

Chapter 132W-115 WAC

CODE OF STUDENT CONDUCT

WAC

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WAC 132W-115-010 Purpose of the disciplinary system. This code of student conduct protects the unique, diverse community of Wenatchee Valley College. Admission to the college carries with it an expectation that the student will obey appropriate laws, will comply with the policies and procedures of the college, and will maintain a high standard of integrity and honesty. If a student does not accept these responsibilities, corrective action must be taken. The college will impose and carry out sanctions for conduct that interferes with the operation of college. The college may impose sanctions independently of any action taken by civil or criminal authorities. In the case of minors, misconduct may be referred to parents or legal guardians.

[Statutory Authority: Chapter 28B.50 RCW. WSR 01-12-015, § 132W-115-010, filed 5/25/01, effective 6/25/01.]

WAC 132W-115-020 Jurisdiction and authority for student discipline. All rules in this chapter concerning student conduct and discipline apply to every student enrolled at the college whenever the student is engaged in or present at a college-related activity whether occurring on or off college facilities.

The board of trustees, acting pursuant to RCW 28B.50.-140(14), has delegated by written order to the president of the college the authority to administer disciplinary action. Pursuant to this authority, the president, or designee, shall be responsible for the administration of the disciplinary procedures provided for herein. However, the president or acting president shall review all disciplinary action in which there is a recommendation that a student be suspended or dismissed.

[Statutory Authority: Chapter 28B.50 RCW. WSR 01-12-015, § 132W-115-020, filed 5/25/01, effective 6/25/01.]

(5/25/01)

WAC 132W-115-030 Violations of law and college regulations. Students may be accountable both to civil authorities and to the college for acts that constitute violations of law and of this code. Disciplinary action at the college will normally proceed even if criminal proceedings are pending and will not be subject to challenge on the ground that criminal charges involving the same incident have been dismissed or reduced.

Definitions. When used in the code:

(1) The term "aggravated violation" means a violation that resulted or foreseeably could have resulted in significant damage to persons or property or which otherwise posed a substantial threat to the stability and continuance of normal college or college-sponsored activities.

(2) The term "group" means persons who are associated with each other but who have not complied with college requirements for registration or organization.

(3) The terms "institution" and "college" mean Wenatchee Valley College and all of its areas, elements, and programs.

(4) The term "reckless" means conduct that one should reasonably be expected to know would create a substantial risk of harm to persons or property or that would otherwise be likely to result in interference with normal college operations and/or college-sponsored activities.

(5) The term "student" means any person who is enrolled at the college and for whom the college maintains current educational records, as defined by the Family Rights and Privacy Act of 1974, and related regulations.

(6) The term "college facilities" means buildings or grounds owned, leased, operated, controlled, or supervised by the college, including all appurtenances affixed thereon or attached thereto.

(7) "Board" means the board of trustees of Wenatchee Valley College.

(8) "Liquor" means the definition of liquor as contained within RCW 66.04.010

(9) "Drugs" means a narcotic drug as defined in RCW 69.50.101, a controlled substance as defined in RCW 69.50.-201 through 69.50.212, or a legend drug as defined in RCW 69.41.010..

(10) "President" means the chief executive officer of the college appointed by the board of trustees.

(11) "Disciplinary action" means the warning, reprimand, summary suspension, suspension and/or expulsion, probation, of a student for the violation of a rule adopted under this policy.

[Statutory Authority: Chapter 28B.50 RCW. WSR 01-12-015, § 132W-115-030, filed 5/25/01, effective 6/25/01.]

WAC 132W-115-040 Student participation. Students will participate in college matters pursuant to these procedures.

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[Statutory Authority: Chapter 28B.50 RCW. WSR 01-12-015, § 132W-115-040, filed 5/25/01, effective 6/25/01.]

WAC 132W-115-050 Demand for identification. For the purpose of determining whether probable cause exists for any application of this code to any behavior occurring on a college facility, college personnel or other authorized personnel may demand that evidence of student enrollment at the college be produced.

[Statutory Authority: Chapter 28B.50 RCW. WSR 01-12-015, § 132W-115-050, filed 5/25/01, effective 6/25/01.]

WAC 132W-115-060 Free movement on campus. The president or designee is authorized in the instance of any event that he or she deems impedes the movement of persons or vehicles or which he or she deems to disrupt the ingress or egress of persons from the college facilities, to prohibit the entry of, or withdraw the license of, or privileges of, a person or persons or any group of persons to enter onto or remain upon any portion of the college facility.

No person or persons may disrupt the ingress or egress of other persons from college facilities. The president or designee is authorized to prohibit or remove from college facilities any person who disrupts ingress or egress therein.

[Statutory Authority: Chapter 28B.50 RCW. WSR 01-12-015, § 132W-115-060, filed 5/25/01, effective 6/25/01.]

WAC 132W-115-070 Standards of classroom behavior. Academic honesty is vital to the very fabric and integrity of the college. All students must comply with an appropriate and sound academic honesty policy and code of honest behavior. All members of the college community are responsible for knowing and understanding the statement on academic honesty. The statement and procedures will be made readily available to all students and faculty to ensure understanding of the academic honesty system and its proper functioning.

Where suspected violations of the academic honesty system occur, appropriate procedures are designed to protect academic integrity while ensuring due process.

(1) Academic dishonesty: Honest assessment of student performance is crucial to all members of the academic community. Acts of dishonesty are serious breaches of honor and shall be dealt with in the following manner:

(a) The college administration and teaching faculty will provide reasonable and prudent security measures designed to minimize opportunities for acts of academic dishonesty that occur at the college.

(b) Any student who knowingly submits a fraudulent examination, assignment, or any other academic work product shall have committed an act of academic dishonesty. Acts of academic dishonesty shall be cause for disciplinary action.

(c) Any student who aids or abets the accomplishment of an act of academic dishonesty, as described in (b) of this subsection, shall be subject to disciplinary action.

(d) This section shall not be construed as preventing an instructor from taking immediate disciplinary action when the instructor is required to act upon such breach of academic dishonesty in order to preserve order and prevent disruptive conduct in the classroom. This action shall also not be construed as preventing an instructor from adjusting the student's

grade on a particular project, paper, test, or class grade for academic dishonesty.

(2) Classroom conduct: Instructors have the authority to take whatever summary actions may be necessary to maintain order and proper conduct in the classroom and to maintain the effective cooperation of the class in fulfilling the objectives of the course.

(a) Any student who substantially disrupts any college class by engaging in conduct that renders it difficult or impossible to maintain class decorum shall be subject to disciplinary action.

(b) Any college instructor is authorized to take steps necessary to preserve order and to maintain the effective cooperation of the class in fulfilling course objectives; provided that a student shall have the right to appeal such disciplinary action to the dean of student services.

[Statutory Authority: Chapter 28B.50 RCW. WSR 01-12-015, § 132W-115-070, filed 5/25/01, effective 6/25/01.]

WAC 132W-115-080 Code of conduct. Wenatchee Valley College expects that its students while within college facilities or attending a college-sponsored activity, will adhere to high standards of honor and good citizenship at all times. Students will always conduct themselves in a responsible manner that reflects credit on themselves and the college. The following misconduct on college facilities is subject to disciplinary action:

(1) Intentionally or recklessly endangering, threatening, or causing physical harm to any person or oneself, or intentionally or recklessly causing reasonable apprehension of such harm.

(2) Sexual harassment as defined in college policy under Policy 000.340 and 000.350.

(3) Intentionally or recklessly interfering with normal college or college-sponsored activities or any form of emergency services.

(4) Unauthorized entry or use of college facilities.

(5) Knowingly violating the term of any disciplinary sanction imposed in accordance with the code.

(6) Theft of property or services; knowing possession of stolen property.

(7) Violating college policies or procedures by any student or by the guest of any student.

(8) Smoking or using tobacco products in classrooms or on the college premises except in designated smoking areas.

(9) The possession, use, sale or distribution of any alcoholic beverage or illegal drug on the college campus; the use of illegal drugs by any student attending a college-sponsored event, even though the event does not take place at the college.

(10) Academic dishonesty, including cheating, plagiarism, or knowingly furnishing false information to the college.

(11) Forgery, alteration, or misuse of college documents, records, funds, or instruments of identification.

(12) Refusal to comply with the direction of college officials acting in the legitimate performance of their duties.

(13) Possession of firearms, licensed or unlicensed, except where possessed by commissioned police officers as prescribed by law.

(14) Failure to comply with the college's technology acceptable use policy, and/or misuse of computing equipment and services and facilities, including use of electronic mail and the internet.

(15) Ethics violation: The breach of any generally recognized and published code of ethics or standards of professional practice that governs the conduct of a particular trade, skill, craft or profession for which the student is taking courses or is pursuing as their educational goal or major. These ethics codes must be distributed to students as part of an educational program, course, or sequence of courses and the student must be informed that a violation of such ethics codes may subject the student to disciplinary action by the College.

(16) Hazing: Conspiracy to engage in hazing or participation in hazing another. Hazing shall include any method of initiation into a student organization or living group, or any pastime or amusement engaged in with respect to such an organization or living group, that causes, or is likely to cause, bodily danger or physical harm, or serious mental or emotional harm to any student or other person attending Wenatchee Valley College. Consent is no defense to hazing. The term does not include customary athletic events or other similar contests or competitions. Hazing is also a misdemeanor, punishable under state law.

(17) Initiation violation: Conduct associated with initiation into a student organization, association, or living group, or any pastime or amusement engaged in with respect to an organization, association or living group not amounting to a violation of under the definition of hazing. Conduct covered by this definition may include embarrassment, ridicule, sleep deprivation, verbal abuse, or personal humiliation. Consent is no defense to initiation violation.

(18) Animals, with the exception of service animals, are not allowed on or in college facilities. All services animals on campus shall be under direct physical control, leashed by their owner or custodian.

(19) Gambling: Any form of gambling is prohibited.

[Statutory Authority: Chapter 28B.50 RCW. WSR 01-12-015, § 132W-115-080, filed 5/25/01, effective 6/25/01.]

WAC 132W-115-090 Civil disturbances. In accordance with provision contained in RCW 28B.10.571 and 28B.10.572:

(1) It shall be unlawful for any person, singly or in concert with others, to interfere by force or violence with any administrator, faculty member or student of the college who is in the peaceful discharge or conduct of his duties or studies.

(2) It shall be unlawful for any person, singly or in concert with others, to intimidate by threat of force or violence any administrator, faculty member or student of the college who is in the peaceful discharge of his/her duties or studies.

(3) The crimes described in RCW 28B.10.571 and 28B.10.572 shall not apply to any administrator or faculty member who is engaged in the reasonable exercise of their disciplinary authority.

(4) Any person or persons who violate the provisions of subsections (1) and (2) of this section will be subject to disciplinary action and referred to the authorities for prosecution.

[Statutory Authority: Chapter 28B.50 RCW. WSR 01-12-015, § 132W-115-090, filed 5/25/01, effective 6/25/01.]

(5/25/01)

WAC 132W-115-100 Disciplinary process. (1) Any infractions of college policies or procedures may be referred by anyone within the college community to the dean of student services or designee. That official shall then follow the appropriate procedures for any disciplinary action which he or she deems necessary relative to the alleged misconduct.

(2) The disciplinary official may take whatever action deemed appropriate within the framework of this code. If the student concludes that any sanctions imposed are inappropriate, the student may appeal to the academic regulations committee.

(3) If a referral or an appeal is made to the academic regulations committee, the committee shall hold a hearing, reach conclusion, and recommend sanctions. The student may appeal all cases involving suspension or dismissal from the college to the president of the college. All other cases may be appealed to the administrator designated by the president.

(4) The president of the college or his/her designee, after reviewing the case, may reverse, sustain or modify any sanctions. The decision of the president or designee is final.

[Statutory Authority: Chapter 28B.50 RCW. WSR 01-12-015, § 132W-115-100, filed 5/25/01, effective 6/25/01.]

WAC 132W-115-110 Procedures for resolving disciplinary violations. (1) The dean of student services is responsible for initiating disciplinary proceedings. The dean of student services may delegate this responsibility to members of his/her staff, and he/she may also establish committees or other hearing bodies to advise or act for him/her in disciplinary matters.

(2) In order that any informality in disciplinary proceedings not mislead a student as to the seriousness of the matter under consideration, the student involved shall be informed at the initial conference or hearing of the sanctions that may be involved.

(3) Upon initiation of formal disciplinary proceedings, the dean of student services or designee shall provide written notification to the student, either in person or by delivery via regular mail to the student's last known address, specifying the violations with which the student is charged. The dean of student services or designee shall set a time and place for meeting with the student to inform the student of the charges, the evidence supporting the charges, and to allow the student an opportunity to be heard regarding the charges and evidence.

(4) After considering the evidence in a case and interviewing the student or students involved, the dean of student services or designee may take any of the following actions:

(a) Terminate the proceeding, exonerating the student or students;

(b) Dismiss the case after whatever counseling and advice may be appropriate; not subject to the appeal rights provided in this code;

(c) Dismiss the case after verbally admonishing the student, not subject to the appeal rights provided in this code;

(d) Direct the parties to make a reasonable attempt to achieve a mediated settlement;

(e) Impose disciplinary sanctions directly, subject to the student's right of appeal as described in this chapter. The student shall be notified in writing of the action taken except that disciplinary warnings may be given verbally;

(f) Refer the matter to the academic regulations committee requesting their recommendation for appropriate action. The student shall be notified in writing that the matter has been referred to the academic regulations committee.

(5) This section shall not be construed as preventing the appropriate official from summarily suspending a student.

(6) If the dean of student services or his or her designee(s) has cause to believe that any student:

(a) Has committed a felony; or

(b) Has violated any provision of this chapter; and

(c) Presents an imminent danger either to himself or herself, other persons on the college campus or to the educational process; that student shall be summarily suspended and shall be notified by certified and regular mail at the student's last known address, or shall be personally served.

Summary suspension is appropriate only where (c) of this subsection can be shown, either alone or in conjunction with (a) or (b) of this subsection.

(7) During the summary suspension period, the suspended student shall not enter campus other than to meet with the dean of student services or to attend the hearing. However, the dean of student services or the college president may grant the student special permission to enter a campus for the express purpose of meeting with faculty, staff, or students in preparation for a probable cause hearing.

(8) When the president or his/her designee exercises the authority to summarily suspend a student, he/she shall cause notice thereof to be served upon that student by registered or certified mail at the student's last known address, or by causing personal service of such notice upon that student. The notice shall be entitled "notice of summary suspension proceedings" and shall state:

(a) The charges against the student including reference to the provisions of the student code or the law involved; and

(b) That the student charged must appear before the designated disciplinary officer at a time specified in the notice for a hearing as to whether probable cause exists to continue the summary suspension. The hearing shall be held as soon as practicable after the summary suspension.

(9) The summary suspension hearing shall be considered an emergency adjudicative proceeding. The proceeding must be conducted as soon as practicable with the dean of student services or designee presiding. At the summary suspension hearing, the dean of student services shall determine whether there is probable cause to believe that continued suspension is necessary and/or whether some other disciplinary action is appropriate.

(10) If the dean of student services, following the conclusion of the summary suspension proceedings, finds that there is probable cause to believe that:

(a) The student against whom specific violations of law or of provisions of this chapter are alleged has committed one or more of such violations; and

(b) That summary suspension of said student is necessary for the protection of the student, other students or persons on college facilities, college property, the educational process, or to restore order to the campus; and

(c) Such violation or violations of the law or of provisions of this chapter constitute grounds for disciplinary action, then the dean of student services may, with the written approval of the president, continue to suspend such student

from the college and may impose any other disciplinary action as appropriate.

(11) A student who is suspended or otherwise disciplined pursuant to the above rules shall be provided with a written copy of the dean of student services' findings of fact and conclusions, as expressly concurred in by the president, which constituted probable cause to believe that the conditions for summary suspension existed. The student suspended pursuant to the authority of this rule shall be served a copy of the notice of suspension by personal service or by registered mail to said student's last known address within three working days following the conclusion of the summary suspension hearing. The notice of suspension shall state the duration of the suspension or nature of other disciplinary action and the conditions under which the suspension may be terminated.

(12) The dean of student services is authorized to enforce the suspension of the summarily suspended student in the event the student has been served pursuant to the notice requirement and fails to appear at the time designated for the summary suspension proceeding.

(13) Any student aggrieved by an order issued at the summary suspension proceeding may appeal to the academic regulations committee. No such appeal shall be entertained, however, unless:

(a) The student has first appeared at the student hearing in accordance with subsection (9) of this section;

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

(c) Summary suspension or other disciplinary sanction has been upheld; and

(d) The appeal conforms to the standards set forth in chapter 132W-109 WAC. The academic regulations committee shall, within five working days, conduct a formal hearing in the manner described in chapter 132W-109 WAC

[Statutory Authority: Chapter 28B.50 RCW. WSR 01-12-015, § 132W-115-110, filed 5/25/01, effective 6/25/01.]

WAC 132W-115-120 The academic regulations committee (ARC) and serious disciplinary violations. The Wenatchee Valley College ARC will hear cases referred under this code. In cases involving serious disciplinary violations where suspension or summary suspension from college can result, a subcommittee of the ARC will convene.

(1) An ARC subcommittee, convened by the dean of student services or designee for serious disciplinary violations, will hear and make recommendations on all disciplinary cases referred to it or appealed to it by students. The hearing body will be composed of the following persons:

(a) The committee chair will be a member of the ARC appointed by the president of the college;

(b) The faculty representative will be a member of the ARC appointed by the ARC membership;

(c) The student representative will be a member of the ARC appointed by the ARC membership.

(2) None of the above-named persons shall sit on any case in which he or she has been or will be a complainant or witness, in which he or she has a direct or personal interest, or in which he or she has acted previously in an advisory or official capacity. The entire ARC membership shall make decisions regarding eligibility according to this section, including the selection of alternate committee members.

(3) The committee may recommend to the dean of student services that the student involved:

- (a) Be exonerated with all proceedings terminated and with no sanctions imposed;
- (b) Be disqualified from participation in any school-sponsored athletic events or activities;
- (c) Be given a disciplinary warning;
- (d) Be given a reprimand;
- (e) Be placed on disciplinary probation;
- (f) Be responsible for restitution for damages resulting from the violation;
- (g) Be given a suspension;
- (h) Be expelled.

[Statutory Authority: Chapter 28B.50 RCW. WSR 01-12-015, § 132W-115-120, filed 5/25/01, effective 6/25/01.]

WAC 132W-115-130 Procedural guidelines for hearings involving serious disciplinary violations. (1) The committee chair shall set the time, place and available seating capacity for a hearing.

(2) All committee proceedings will be conducted with reasonable dispatch and terminated as soon as fairness to all parties involved permits.

(3) The committee chair shall enforce general rules of procedures for conducting hearings consistent with these procedural guidelines.

(4) The student shall be given notice of the date, time and place of the hearing, the charges, a list of witnesses who will appear, and a description of any documentary or other physical evidence that will be presented at the hearing. This notice shall be given to the student in writing and shall be provided in sufficient time to permit him/her to prepare a defense.

(5) The student or his/her representative shall be entitled to hear and examine the evidence against him or her and be informed of the identity of its sources; and shall be entitled to present evidence in his or her own behalf and question witnesses as to factual matters. The student shall be able to obtain information or to request the presence of witnesses or the production of other evidence relevant to the issues at the hearing.

(6) Committee hearings may be held in closed session at the discretion of the council, the only exception being when the student involved invites particular persons or requests an open hearing. If at any time during the conduct of the hearing invited persons are disruptive of the proceedings, the committee chair may exclude such persons from the hearing room.

(7) Only those matters presented at the hearing, in the presence of the student involved, will be considered in determining whether the student is guilty of the misconduct charged, but the student's past record of conduct may be taken into account in formulating the committee's recommendation for disciplinary action.

(8) The failure of a student to cooperate with the hearing procedures, however, shall not preclude the committee from making its findings of fact, reaching conclusions and imposing sanctions. Failure of the student to cooperate may be taken into consideration by the committee in recommending penalties.

(9) The student may be represented by counsel and/or accompanied by an advisor of his/her choice. If counsel is

present for the student, the college may also have counsel present to assist the council. If the student intends to use an attorney, he or she must notify the dean of student services five days in advance of the formal hearing.

(10) An adequate summary of the proceedings will be kept. As a minimum, such summary would include a tape recording of testimony. Such record will be available for inspections and copying in the office of the dean of student services during regular business hours.

(11) The student will be provided with a copy of the findings of fact and the conclusions of the committee.

(12) If the council's proceedings were to hear a disciplinary matter pursuant to the request of the dean for student services, the council's recommendation shall be forwarded to the dean of student services for disposition of the matter.

(13) The dean of student services or designee shall notify the student of his or her decision.

(14) The student will also be advised of his/her right to present, within ten calendar days, a written statement of appeal to the president of the college before action is taken on the decision of the committee.

(15) The dean of student services or designee shall notify the student of his or her decision.

(16) The student will also be advised of his/her right to present, within ten calendar days, a written statement of appeal to the president of the college before action is taken on the decision of the committee.

(17) The president of the college or his/her designated representative shall, after reviewing the case, sustain the decision, give directions as to what other disciplinary action shall be taken by modifying its decision, or nullify previous sanctions imposed by reversing the decision. The president or designee shall then notify the dean of student services, the student, and the committee. The president's decision shall be final.

[Statutory Authority: Chapter 28B.50 RCW. WSR 01-12-015, § 132W-115-130, filed 5/25/01, effective 6/25/01.]

WAC 132W-115-140 Disciplinary terms. The definitions set forth in this section apply throughout.

(1) Disciplinary warning means oral or written notice of violation of college rules.

(2) Reprimand means formal action after censuring a student for violation of college rules for failure to satisfy the college's expectations regarding conduct. Reprimands are made in writing to the student by the disciplinary official. A reprimand indicates to the student that continuation or repetition of the specific conduct involved or other misconduct will result in one or more serious disciplinary actions described below.

(3) Disciplinary probation means formal action placing conditions upon the student's continued attendance because of violation of college rules or failure to satisfy the college's expectations regarding conduct. The disciplinary official placing the student on probation will specify, in writing, the period of probation and the conditions, such as limiting the student's participation in extracurricular activities. Disciplinary probation warns the student that any further misconduct will automatically raise the question of dismissal from the college. Disciplinary probation may be for a specified term or for an indefinite period which may extend to gradua-

tion or other termination of the student's enrollment in the college.

(4) Summary suspension means temporary dismissal from the college and temporary termination of a student's status for a period of time not to exceed ten days which occurs prior to invocation of the formal hearing procedures specified in these rules due to a necessity to take immediate disciplinary action, where a student presents an imminent danger to the college property, or to himself or herself or other students or persons in college facilities on or off campus, or to the educational process of the college.

(5) Suspension means temporary dismissal from the college and temporary termination of student status for violation of college rules or for failure to meet college standards of conduct.

(6) Expulsion means dismissal from the college and termination of student status for violation of college rules or for failure to meet the college standards of conduct for an indefinite period of time or permanently.

(7) Restitution means repayment to the college or to an affected party for damages resulting from a violation of this code.

[Statutory Authority: Chapter 28B.50 RCW. WSR 01-12-015, § 132W-115-140, filed 5/25/01, effective 6/25/01.]

WAC 132W-115-150 Loss of eligibility in college activities and athletics. Any student found to have violated the standards of student conduct or chapter 69.41 RCW shall, in lieu of or in addition to, any other disciplinary action which may be imposed, be disqualified from participation in any school-sponsored athletic events or activities.

[Statutory Authority: Chapter 28B.50 RCW. WSR 01-12-015, § 132W-115-150, filed 5/25/01, effective 6/25/01.]

WAC 132W-115-160 Student groups and organizations. Student groups and organizations may be charged with violations of the student code of conduct.

A student group or organization and its officers may be held collectively and individually responsible when violations of this code by those associated with the group or organization have received the consent or encouragement of the group or organization or of the group's or organization's leaders or officers.

The officers or leaders or any identifiable spokesperson for a student group or organization may be directed by college officials to take appropriate action designed to prevent or end violations of this code by the group or organization. Failure to make reasonable efforts to comply with college officials' order shall be considered a violation of this code, by the officers, leaders or spokesperson for the group or organization and by the group or organization itself.

Sanctions for group or organization misconduct may include revocation or denial of registration or recognition as well as other appropriate sanctions.

[Statutory Authority: Chapter 28B.50 RCW. WSR 01-12-015, § 132W-115-160, filed 5/25/01, effective 6/25/01.]

WAC 132W-115-170 Appeals. Disciplinary actions subject to appeal as specified in board policy may be appealed as described below. Notice of an appeal by a student

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shall be made in writing and addressed to the dean of student services within ten calendar days of the college's giving of the notice of the disciplinary action.

(1) Disciplinary action by a faculty member or other college staff member may be appealed to, and shall be reviewed by, the dean of student services.

(2) Disciplinary action by the appropriate disciplinary official may be appealed to, and shall be reviewed by, the academic regulations committee.

(3) Disciplinary recommendation by the academic regulations committee and subsequent action by the dean of student services, may be appealed to, and shall be reviewed by, the college president or his/her designee.

(4) Disciplinary action by the president shall either indicate approval of the conclusions by sustaining the decision or shall give directions as to what other disciplinary action shall be taken by modifying the decision, or shall nullify previous sanctions imposed by reversing its decision. The president's decision shall be final.

[Statutory Authority: Chapter 28B.50 RCW. WSR 01-12-015, § 132W-115-170, filed 5/25/01, effective 6/25/01.]

WAC 132W-115-180 Transcript notations. A temporary encumbrance may be placed on a student's college records by the dean of student services while disciplinary proceedings are pending. Permanent notation of disciplinary action will be made on the transcript whenever a student is dismissed for misconduct.

[Statutory Authority: Chapter 28B.50 RCW. WSR 01-12-015, § 132W-115-180, filed 5/25/01, effective 6/25/01.]

WAC 132W-115-190 Refunds and access. (1) There shall be no refund of tuition and/or fees for the quarter in which disciplinary action is taken.

(2) A student suspended on the basis of conduct which disrupted the orderly operation of the campus or any facility of the district, may be denied access to all or any part of the campus or other facility.

[Statutory Authority: Chapter 28B.50 RCW. WSR 01-12-015, § 132W-115-190, filed 5/25/01, effective 6/25/01.]

WAC 132W-115-200 Readmission after suspension or dismissal. Any student suspended from the college for disciplinary reasons will normally be readmitted upon expiration of the time period for which the suspension was issued. If the student has been expelled or feels that circumstances warrant reconsideration of a temporary suspension prior to its expiration, or if the student was suspended with conditions imposed for readmission, the student may be readmitted following approval of a written petition submitted to the dean of student services. Such petition must state reasons which support a reconsideration of the matter. Before readmission may be granted, such petition must be reviewed and approved by the college president or designee.

[Statutory Authority: Chapter 28B.50 RCW. WSR 01-12-015, § 132W-115-200, filed 5/25/01, effective 6/25/01.]

WAC 132W-115-210 Reestablishment of academic standing. Students who have been suspended pursuant to disciplinary procedures set forth in this chapter and whose sus-

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pension upon appeal is found to have been unwarranted shall be provided the opportunity to reestablish their academic and student standing to the extent possible within the abilities of the college, including an opportunity to retake examinations or otherwise complete course offerings missed by reason of such action.

[Statutory Authority: Chapter 28B.50 RCW. WSR 01-12-015, § 132W-115-210, filed 5/25/01, effective 6/25/01.]

WAC 132W-115-220 Reporting, recording and maintaining records. Records of all disciplinary cases shall be kept by the disciplinary official taking or initiating the action. Except in proceedings where the student is exonerated, all documentary or other physical evidence produced or considered in disciplinary proceedings and all recorded testimony shall be preserved, insofar as possible, for not more than three years after resolution of the case. No other records of proceedings wherein the student is exonerated, other than the fact of exoneration, shall be maintained in the student's file or other college repository after the date of the student's graduation or not more than five years.

[Statutory Authority: Chapter 28B.50 RCW. WSR 01-12-015, § 132W-115-220, filed 5/25/01, effective 6/25/01.]