priority 1	Active-duty Military; Veterans; Foster Youth*; Former Foster Youth**; DSPS; EOPS; CalWORKS; and Student Parents*** Students with dependent children under 18 years of age***
Priority 2	Honors Students, Presidential Scholars, Dean's List, Student Athletes ****
Priority 3	Continuing Students (excluding students on academic standing probation 2) with less than 100 units earned (excluding units in basic English, math, or English as a Second Language)
Priority 4	Graduating high school seniors in the KCCCD-Kern CCD service area
Priority 5	First-term students not included above

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*Foster youth—a person who is currently in foster care.

**Former foster youth—a person who is an emancipated foster youth and who is up to 24 years of age.

***-Per AB 2882, a student parent is "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." Ed Code Section 66025.81(b) ~~Students who have a child under 18 years of age who will receive more than half of their support from that student.~~

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****_Student groups noted for registration in Priority 2 are special populations designated by the colleges.

The following students will have priority for enrollment:

- First time students who have completed orientation, ~~assessment,~~ and developed ~~sStudent education Education plansPlans,~~ and
- Continuing students who ~~has~~ have not lost registration priority as defined in these policies and procedures.

These registration priorities do apply to courses offered during summer or intersessions. 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 Probation for two consecutive terms; ~~or~~

- Has earned 100 or more degree-applicable semester or quarter equivalent units at the District.

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 ~~of~~ who have earned 75 percent or more of the unit limit, that enrollment priority will be lost when the student reaches the unit limit.

Priority Registration Appeal Procedure

Appeal process requirements:

- Only students with 100 or more units completed at a Kern Community College District College may appeal.
- Appeals must be submitted no later than ten (10) working days prior to the first day of priority registration.
- A copy of the student's current Student Education Plan (SEP) must be attached.
- Appeals will be considered for extenuating circumstances only.
- If the appeal is granted, the appeal does not guarantee enrollment in specific courses.
- The appeal is term specific and, if granted, permits registration on Day 3
- of priority registration.

These enrollment priorities will behave been effective in-since the Fall 2014. The District will ensure that these procedures are reflected in course catalogs and that all students have appropriate and timely notice of the requirements of this procedure.

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Kern Community College District
Administrative Procedure
Chapter 5 – Student Services

AP 5070 Attendance

References:

Title 5 Sections 58000 et seq.

Note: This procedure is legally required

The following ~~guidelines are required to~~requirements meet ~~requirements~~the criteria for attendance accounting procedures:

- Computation of units of full-time equivalent student (FTES) based on the type of course, the way the course is scheduled, and the length of the course_i;
- Selection of a single primary term length for credit courses_i;
- Reporting of FTES during the “first period” (between July 1 and December 31) and “second period” (between July 1 and April 15)_i;
- Compliance with census procedures prescribed by the California Community College Chancellor’s Office for all credit courses, including work experience, independent study, and credit courses being reported on an actual attendance basis_i;
- Preparation of census day procedure tabulations_i;
- Preparation of actual student contact hours of attendance procedure tabulations_i;
- Preparation (as applicable) of actual apprentice hours of teaching procedure tabulations_i;
- Preparation of support documentation regarding all course enrollment, attendance and disenrollment information~~;~~_i;
- Computation of FTES that includes only the attendance of students while they are engaged in educational activities required of students and while they are under the immediate supervision and control of an academic employee of the District authorized to render service in the capacity_i and during the period_i in which ~~he or she~~he/she/they served~~;~~_i and
- Maintenance of the colleges in the District for at least 175 days during the fiscal year.

The ~~College~~college ~~Catalog~~Catalogs and ~~Schedule~~schedules of ~~Classes~~classes contain the most recent information on ~~Attendance~~attendance requirements. This information should be updated annually in consultation with the Academic Senate for currency and correctness_i.



Kern Community College District
Administrative Procedure
Chapter 5 – Student Services

AP 5075 Course Adds and Drops

References:

Title 5 Sections 55024 and 58004

Note: This procedure is legally required

Adding Courses

Students may add classes through the registration period.

After the registration period concludes, classes may only be added by formal request from the student to the ~~Registration office~~ Office of Admissions & Records.

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Withdrawals

Withdrawals, or drops, are authorized through the last day of the ~~Tenth-tenth~~ week of instruction or 60% of the term, whichever is less. Students who withdraw or drop classes prior to the course census date will not receive ~~no~~ notation on their academic record.

Instructors shall clear their ~~rolls-class rosters~~ of inactive students ~~not later than~~ prior to the end of the last business day before the census day for all students.

"Inactive students" include:

- Students identified as ~~'no-shows';~~
- Students who officially withdraw; and
- Students who are no longer actively participating in the courses and are therefore dropped by the instructor.

A student will be permitted to withdraw from a class and receive a "W" no more than three ~~(3)~~ times.

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Students may be permitted to enroll in a class after having received the maximum authorized number of "W" symbols as long as the students will receive a grade or a non-evaluative symbol other than a "W" upon completion of the course, if the District policy permits additional withdrawals for which it does not receive apportionment and the official

designated in the District's policy approves such withdrawal after a review of a petition submitted by the student.

A ~~military~~ Military withdrawal/Withdrawal ("MW") will not be counted toward the permitted number of withdrawals or counted as an enrollment attempt. A military withdrawal occurs when a student who is a member of an active or reserve United States military service receives orders compelling a withdrawal from courses. Upon verification of such orders, a withdrawal symbol of "MW" may be assigned at any time after the period established by the District during which no notation is made for withdrawals. In no case shall a military withdrawal result in a student being assign an "FW" grade.

An ~~excused~~ Excused withdrawal/Withdrawal ("EW") will not be counted toward the permitted number of withdrawals or counted as an enrollment attempt, nor will it be counted in progress probation and dismissal calculations. An excused withdrawal occurs when a student is permitted to withdraw from a course(s) due to specific events beyond the control of the student affecting his/her/their ability to complete a course(s) and may include a job transfer outside the geographical region, an illness in the family where the student is the primary caregiver, when the release or involuntary transfer of a student who is incarcerated in a California state/State prison or county jail ~~is released from custody or involuntarily transferred~~ before the end of the term, when the student is subject to immigration action, or other extenuating circumstance making completion ~~impracticable~~ impractical. In the case of an incarcerated student, an excused withdrawal cannot be applied if the failure to complete the course(s) was the result of the student's behavioral violation or if the student requested and was granted a mid-semester transfer. Upon verification of these conditions and consistent with the District's required documentation substantiating the condition, a withdrawal symbol of "EW" may be assigned at any time after the period established by the District during which no notation is made for withdrawals. In no case shall an excused withdrawal result in a student being assigned an "FW" grade.