

(a) Records of instructional, supervisory and administrative personnel and educational personnel ancillary thereto which are in the sole possession of the maker, thereof and which are not accessible to or revealed to any other person except a person appointed to replace or assume responsibilities of the originator of the records on a temporary basis;

(b) Records made and maintained in the normal course of business which relates exclusively to the person's capacity as an employee and which are not available for any other purposes: Provided, That this exception does not extend to records relating to individuals in attendance at Pierce College who are employed as a result of their status as a student;

(c) Records of a student which are created or maintained by a physician, psychiatrist or other officially recognized professional or paraprofessional acting in his or her professional or paraprofessional capacity, or assisting in that capacity, and which are created, maintained or used only in connection with the provision of treatment to the student, and are not available to anyone other than persons providing such treatment: Provided, however, That such records can be personally reviewed by a physician or other appropriate professional of the student's choice;

(d) Records and/or documents of the Pierce College security office which are kept apart from the educational records and which are maintained solely for law enforcement purposes and which are not made available to persons other than law enforcement officials of the same jurisdiction;

(e) Records which contain only information relating to a person after that person was no longer a student at Pierce College such as those dealing with activities of an alumni leaving Pierce College.

(3) The term "directory information" means information contained in an education record of a student which would not generally be considered harmful or an invasion of privacy if disclosed. Pierce College will annually notify students of the specific information in their education records designated as directory information. Directory information may be disclosed at the discretion of the college and without the consent of the student unless he or she elects to prevent disclosure as provided for in WAC 132K-122-100.

(4) The term "personally identifiable" means data or information which includes: The name of the student, the student's parent(s), or other family members; the address of the student; a personal identifier such as the student's social security number or student number; a list of personal characteristics which would make the student's identity easily traceable; telephone number; date of birth; academic/occupational intent; information for participants in officially recognized athletic events; or other information which would make the student's identity easily traceable.

[Statutory Authority: RCW 28B.50.140. 01-11-068, § 132K-122-020, filed 5/14/01, effective 6/14/01; 86-15-020 (Order 86-1, Resolution No. 86-1), § 132K-122-020, filed 7/11/86; Order 37, § 132K-122-020, filed 9/2/77.]

**WAC 132K-122-100 Prevention of the disclosure of directory information.** A student may refuse to permit the disclosure of directory information as defined by WAC 132K-122-020(3) by filing a request to prevent disclosure of directory information with the Registrar's Office by the tenth day of the quarter (eighth day for summer quarter). The

request for nondisclosure of directory information will remain in effect until the student notifies the Registrar's Office, in writing, to cancel it.

[Statutory Authority: RCW 28B.50.140. 01-11-067, § 132K-122-100, filed 5/14/01, effective 6/14/01; 86-15-020 (Order 86-1, Resolution No. 86-1), § 132K-122-100, filed 7/11/86; Order 37, § 132K-122-100, filed 9/2/77.]

## Title 132V WAC

# COMMUNITY COLLEGES— TACOMA COMMUNITY COLLEGE

### Chapters 132V-120

**Code of student rights and responsibilities.**

### 132V-300

**Grievance procedure—Sexual harassment, sex discrimination, and disability discrimination.**

### 132V-400

**Loss of eligibility—Student athletic participation.**

### Chapter 132V-120 WAC

## CODE OF STUDENT RIGHTS AND RESPONSIBILITIES

### WAC

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132V-120-245	Appeal process.
132V-120-250	Repealed.
132V-120-270	Student grievances.
132V-120-280	Grievances excluded from this section.
132V-120-290	Grievance procedures.
132V-120-330	Repealed.

### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

132V-120-190	Appeals. [Statutory Authority: RCW 28B.50.140(13). 88-23-072 (Order 88-1), § 132V-120-190, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-190, filed 12/21/84. Formerly WAC 132V-16-040.] Repealed by 01-24-004, filed 11/21/01, effective 12/22/01. Statutory Authority: RCW 28B.50.140(13).
132V-120-250	Final decision regarding disciplinary action. [Statutory Authority: RCW 28B.50.140(13). 88-23-072 (Order 88-1), § 132V-120-250, filed 11/17/88; 85-02-004

(Order 84-1), § 132V-120-250, filed 12/21/84. Formerly WAC 132V-16-100.] Repealed by 01-24-004, filed 11/21/01, effective 12/22/01. Statutory Authority: RCW 28B.50.140(13).

132V-120-330 Pregnancy policy. [Statutory Authority: RCW 28B.50.140(13). 87-01-066 (Order 86-1), § 132V-120-330, filed 12/17/86.] Repealed by 01-24-004, filed 11/21/01, effective 12/22/01. Statutory Authority: RCW 28B.50.140(13).

**WAC 132V-120-020 Definitions.** As used in this chapter the following words and phrases shall be defined as follows:

(1) "District" shall mean Community College District 22.

(2) "College" shall mean Tacoma Community College main campus and any other campus or college facility which may be created by the board.

(3) "College facilities" shall include real property, buildings and improvements thereon owned, leased, or used by or on behalf of the college or the associated students.

(4) "Board" shall mean the board of trustees of Community College District No. 22, state of Washington.

(5) "President" shall mean the duly appointed chief executive officer of any campus of Tacoma Community College or designee.

(6) "Dean for student services" shall mean the administrator responsible for student services or designee.

(7) "Chief academic affairs officer" shall mean the administrator responsible for the instructional program or designee.

(8) "Officer of the college" shall mean and include all administrative exempt employees, exclusive of the president, and any faculty member whose primary assignment is that of division administrator.

(9) "Faculty" shall mean and include any full-time or part-time academic employee of the district whose assignment is one or a combination of instruction, counseling, or library services.

(10) "College employee" shall mean and include any classified staff employee, exempt employee or faculty either full time or part time, whose primary assignment is a job position under the jurisdiction of the Washington higher education personnel board. Also included are student employees of the district and employees whose status is either full-time or part-time "exempt-temporary."

(11) "Student" shall mean any person who is registered for classes in the college.

(12) "Associated students" shall mean the student body and such authorized groups organized under the provisions of the Constitution and bylaws of the associated students of the college.

(13) "Assembly" shall mean any overt activity engaged in by two or more persons, the object of which is to gain publicity, advocate a view, petition for a cause or disseminate information to any person or group of persons.

(14) "Disciplinary action" shall mean and include a written warning to, the suspension or expulsion of, or placement on probation of any student by an appropriate officer of the college for the violation of any provision of this chapter.

(15) "Instructional day" shall mean any regularly scheduled instructional day designated in the academic year calendar,

including summer quarter, as a day when classes are held or during final examination week. Saturdays and Sundays are not regularly scheduled instructional days.

(16) "College community" shall mean any employee, student or guest of Tacoma Community College.

[Statutory Authority: RCW 28B.50.140(13). 01-24-004, § 132V-120-020, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-020, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-020, filed 12/21/84. Formerly WAC 132V-14-020.]

**WAC 132V-120-030 Jurisdiction.** (1) The college may apply sanctions for violation of student rights or responsibilities as described in this chapter when student conduct substantially interferes with the college's educational responsibility of ensuring the opportunity for all members of the college community to attain their educational objectives or subsidiary responsibilities, such as providing miscellaneous services and sponsoring out-of-class activities such as lectures, concerts, athletic events, student club events and social functions.

(2) These rules apply to students engaged in or present at any on-campus or off-campus college-related activity. A student's off-campus conduct at a college-related activity may be considered in determining discipline, particularly if it impedes the rights of other student(s) or the educational process.

(3) Students and members of the public or college community who violate or aid or abet another in the violation of any provision of this chapter shall be subject to prosecution under civil or criminal laws or regulations of Washington in addition to any sanctions imposed pursuant to this chapter.

(4) Provisions of the Revised Code of Washington cited in this document are on file and available in the office of the dean for student services and in the college library.

[Statutory Authority: RCW 28B.50.140(13). 01-24-004, § 132V-120-030, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-030, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-030, filed 12/21/84. Formerly WAC 132V-14-030.]

**WAC 132V-120-040 Student rights.** Within the limitations of statutory law and college policy which are deemed necessary to achieve the educational goals of the college, all students have the following rights:

(1) Academic freedom.

(a) Students are guaranteed the rights of free inquiry, expression, and assembly upon and within college facilities that are generally open and available to the public and pursuant to established procedures available in the office of student programs and activities.

(b) Students are free to pursue educational objectives from among the college's curricula, programs and services subject to the provisions of this chapter.

(c) Students shall be protected from arbitrary academic evaluation but are responsible for meeting the standards of academic performance established by each of their instructors.

(d) Students have the right to a learning environment which is free from unlawful discriminatory, inappropriate, and disrespectful conduct and free from sexual harassment.

(2) Due process.

(a) The rights of students to be secure in their persons, quarters, papers and effects against unreasonable searches and seizures are protected.

(b) Students will receive notice of the nature of charges against him/her prior to disciplinary sanctions being imposed except in cases of summary suspension (WAC 132V-120-070 and 132V-120-080) and in cases of no trespass (WAC 132V-120-060).

(c) A student accused of violating this code of student rights and responsibilities is entitled, upon request, to procedural due process as set forth in the provisions of this chapter.

(3) Distribution and posting. Students may distribute or post printed or published material subject to official procedures available in the office of student programs and activities.

(4) Demonstrations. Students may organize a demonstration subject to official procedures available in the office of student programs and activities.

(5) Off-campus speakers. Student organizations sanctioned by an officer of the college or faculty or authorized by the associated students shall have the right to invite outside speakers to speak on campus subject to the availability of campus facilities, funding resources, and compliance with the official college procedures available in the office of student programs and activities.

(6) Student complaints. A complaint is an oral or written expression of dissatisfaction with the performance of a college employee or procedure or a challenge of the student's education record. The students who have a complaint should use the appropriate process set forth by the college.

(a) Nonacademic. The purpose of this section is to notify students that the college has an established process where a student or students may express and resolve misunderstandings, complaints or grievances with any college employee or college procedure in a fair and equitable manner. This process emphasizes an informal resolution. A copy of that process is available in the office of the dean for student services.

(b) Academic.

(i) Students who believe that information contained in their education records is inaccurate may obtain information on the process to request a correction from the offices of the dean for student services, the registrar or the associate dean of the academic area.

(ii) In instances involving grade disputes, an academic grievance process has been established by the college. A copy is available in the offices of the dean for student services and the chief academic officer and other administrative offices. This process emphasizes an informal resolution.

[Statutory Authority: RCW 28B.50.140(13). 01-24-004, § 132V-120-040, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-040, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-040, filed 12/21/84. Formerly WAC 132V-14-040.]

**WAC 132V-120-050 Student responsibilities.** Admission to Tacoma Community College carries with it the presumption that the student will conduct himself/herself as a responsible member of the college community. Thus, when a student enrolls at Tacoma Community College, the student likewise assumes the obligation to observe standards of conduct which are appropriate to the pursuit of educational goals.

Any student who violates any provision of the code of student rights and responsibilities or who aids, abets, encourages, or procures another person to materially and substantially interfere with the personal rights or privileges of others or the educational process of the college shall be subject to disciplinary action as provided in WAC 132V-120-160. Grounds for disciplinary action include the following:

(1) Physical and/or verbal abuse of any person on college facilities or at a college related event or conduct which threatens bodily harm or endangers the health or safety of any such person, including reckless driving;

(2) Disorderly conduct; lewd, indecent or obscene conduct or expression; breach of the peace on college facilities or at college related events;

(3) An illegal assembly, disruption, obstruction or other act which materially and substantially interferes with vehicular or pedestrian traffic, classes, hearings, meetings, the educational and administrative functions of the college, or the private rights and privileges of others;

(4) Refusal to comply with any lawful order to leave the college campus or any portion thereof;

(5) Knowingly filing a formal complaint falsely accusing another student or college employee with violating a provision of this code;

(6) 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;

(7) Sexual harassment which is defined as engaging in unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when such behavior offends the recipient, causes discomfort or humiliation, or interferes with school-related performance;

(8) Theft or conversion of property owned, leased or used by the college, the associated students, a member of the college community or of a visitor to the college;

(9) Intentional or grossly negligent damage or destruction of any property owned, leased or used by the college, the associated students, a member of the college community or of a visitor to the college including technology systems used for college functions;

(10) Unauthorized use of college or associated students' equipment, computer software or supplies;

(11) Cheating, plagiarism or tendering to a faculty member any work product that the student fraudulently represents to the faculty member as the student's work for the purpose of fulfilling or partially fulfilling any assignment or task required by the faculty member as part of the student's program of instruction;

(12) Forgery or alteration of college documents or records, including, but not limited to, student identification cards and financial aid attendance forms, or the fraudulent use thereof whether in written or electronic form;

(13) Failure to comply with directions of college employees acting in the performance of their duties;

(14) Unauthorized entry or occupancy of college facilities or blocking access to or egress from such areas;

(15) Smoking (or use of other tobacco products), eating or drinking in any classroom, laboratory, library, or in any college facility or office designated as "NO SMOKING," "NO FOOD," "NO DRINKS";

(16) Use, possession, or distribution of alcoholic beverages on college facilities or at college-related events without a permit from the state liquor control board and approval by the president;

(17) Using, possessing, selling or being under the influence of any narcotic drug or controlled substance as defined in RCW 69.50.101 or any dangerous drug as defined in RCW 69.50.308 while on college facilities or at any college sponsored event except when the use or possession of such a drug is specifically prescribed as medication by an authorized medical doctor or dentist. The term "sale" shall have the meaning as defined in RCW 69.04.005;

(18) Being under the influence of liquor or alcoholic beverages while on college facilities or at college sponsored events;

(19) Possession or use of firearms, explosives, dangerous chemicals or other dangerous weapons or instrumentalities.

[Statutory Authority: RCW 28B.50.140(13). 01-24-004, § 132V-120-050, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-050, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-050, filed 12/21/84. Formerly WAC 132V-14-050.]

**WAC 132V-120-060 Authority of the president to prohibit trespass.** The president or designee shall have authority and power to prohibit the entry or withdraw the license or privilege of any person or group of persons to enter into or remain in any college property or facility. Such power and authority may be exercised whenever the president deems any of the following conditions exist:

(1) Events or activities disruptive of the lawful business of the college.

(2) Events or activities which disrupt or threaten to disrupt the lawful movement of any person into or out of any college facility.

(3) For the purpose of determining the identity of a person as a student, where identification as a student is a prerequisite to admission or the charge for admission to any college activity or where identification as a student is required in a case of alleged violation of this code, any college employee may demand that any person on college property or at a college activity produce evidence of student enrollment at the college. Tender of a current valid student identification card will satisfy this requirement. Refusal by a student to produce identification as required may subject the student to disciplinary action.

[Statutory Authority: RCW 28B.50.140(13). 01-24-004, § 132V-120-060, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-060, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-060, filed 12/21/84. Formerly WAC 132V-14-060.]

**WAC 132V-120-070 Summary suspension proceedings.** If the dean for student services:

(1) Has cause to believe that any student has violated any provision of WAC 132V-120-050 or has committed a felony; and

(2) Has further cause to believe that the student presents an imminent danger to himself/herself or other persons on college facilities or to the educational process of the college, then the dean shall have, pursuant to the rules herein, author-

ity to suspend the student from the college until such time as the dean is satisfied the student's dangerous nature has ceased. The duration of summary suspension shall not exceed ten instructional days, except that the dean may continue summary suspension beyond ten instructional days in circumstances where the student continues to present an imminent danger to people, facilities, or the educational process and disciplinary proceedings provided for in the provisions of this chapter, WAC 132V-120-100 through 132V-120-180.

[Statutory Authority: RCW 28B.50.140(13). 01-24-004, § 132V-120-070, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-070, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-070, filed 12/21/84. Formerly WAC 132V-18-010.]

#### **WAC 132V-120-080 Notice of summary proceedings.**

(1) If the dean for student services elects to exercise the authority to summarily suspend a student, the dean shall notify the student either by certified mail at the student's address as shown on college records, or cause personal service of such notice upon said student.

(2) The notice shall be entitled "Notice of summary suspension proceeding" and shall state:

(a) The charges against the student including reference to the provisions of this chapter, and

(b) That the student charged must appear before the dean for student services at a time specified in the notice for an informal hearing. This hearing shall be held within five instructional days after the summary suspension unless waived by the student and the college. If the hearing extends past the ten-day timeline outlined in WAC 132V-120-070, the summary suspension will continue in effect through the administrative appeal process. The student may elect to be accompanied by a personal advisor at the informal hearing with the dean.

[Statutory Authority: RCW 28B.50.140(13). 01-24-004, § 132V-120-080, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-080, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-080, filed 12/21/84. Formerly WAC 132V-18-020.]

#### **WAC 132V-120-090 Procedures of summary suspension hearing.**

(1) At the summary suspension hearing, the student against whom the violation or violations are alleged shall have the opportunity of proving to the dean for student services that there is no cause to believe that the violation stated on the notice of summary suspension proceedings to the student did occur, and that there exists no cause to believe that immediate suspension of said student is necessary.

(2) The student may offer oral testimony of any person, submit any statement or affidavit on his or her own behalf, examine any affidavit or statement and cross-examine any witness who may appear against the student, and submit any matter in extenuation or mitigation of the offense or offenses charged.

(3) The dean for student services shall, at the time of the summary suspension proceeding, determine whether there is probable cause to believe that a violation of this chapter has occurred and whether there is cause to believe that continued suspension is necessary. In the course of making such a decision, the dean may only consider the affidavits or oral testimony of persons who have alleged that the student charged

has committed a violation of WAC 132V-120-050 and the oral testimony and affidavits submitted by the student charged.

[Statutory Authority: RCW 28B.50.140(13). 01-24-004, § 132V-120-090, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-090, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-090, filed 12/21/84. Formerly WAC 132V-18-030.]

**WAC 132V-120-100 Decision by dean for student services.** If the dean for student services, following the conclusion of the summary suspension proceeding, finds that there is probable cause to believe that:

(1) The student against whom specific violations of WAC 132V-120-050 are alleged has committed one or more such violations upon any college facility; and

(2) Summary suspension of said student is necessary for the safety of the student, other students or persons on college facilities, or the educational process of the institution; and

(3) Such violation or violations constitute grounds for disciplinary action as provided for in the code of student rights and responsibilities; then the dean for student services may continue to enforce the suspension of the student from college until further disciplinary hearings or review proceedings are concluded as set forth below.

[Statutory Authority: RCW 28B.50.140(13). 01-24-004, § 132V-120-100, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-100, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-100, filed 12/21/84. Formerly WAC 132V-18-040.]

**WAC 132V-120-110 Notice of suspension.** (1) If a student is summarily suspended pursuant to the above rules, the student will be provided with a written notice of suspension including the dean for student services' findings of fact and conclusions which lead the dean to believe that the summary suspension of the student should continue in force.

(2) The student summarily suspended pursuant to the authority of this rule shall be served a copy of the notice of suspension by personal service or by certified mail at the student's address as shown on college records within three calendar days following the conclusion of the hearing with the dean for student services.

(3) The notice of summary suspension shall stipulate the duration of the suspension and conditions under which the suspension may be terminated.

[Statutory Authority: RCW 28B.50.140(13). 01-24-004, § 132V-120-110, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-110, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-110, filed 12/21/84. Formerly WAC 132V-18-050.]

**WAC 132V-120-120 Suspension for failure to appear.** If the student against whom specific violations of this chapter have been alleged has been served pursuant to the notice required fails to appear at the time designated for the summary suspension proceeding, the dean for student services is authorized to enforce the suspension of the student from college.

[Statutory Authority: RCW 28B.50.140(13). 01-24-004, § 132V-120-120, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-120, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-120, filed 12/21/84. Formerly WAC 132V-18-060.]

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### **WAC 132V-120-130 Appeal of summary suspension.**

(1) Any student aggrieved by an order issued at the summary suspension proceeding may appeal the same to the student rights and responsibilities committee. No such appeal shall be entertained, however, unless and/or until:

(a) The student has first appeared before the dean for student services at the hearing called for in this chapter as outlined in WAC 132V-120-070 through 132V-120-110;

(b) The student has been officially notified of the outcome of this hearing;

(c) Summary suspension or a lesser disciplinary sanction has been upheld by the dean for student services; and

(d) The appeal conforms to the standards set forth in this chapter.

(2) If the criteria in subsection (1)(a) through (d) have been met, the committee shall review, as soon as reasonably possible, the allegations contained within the notice of appeal, along with the findings of the dean for student services, the appropriate documentation of the summary suspension proceeding, and determine therefrom whether the summary suspension order is justified.

(3) After completion of the committee's review, the committee shall promptly notify the appealing student by certified mail whether the summary suspension shall be maintained, stayed, a lesser sanction imposed, or no sanction imposed. The decision of the student rights and responsibilities committee shall be final and not reviewable.

[Statutory Authority: RCW 28B.50.140(13). 01-24-004, § 132V-120-130, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-130, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-130, filed 12/21/84. Formerly WAC 132V-18-070.]

### **WAC 132V-120-150 Purpose of disciplinary actions.**

Disciplinary action proceedings shall determine whether and under what conditions the violator may continue as a student at the college. In keeping with the educational purposes of the college, disciplinary action other than those requiring suspension or expulsion are intended to be remedial rather than punitive. Often disciplinary proceedings will be conducted informally between the student and the dean for student services.

[Statutory Authority: RCW 28B.50.140(13). 01-24-004, § 132V-120-150, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-150, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-150, filed 12/21/84. Formerly WAC 132V-16-010.]

**WAC 132V-120-160 Disciplinary action.** The following disciplinary actions are hereby established as the sanctions which may be imposed upon violators of this chapter. These sanctions are intended to be progressive, but each stands alone:

(1) Warning. Written notice to a student that the student has been in violation of college rules or regulations or has otherwise failed to meet the college's standards of conduct. Such warnings will include the statement that continuation or repetition of the specific conduct involved or other misconduct may result in one of the more serious disciplinary actions described below.

(2) Reprimand. Written action censuring a student for violation of college rules or regulations or otherwise failing to meet the college's standards of conduct. The written reprimand

mand will be filed in the office of the dean for student services for the duration of the student's attendance at the college. A reprimand will include the statement that continuation or repetition of the specific conduct involved or other misconduct may result in one of the more serious disciplinary actions described below.

(3) Probation. Conditions placed upon the student's continued attendance for violation of this chapter. Notice shall be made in writing and specify the period of probation and the conditions to be met by the student. Disciplinary probation may be for a specific term or for an indefinite period which may extend to graduation or other termination of the student's enrollment in the college. Violation of the terms of the probation or the breaking of any college provision during the probation period may be grounds for additional sanctions imposed upon the student by the college.

(4) Suspension. Temporary dismissal from the college and termination of the person's student status for violation of this chapter.

(5) Expulsion. Indefinite or permanent dismissal from the college and termination of the student status of a student for violation of this chapter. Written notice shall be given which will specify any special conditions which must be met before readmission after indefinite dismissal.

(6) Sanctions for conduct in class.

(a) Each faculty member is responsible for conduct in class and is authorized to take such steps as are necessary when behavior of a student interrupts the normal class procedure. When behavior is disruptive, the faculty member may dismiss the student from class for that one class period and make every reasonable effort to resolve the situation. However, if the matter becomes so serious as to result in removing the student from the class for two consecutive class periods or when a pattern of periodic misconduct occurs, the faculty member is expected to report the incident to the dean for student services in order to seek resolution to the situation and allow for due process.

(b) Consequences for academic cheating or plagiarism or dishonesty or abetting in academic dishonesty may be imposed at the discretion of a faculty member by the award of a failing grade. Students should refer to each of their faculty's course syllabus.

[Statutory Authority: RCW 28B.50.140(13). 01-24-004, § 132V-120-160, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-160, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-160, filed 12/21/84. Formerly WAC 132V-16-110.]

**WAC 132V-120-170 Initiation of disciplinary proceedings.** Any member of the college community may report alleged violations of the code of student rights and responsibilities to the dean for student services. Alleged violations should be reported to the dean for student services within ten instructional days of the date the person became aware or reasonably can be expected to have become aware of the alleged violation of code.

During the investigation of the matter, the status of the student who has allegedly violated the code shall remain unaltered and his or her right to be present on campus and to attend classes will remain unchanged except for students placed on summary suspension.

All disciplinary proceedings will be initiated by the dean for student services if there is reasonable cause to believe that a student has violated any provision of this code.

[Statutory Authority: RCW 28B.50.140(13). 01-24-004, § 132V-120-170, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-170, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-170, filed 12/21/84. Formerly WAC 132V-16-020.]

#### **WAC 132V-120-180 Disciplinary proceedings. (1)**

Written notification: Any student charged with a violation shall receive written notification delivered to the student personally or by certified mail to the student's address as shown on college records no later than fourteen calendar days after a reported violation. Notice shall:

(a) Inform the student that a complaint has been filed and specify the alleged violation(s) and the date of the alleged violation(s);

(b) Specify the time, date, and place of a required conference between the student and dean for student services or designee;

(2) Conference with the dean for student services or designee. At an initial meeting with the dean/designee, the student will be informed of the alleged violations of the code of student rights and responsibilities, the possible consequences, and an explanation of the hearing process in the event that disciplinary proceedings are taken. This is also an opportunity for the accused student to present his/her information regarding the allegation. Upon review of all available information, the following actions may be taken by the dean for student services:

(a) Terminate the proceedings, exonerating the student;

(b) Dismiss the case either due to insufficient and/or conflicting evidence or after appropriate advising of the accused student;

(c) Continue to investigate the matter further until resolution is reached;

(d) Impose a disciplinary warning or reprimand on the student;

(e) Inform the student that disciplinary action as outlined in the chapter will be sought, in which case the student will receive written notification of the hearing process, date, time and location of the hearing, possible sanctions that may be imposed for the alleged violations.

(3) Continue with disciplinary proceedings. If it is determined that disciplinary probation, suspension or expulsion will be considered, the accused student will have five calendar days to submit all evidence pertaining to the alleged violation to the dean. After considering the evidence and interviewing persons as appropriate, the dean may take one of the following actions:

(a) Terminate the proceedings, exonerating the student; or

(b) Impose disciplinary sanctions as provided for in this chapter; or

(c) Refer the matter to the student rights and responsibilities committee.

(4) If the student against whom specific violations of this chapter have been alleged has been served pursuant to the notice required and fails to appear or fails to follow the process set forth in this chapter, the dean or designee is autho-



rized to proceed with making findings of fact, conclusions or decisions as set forth in the established process.

[Statutory Authority: RCW 28B.50.140(13), 01-24-004, § 132V-120-180, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-180, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-180, filed 12/21/84. Formerly WAC 132V-16-030.]

**WAC 132V-120-190 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 132V-120-200 Composition of student rights and responsibilities committee.** (1) Composition. The college shall have a student rights and responsibilities committee composed of five members, who shall be chosen and appointed by October 1 of each year. The membership of the committee shall consist of one member of the administration, excepting the dean for student services, chosen by the president; two faculty members chosen by the chief academic affairs officer; and two students chosen by the president of the associated student body.

(2) Chairperson. The committee shall elect its own chairperson for each case brought before it.

(3) Quorum. A quorum shall consist of no less than three members, provided that such quorum shall include at least one student, one faculty member and one administrator.

(4) Substitutes.

(a) Any member of the committee having direct knowledge or involvement in a case under consideration may be excused from participation in the hearing or appeal and a substitute appointed.

(b) Substitutes may be appointed to form a quorum.

(5) Advisory capabilities. The committee may use the services of an assistant attorney general to advise it.

[Statutory Authority: RCW 28B.50.140(13), 01-24-004, § 132V-120-200, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-200, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-200, filed 12/21/84. Formerly WAC 132V-16-050.]

**WAC 132V-120-210 Hearing procedures before the student rights and responsibilities committee.** (1) The student rights and responsibilities committee shall hear, *de novo*, any disciplinary cases referred to it by the dean for student services or designee or appealed to it by a student against whom disciplinary action has been taken.

(2) At least seven calendar days in advance, written notice of the hearing shall be delivered to the student personally or sent by certified mail to the student's address as shown on college records. Such notification shall contain the time, date and location of the hearing; the specific charges against him/her; and, upon request, reasonable access to the list of witnesses who will appear or provide written testimony and a summary of the description of any document or other physical evidence that will be presented by the college at the hearing.

(3) The student has the right to a fair and impartial hearing before the committee. The student's failure to cooperate with the hearing procedures, however, shall not preclude a quorum of the committee from making its findings of fact, conclusions and decisions as provided below.

(4) The student may be advised by counsel of his or her choice at the disciplinary hearing. If the student elects to choose a duly licensed attorney admitted to practice in the state of Washington as counsel, notice thereof must be tendered by the student to the dean for student services at least five calendar days prior to the hearing.

(5) In all disciplinary proceedings, the college will be represented by the dean for student services who will present the college's case against the student accused of violating provisions of this chapter; provided, that in those cases in which the student elects to be represented by a licensed attorney, the dean for student services may elect to have the college represented by an assistant attorney general.

(6) The student shall be entitled to present evidence in their own behalf and to cross-examine witnesses testifying on behalf of the other party.

(7) The student shall be limited to calling two character witnesses.

(8) The dean for student services shall designate a recorder to take notes during the hearing and to prepare a written summary of all evidence, facts, and testimony presented to the committee during the course of the hearing. The proceedings of the hearing shall also be tape recorded.

(9) All records of disciplinary proceedings shall be maintained in the office of the dean for student services and shall be available only during the course of the disciplinary proceedings to the committee, the student, and his/her attorney, the dean, and any other college official deemed appropriate by the dean for student services.

(10) Following the final disposition and any appeals of the disciplinary proceedings, access to records of the case and hearing files will be limited to persons designated by the dean for student services.

(11) Following final disposition of the case and any appeals therefrom, the dean for student services may direct the destruction of any records of disciplinary proceedings, provided that such destruction is in conformance with the requirements of chapter 40.14 RCW.

(12) The time of the hearing may be changed by the committee at the request of any party for good cause.

[Statutory Authority: RCW 28B.50.140(13), 01-24-004, § 132V-120-210, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-210, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-210, filed 12/21/84. Formerly WAC 132V-16-060.]

**WAC 132V-120-220 Conduct of hearings.** (1) Hearings will be held in closed session. The student who is charged with violation of this chapter may invite a personal advisor to attend the hearings. All parties shall be excluded during the committee's deliberation.

(2) The chairperson shall exercise control over the hearing. Any person, including the student, who disrupts a hearing or who fails to adhere to the rulings of the chairperson may be excluded from the proceedings and may be subject to disciplinary action as set forth in this chapter.

(3) The college may elect to have security in attendance at the hearing.

[Statutory Authority: RCW 28B.50.140(13), 01-24-004, § 132V-120-220, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-220, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-220, filed 12/21/84. Formerly WAC 132V-16-070.]

**WAC 132V-120-240 Decision by the committee.** After considering the evidence in the case and hearing the testimony of the student or students involved and witnesses, if any, the committee shall decide by majority vote whether to:

- (1) Exonerate the student and terminate the proceedings;
- or
- (2) Uphold the decision of the dean for student services;
- or
- (3) Conclude that the student has violated the code of student rights and responsibilities as described in WAC 132V-120-050.

[Statutory Authority: RCW 28B.50.140(13). 01-24-004, § 132V-120-240, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-240, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-240, filed 12/21/84. Formerly WAC 132V-16-090.]

**WAC 132V-120-241 Notification of decision and sanctions imposed.** (1) Final decision of the committee, including findings of fact or reasons for the decision, shall be delivered to the student personally or by certified mail to the student's address as shown on college records and a copy filed with the office of the dean for student services. The committee shall also advise the student in writing of his or her right to appeal the decision.

(2) Based on the final decision of the committee, including findings of fact or reasons for the decision, the dean for student services will impose disciplinary sanctions as provided in WAC 132V-120-160 and based on established guidelines. The student will receive written notice either delivered personally or by certified mail to the student's address as shown on college records.

[Statutory Authority: RCW 28B.50.140(13). 01-24-004, § 132V-120-241, filed 11/21/01, effective 12/22/01.]

**WAC 132V-120-245 Appeal process.** (1) Any appeal pursuant to this chapter must be in writing and clearly state the alleged errors or other matters which justify the appeal; and

(2) Said appeal must be filed with the dean for student services within seven calendar days from the date of the notice of disciplinary action.

(3) Appeals of disciplinary action(s) shall be taken in the following order:

(a) Disciplinary action taken by the dean for student services may be appealed to the student rights and responsibilities committee;

(b) The dean for student services may defer the alleged violation to the student rights and responsibilities committee, in which case any decision made by the student rights and responsibilities committee shall be final except for the procedural appeal described in subsection (4) of this section.

(4) Any student who has had disciplinary sanctions placed on him/her, other than summary suspension, may request a procedural review of the disciplinary process by the president to insure the student has been afforded due process as outlined in this chapter.

[Statutory Authority: RCW 28B.50.140(13). 01-24-004, § 132V-120-245, filed 11/21/01, effective 12/22/01.]

**WAC 132V-120-250 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 132V-120-270 Student grievances.** The purpose of this section is to protect each student's freedom of expression in the classroom; to protect each student against improper disclosure of the student's views, beliefs and political associations; and to afford each student reasonable protection against arbitrary or capricious actions taken by employees of the college community. In instances involving final grade disputes, an academic grievance process has been established by the college. A copy is available in the offices of the dean for student services and the chief academic officer and other administrative offices. This process emphasizes an informal resolution.

[Statutory Authority: RCW 28B.50.140(13). 01-24-004, § 132V-120-270, filed 11/21/01, effective 12/22/01; 93-20-029, § 132V-120-270, filed 9/27/93, effective 10/28/93; 85-02-004 (Order 84-1), § 132V-120-270, filed 12/21/84.]

**WAC 132V-120-280 Grievances excluded from this section.** (1) A student may not use the provisions of this section as the basis for filing a grievance based on the outcome of summary or other disciplinary proceedings described in earlier sections of this student rights and responsibilities code.

(2) Federal and state laws, rules and regulations, in addition to policies, regulations and procedures adopted by the state board for community and technical colleges or the board of trustees of Community College District 22, shall not be grievable matters.

(3) For the purpose of final grade disputes, a student shall use the established academic grievance process. A copy is available in the office of the dean for student services and the chief academic officer and other administrative offices.

(4) For the purpose of filing a grievance due to sexual harassment, sex discrimination, or handicapped discrimination, a student shall use the provisions of the established college grievance procedures on sexual harassment, sex discrimination, and handicapped discrimination, WAC 132V-300-010 to 132V-300-030, not the provisions of this section.

[Statutory Authority: RCW 28B.50.140(13). 01-24-004, § 132V-120-280, filed 11/21/01, effective 12/22/01; 93-20-029, § 132V-120-280, filed 9/27/93, effective 10/28/93; 85-02-004 (Order 84-1), § 132V-120-280, filed 12/21/84.]

**WAC 132V-120-290 Grievance procedures.** Internal review and consultative processes have proven to be a desirable means of resolving problems. If a student believes he or she has been unfairly treated by a faculty member, member of the college staff, or administrator, the student is encouraged to resolve the complaint with the individual toward whom the grievance is directed. The student shall take this action within five instructional days. If the complaint is not resolved, the student is encouraged to seek informal resolution through the appropriate division manager. The student may choose to lodge a formal grievance according to the following procedures:

Step 1: The student may, within ten instructional days following the incident, present his/her complaint in writing to



the appropriate division manager. The student shall present a written, signed statement of the nature of the grievance, a summary of actions taken by the student to resolve the grievance up to that point, and any proposed solution to the problem the grievant may wish to offer.

Step 2: Within ten instructional days of receiving the grievance, the appropriate division manager shall hold a meeting to hear the complaint. It shall be at the discretion of the division manager to determine whether he/she will meet with the grievant and the person to whom the complaint has been directed separately or in a joint meeting.

At this step and all subsequent steps in the grievance procedure, the grievant may elect to be represented by an attorney in preparing and presenting the grievance. The grievant shall notify the appropriate division manager at least five instructional days in advance of such action. In such cases, the college may choose to be assisted by an assistant attorney general.

Following the meeting or meetings, and within ten instructional days, the division manager will report his/her findings and the actions, where appropriate, to be implemented to resolve the grievance in writing to the grievant and the person to whom the complaint is directed.

Step 3: If the grievance is not satisfactorily resolved in Step 2, either the grievant or the person to whom the complaint is directed has the right to request a hearing conducted by the appropriate vice-president/dean.

The vice-president/dean will convene a hearing committee no later than ten instructional days from the time of the request. The committee will be chosen and appointed no later than October 15 of each year. The committee shall consist of the following membership: Three student representatives, chosen by the senate of the associated students; two faculty or staff representatives (dependent upon the nature of the grievance), appointed by the vice-president/dean; two administrators, appointed by the president.

A quorum shall consist of no less than three members, provided that such quorum include at least one student, one faculty or staff member, and one administrator.

The committee shall elect its own chairperson for each case brought before it. The committee shall hear testimony regarding the grievance, deliberate, and decide the issue by majority vote. The hearing may be recessed and reconvened at a time convenient to all parties for the purpose of presenting witnesses, depositions, affidavits or other materials which the division manager/vice-president/dean deems vital to a fair resolution of the grievance.

Step 4: Within three instructional days after concluding the hearing process, the committee will render a decision by majority vote and so inform all parties to the grievance of that decision. Findings of fact will be included when informing all parties.

Step 5: Should any of the parties to the grievance find the hearing committee's solution to the grievance to be unsatisfactory, the decision may be appealed to the president of the college, provided that any such appeal be presented in writing within five instructional days following notification of the committee's decision. Such an appeal shall clearly and specifically set forth the reasons upon which the appeal is based.

Within five instructional days of receiving the appeal request, the college president will review the record of the hearing and the appeal and will provide his/her final decision in writing to both the grievant and the person to whom the complaint is directed. Evidence not in the record will not be considered by the president.

[Statutory Authority: RCW 28B.50.140(13). 01-24-004, § 132V-120-290, filed 11/21/01, effective 12/22/01; 93-20-029, § 132V-120-290, filed 9/27/93, effective 10/28/93; 85-02-004 (Order 84-1), § 132V-120-290, filed 12/21/84.]

**WAC 132V-120-330 Repealed.** See Disposition Table at beginning of this chapter.

## Chapter 132V-300 WAC

### GRIEVANCE PROCEDURE—SEXUAL HARASSMENT, SEX DISCRIMINATION, AND DISABILITY DISCRIMINATION

#### WAC

132V-300-010	Statement of policy.
132V-300-020	Jurisdiction.
132V-300-030	Grievance procedure.
132V-300-035	Procedural appeal to the student rights and responsibilities hearing committee.

**WAC 132V-300-010 Statement of policy.** Tacoma Community College is covered by Title IX of the Education Amendments of 1972 prohibiting sex discrimination in education and Section 504 of the Rehabilitation Act of 1973 prohibiting discrimination on the basis of a documented disability. The college is committed to protecting the rights and dignity of each individual in the campus community and so will not tolerate discrimination of any kind, at any level.

It is the policy of Tacoma Community College to provide an environment in which students and applicants for admission can attend the college free from sexual harassment or sexual intimidation and discrimination on the basis of a documented disability. Persons found to have engaged in discriminatory acts will be subject to corrective action up to and including termination, suspension or expulsion from the college pursuant to appropriate procedures depending on their status as an employee or a student.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

(1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's academic standing; or

(2) Submission to or rejection of such conduct by an individual is used as the basis for academic decision affecting such individual; or

(3) Such conduct has the purpose or effect of unreasonably interfering with an individual's academic performance or creating an intimidating, hostile, or offensive educational environment.

As an institution of higher education, Tacoma Community College shall ensure that students with documented disabilities are reasonably accommodated with appropriate core services and services necessary to ensure equal success. Such accommodating will be provided in a timely manner.

[Statutory Authority: RCW 28B.50.140(13). 01-24-005, § 132V-300-010, filed 11/21/01, effective 12/22/01; 93-20-028, § 132V-300-010, filed 9/27/93, effective 10/28/93; 93-03-078, § 132V-300-010, filed 1/19/93, effective 2/19/93.]

**WAC 132V-300-020 Jurisdiction.** This chapter shall serve as a Title IX/Section 504 grievance procedure for all enrolled students of and applicants for admission to Tacoma Community College.

[Statutory Authority: RCW 28B.50.140(13). 01-24-005, § 132V-300-020, filed 11/21/01, effective 12/22/01; 93-03-078, § 132V-300-020, filed 1/19/93, effective 2/19/93.]

**WAC 132V-300-030 Grievance procedure.** Internal review and consultative processes have proven to be a desirable means of resolving problems. Any enrolled student or applicant for admission to Tacoma Community College who believes he/she has been discriminated against on the basis of sex or on the basis of a disability is encouraged to resolve the complaint with the individual believed to have committed the discriminatory act. The dean for student services or designee is available to assist in resolving the complaint. At any point in the grievance process where resolution is obtained the process will be stopped. The process could also be stopped if the complainant makes such a request. Flexibility in the grievance process is important due to the sensitivity of the issues and the individuality of each situation. The following steps are guidelines useful in proceeding with the grievance process:

(1) Step 1: Filing the complaint with the college official.

(a) Sexual discrimination/harassment complaints shall be lodged with the Title IX officer. Disability discrimination complaints shall be lodged with the 504 officer.

(b) The complainant shall file a written complaint with the designated college officer describing the specific grievance(s), including dates, times, places, circumstances, and any witnesses. A copy of the written complaint will be provided to the person to whom the grievance is directed, referred to as the respondent.

(2) Step 2: Within ten instructional days of receiving the written complaint, the designated college officer shall arrange a meeting to hear the complaint and initiate an investigation if warranted. It shall be at the discretion of the college official to determine whether the officer will meet with the complainant and the respondent separately or in a single meeting. Throughout the investigation, the college official may call witnesses, including those persons identified by the complainant and by the respondent, as well as any other persons who may have information relevant to the investigation.

At this step and all subsequent steps in the grievance procedure, the complainant may elect to be advised by an attorney or other advocate in preparing and presenting the grievance. The respondent may choose to be represented by his/her union if a member of a recognized union with the college or may be advised by an attorney in preparing and responding to the grievance. The complainant or respondent shall notify the appropriate college officer at least five instructional days in advance if he/she is being advised by an attorney. In any case, the college may choose to be assisted by an assistant attorney general.

(3) Step 3: Following the investigation and within thirty calendar days of receiving the written request, the college officer will report his/her findings, conclusions and any actions taken by the college to resolve the complaint in writing to both the complainant and the respondent. This decision is final. The complainant or student respondent may, however, appeal concerns to the student rights and responsibilities hearing committee.

[Statutory Authority: RCW 28B.50.140(13). 01-24-005, § 132V-300-030, filed 11/21/01, effective 12/22/01; 93-20-028, § 132V-300-030, filed 9/27/93, effective 10/28/93; 93-03-078, § 132V-300-030, filed 1/19/93, effective 2/19/93.]

**WAC 132V-300-035 Procedural appeal to the student rights and responsibilities hearing committee.** Either the complainant or the student respondent may appeal a procedural concern(s) to the student rights and responsibilities hearing committee.

(1) Step 1: The appeal must be submitted in writing through the office of the dean for student services within ten calendar days of written notification of the results of the investigation by the college official.

(2) Step 2: Within ten calendar days of receiving the appeal request, the student rights and responsibilities hearing committee will review the investigation process and report in writing a recommendation to the college official with a copy to both the complainant and the respondent.

(3) Step 3: Within ten calendar days the college official shall review the recommendation of the student rights and responsibilities hearing committee and make a final determination whether to uphold or reopen the investigation. The decision of the college officer shall be final.

If desired, inquiries or appeals beyond the institutional level may be directed to:

(a) United States Department of Education, Office of Civil Rights, 915 2nd Avenue, Room 3310, Seattle, Washington 98174-1099.

(b) United States Equal Employment Opportunity Commission, 909 First Avenue, Suite 404, Seattle, Washington 98104.

(c) The Washington State Human Rights Commission, 711 South Capitol Way, Suite 402, PO Box 42490, FJ-41, Olympia, Washington 98504-2490.

(d) City of Tacoma, Human Rights Department, 747 Market Street, Room 808, Tacoma, Washington 98402.

(e) Current telephone numbers for the above agencies are available in the office of the dean for student services.

[Statutory Authority: RCW 28B.50.140(13). 01-24-005, § 132V-300-035, filed 11/21/01, effective 12/22/01.]

## Chapter 132V-400 WAC

### LOSS OF ELIGIBILITY—STUDENT ATHLETIC PARTICIPATION

#### WAC

132V-400-010	Grounds for ineligibility.
132V-400-020	Initiation of ineligibility proceedings.
132V-400-030	Ineligibility proceedings.
132V-400-040	Decision.

**WAC 132V-400-010 Grounds for ineligibility.** Any student found to have violated chapter 69.41 RCW, legend drugs, by virtue of a criminal conviction or by decision of the college's designated presiding officer, shall be disqualified from participation in any school-sponsored athletic events or activities.

[Statutory Authority: RCW 28B.50.140(13). 01-24-006, § 132V-400-010, filed 11/21/01, effective 12/22/01; 90-07-038, § 132V-400-010, filed 3/16/90, effective 4/16/90.]

**WAC 132V-400-020 Initiation of ineligibility proceedings.** Any officer of the college or college staff shall have authority to request the commencement of athletic ineligibility hearing proceedings whenever he or she has reasonable cause to believe that the student has violated chapter 69.41 RCW or upon receipt of notice from any source that the student has been convicted of violating chapter 69.41 RCW. Requests to initiate athletic ineligibility hearing proceedings should be submitted to the dean for student services within ten instructional days of the date the person becomes aware of the alleged violation or conviction of chapter 69.41 RCW.

[Statutory Authority: RCW 28B.50.140(13). 01-24-006, § 132V-400-020, filed 11/21/01, effective 12/22/01; 90-07-038, § 132V-400-020, filed 3/16/90, effective 4/16/90.]

**WAC 132V-400-030 Ineligibility proceedings.** The dean for student services shall designate a presiding officer who shall be a college officer who is not involved with the athletic program to conduct a brief adjudicative hearing. Within ten calendar days the presiding officer shall conduct the hearing and permit the affected parties to explain both the college's view of the matter and the student's view of the matter. The brief adjudicative proceeding shall be conducted in accordance with the Administrative Procedure Act, RCW 34.05.482-34.05.494.

[Statutory Authority: RCW 28B.50.140(13). 01-24-006, § 132V-400-030, filed 11/21/01, effective 12/22/01; 90-07-038, § 132V-400-030, filed 3/16/90, effective 4/16/90.]

**WAC 132V-400-040 Decision.** Within ten calendar days of the conclusion of the brief adjudicative proceedings, the presiding officer shall give each party a written decision which shall include a brief statement of the reasons for the decision and, in the event of a decision adverse to the student, the period of loss of eligibility to participate in college-supervised athletic events or activities. Any party shall have the right to present, within five calendar days of notification of the presiding officer's decision, a written request for review directed to the dean for student services appealing the decision or the period of loss of eligibility. The request for review shall explain the party's view of the matter. The dean's decision on the appeal will be in writing, including a brief statement of the reasons for the decision and will be the final decision of the college.

[Statutory Authority: RCW 28B.50.140(13). 01-24-006, § 132V-400-040, filed 11/21/01, effective 12/22/01; 90-07-038, § 132V-400-040, filed 3/16/90, effective 4/16/90.]

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## Title 132W WAC COMMUNITY COLLEGES— WENATCHEE VALLEY COLLEGE

### Chapters

132W-104	Bylaws and standing orders of the board of trustees.
132W-105	Board of trustees.
132W-108	Practice and procedure.
132W-109	Practice and procedure.
132W-112	Students rights and freedoms.
132W-115	Code of student conduct.
132W-116	Parking regulations.
132W-117	Parking and traffic.
132W-120	General conduct.
132W-125	Withholding services for outstanding debts.
132W-129	Tenure and dismissal.
132W-131	Tuition and fees.
132W-134	Rules coordinator.
132W-135	Environmental protection policy.
132W-140	Use of college facilities.
132W-141	Use of facilities.
132W-149	Human rights policy.
132W-164	Public works contracts and bid procedures.
132W-168	Use of college libraries.
132W-276	Public records.
132W-277	Access to public records.
132W-300	Grievance procedures—Discrimination.
132W-325	Environmental protection.

### Chapter 132W-104 WAC

### BYLAWS AND STANDING ORDERS OF THE BOARD OF TRUSTEES

#### WAC

132W-104-010 through 132W-104-130 Repealed.

#### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

132W-104-010	Promulgation. [Order 77-70, § 132W-104-010, filed 12/19/77; Order 72-16, § 132W-104-010, filed 11/22/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
132W-104-020	The board of trustees. [Order 77-70, § 132W-104-020, filed 12/19/77; Order 72-16, § 132W-104-020, filed 11/22/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
132W-104-030	Office of board. [Order 77-70, § 132W-104-030, filed 12/19/77; Order 72-16, § 132W-104-030, filed 11/22/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
132W-104-040	Meetings of the board of trustees. [Statutory Authority: RCW 28B.50.140. 87-19-050 (Resolution No. 87-126), § 132W-104-040, filed 9/14/87; 80-05-106 (Order 80-87), § 132W-104-040, filed 5/5/80; Order 77-70, § 132W-104-040, filed 12/19/77; Order 72-16, § 132W-104-040, filed 11/22/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
132W-104-050	Order of agenda. [Statutory Authority: RCW 28B.50.140. 87-19-050 (Resolution No. 87-126), §