

# Chapter 132Z-115 WAC

## CODE OF STUDENT CONDUCT AND DISCIPLINARY PROCEDURES

### WAC

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**WAC 132Z-115-005 Student code of conduct.** Introduction and overview.

Admission to Cascadia Community College carries with it the expectation that students will conduct themselves as responsible members of the college community. Cascadia has adopted policies governing student conduct, including disciplinary procedures and procedures for resolving conflicts related to student discipline. The student conduct system is designed to protect the rights of each individual to support the community values and to assist students in conducting themselves as responsible members of the college community.

Students are strongly encouraged to become familiar with the code of conduct to enhance understanding of disciplinary procedures and appeal processes. Violations of the code of conduct are treated seriously and may result in disciplinary actions that may include suspension and/or dismissal. Details of the disciplinary process are provided in the sections that follow and students should read those sections carefully. To assist in understanding the process, the following overview is provided:

Violation or alleged violation of code of conduct.

- If a student is found to have violated, or alleged to have violated, the college's code of conduct, the matter is normally referred to the vice-president for student success or designee. In some cases, a matter will not be referred to the vice-president if another staff member has successfully addressed the violation with the student in question.

- If a matter is referred to the vice-president or designee, he/she investigates the allegation, meets with the student, and makes a determination about the validity of the complaint and the severity of the offense. The vice-president may dismiss the charge or impose a sanction which may result in a

warning, reprimand, probation, suspension, summary suspension or expulsion.

Appeals process.

- If a student wishes to appeal the decision of the vice-president or designee, he/she must submit a written request for an appeal within ten calendar days of the notice of the disciplinary action.

- Appeals are heard by the conflict resolution council (CRC), a body consisting of one administrator, one faculty member, and one student. The CRC will arrange for a hearing as soon as possible. Students may bring witnesses to this hearing.

- After hearing the appeal, the CRC makes a recommendation to the college president. The president may uphold the recommendation of the CRC or change the decision. The president's decision is not subject to appeal.

[Statutory Authority: Executive Order 97-02, RCW 28B.10.902 and 28B.20.903. WSR 05-06-003, § 132Z-115-005, filed 2/17/05, effective 3/20/05.]

**WAC 132Z-115-010 Purpose of the disciplinary system.** Participating in a community requires that individuals depend upon the knowledge, integrity, and decency of others. In turn, the best communities help individuals mold habits and values that will enable them to achieve the highest personal satisfaction, including the satisfaction associated with helping to create a better global community. Cascadia Community College is maintained by the state of Washington for the provision of programs of instruction in higher education and related community services. Like any other institution having its own special purposes, the college must maintain conditions conducive to the effective performance of its functions. Consequently, it has special expectations regarding the conduct of the various participants in the college community.

This *Code of Student Conduct* protects the college's commitment to excellence and equity, and affirms institutional values.

The student conduct system was created to protect the rights of each individual, to support the community values and to assist students in modifying their behavior to become responsible members of the community. Admission to the college carries with it the expectation that the student will obey appropriate laws, will comply with the rules of the college and its departments, and will maintain a high standard of integrity and honesty. If a student does not accept her/his responsibilities within the college community, corrective action must be taken. This is accomplished through an educational process, with the goal of providing a learning environment where students can grow and learn respect for others, to understand how their behaviors affect the community and to change inappropriate behaviors. Sanctions for violations of college rules or conduct that interferes with the operation of

college affairs will be dealt with by the college. In the case of minors, misconduct may be referred to parents or legal guardians.

Students registered via the Washington online virtual campus will follow the policies and procedures that govern student conduct, disciplinary policies and procedures for resolving conflicts regarding student conduct which are in place at the enrolling college. Washington online virtual campus students are responsible for being familiar with the student rights and responsibilities and code of conduct at the enrolling college(s).

[Statutory Authority: Executive Order 97-02, RCW 28B.10.902 and 28B.20.903. WSR 05-06-003, § 132Z-115-010, filed 2/17/05, effective 3/20/05. Statutory Authority: RCW 28B.50.140. WSR 00-20-037, § 132Z-115-010, filed 9/28/00, effective 10/29/00.]

**WAC 132Z-115-020 Jurisdiction and authority for student discipline.** All rules in this chapter concerning student rights and responsibilities, 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, and to an enrolled student whose behavior is detrimental to the college wherever occurring.

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, all disciplinary action in which there is a recommendation that a student be suspended shall be reviewed by the president or his/her designee.

Jurisdiction and authority for discipline of students registered through the Washington online virtual campus will rest with the enrolling college; however, administrators and faculty of the teaching college and/or Washington online virtual campus staff may be included in investigations prior to final decisions regarding a discipline situation. All appeals will be handled according to the policies of the enrolling college.

[Statutory Authority: Executive Order 97-02, RCW 28B.10.902 and 28B.20.903. WSR 05-06-003, § 132Z-115-020, filed 2/17/05, effective 3/20/05. Statutory Authority: RCW 28B.50.140. WSR 00-20-037, § 132Z-115-020, filed 9/28/00, effective 10/29/00.]

**WAC 132Z-115-030 Student participation.** Students will participate in college matters pursuant to these procedures.

[Statutory Authority: RCW 28B.50.140. WSR 00-20-037, § 132Z-115-030, filed 9/28/00, effective 10/29/00.]

**WAC 132Z-115-040 Demand for identification.** For the purpose of determining whether probable cause exists for the application of any section of this code to any behavior by any person on a college facility, any college personnel or other authorized personnel may demand that any person on college facilities produce evidence of student enrollment at the college by tender of that person's student identification card.

[Statutory Authority: RCW 28B.50.140. WSR 00-20-037, § 132Z-115-040, filed 9/28/00, effective 10/29/00.]

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**WAC 132Z-115-050 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/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.

[Statutory Authority: Executive Order 97-02, RCW 28B.10.902 and 28B.20.903. WSR 05-06-003, § 132Z-115-050, filed 2/17/05, effective 3/20/05. Statutory Authority: RCW 28B.50.140. WSR 00-20-037, § 132Z-115-050, filed 9/28/00, effective 10/29/00.]

**WAC 132Z-115-060 Standards of classroom behavior.** (1) Admission to Cascadia Community College carries with it the presumption that students will conduct themselves with high standards of academic honesty and integrity.

Hallmarks of academic integrity include:

Submitting work that reflects original thoughts and ideas;

Clearly citing other people's work when using it to inform your own;

Seeking permission to use other people's creative work;

Fully contributing to group work and projects.

Students who choose not to uphold the hallmarks of integrity are therefore considered engaging in academic dishonesty.

Academic dishonesty is defined as any act of course-related dishonesty including, but not limited to, cheating or plagiarism.

(a) Cheating includes, but is not limited to, using, or attempting to use, any material, assistance, or source which has not been authorized by the instructor to satisfy any expectation or requirements in an instructional course, or obtaining, without authorization, test questions or answers or other academic material that belong to another.

(b) Plagiarism includes, but is not limited to, using another person's ideas, words or other work in an instructional course without properly crediting that person.

(c) Academic dishonesty also includes, but is not limited to, submitting in an instructional course either information that is known to be false (while concealing that falsity) or work that is substantially the same as that previously submitted in another course (without the current instructor's approval).

(d) Academic dishonesty also includes taking credit for the work of others when working in groups or otherwise.

Any act of cheating and/or plagiarism is strictly prohibited and will be subject to disciplinary action. Where suspected violations of the academic honesty policy occur, appropriate procedures are designed to protect the academic process and integrity while ensuring due process. Students are expected to adhere to guidelines on academic honesty as stated by individual instructors in their course syllabi, provided those guidelines do not contradict policies and procedures established in the student code of conduct. All documented violations of the academic honesty policy will be reported to the vice-president for student success, who shall maintain a record of violations. Students who violate the academic honesty policy twice will be placed on disciplinary probation. Students who violate the academic honesty policy

subsequently (a third time) will be placed on disciplinary suspension.

(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, by any act of misconduct, substantially disrupts any college class by engaging in any conduct that renders it difficult or impossible to maintain the decorum of the faculty member's class shall be subject to disciplinary action.

(b) The instructor of each course offered by the college is authorized to take such steps as may be necessary to preserve order and to maintain the effective cooperation of the class in fulfilling the objectives of the course; provided that a student shall have the right to appeal such disciplinary action to the vice-president for student success; provided further that, in the event a student appeals to the vice-president for student success the decision by the instructor to remove a student from a single class session, the decision of the vice-president on the appeal shall be final and not subject to appeal to the conflict resolution council.

[Statutory Authority: Executive Order 97-02, RCW 28B.10.902 and 28B.20.903, WSR 05-06-003, § 132Z-115-060, filed 2/17/05, effective 3/20/05. Statutory Authority: RCW 28B.50.140, WSR 00-20-037, § 132Z-115-060, filed 9/28/00, effective 10/29/00.]

**WAC 132Z-115-070 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 during the pendency of criminal proceedings and will not be subject to challenge on the ground that criminal charges involving the same incident have been dismissed or reduced.

[Statutory Authority: RCW 28B.50.140, WSR 00-20-037, § 132Z-115-070, filed 9/28/00, effective 10/29/00.]

**WAC 132Z-115-080 Definitions.** The definitions set forth in this section shall apply throughout this chapter. The following words and phrases shall mean:

(1) "Academic dishonesty" means any course-related dishonesty including, but not limited to, cheating or plagiarism.

(2) "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.

(3) "Assembly" means any 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 persons or group of persons.

(4) "Board of trustees" means the five member trustees of Cascadia Community College appointed by the governor of the state of Washington, District No. 30.

(5) "College" means Cascadia Community College which includes the main campus, off-campus classes, and all of its areas, elements, and programs.

(6) "College community" means all college employees designated as members of the administration by the board of trustees and students.

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

(8) "College president" means the chief executive officer of the college appointed by the board of trustees.

(9) "Controlled substances" means the definition of controlled substances as defined in RCW 69.50.201 as now law or hereafter amended.

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

(11) "Disciplinary official" means the president, Cascadia student conflict resolution council, the vice-president for student success or designee.

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

(13) "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.

(14) "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.

(15) "Employee" means any classified or exempt staff, faculty, administrator, student worker or volunteer.

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

(17) "Group" means persons who are associated with each other but who have not complied with college requirements for registration or organization.

(18) "Harassment" means any malicious act, which causes harm to any person's physical or mental well-being.

(19) "Hazing" means any method of initiation into a student organization, association, or living group, or any pastime or amusement engaged in with respect to 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 Cascadia Community College.

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

(21) "Reprimand" means formal action after censoring a student for violation of college rules for failure to satisfy the college's expectations regarding conduct.

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

(23) "Sexual harassment" means unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct directed at persons because of his/her sex where:

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

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

(c) Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working or learning environment. Examples of behaviors that may constitute harassment include, but are not limited to:

(i) Unwelcome verbal harassment of a sexual nature or abuse;

(ii) Unwelcome pressure for sexual activity;

(iii) Unwelcome sexually motivated or inappropriate patting, pinching or physical contact;

(iv) Unwelcome sexual behavior or words, including demands for sexual favors accompanied by implied or overt threats concerning an individual's educational status;

(v) Unwelcome behavior, verbal or written words or symbols directed at an individual because of gender;

(vi) The use of authority to emphasize the sexuality of a student in a manner that prevents or impairs the student's full enjoyment of educational benefits, climate or opportunities.

(24) "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.

(25) "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.

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

[Statutory Authority: Executive Order 97-02, RCW 28B.10.902 and 28B.20.903. WSR 05-06-003, § 132Z-115-080, filed 2/17/05, effective 3/20/05. Statutory Authority: RCW 28B.50.140. WSR 00-20-037, § 132Z-115-080, filed 9/28/00, effective 10/29/00.]

**WAC 132Z-115-090 Code of conduct.** Cascadia Community 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 and that they will conduct themselves in a responsible manner that reflects credit on themselves and the college. The following misconduct 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) Assault, physical abuse, verbal abuse, threat(s), intimidation, harassment, or other conduct which harms, threatens, or is reasonably perceived as threatening the health or safety of any student, any college officer or employee, or any other person who is on college property or is participating in a college activity.

(3) Sexual assault or sexual harassment as defined in college policy under Article 6, "Equal Opportunity, Nondiscrimination and Nonharassment."

(4) Intentionally or recklessly interfering with normal college or college-sponsored activities including, but not limited to, studying, teaching, research, college administration, or fire, police, or emergency services.

(5) Unauthorized entry or use of college facilities.

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

(7) Intentionally and substantially interfering with the freedom of expression of others.

(8) Intentional violations of college rules, policies, and procedures or any action listed above, or prohibited conduct by a student's guest.

(9) Smoking in classrooms, the library and other areas so posted by college officials.

(10) The possession, use, sale or distribution of any alcoholic beverage or illegal drug on the college campus; or while attending a college-sponsored event on noncollege property.

(11) Engaging in lewd, indecent, or obscene behavior.

(12) Where the student presents an imminent danger to 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.

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

(14) The intentional making of false statements or filing of false charges against the college and members of the college community.

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

(16) Attempted or actual damage to, or theft or misuse of, real or personal property or money of:

(a) The college or state;

(b) Any student or college officer, employee, or organization; or

(c) Any other person or organization lawfully present on college property, or in possession of such property or money after it has been stolen.

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

(18) Possession of firearms, licensed or unlicensed, (except where possessed by commissioned police officers as prescribed by law) explosives, dangerous chemicals or other dangerous weapons or instrumentalities on campus, except for authorized purposes.

(19) 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.

(20) Hazing in any form as described in WAC 132Z-115-240 and RCW 28B.10.900.

(21) Refusal to provide positive identification and evidence of student enrollment to any college employee in the lawful discharge of his/her duties.

(22) Failure to comply with the college's Information Technology Acceptable Use Policy (BP1: 4.10 through 4.16), and/or misuse of computing equipment and services and facilities, including use of electronic mail and the internet.

(23) Violation of parking regulations.

(24) Behavior that disrupts classes, laboratories, offices, services, meetings or ceremonies including:

(a) Threats of disruption and bomb threats;

(b) Damaging, defacing or abusing college facilities, equipment or property.

[Statutory Authority: Executive Order 97-02, RCW 28B.10.902 and 28B.20.903. WSR 05-06-003, § 132Z-115-090, filed 2/17/05, effective

3/20/05. Statutory Authority: RCW 28B.50.140. WSR 00-20-037, § 132Z-115-090, filed 9/28/00, effective 10/29/00.]

**WAC 132Z-115-100 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: RCW 28B.50.140. WSR 00-20-037, § 132Z-115-100, filed 9/28/00, effective 10/29/00.]

**WAC 132Z-115-110 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 graduation 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. (Pursuant to the summary suspension procedures set forth in WAC 132Z-115-120 (6) through (13).)

(2/17/05)

(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: Executive Order 97-02, RCW 28B.10.902 and 28B.20.903. WSR 05-06-003, § 132Z-115-110, filed 2/17/05, effective 3/20/05. Statutory Authority: RCW 28B.50.140. WSR 00-20-037, § 132Z-115-110, filed 9/28/00, effective 10/29/00.]

**WAC 132Z-115-120 Procedures for resolving disciplinary violations.** (1) Any infractions of college rules, policies or regulations may be referred by any college faculty or staff member to the vice-president for student success or designee. The vice-president for student success may delegate this responsibility to a member 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 disciplinary proceedings, the vice-president for student success or designee shall provide written notification to the student, either in person or by delivery via certified mail to the student's last known address, specifying the violations with which the student is charged. The vice-president for student success 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 vice-president for student success 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 appeals rights provided in this code);

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

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

(e) Impose other 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 conflict resolution council requesting their recommendation to the president for appropriate action. The student shall be notified in writing that the matter has been referred to the conflict resolution council.

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

[Statutory Authority: Executive Order 97-02, RCW 28B.10.902 and 28B.20.903. WSR 05-06-003, § 132Z-115-120, filed 2/17/05, effective 3/20/05. Statutory Authority: RCW 28B.50.140. WSR 00-20-037, § 132Z-115-120, filed 9/28/00, effective 10/29/00.]

**WAC 132Z-115-130 Summary suspension.** (1) If the vice-president for student success or his/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 or other persons on the college campus or to the educational process, that student shall be summarily suspended and shall be notified by certified 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.

(2) If the vice-president for student success, following the conclusion of the summary suspension proceedings, finds that there is probable cause to believe that:

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

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

Such violation or violations of the law or of provisions of this chapter constitute grounds for disciplinary action, then the vice-president 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.

(3) A student who is suspended or otherwise disciplined pursuant to the above rules shall be provided with a written copy of the vice-president for student success' findings of fact and conclusions, as expressly concurred to 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 certified mail to the 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.

(4) The vice-president for student success 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.

(5) Any student aggrieved by an order issued at the summary suspension proceeding may appeal to the conflict resolution council. No such appeal shall be entertained, however, unless:

The student has first appeared at the student hearing in accordance with WAC 132Z-115-110(4);

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

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

(c) The appeal conforms to the standards set forth in WAC 132Z-115-180. The conflict resolution council shall, within five working days, conduct a formal hearing in the manner described in WAC 132Z-115-150.

[Statutory Authority: Executive Order 97-02, RCW 28B.10.902 and 28B.20.903. WSR 05-06-003, § 132Z-115-130, filed 2/17/05, effective 3/20/05. Statutory Authority: RCW 28B.50.140. WSR 00-20-037, § 132Z-115-130, filed 9/28/00, effective 10/29/00.]

**WAC 132Z-115-140 Cascadia conflict resolution council.** The Cascadia conflict resolution council will hear cases referred under this code.

(1) The Cascadia conflict resolution council, convened by the vice-president for student success or designee for disciplinary action, will hear and make recommendations to the president on all disciplinary cases referred to it or appealed to it by students. The conflict resolution council will be composed of the following persons:

(a) A member appointed by the president of the college who shall serve as the chair;

(b) A member of the faculty, appointed by faculty;

(c) A student, appointed by the student body president.

(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. Decisions in this regard, including the selection of alternates, shall be made by the conflict resolution council as a whole. The conflict resolution council chairperson will be elected by the members of the conflict resolution council.

(3) The conflict resolution council may recommend to the president 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 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: Executive Order 97-02, RCW 28B.10.902 and 28B.20.903. WSR 05-06-003, § 132Z-115-140, filed 2/17/05, effective 3/20/05. Statutory Authority: RCW 28B.50.140. WSR 00-20-037, § 132Z-115-140, filed 9/28/00, effective 10/29/00.]

**WAC 132Z-115-150 Conflict resolution council procedural guidelines.** The chair of the conflict resolution council shall set the time, place and available seating capacity for a hearing.

All proceedings of the conflict resolution council will be conducted with reasonable dispatch and terminated as soon as fairness to all parties involved permits.

The conflict resolution council chairperson shall enforce general rules of procedures for conducting hearings consistent with these procedural guidelines.

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.

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.

Hearings conducted by the conflict resolution council may be held in closed session at the discretion of the council, although the student involved may request that the council allow the student to invite particular persons or requests an open hearing. If at any time during the conduct of the hearing persons allowed by the council to be invited are disruptive of the proceedings, the chairperson of the conflict resolution council may exclude such persons from the hearing room.

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 conflict resolution council's recommendation for disciplinary action.

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

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.

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 vice-president for student success during regular business hours, unless barred by state or federal law.

The student will be provided with a copy of the findings of fact and the conclusions of the conflict resolution council.

If the council's proceedings were to hear a student's appeal, the council's recommendation shall be forwarded to the president, along with findings of fact, conclusions of law and any commentary on witnesses' credibility.

The president of the college or his/her designated representative, after reviewing the case, including the decision by the vice-president for student success, the report and recommendation of the conflict resolution council and any statement filed by the student, and the whole record before the conflict resolution council or such portions of it as are cited by the parties, shall either indicate his/her approval of the original decision by the vice-president for student success by sustaining the decision, shall give directions as to what other disciplinary action shall be taken by modifying the decision, or shall nullify previous sanctions imposed by reversing the

decision. The president or designee shall then notify the vice-president for student success, the student, and the conflict resolution council. The president's decision shall be final.

[Statutory Authority: Executive Order 97-02, RCW 28B.10.902 and 28B.20.903. WSR 05-06-003, § 132Z-115-150, filed 2/17/05, effective 3/20/05. Statutory Authority: RCW 28B.50.140. WSR 00-20-037, § 132Z-115-150, filed 9/28/00, effective 10/29/00.]

**WAC 132Z-115-160 Loss of eligibility in college activities.** 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 events or activities.

[Statutory Authority: Executive Order 97-02, RCW 28B.10.902 and 28B.20.903. WSR 05-06-003, § 132Z-115-160, filed 2/17/05, effective 3/20/05. Statutory Authority: RCW 28B.50.140. WSR 00-20-037, § 132Z-115-160, filed 9/28/00, effective 10/29/00.]

**WAC 132Z-115-170 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: RCW 28B.50.140. WSR 00-20-037, § 132Z-115-170, filed 9/28/00, effective 10/29/00.]

**WAC 132Z-115-180 Appeals.** Disciplinary actions subject to appeal under this code may be appealed as described below. Notice of an appeal by a student shall be made in writing and addressed to the vice-president for student success within ten calendar days of the college's giving of the notice of the disciplinary action.

Disciplinary action by a faculty member or other college staff member may be appealed to, and shall be reviewed by, the vice-president for student success.

Disciplinary action by the vice-president for student success, the vice-president for student learning, or designee may be appealed to, and shall be reviewed by, the conflict resolution council.

Upon reviewing conflict resolution council recommendations, the president shall either sustain the original disciplinary action, or shall give directions as to what other disciplinary action shall be taken by modifying the action, or shall nullify previous sanctions by reversing the original disciplinary action. The president's action shall be final.

[Statutory Authority: Executive Order 97-02, RCW 28B.10.902 and 28B.20.903. WSR 05-06-003, § 132Z-115-180, filed 2/17/05, effective 3/20/05. Statutory Authority: RCW 28B.50.140. WSR 00-20-037, § 132Z-115-180, filed 9/28/00, effective 10/29/00.]

**WAC 132Z-115-190 Transcript notations.** A temporary encumbrance may be placed on a student's college records by the vice-president for student success while disciplinary proceedings are pending.

Permanent notation of disciplinary action will be made on the transcript whenever a student is expelled.

[Statutory Authority: Executive Order 97-02, RCW 28B.10.902 and 28B.20.903. WSR 05-06-003, § 132Z-115-190, filed 2/17/05, effective 3/20/05. Statutory Authority: RCW 28B.50.140. WSR 00-20-037, § 132Z-115-190, filed 9/28/00, effective 10/29/00.]

**WAC 132Z-115-200 Refunds and access.** There shall be no refund of tuition and/or fees for the quarter in which disciplinary action is taken.

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: Executive Order 97-02, RCW 28B.10.902 and 28B.20.903. WSR 05-06-003, § 132Z-115-200, filed 2/17/05, effective 3/20/05. Statutory Authority: RCW 28B.50.140. WSR 00-20-037, § 132Z-115-200, filed 9/28/00, effective 10/29/00.]

**WAC 132Z-115-210 Readmission after suspension or expulsion.** 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 vice-president for student success. 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: RCW 28B.50.140. WSR 00-20-037, § 132Z-115-210, filed 9/28/00, effective 10/29/00.]

**WAC 132Z-115-220 Reestablishment of academic standing.** Students who have been suspended pursuant to disciplinary procedures set forth in this chapter and whose suspension 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: RCW 28B.50.140. WSR 00-20-037, § 132Z-115-220, filed 9/28/00, effective 10/29/00.]

**WAC 132Z-115-230 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 five years. 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: RCW 28B.50.140. WSR 00-20-037, § 132Z-115-230, filed 9/28/00, effective 10/29/00.]

**WAC 132Z-115-240 Hazing.** Cascadia Community College hereby adopts rules to regulate hazing activities within college sponsored organizations, associations, or living groups.

(1) Hazing is prohibited. Hazing is defined as any method of initiation into a student organization, association, 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 any institution of higher education or post-secondary institution.

(2) Penalties: Any organization, association, or living group that knowingly permits hazing shall:

(a) Be liable for harm caused to persons or property resulting from hazing.

(b) Be denied recognition by Cascadia Community College as an official organization, association or student living group on the Cascadia Community College campus. If the organization, association or student living group is a corporation, whether for profit or nonprofit, the individual directors of the corporation may be held individually liable for damages.

(c) A person who participates in the hazing of another shall forfeit any entitlement to state-funded grants, scholarships or awards for not less than one academic quarter and up to and including permanent forfeiture, based upon the seriousness of the violation(s).

(d) Hazing violations are also misdemeanors punishable under state criminal law according to RCW 9A.20.021.

(e) The student code of Cascadia Community College may be applicable to hazing violations.

[Statutory Authority: Executive Order 97-02, RCW 28B.10.902 and 28B.20.903. WSR 05-06-003, § 132Z-115-240, filed 2/17/05, effective 3/20/05.]