NAPA VALLEY COLLEGE

Matriculation Plan

Revised and adopted by the Matriculation Steering Committee on November 6, 2003

Updated April 2009
The goal of matriculation is to assist students in achieving their educational goals by providing services to facilitate student success. Title 5 legislation charges individual community colleges with providing specific services in the areas of admissions, assessment, counseling/advising, follow-up, research, and coordination/training.

At Napa Valley College, the Vice President, Student Services, serves as the Matriculation Coordinator. The position is charged with and granted authority over coordinating all aspects of matriculation and implementing this plan in accordance with Title 5.

The Board of Trustees at Napa Valley College has adopted a policy that grants exemptions from participating in matriculation on a component-by-component basis for specific, justifiable reasons. College staff take care to encourage exempt students to take advantage of matriculation services by explaining the benefits of participation.

Napa Valley College is relatively small, which results in more personalized service for students. Individual staff attempt to minimize bureaucracy and to provide personal assistance to the students they see. Our philosophy is that matriculation services provide a bridge to success for students, providing personalized attention to address students' individual needs.

There are some standards that are common to all or most components. These are as follows:

1. Adopt district governing board policies specifying criteria for exemption. (See Attachment 3.)
2. Refer students to the next step in the matriculation process, inform them of the exemption criteria on a component-by-component basis, and encourage exempt students to participate.
3. Ensure that exemptions from this component are not based upon specified sole criterion. (See Attachment 3.)
4. Inform students of procedures for filing complaints alleging unlawful discrimination in the implementation of all matriculation practices. (See Attachment 4.)
5. Provide students with or direct them to written district procedures for challenging matriculation regulatory provisions, district investigation and attempted resolution of complaints, and methods by which district maintains such complaints. (See Attachment 5.)
Component I. ADMISSIONS

The Associate Dean, Admissions and Records, has primary responsibility for the Admissions Component.

The Admissions and Records efforts include processing applications, collecting initial student information, and administering registration. However, as the first step in the matriculation process, admissions goes beyond these procedures to assist students by providing personal service to students entering and pursuing educational programs at Napa Valley College. Faculty and staff assist by addressing individual questions and concerns. The Admissions Office is staffed from 8:30 a.m. until 7:00 p.m. to process paperwork, answer students’ questions, and provide assistance with the matriculation process. The Admissions Office is accessible to students with disabilities, and bilingual staff members are available to assist second-language students.

1A. ACTIVITIES FOR THE ADMISSIONS COMPONENT

1. Through electronic means, process all applications in a timely and efficient manner in order to expedite student enrollment. (Component Standards 1 and 3)

2. Collect and report necessary MIS data. (Component Standards 1)

3. Assist with screening students for matriculation exemption status on a component-by-component basis at the time of application to the college, automate test scores, and encourage students to participate even if they are exempt from one or more components.

4. Provide students with correspondence confirming acceptance, including a description of matriculation services and procedures and encouraging participation through CCCApply. (Component Standard 1)

5. Co-chaired by Vice President of Student Services and the Associate Dean of A&R, conduct outreach to local high school students and other appropriate groups to promote the college’s programs and offer matriculation services in advance of enrollment in collaboration with the Vice President of Student Services. (Component Standard 1) The co-chairs of the Outreach Committee will coordinate outreach efforts for the college by conducting monthly outreach committee meetings, to include participation from matriculation, counseling, financial aid, EOPS, faculty, vocational programs, non-credit matriculation, and other student services.

6. Staff the Entry Center (front counter) in Admissions and Records to provide services for both daytime and evening students. (Component Standard 1)

7. Provide modified and alternative services for ethnic and language minority students and for students with disabilities. The Entry Center shall remain fully accessible to accommodate disabled students, and bilingual staff shall remain available throughout the day and evening to assist second-language students. (Component Standard 2)

8. Ensure that key documents are translated into Spanish (e.g., application for admission, student handbook, fees & refund page, registration worksheet, and matriculation information in schedule of classes, catalog and in our Student Services webpage) and that services are provided in Spanish to better serve the college’s second-language population. (Component Standard 2)
9. Coordinate off-site admissions and registration.

10. Through cooperative work between the Associate Dean, Admissions and Records, and all faculty, work to ensure that adopted prerequisites are enforced as appropriate and to maintain the integrity of the challenge procedures.

1B. GOALS FOR THE ADMISSIONS COMPONENT

1. Enhance the efficiency of the matriculation process to promote its perception as a bridge, not a barrier, to education.

2. Improve the timeliness and accuracy of student demographic information provided to the college, community, and state agencies.

3. Automate pre-requisite checking, including courses, test scores, and counselor recommendations.

4. Identify staff and equipment needs to improve our ability to serve students throughout the district in admissions and outreach endeavors (particularly South County).

5. Improve the evaluation of transcripts for all students entering Napa Valley College in an effective timeframe, relative to their graduating timeline.

6. Collaborate with the Office of Student Services to update and distribute a student handbook to all applicants, through both Admissions and Records and Counseling. The handbook outlines the matriculation process, including admission, assessment, orientation, counseling, and registration. (Component Standards 1 and 2)

1C. STAFFING FOR THE ADMISSIONS COMPONENT

Staff who participate in component matriculation activities include the following:
- Associate Dean, Admissions and Records
- Assistant Registrar
- Staff Secretary III
- 3 Admissions and Records Specialists
- 2 Admissions and records Clerks/Technicians

Component II: ORIENTATION

The Chair of the Counseling Division has primary responsibility for the Orientation Component. Orientations at Napa Valley College are designed to provide students with the information they need to navigate their way successfully to completion of their educational goals. Orientation sessions provide general information and referrals for more detailed information. Orientations are provided year-round made possible by a new online component.

Orientation and advising sessions acquaint all new, non-exempt students with the college’s functions, programs, support services, financial assistance, student performance expectations, college procedures, use of the catalog, and methods of scheduling and enrolling. As part of orientation, students are provided a college catalog which includes written definitions of their rights and responsibilities, their right to appeal policies, according to adopted procedures and procedures for alleging unlawful discrimination.
2A. ACTIVITIES FOR THE ORIENTATION COMPONENT

1. Conduct orientation sessions before and during registration periods to provide students and potential students with information concerning college programs, services, financial aid, facilities and grounds, academic expectations, course scheduling, institutional procedures, prerequisite and corequisite challenge procedures, written definitions of student rights and responsibilities, and the process for filing complaints alleging unlawful discrimination. (Component Standards 1, 2, 3, 4 and 5)

2. Offer orientation sessions in spaces that are accessible to students with disabilities. (Component Standard 6)

3. In cooperation with noncredit matriculation efforts, ensure that the matriculation information is available at the Upper Valley Campus, where non-credit classes are centered. (Component Standard 6).

4. Offer orientation sessions in Spanish to serve Napa Valley College’s second-language population. (Component Standard 6)

5. Provide or work with liaisons in other departments to provide separate orientation and information sessions for special groups as appropriate, e.g., students in health occupations, high schools, EOPS, and academies. The separate orientation sessions cover all of the topics required by Title 5 to fulfill the purpose of a matriculation orientation. (Component Standards 1 and 10)

6. Beginning Fall 2007 orientations can be completed online.

2B. GOALS FOR THE ORIENTATION COMPONENT

1. Make available computer stations in counseling lobby for students to complete orientation requirement.

2. Add in-person component to online orientation.

3. Offer online orientation year round.

4. Develop an option to satisfy the orientation requirement through designated counseling course work.

2C. STAFFING FOR THE ORIENTATION COMPONENT

Staff who participate in matriculation activities include the following:
All regular and part-time adjunct counselors and Student Services Specialists

Component III: ASSESSMENT

The Coordinator, Testing and Tutoring Center, has primary responsibility for most aspects of the Assessment Component. The Research Analyst has primary responsibility for validation of assessment instruments, (in conjunction with math, ESL, and English department coordinators), and the Counseling Chair (in conjunction with other counselor supervisors) has primary responsibility for the use of multiple measures and advisory course placement.
The Testing and Tutoring Center at Napa Valley College works with approximately 4,200 students each year. Students are assessed year round to determine their competency in computational and language skills, as well as their aptitudes, interests, and educational objectives. They are also screened and tested for learning disabilities, as appropriate. The purpose of the assessment effort is to help students achieve their educational goals by providing information regarding course placement and the need for any supplemental services.

3A. ACTIVITIES FOR THE ASSESSMENT COMPONENT

1. Conduct regularly scheduled assessment sessions in the day, evenings and occasional weekends throughout the year for all non-exempt students to determine student skill levels in mathematics, reading, and writing, using validated instruments approved by the Chancellor’s Office. (Component Standards 1, 2, 5, 6 and 7)

2. Provide students with a printout summarizing their test scores and make test results available on WebAdvisor.

3. Re-examine test manuals periodically to assure that the tests the district uses for math and English placement are appropriate for NVC’s student population. (Component Standards 2, 5, 6 and 9)

4. Provide modified testing environments for students with verified disabilities, such as extended test-taking time and individual administration of tests. (Component Standard 9)

5. Provide modified services for second-language students, including a bilingual administrator for ESL tests when able. (Component Standard 9)

6. Provide written directions and explanations for assessment procedures in the college catalog and class schedule, as well as in counseling offices and the Testing and Tutoring Center. These written materials will include assessment requirements and directions regarding sign up for assessment sessions. (Component Standards 1, 2, 3 and 4)

7. Continue the use of a script for test administration, with revisions as necessary, to promote a consistent testing environment. (Component Standard 6)

8. Explore work with feeder high schools to improve the assessment of academic skills in the high schools. (Component Standards 1, 2, 3 and 4)

9. Periodically conduct reliability studies to determine if scorers of the writing sample are scoring samples similarly, in cooperation with the college's institutional researcher. (Component Standards 6 and 13)

10. Use only instruments that are approved by the Chancellor’s Office. (Component Standard 5)

11. When reporting assessment results, continue to notify students of current mathematics placement practices. (Component 8)

12. When reporting assessment results, continue to notify students that course placements in English are mandatory. (Component 8)

13. Publish a statement in every catalog and schedule of classes that students who are exempted from assessment may choose to participate if they wish. Notify students that they are not considered matriculated if they do not complete assessment and orientation.
(Components 11 and 12)

14. Exempt students from assessment as specified in board policy. Encourage exempt students to participate anyway. (Component 11)

15. Refer students with wide discrepancies between reading and writing performance to the learning specialist for conference. (Component Standard 4)

16. Refer lowest scoring students in reading and writing to Learning Services for individualized assessment of skills. (Component Standard 4)

17. Improve access to assessment data by other offices on campus. (Component Standard 13)

3B. GOALS FOR THE ASSESSMENT COMPONENT

1. Improve services and methods to better place students in English and math courses.

2. Increase student satisfaction with the assessment process.

3. Increase involvement of English and math faculty in pre-registration conferences with students.

4. Increase clarity of computerized reports to students.

5. Increase Upper Valley assessment services and the frequency of testing sessions and bilingual presentations for ESL students, as demand grows.

6. Increase accuracy in placing students by continuing to monitor and adjust cut scores and the multiple measures formula used for placing students.

3C. STAFFING FOR THE ASSESSMENT COMPONENT

Staff in this unit who participate in matriculation activities includes the following:
Coordinator, Testing and Tutoring Center
TTC Specialist
TTC Technicians
2-3 Instructional Assistants
Coordinator, Learning Services
Institutional Researcher
Information Technology staff

Component IV: COUNSELING AND ADVISING

The Counseling Division Chair (in conjunction with other counselor supervisors) has primary responsibility for the Counseling/Advising Component. Students may see a counselor for a variety of reasons, including interpretation and application of assessment results; development of an educational plan; discussion of academic, career, crisis, and personal issues; discussion of student rights and responsibilities; review of college policies, procedures, and regulations; and monitoring of student progress toward educational goals. All counselors are provided updated computer systems, technology and software to provide access to articulation agreements, 2 and 4 year college catalogs, electronic ed plan program, access to student records via Hershey, class schedules, lists of campus resources, student activities, and other essential resource materials.
4A. **ACTIVITIES FOR THE COUNSELING/ADVISING COMPONENT**

1. Provide counseling/advising sessions to all new, non-exempt students throughout the calendar year. The sessions will include the development of educational plans and referral to appropriate support services. (Component Standards 1, 2, 6 and 8)

2. Provide on-going counseling and advising activities for all enrolled students to assist them in completing their educational goal. (formerly in Follow-up Component)

3. Use multiple measures when advising students about course placement. (Assessment Component Standard 7)

4. Promptly inform students of their right to challenge (on specified ground) a pre- or co-requisite or limitation on enrollment; their responsibility for showing that grounds exist for the challenge; and their right to file a complaint of unlawful discrimination. (Component Standard 11)

5. Encourage all students to schedule an individual counseling session during their first semester and, as needed, in subsequent semesters to discuss career goals, course selection, educational plans, and available support services. (Component Standards 1, 2, 6, 8 and 10)

6. Send students on first-semester probation a letter from the office of the Vice President of Student Services, notifying them of their status, and recommend that they set up an appointment to see a counselor. (Component Standards 1 and 3)

7. Send students on second-semester probation or dismissal status a letter from the office of the Vice President of Student Services, notifying them that they are required to see a counselor before they register for the next semester. (Component Standards 1 and 3)

8. Initiate and develop multi-semester educational plans that will assist students in realizing their educational goals. (Component Standards 8, 9 and 10)

9. Develop and implement electronic educational plan software to better serve students. (Component Standards 9 and 18)

10. Increase counseling time available to students for one-to-one appointments by providing more counseling hours, especially during registration periods and the summer, and look at alternative methods of maximizing counselors' time for appointments. Initiate pilot projects, such as expanding drop-in appointments to the Counseling Center and Career/Re-Entry Center. (Component Standards 1, 2, 6, 7)

11. Provide group advising conducted by counselors to include:
   - College success classes targeting at-risk students.
   - Transfer, career, and vocational workshops
   - Career guidance classes
   - Specialized workshops for disabled students
   (Component Standards 1, 2, 4, 5, and 14)

12. Provide counseling services in Spanish to serve Napa Valley College’s second-language population. Provide specialized services to accommodate and serve students with disabilities. (Component Standard 14)

13. Notify students that they are not considered matriculated if they do not complete assessment and orientation through letters sent every semester to all students who
complete a waiver form or send a mass mailing to all students regarding matriculation services and registration priorities.

4B. **GOALS FOR THE COUNSELING/ADVISING COMPONENT**

1. Continue to assess the quality of counseling services provided throughout the institution.
2. Provide on-line counseling and other student support services for students taking on-line courses.
3. Maintain currency in technology used to provide counseling and related services to students.
4. Provide educational materials and instructional equipment in support of counseling courses offered at Napa Valley College.
5. Through outreach to the classrooms by counselors and paraprofessionals, provide information on services offered by the Counseling Division and other student services units.

4C. **STAFFING FOR THE COUNSELING/ADVISING COMPONENT**

Staff who participate in matriculation activities include the following:
- Chair, Counseling Division; Director, Career Center; Director, Transfer Center
- Deans and directors of specialized programs, such as Financial Aid/EOPS, Student Support Services, WorkAbility III, Disabled Students Programs and Services
- All regular and part-time counselors
- Counseling Division classified staff, including Counseling Center, Transfer Center, and Career Center
- Information Technology staff

Component V: **STUDENT FOLLOW-UP**

The Chair, Counseling Division, has primary responsibility for the Follow-Up Component, in conjunction with various members of the Student Services Council.

The goal of the Follow-Up Component is to assist academically at-risk students to achieve their educational goals. Title 5 mandates that colleges monitor student academic progress and provide a process for early detection of academic difficulty. Specifically, those students who are on probation, who have not declared an educational goal, or who are enrolled in pre-collegiate basic skills courses are to be monitored and referred to services and curricula as appropriate. A program is also in place for following up probationary students. During orientation, students without a declared educational goal and students enrolled in basic skills courses are encouraged to see a counselor and enroll in a guidance course; however, the college recognizes that further effort is required in these areas.

Napa Valley College developed a mid-term “early alert” program in 1999.

5A. **ACTIVITIES FOR THE STUDENT FOLLOW-UP COMPONENT**

1. Develop and provide specific services targeted for students who have not declared an educational goal, who are enrolled in pre-collegiate basic skills courses, or who are on
2. Notify students of their probation/dismissal status at the end of each semester and refer them to counseling. Any student on dismissal status must meet with a counselor and an administrator to request permission to re-enroll. (Component Standards 1, 2, and 3)

3. In conjunction with non-credit matriculation, provide academic follow-up services to designated ESL classes (Component Standards 2, 3, and 4)

4. Provide modified or alternative services, if necessary, for students with disabilities. (Component Standard 4)

5. At orientation and counseling sessions, encourage all non-exempt students enrolled in pre-collegiate basic skills courses and students without a declared educational goal to enroll in a guidance course and/or see a counselor. (Component Standard 3)

6. Send letters or mailings to all students encouraging them to schedule full counseling appointments to develop long-range educational plans.

7. Participate in efforts to institute a mandatory course (like English learning communities (ELC)) and/or activities to help ensure student success.

8. Improve computerized information services to implement, support, monitor, and/or track follow-up services. (Component Standard 5)

5B. GOALS FOR STUDENT FOLLOW-UP COMPONENT

1. Improve automated methods for providing follow-up services to students.

2. Using follow-up systems, develop procedures by which the institution will be better able to track and monitor priority target group students, offer them services, and achieve a higher rate of retention.

3. Develop an effective strategy for providing follow-up services to students without a declared educational goal.

4. Initiate “Early Alert” activities in all Counseling Division units.

5. Expand Transfer Center activities to follow up on student educational plans at the 30- and 45-unit levels.

6. Expand counselor outreach to the classroom.

7. Working in concert with faculty and other departments, provide an early warning to students who are in academic difficulty and refer them to counseling. (Component Standard 2)

5C. STAFFING FOR THE STUDENT FOLLOW-UP COMPONENT

Staff in who participate in component matriculation activities includes the following:
Chair, Counseling Division and office staff
Director, Career/Re-Entry Center and office staff
Director, Transfer Center, and office staff
Dean, Financial Aid/EOPS, and office staff
Component VI: COORDINATION AND TRAINING

The Vice President, Student Services, has primary responsibility for the Coordination and Training Component.

The goal of coordination and training is to ensure that all divisions and offices on campus are working together to assist students in achieving their educational goals. This involves promoting the goals of matriculation and providing campus-wide education in procedures for implementing matriculation.

6A. ACTIVITIES FOR THE COORDINATION/TRAINING COMPONENT

1. Assign the role of the Matriculation Coordinator to the Vice President, Student Services, who will monitor the matriculation plan to assure it is being implemented. (Component Standard 1)

2. Continue the Matriculation Steering Committee (MSC) as an established campus committee composed of student service administrators, key faculty, classified, and student representatives. (Component Standard 1)

3. Provide all classified staff, administrators, and faculty with an overview of the matriculation process, abbreviated guidelines about the policy and process, and information about matriculation activities that are occurring on campus. (Component Standard 1)

4. Evaluate the matriculation process through staff meetings, student feedback, and research reports. (Component Standard 1)

5. Attend regional and state training workshops and conferences. (Component Standard 1)

6. Through college classes, unit training sessions, and workshops, provide ongoing training on data processing for student services, admissions, counseling, faculty, and other staff. Training will include the use of newly developed computer programs and new computer equipment. (Component Standards 1 and 2)

7. Improve computerized information services to implement or support coordination and training activities. (Component Standard 2)
6B. GOALS FOR THE COORDINATION/TRAINING COMPONENT

1. Continue to evaluate and refine matriculation efforts to better serve students.

2. Identify a specific, in-depth matriculation-related training topic each academic year to be incorporated into the college’s annual staff development plan, such as retention, collaborative learning, diversity, or student needs.

3. Support the role of student activities in enhancing retention efforts and improving the student environment.

4. Develop materials and activities for faculty and staff to become aware of new majority enrollment patterns and learning needs, including ways to enhance retention, graduation, and transfer rates.

5. Increase the level of faculty and staff understanding of the matriculation process through a variety of on-campus media.

6C. STAFFING FOR THE COORDINATION/TRAINING COMPONENT

Staff who participate in component matriculation activities include the following:

- Vice President, Student Services
- Administrative Assistant, Student Services/Matriculation
- Members of the Matriculation Steering Committee
- Coordinator of Student Life
- Director, Information Technology, and IT staff

Component VII: RESEARCH AND EVALUATION

The Director, Institutional Research has primary responsibility for the Research and Evaluation Component.

The purpose of matriculation research is to ensure that students are being optimally assisted in achieving their educational goals. To that end, research is conducted to validate assessment practices, to ensure that students are treated in an unbiased manner, and to identify factors that support student success.

7A. ACTIVITIES FOR THE RESEARCH AND EVALUATION COMPONENT

1. Continue to conduct evaluation studies to assess the effectiveness of matriculation services and remedial programs and services. (Component Standard 1)

2. Conduct on-going evaluation studies to assess the validity of assessment tests and cut scores for placement into math, English, and ESL courses. (Component Standards 2 and 17)

3. Continue to assess the validity of various non-test measures (e.g., student educational background) for use in assessment. (Component Standards 2, 6, and 17)

4. Periodically evaluate assessment tests to ensure that cultural or linguistic biases are minimized or eliminated. (Component Standards 2 and 17)
5. Periodically determine whether any assessment instruments or practices have a disproportionate impact on groups of students (by ethnicity, gender, age, or disability). (Component Standards 3 and 17)

6. Periodically provide descriptive data—including average scores, range of scores, and demographic information about the testing populations—about performance on math, English, and ESL placement tests. (Component Standards 2, 3, 11, and 17)

7. When necessary, conduct periodic validation studies to maintain state approval of locally developed/managed assessment instruments. (Component Standards 2 and 3)

8. Provide instructional departments and counselors with results on the validity of assessment methods and placement guidelines for advising students. Consult with appropriate divisions to interpret results and determine ways to improve existing practices. (Component Standards 2, 3, and 6)

9. Regularly provide data on the demographic composition of credit students (including ethnic, gender, and age distributions). (Component Standards 10 and 17)

10. Determine the proportion of students who enter and complete pre-collegiate/basic-skills courses (by ethnic, gender, age, and disability groups). (Component Standards 11, 12, and 17)

11. Track the progress of students from pre-collegiate/basic-skills through associate-degree-applicable courses (by ethnic, gender, age, and disability groups). (Component Standards 13 and 17)

12. Ensure that district and matriculation resources are used efficiently to assess student educational needs. (Component Standards 7 and 8)

13. Periodically report on the number of exempt students by category and identify the grounds for exemption. Document services received by non-exempt students. (Component Standards 14, 16, and 17)

14. Collect information on matriculation-related student complaints. (Component Standards 15 and 17)

15. Conduct additional matriculation studies, as the need arises. (Component Standards 4, 5, 6, 7 and 9)

7B. GOALS FOR THE RESEARCH AND EVALUATION COMPONENT

1. Improve data-collection techniques to ensure that the kind of information gathered is appropriate for local research needs.

2. Improve approaches to evaluate matriculation services and determine how matriculation services can best support Napa Valley College students.

3. Develop the ability to document matriculation services received by non-exempt students.

7.C STAFFING FOR THE RESEARCH AND EVALUATION COMPONENT

Staff who participate in component matriculation activities include the following:
Director, Institutional Research
Component VIII: PREREQUISITES, COREQUISITES AND ADVISORIES ON RECOMMENDED PLACEMENT

The Vice President of Instruction has primary responsibility for prerequisites. The Curriculum Chairs, counseling faculty, Academic Senate President, Director of Information Technology, and Associate Dean of Admissions and Records play critical roles.

The Napa Valley Community College District has adopted and follows the Model District Policy. (Component Standards 1, 2, 3, 4, 5) All courses have been reviewed, and prerequisites have been adopted, as appropriate. Prerequisite challenge procedures have been developed and implemented. All validated prerequisites were enforced, beginning fall semester 2000. Accurate information regarding prerequisites and the challenge procedures is included in the current college catalog.

Revision of prerequisites is the responsibility of faculty, division chairs and the Curriculum Committee. Enforcement of prerequisites is the responsibility, as stated in Component I, of the Associate Dean, Admissions and Records, in conjunction with faculty, department chairs, and division chairs or deans.

For all the following Component 8 standards, Napa Valley Community College District policies and procedures follow the District Model exactly.

1. District ensures open enrollment subject to health and safety considerations, facility limitations, etc., consistent with Board-adopted policies that identify such limitations and which require fair and equitable procedures for determining who may enroll in such courses. §58106(b)

2. Board-adopted policy establishes the process for establishing necessary and appropriate prerequisites, co-requisites and advisories and their respective level of scrutiny, including data collection where appropriate. §55201(b)(1)

3. Curriculum committee reviews course outline of record to determine if associate degree credit course shall require pre- and co-requisite to enhance students’ likelihood of success. §55002(a)(2)(D)

4. Communication or computation pre- or co-requisites for any course other than a communication or computation course are based on content review, sound data-gathering research practices, and demonstration that student is highly unlikely to succeed without the pre- or co-requisite. §55201(e), §55510(a)(6)

5. If the curriculum committee determines that success in associate degree credit course is dependent on communication or computation skills, it establishes eligibility for enrollment in associate degree credit course(s) in English and/or mathematics as pre- or co-requisite(s). §55002(a)(2)(E)
6. Curriculum committee recommends establishment of pre- or co-requisite for non-degree-applicable course, where appropriate. §55002(b)(2)(D)

7. Board-adopted policy specifies the process for periodically reviewing pre- and co-requisites (at least once every six years) and advisories, including level of scrutiny and frequency of review. §55201(b)(3)

8. District ensures that associate degree credit courses and pre-collegiate basic skills courses (including those with pre- and co-requisites) are taught by qualified instructors and in accord with course outline of record, particularly those aspects of the course that are the basis for the pre- or co-requisite. §55002(a)(4), §55002(b)(4), §55201(b)(2)

9. District determines students’ satisfaction of a prerequisite prior to enrollment or permits enrollment pending verification, and ensures that enrollment fees are promptly refunded to students who are involuntarily dropped from course for failure to successfully complete the prerequisite. §55202(g)

10. District establishes procedures for determining who may enroll in courses for which there are limitations on enrollment, provides for student challenges to the limitations on the grounds specified in Title 5, handles challenges to enrollment limitations in a timely manner, and waives the enrollment limitation if the challenge is upheld. §58106

11. College resolves challenges (made on specified grounds) to pre- and co-requisites in a timely manner and, if the challenge is upheld, the student is allowed to enroll in the course or program. §55201(f)

12. Pre- and co-requisites and advisories are identified in college publications and in the respective course outline(s) of record. §55202(a)

13. District ensures that pre-collegiate basic skills reading, writing or math courses that serve as pre- or co-requisites are offered with reasonable frequency and that the number of available sections is reasonable given student need. §55202(d)

**BUDGET**

The Napa Valley Community College District complies with all of the following component standards:

1. State matriculation allocation is used only for matriculation services approved by the Chancellor. AB3 782 11.5(b)

2. District provides at least three-to-one dollar match of state matriculation allocation. AB3 78211.5, 55518(b)

3. District provides for a review of the revenue and expenditures of matriculation as part of annual district audit. 55512(b)
POLICIES AND PROCEDURES I
The Napa Valley Community College District has the following policies and procedures in place:

A. District ensures that no matriculation practice subjects any person to unlawful discrimination. Title 5, §5520WX4(6)

B. District takes steps to ensure that the matriculation process is efficient so that students are not discouraged from participating in college programs - Title 5 §55530(c).

C. District and/or college has developed the matriculation plan through consultation with representatives of academic senate, students, and staff - Title 5 §5551 O(b).

D. Not applicable

E. Each pre- or co-requisite is established for at least one of the following reasons: 1) required or authorized by statute or regulation; 2) the prerequisite assures that the student has the skills or knowledge without which success in the subsequent course (or specific course within a program) is highly unlikely; 3) the co-requisite assures that the student will acquire the skills or knowledge without which success in the subsequent course (or specific course within a program) is highly unlikely; or 4) necessary to protect the health and safety of the student or others. Title 5 §5520l(c)(l-4)

F. District has adopted clear written policies that define student responsibilities and the consequences of failing to fulfill such responsibilities. Title 5 §55530(d)

G. All computational and communication pre- and co-requisites are established on a course-by-course basis. Title 5 §55202(b)

H. Student’s satisfaction of pre- or co-requisite is based on successful completion of appropriate course or multiple-measures assessment. Any assessment instrument used shall be selected and used in accord with Title 5 §55521 and §55202(c).

I. District ensures that no exit test outside of a course is required to satisfy a prerequisite or co-requisite. Title 5 §55202(f)

J. Each course outline of record contains specific content and other required information is made available to the instructor. - Title 5 §55002(a)(3), §55002(b)(3)

K. Records of all student complaints of alleged violation of matriculation regulatory provisions are retained for at least three years after the complaint has been resolved. Title 5 §55534(a)

L. Board has adopted policy on limitations on number of units or selected courses in which students on probationary or dismissal status may enroll, or requirement that they follow a prescribed educational plan. Title 5 §958106(b)(5).

M. Board-adopted policies identify limitations on enrollment. Title 5 §58106(a),(b)

N. District ensures that there are sufficient numbers of co-requisite sections to accommodate students or the requirement is waived for individual students for whom space is not available. Title 5 §55201(e)

O. Board-adopted policy specifies the bases and process for a student to challenge the application of a pre-or co-requisite. Title 5 §55201(b)(4) and (f)

P. Board-adopted district policies and procedures related to pre- and co-requisites and advisories are included in the college’s matriculation plan. Title 5 §55510(a)(6)
Q. District policy ensures open enrollment (subject to meeting pre-and/or co-requisites); policy is in catalog, schedule of classes, and on file with state Chancellor. Title 5 §51006(b) and §58106(a)

R. District permits students, whenever possible, to avoid additional testing by submitting scores on recently taken tests which correlate with those used by the district. Title 5 §55530 (c).

S. No portion of the district’s assessment process is used to exclude students from admission to the college - AB 3, 78213(b)(3); Title 5 §55521(d).

Attachments

1. Organizational Chart of Matriculation
2. Matriculation Steering Committee Information (Committee Name, Chairperson, Members)
3. Governing Board Policy S6610 and Administrative Regulations to Policy S6610, including Exemption Criteria
4. Administrative Regulations to Policy D1130, Section 4, Handling Complaints of Unlawful Discrimination
5. Procedures for Challenging Matriculation Regulatory Provisions (to be developed)
ORGANIZATIONAL CHART OF MATRICULATION
Napa Valley College

MATRICULATION COORDINATOR
Mr. Oscar De Haro
Vice President, Student Services

Admissions
Vacant
Interim Associate Dean, A&R

Orientation
Margo Kennedy
Division Chair, Counseling

Assessment
Rebecca Scott
Director, Testing and Tutoring Center

Counseling and Advising
Margo Kennedy
Division Chair, Counseling

Student Follow-Up
Margo Kennedy
Division Chair, Counseling

Coordination and Training
Oscar De Haro
Vice President, Student Services

Research and Evaluation
Dr. Robyn Wornall
Director, Institutional Research

Pre-requisites, Co-requisites, Placement Advisories
Sue Nelson
Vice President, Instruction

Noncredit Matriculation
Oscar De Haro
Vice President, Student Services
Attachment 2

2008-2009 MATRICULATION STEERING COMMITTEE

Oscar De Haro, co-chair  VP, Student Services/Noncredit Matriculation Coordinator
Bill Fried, co-chair  Faculty, Mathematics (Math Class Coordinator)
Rebecca Scott  Faculty, LADS* English, Interim Coordinator of Testing and Tutoring Center
Margo Kennedy  Faculty, Division Chair, Counseling
Sable Hughes  Faculty/Administrator, Director, Student Support Services
Gwen Kell  Faculty, Coordinator of Transfer Center/Counselor
Elizabeth Lara-Medrano  Faculty, Career Center Coordinator/Counselor
Mary Salceda-Nuñez  Faculty, EOPS Coordinator/Counselor
Lisa Yanover  Faculty, LADS* English
Vacant  Administrator, Interim Associate Dean, Admissions and Records
Windy Martinez  Administrator, Associate Dean, Special Services
Vanessa Mullally  Administrator, Director, Information Technology
Jill Schrutz  Administrator, Dean, Financial Aid/EOPS/CalWorks/TRIO/Veterans
Dr. Robyn Wornall  Administrator, Director, Institutional Research
Anne McCallum  Classified Staff, Testing and Tutoring Center Assistant
Vacant  Classified Staff, Admissions and Records
Martha Navarro  Confidential, Administrative Assistant, Student Services/Matriculation
Charlie Jesch  Student Representative appointed by ASB

*Language and Developmental Studies Division

Membership as of May 8, 2009
Napa Valley Community College District reaffirms its commitment to serve all Napa Valley College students, to ensure equal educational opportunity for them, and to facilitate progress toward their educational goals through matriculation services and information.

Matriculation is defined as a process that brings the college and a student who enrolls for credit into an agreement for the purpose of realizing the student’s educational goals through the established programs, policies, and requirements of the college.

In the belief that participation in the matriculation process can improve each student’s chances of educational success, Napa Valley College offers its matriculation services to all credit students who wish to take advantage of them. In all cases, the college will continue to adhere to a policy of non-discrimination and will not subject a student to any form of legally prohibited discrimination in the implementation of this process.

See accompanying administrative regulations.

Reference: Education Code, 78210-78218; Title V, 51024, 55500-55534
Approved 7/14/94

Administrative Regulations to Board Policy S6610

These regulations clarify the responsibility, rights, and exemptions considered in the implementation of the matriculation process.

**College Responsibilities**

Under this agreement, the college will

1. Process applications for admission.
2. Offer orientation programs to inform nonexempt students about college procedures, course scheduling, academic expectations, financial assistance, and other related topics.
3. Use multiple measures to assess the relevant skills, aptitudes, and interests of nonexempt students in relation to the development and pursuit of a specific educational goal.
4. Counsel and advise nonexempt students on individual educational planning, academic requirements, course selection, and other subjects. The college will place emphasis on students who are enrolled in pre-collegiate basic skills courses, are on probation, or have not identified a specific educational goal.
5. Monitor students’ academic progress to detect early signs of academic difficulty. Provide students in such difficulty with advice or referral to student and support services or curricular offerings as needed. The college will place emphasis on students who are enrolled in pre-
collegiate basic skills courses, are on probation, or have not identified a specific educational goal.

6. Conduct an ongoing research program to evaluate the effectiveness of matriculation programs, services, and procedures.

7. Train administrators, faculty, and staff to help them implement matriculation requirements.

8. Offer modified matriculation services to students who demonstrate the need for special accommodations based on ethnic or language minority status or disability.

Student Responsibilities

Under this agreement, the student will

1. State at least a broad educational goal upon admission.

2. Declare a specific educational goal by the end of the semester after which he/she completes 15 units of degree-applicable work.

3. Gather information pertinent to academic life and study.

4. Seek support services as needed to make responsible decisions and deal with problems which affect his/her academic life.

5. Participate actively in counseling or advisement as recommended by the college.

6. Participate actively in the educational planning process and accept the consequences of his or her actions.

7. Attend class regularly and diligently complete assigned class work.

8. Complete courses and make satisfactory progress toward his/her educational goal according to standards established by the college.

The student is free to change his/her educational goal at any time and should notify the college of the change.

Expectations

The college believes that students who meet their responsibilities under this agreement are likely to reduce their risk of academic and progress difficulties and enhance their chances for succeeding in their studies and reaching their educational goals.

Student Rights

A student has the right to

1. Appeal a prerequisite or corequisite, using the procedures outlined in a prerequisite policy and procedures, as defined in Title 5.

2. Appeal in writing any recommendation.

3. File a written complaint on the grounds that matriculation has the alleged purpose or effect of subjecting any person to unlawful discrimination.
4. Challenge in writing any other alleged violation of the provisions of Title 5, Sections 55000-55534, or Section 5106.

Exemption Criteria

Napa Valley College recognizes that students with certain limited educational objectives, alternative sources of academic support, or substantial experience in higher education may have less need than other students to participate in one or more matriculation components. Exempt students shall be informed that they may participate in any matriculation component if they so desire. The college establishes the following exemption criteria:

1. A student who is in good standing and meets any one of the following criteria will be exempt from the orientation component:
   a. Has an associate or higher degree from a regionally accredited institution.
   b. Is concurrently enrolled in 12th grade or below and the classes are held on a high school campus.
   c. Is planning to enroll in one class up to five units of non-math/English courses for personal enrichment.

   Students may request a one-semester waiver from the orientation component if there are no sessions or seats available at the time of registration. Students may refuse to take advantage of the orientation component of the Matriculation Plan. Once these services are refused, the college is no longer required to provide matriculation services to that student unless the student changes his/her mind and desires to participate in orientation.

2. A student who is in good standing and meets any one of the following criteria will be exempt from the counseling/advising component:
   a. Has an associate or higher degree from a regionally accredited institution.
   b. Is concurrently enrolled in 12th grade or below and the classes are held on a high school campus.
   c. Is planning to enroll in one class up to five units of non-math/English courses for personal enrichment.

   Students may refuse to take advantage of the counseling/advising component of the Matriculation Plan. Once these services are refused, the college is no longer required to provide matriculation services to that student unless the student changes his/her mind and desires to participate in counseling/advising.

3. A student who is in good standing and meets any one of the following criteria will be exempt from the assessment component:
   a. Has an associate or higher degree from a regionally accredited institution.
   b. Can provide either equivalent test scores from approved assessment instruments or acceptable passing grades in equivalent courses. (Tests must have been taken within two years and must be on file at the Testing and Tutoring Center.
   c. Is concurrently enrolled in 12th grade or below and the classes are held on a high school campus.
   d. Is planning to enroll in one class up to five units of non-math/English courses for personal enrichment.
Students may request a one-semester waiver from assessment if there are no testing sessions or seats available at the time of registration. Students may refuse to take advantage of the assessment component of the Matriculation Plan. Once these services are refused, the college is no longer required to provide matriculation services to that student unless the student changes his/her mind and desires to participate in assessment.

Reference: *Education Code*, Sections 78210-78218; *Title 5*, Sections 51024, 55550-55534

<table>
<thead>
<tr>
<th>A student who is in good standing and meets any one of the following criteria will be exempt from the component listed.</th>
<th>Orientation</th>
<th>Counseling/ Advising</th>
<th>Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Has an associate or higher degree from a regionally accredited institution.</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Is concurrently enrolled in 12th grade or below and the classes are held on a high school campus.</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Is planning to enroll in one class up to five units of non-math/English courses for personal enrichment</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Can provide either equivalent test scores* from approved assessment instruments or acceptable passing grades in equivalent courses</td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

*Tests must have been taken within two years and must be on file at the Testing and Tutoring Center.*
Administrative Regulations to Policy D1130, Section 5
Handling Complaints of Unlawful Discrimination
D1130 AR (5)

Introduction and Scope

These are the written procedures for filing and processing complaints of unlawful discrimination at Napa Valley Community College District. These policies and procedures incorporate the legal principles contained in nondiscrimination provisions of the California Code of Regulations, Title 5, sections 59300 et seq. as well as other state and federal substantive and procedural requirements. The policies and procedures were adopted by the Napa Valley Community College District Governing Board on March 27, 2003, in accordance with the procedures of the Board. A copy of these written policies on unlawful discrimination will be displayed in a prominent location in the District's main administration building.

Students' and Employees' Notice, Training, and Education

Napa Valley Community College District’s responsible officer shall make arrangements for or provide training to employees and students on the District’s unlawful discrimination policy and procedures. Faculty members, members of the administrative staff, and members of the support staff will be provided with a copy of the District’s written policy on unlawful discrimination at the beginning of the first quarter or semester of the college year after the policy is adopted.

All District employees will receive this training and a copy of the unlawful discrimination policies and procedures during the first year of their employment. Because of their special responsibilities under the law, supervisors will undergo mandatory annual training. In years in which a substantive policy or procedural change has occurred all District employees will attend a training update and/or receive a copy of the revised policies and procedures.

A training program or informational services will be made available to all students at least once annually. The student training or informational services will include an explanation of the policy, how it works, and how to file a complaint. In addition, a copy of the District’s written policy on unlawful discrimination, as it pertains to students, will be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester, or summer session, as applicable.

Retaliation

It is unlawful for anyone to retaliate against someone who files an unlawful discrimination complaint, who refers a matter for investigation or complaint, who participates in an investigation
of a complaint, who represents or serves as an advocate for an alleged victim or alleged offender, or who otherwise furthers the principles of this unlawful discrimination policy.

**Responsible District Officer**

The Napa Valley Community College District has identified the Vice President, Student Services, to the State Chancellor’s Office and to the public as the single District officer responsible for receiving all unlawful discrimination complaints filed pursuant to Title 5, section 59328, and for coordinating their investigation. The actual investigation of complaints may be assigned to other staff or to outside persons or organizations under contract with the District. Such delegation procedures will be used whenever the officer designated to receive complaints is named in the complaint or is implicated by the allegations in the complaint.1

Administrators, faculty members, other District employees, and students shall direct all complaints of unlawful discrimination to the responsible District officer.

**Informal/ Formal Complaint Procedure**

When a person brings charges of unlawful discrimination to the attention of the District’s responsible officer, that officer will:

1. Undertake efforts to informally resolve the charges;
2. Advise the complainant that he or she need not participate in informal resolution;
3. Notify the person bringing the charges of his or her right to file a formal complaint and explain the procedure for doing so;

---

1 The Office for Civil Rights (OCR) advises educational institutions to give one official responsibility for oversight and coordination of all sexual harassment complaints to insure consistent practices and standards in handling complaints as well as coordination of record keeping. This will help ensure that the educational institution can and will resolve recurring problems and identify students or employees who have multiple complaints filed against them. The State Chancellor's Office advises that having the responsible district officer, named pursuant to Title 5, section 59324, coordinate both sexual harassment and other unlawful discrimination complaints satisfies OCR’s instruction on this subject.

2 The purpose of the informal resolution process is to allow an individual who believes she/he has been unlawfully discriminated against or sexually harassed to resolve the issue through a mediation process rather than the formal complaint process. Typically, the informal process will be invoked when there is a simple misunderstanding or the complainant does not wish to file a formal complaint. Resolution of an informal complaint may require nothing more than a clarification of the misunderstanding or an apology from the respondent and an assurance that the offending behavior will cease. However, the district is responsible for maintaining a safe and discrimination free educational environment and serious allegations may need to be investigated even if the complaining party considers the matter resolved. In an informal process the district officer shall advise the complainant of his or her rights and responsibilities under both the formal and informal processes. If the complainant declares his or her preference for the informal process, the responsible district officer shall present the complainant with a document that describes the informal/formal process that contains the basics of complainant’s allegations of unlawful discrimination. This document will clearly indicate that the complainant opted for the informal resolution process and should be signed and dated by the complainant. The informal resolution process will not be made a predicate to the process and investigation of a formal complaint. If a formal complaint is filed, an investigation must be completed within the time required unless it is voluntarily rescinded by a complainant as a result of a successful informal resolution.
(4) Assure the complainant that he or she will not be required to confront or work out problems with the person accused of unlawful discrimination;
(5) Advise the complainant that he or she may file a nonemployment-based complaint with the Office for Civil Rights of the U.S. Department of Education (OCR) where such a complaint is within that agency’s jurisdiction.
(6) If the complaint is employment-related, the complainant should also be advised that he or she may file a complaint with the U.S. Equal Employment Opportunity Commission (EEOC) and/or the California Department of Fair Employment and Housing (DFEH) where such a complaint is within that agency’s jurisdiction.

Efforts at informal resolution need not include any investigation unless the responsible District officer determines that an investigation is warranted by the seriousness of the charges. Selecting an informal resolution does not extend the time limitations for filing a formal complaint. Efforts at informal resolution may continue after the filing of a formal written complaint, but after a complaint is filed an investigation is required to be conducted pursuant to Title 5, section 59334, and will be completed unless the matter is informally resolved and the complainant dismisses the complaint. Any efforts at informal resolution after the filing of a written complaint will not exceed the 90-day period for rendering the administrative determination pursuant to Title 5, section 59336.

In employment-related cases, if the complainant files with the Department of Fair Employment and Housing, a copy of that filing will be sent to the State Chancellor's Office requesting a determination of whether a further investigation under Title 5 is required. Unless the State Chancellor's Office determines that a separate investigation is required, the District will discontinue its investigation under Title 5 and the matter will be resolved through the Department of Fair Employment and Housing.

The District will provide for representation where required by law and may allow for representation for the accused and complainant in other circumstances on a case-by-case basis.

**Filing of Formal Written Complaint**

If a complainant decides to file a formal written unlawful discrimination complaint against the District, he or she must file the complaint on a form prescribed by the State Chancellor. These approved forms are available from the District and also at the State Chancellor’s website, as follows:  [http://www.cccco.edu/divisions/legal/Discrimination/discrimination.htm](http://www.cccco.edu/divisions/legal/Discrimination/discrimination.htm)

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

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

When a formal written complaint is filed it will be reviewed to determine if the complaint meets the following requirements:

- The complaint must be filed on a form prescribed by the State Chancellor's Office.
- The complaint must allege unlawful discrimination prohibited under Title 5, section 59300.
- The complaint must be filed by one who alleges that he or she has personally suffered unlawful discrimination or by one who has learned of such unlawful discrimination in his or her official capacity as a faculty member or administrator.
- In any complaint not involving employment, the complaint must be filed within one year of the date of the alleged unlawful discrimination or within one year of the date on which the complainant knew or should have known of the facts underlying the specific incident or incidents of alleged unlawful discrimination.
- In any complaint alleging discrimination in employment, the complaint shall be filed within 180 days of the date the alleged unlawful discrimination occurred, except that this period will be extended by no more than 90 days following the expiration of that 180 days if the complainant first obtained knowledge of the facts of the alleged violation after the expiration of 180 days.

If the complaint is defective it will be immediately returned to the complainant with a complete explanation of why an investigation could not be initiated under Title 5, California Code of Regulations, section 59300 et seq. Additional information about this initial review of complaints can be found in the Guidelines for Processing Formal Title 5 Unlawful Discrimination Complaints prepared by the State Chancellor's Office.3

Notice to State Chancellor or District

A copy of all complaints filed in accordance with the Title 5 regulations will be forwarded to the State Chancellor's Office immediately upon receipt. Similarly, when the State Chancellor's Office receives a complaint a copy will be forwarded to the District.

Confidentiality of the Process

Investigative processes can best be conducted within a confidential climate, and the District does not reveal information about such matters except as necessary to fulfill its legal obligations. However, potential complainants are sometimes reluctant to pursue a complaint if their names will be revealed.

The inability to reveal the name of a complainant or facts that are likely to reveal the identity of the complainant can severely limit the ability of the District to respond. Complainants must also recognize that persons who are accused of wrongdoing have a right to present their side of the matter, and this right may be jeopardized if the District is prohibited from revealing the name of the complainant or facts that are likely to disclose the identity of the complainant.

---

3 The Guidelines for Processing Formal Title 5 Unlawful Discrimination Complaints is a procedural aid for processing formal unlawful discrimination complaints.
If a complainant insists that his or her name not be revealed, the responsible officer should take all reasonable steps to investigate and respond to the complaint consistent with the complainant’s request as long as doing so does not jeopardize the rights of other students or employees.

It is also important that complainants and witnesses understand the possibility that they may be charged with allegations of defamation if they circulate the charges outside of the District’s process. In general, persons who are participating in a District investigative or disciplinary process that is related to a charge of discrimination are protected from tort claims such as defamation. However, persons who make allegations outside of these processes or who discuss their claims with persons outside of the process may expose themselves to tort charges. Complainants, witnesses, and those accused of discrimination will all be asked to sign a confidentiality acknowledgement statement.

Where an investigation reveals the need for disciplinary action, the complainant may wish to have information about what disciplinary actions the District took. However, the privacy rights of the persons involved often prevent the District from providing such information. In student disciplinary actions for sexual assault/physical abuse charges, Education Code, section 76234 provides that the victim shall be informed of the disciplinary action, but that the victim must keep the information confidential. Disciplinary actions taken against employees are generally considered confidential.4

**Administrative Determination**

Within 90 days of receiving an unlawful discrimination complaint filed under Title 5, sections 59300 et seq., the responsible District officer will complete the investigation and forward a copy of the investigative report to the State Chancellor, a copy or summary of the report to the complainant, and written notice setting forth all the following to both the complainant and the State Chancellor:

(a) the determination of the chief executive officer or his/her designee as to whether there is probable cause to believe discrimination occurred with respect to each allegation in the complaint;

(b) a description of actions taken, if any, to prevent similar problems from occurring in the future;5

(c) the proposed resolution of the complaint; and

(d) the complainant's right to appeal to the District governing board and the State Chancellor.

4 Complainants must trust the District to take appropriate action and must understand that the District is generally not at liberty to discuss personnel or student matters, particularly disciplinary matters. In some disciplinary cases, the complainant may be required to testify at a hearing, and would therefore be aware of the proposed disciplinary action.

5 If it is determined that discrimination did occur, possible remedies to prevent similar problems from occurring in the future include all the standard District disciplinary actions for students and employees, ranging from undocumented reprimand to termination or expulsion. If formal disciplinary action is inappropriate, other possible remedies include training in the pertinent area(s) of unlawful discrimination, apology, and restricting or forbidding contact between the perpetrator and victim.
The Napa Valley Community College District recognizes the importance of and is therefore committed to completing investigations and resolving complaints as quickly as possible, consistent with the requirements for a thorough investigation.

Complainant’s Appeal Rights

Complainants have appeal rights that they may exercise if they are not satisfied with the results of the District’s administrative determination. At the time the administrative determination and summary is mailed to the complainant, the responsible District officer or his/her designee shall notify the complainant of his or her appeal rights as follows:

- First level of appeal: The complainant has the right to file an appeal to the District’s governing board within 15 days from the date of the administrative determination. The District’s governing board will review the original complaint, the investigative report, the administrative determination, and the appeal.
- The District’s governing board will issue a final District decision in the matter within 45 days after receiving the appeal. Alternatively, the District’s governing board may elect to take no action within 45 days, in which case the original decision in the administrative determination will be deemed to be affirmed and shall become the final District decision in the matter. A copy of the final decision rendered by the District’s governing board will be forwarded to the complainant and to the State Chancellor's Office.
- Second level of appeal: The complainant has the right to file an appeal with the California Community College Chancellor’s Office in any case not involving employment-related discrimination within 30 days from the date that the governing board issues the final District decision or permits the administrative determination to become final by taking no action within 45 days.6 The appeal must be accompanied by a copy of the decision of the governing board or evidence showing the date on which the complainant filed an appeal with the governing board, and a statement under penalty of perjury that no response was received from the governing board within 45 days from that date.

Complainants must submit all appeals in writing.

Forwarding of Complaint to State Chancellor

Within 150 days of receiving a complaint, the responsible District officer will forward the following to the State Chancellor:

---

6 The Department of Fair Employment and Housing (DFEH) has final jurisdiction over employment-related cases. Therefore, the State Chancellor's Office has agreed to accept DFEH decisions and generally will not accept appeals in employment discrimination cases. However, in limited circumstances the State Chancellor's Office will intervene, such as when intervention might bring about a resolution at the informal level or when some unique aspect of community college governance is at issue and the expertise of the State Chancellor's Office is needed.
• A copy of the final District decision rendered by the governing board or a statement indicating the date on which the administrative determination became final as a result of taking no action on the appeal within 45 days.
• A copy of the notice of appeal rights the District sent the complainant.
• Any other information the State Chancellor may require.

Extensions

If for reasons beyond its control, the District is unable to comply with the 90-day or 150-day deadlines specified above for submission of materials to the complainant and the State Chancellor's Office, the responsible District officer will file a written request that the State Chancellor grant an extension of the deadline. The request will be submitted no later than 10 days prior to the expiration of the deadlines established by Title 5 in sections 59336 and/or 59340 and will set forth the reasons for the request and the date by which the District expects to be able to submit the required materials.

A copy of the request for an extension will be sent to the complainant, who may file written objections with the State Chancellor within 5 days of receipt.

The State Chancellor may grant the request unless delay would be prejudicial to the complainant. If an extension of the 90-day deadline is granted by the State Chancellor the 150-day deadline is automatically extended by an equal amount.

Record Retention

Unlawful discrimination records that are part of an employee’s employment records may be classified as Class-1 Permanent records and retained indefinitely or microfilmed in accordance with Title 5, California Code of Regulations, section 59022. Unlawful discrimination records of a student that are deemed worthy of preservation but not classified as Class-1 Permanent may be classified as Class-2 Optional records or as Class-3 Disposable records, to be retained for a period of three years.

Adopted 3/27/03

   Ed. Code, §§ 66270, 66271.1, 66281.5, 76234 and 87740
   Gov. Code, § 11135-11139.5
   Cal. Code Regs., Title 5, §§ 59020 and 59300 et. seq.
   34 C.F.R. §§ 106 and106.8
   Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, Title IX, Office for Civil Rights, January 19, 2001
   NLRB v. Weingarten, Inc. (1975) 420 U.S. 251
   Reference: Cal. Const. Art. I, § 1; Civil Code § 47
   Silberg v. Anderson (1990) 50 Cal.3d. 205