

FORM OF ORDER AND TRANSMITTAL BY BOARD, COMMISSION, OR COUNCIL

State of Washington

BOARD OF TRUSTEES

(name of governing body)

BELLEVUE COMMUNITY COLLEGE - COMMUNITY COLLEGE DISTRICT VIII

(name of institution)

Resolution No. 131

Administrative Order No. 71

(1) Be it resolved by the board of Trustees

of the Bellevue Community College - Community College District VIII (institution)

acting at 3000 Landerholm Circle S.E. - Bellevue, WA 98007 (place)

that it does promulgate and adopt the annexed rules relating to:

Amendment of permanent rules - Student Code of Community College District VIII (WAC 132H-120-200) for the purpose of clarification of rules pertaining to the use of alcoholic beverages.

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. 80-11-051 filed with the code reviser on 8-19-80. Such rules shall take effect:

X pursuant to RCW 28B.19.050(2) at a later date, such date being

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

We, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is:

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of WAC 1-13-040 that each order shall set forth an appropriate statement of state statutory authority (fill in statement (a), (b), or (c) as appropriate):

(a) This rule is promulgated pursuant to RCW and is intended to administratively implement that statute.

(b) This rule is promulgated pursuant to RCW which directs that the

(institution)

has authority to implement the provisions of

(name of act or RCW citation)

X (c) This rule is promulgated under the general rule-making authority of the Bellevue Community College - Community College District VIII

(institution)

as authorized in RCW 28B.50.140

(4) The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

(5) This order after being first recorded in the order register of this governing body is herewith transmitted to the Code Reviser for filing pursuant to chapter 28B.19 RCW and chapter 1-13 WAC.

APPROVED AND ADOPTED October 1, 1980

OCT 6 1980

By Thomas E. O'Connell Secretary, Board of Trustees Title

STATE OF WASHINGTON CODE REVISER'S OFFICE WSR 80-15-011

NOTE

¹Pursuant to WAC 113-040, each rule-making order adopted by an institution of higher education shall incorporate the most specific, but in no case omit all of the following language alternatives when adopting or amending rules:

(a) The most specific reference shall be to a section of law which the rule is implementing, and shall be quoted as follows: "This rule is promulgated pursuant to RCW _____ and is intended to administratively implement the statute."

(b) The next specific reference, and one which shall be used only if paragraph (a) of this subsection is not applicable, shall be to that portion of an act which directs an agency to adopt rules and regulations as necessary to implement the act, and shall be quoted as follows: "This rule is promulgated pursuant to RCW _____ which directs that the (agency) has authority to implement the provisions of (name of act or RCW citation)."

(c) The least specific reference, and one which shall be used only if paragraphs (a) and (b) of this subsection are not applicable, is one which indicates that the rule is promulgated under the agency's broad rule-making authority either in the agency enabling legislation or chapter 34.04 RCW, and shall be quoted as follows: "This rule is promulgated under the general rule making authority of the (agency) as authorized in RCW _____."

STATE OF WASHINGTON
COMMUNITY COLLEGE DISTRICT VIII
BOARD OF TRUSTEES

RESOLUTION NO. 131

Administrative Order No. 71

A RESOLUTION relating to the adoption of a permanent amendment to the Student Code of Community College District VIII.

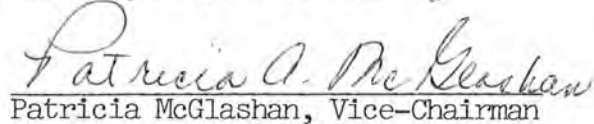
BE IT RESOLVED BY THE BOARD OF TRUSTEES OF COMMUNITY COLLEGE DISTRICT VIII, STATE OF WASHINGTON:

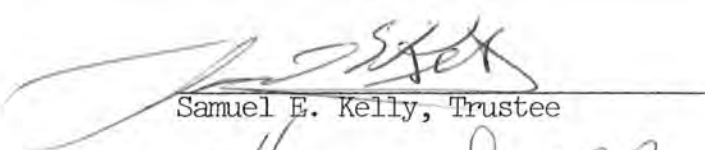
WAC 132H-120-200 STUDENT CODE OF COMMUNITY COLLEGE DISTRICT VII.

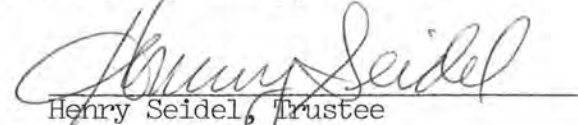
APPROVED AND ADOPTED _____ September 30 _____, 1980.


BOARD OF TRUSTEES


Mary McKinley, Chairman



Patricia McGlashan, Vice-Chairman


Samuel E. Kelly, Trustee


Henry Seidel, Trustee


Claire Thomas, Trustee

ATTEST:


Thomas E. O'Connell
Secretary, Board of Trustees

AMENDATORY SECTION (Amending order 57, filed 6-6-78)

WAC 132H-120-200 STUDENT RESPONSIBILITIES. Any student shall be subject to disciplinary action who either as a principal actor or aide or abettor: (1) Materially and substantially interferes with the personal rights or privileges of others or the educational process of the college;

(2) Violates any provisions of this chapter; or

(3) Commits any of the following acts which are hereby prohibited:

(a) Possessing or consuming any form of liquor or alcoholic beverage except as a participant of legal age in a student program, banquet or educational program which has the special written authorization of the college President or his designee.

(b) Procedural guidelines for liquor policy implementation are as follows:

(i) When approved by the President or his designee, alcoholic beverages may be served by a recognized student organization, college administrative unit or a community organization. Such groups must adhere to the stipulation of building use policies (WAC 132H-140) and fully meet all laws, rules and regulations as set forth in the Washington State Liquor Control Board regulations RCW 66.20.010, which permits consumption of spirits.

(ii) Approval for the serving of alcoholic beverages must be requested at least seven (7) calendar days prior to the date of use. A student organization request (Form 010-116 6-78) must be filed with the Office of the Dean for Student Services and Development. If, in the judgment of the Dean for Student Services and Development, the request is congruent with the best interests of the student group and the college, the Dean will forward the request to the President for final approval. All other request (Form 010-116 6-78) shall be filed with the Office of the President. The request shall be approved or denied at least three (3) calendar days prior to the proposed event. The application for utilization of alcoholic beverages must be completed by an authorized representative who accepts responsibility for compliance with the college and other governmental rules and regulations, where applicable, and agrees to be present at the function. The Associate Dean for Student Programs and Activities or designee shall be available at all student functions involving alcoholic beverages and is empowered to make decisions that might arise covering college policies or procedures.

(iii) Upon approval for the use of alcoholic beverages at Bellevue Community College, it shall be the responsibility of the sponsor to obtain all necessary licenses from the Washington State Liquor Control Board and to display such licenses at the time of the event.

(iv) Banquet events (sit-down dinners) are recognized as different in nature from student program events. At student program events, permission to serve alcoholic beverages shall be restricted to beer and light wine and food appropriate for the event must be available. Banquet events shall be approved in accordance with Washington State Liquor Control Board regulations RCW 66.20.010 which permits the consumption of spirits.

(v) The matrix shall be set aside as the only location for the sale and/or consumption of beer and wine at student program-sponsored events.

(vi) A driver's license with picture or a Washington State Liquor Control Board identification card are the only acceptable identification sources in determining legal age.

(vii) The policing of identification cards shall be the responsibility of campus security if the function is a student program sponsored event.

(viii) No person who is under the influence of alcohol or dangerous substances or who is disorderly in conduct shall be allowed to serve, consume or dispense alcoholic beverages.

(ix) All sales and use of alcoholic beverages shall be governed by the Washington State Law as interpreted by the Washington State Liquor Control Board. The regulation shall be posted outside of the room where alcoholic beverages are consumed.

(x) No alcoholic beverages may be consumed outside the approved area for the event (building, room, etc.).

(xi) Non-alcoholic beverages shall be available to persons under the legal age at all events where alcoholic beverages are permitted.

(xii) No state monies shall be used to purchase any alcoholic beverages or to pay any license fees or related expense. All revenues generated by the sale of alcoholic beverages shall be processed in accordance with normal college policy and procedures.

(xiii) To insure variety in programming, the use of alcoholic beverages shall be approved for only a limited number of major collegewide activities.

(c) Using, possessing, selling or being under the influence of any narcotic drug as defined in RCW 69.50.101 now law or hereafter amended, or any dangerous drug as defined in RCW 69.50.308 as now law or hereafter amended, except when the use of possession of a drug is specifically prescribed as medication by an authorized medical doctor or dentist. For the purpose of this regulation, "sale" shall include the statutory meaning defined in RCW 29.04.005 as now law or hereafter amended.

(d) Entering any locked or otherwise closed college facility in any manner, at any time, without permission of the college employee or agent in charge thereof.

(e) Forgery, as defined in RCW 9.44.010 of any district record of instrument or tendering any forged record of instrument to any employee or agent of the district acting in his official capacity as such.

(f) Participation in an assembly which materially and substantially interferes with vehicular or pedestrian traffic, classes, hearing, meetings, the education and administrative functions of the college, or the private rights and privileges of others.

(g) Intentionally destroying or damaging any college facility or other public or private real or personal property.

(h) Failure to comply with directions of properly identified college officials acting in performance of their duties.

(i) Physical abuse of any person or conduct which is intended unlawfully to threaten imminent bodily harm or to endanger the health or safety of any person on college-owned or controlled property or at college-sponsored or supervised functions.

(j) Malicious damage to or malicious misuse of college property, or the property of any person where such property is located on the college campus.

(k) Possession or use of firearms, explosives, dangerous chemicals or other dangerous weapons or instrumentalities of the college campus, except for authorized college purposes or for law enforcement officers unless written approval has been obtained from the Dean for Student Services and Development; or any other person designated by the President.

(l) Engaging in lewd, indecent or obscene behavior on college-owned or controlled property or at college-sponsored or supervised functions.

(m) Falsely setting off or otherwise tampering with any emergency safety equipment, alarm or other device established for the safety of individuals and/or college facilities.

(n) Being under the influence of liquor or alcoholic beverages or narcotic drugs while on college property or while participating in any college program, class or event or while in attendance in any class or college-sponsored or supervised activity.