

Chapter 132E-120 WAC

STUDENT RIGHTS AND RESPONSIBILITIES

WAC

132E-120-400 Drug-free campus policy.
132E-120-410 Tobacco use policy.

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

132E-120-010 Everett Community College—Student conduct code—Statement of purpose. [Order 72-1, § 132E-120-010, filed 2/1/73, effective 3/9/73.] Decodified by WSR 00-17-015, filed 8/3/00, effective 9/3/00. Statutory Authority: RCW 28B.50.140. Recodified as § 132E-120-180.

132E-120-020 Everett Community College—General policies. [Order 72-1, § 132E-120-020, filed 2/1/73, effective 3/9/73.] Amended and decodified by WSR 00-17-015, filed 8/3/00, effective 9/3/00. Statutory Authority: RCW 28B.50.140. Recodified as § 132E-120-190.

132E-120-030 Everett Community College—Violations. [Order 76-11-1, § 132E-120-030, filed 12/17/76; Order 72-1, § 132E-120-030, filed 2/1/73, effective 3/9/73.] Amended and decodified by WSR 00-17-015, filed 8/3/00, effective 9/3/00. Statutory Authority: RCW 28B.50.140. Recodified as § 132E-120-220.

132E-120-040 Everett Community College—Sanctions. [Order 72-1, § 132E-120-040, filed 2/1/73, effective 3/9/73.] Amended and decodified by WSR 00-17-015, filed 8/3/00, effective 9/3/00. Statutory Authority: RCW 28B.50.-140. Recodified as § 132E-120-230.

132E-120-050 Edmonds Community College student rights and responsibilities code—Purpose. [Order 74-1, § 132E-120-050, filed 3/12/74, effective 4/15/74.] Repealed by WSR 88-17-082 (Order 88-8-1, Resolution No. 88-8-1), filed 8/22/88. Statutory Authority: RCW 28B.50.040 and chapter 28B.19 RCW.

132E-120-060 Edmonds Community College student rights and responsibilities code—Student freedoms. [Order 74-1, § 132E-120-060, filed 3/12/74, effective 4/15/74.] Repealed by WSR 88-17-082 (Order 88-8-1, Resolution No. 88-8-1), filed 8/22/88. Statutory Authority: RCW 28B.50.040 and chapter 28B.19 RCW.

132E-120-070 Edmonds Community College student rights and responsibilities code—Student responsibilities. [Order 74-1, § 132E-120-070, filed 3/12/74, effective 4/15/74.] Repealed by WSR 88-17-082 (Order 88-8-1, Resolution No. 88-8-1), filed 8/22/88. Statutory Authority: RCW 28B.50.040 and chapter 28B.19 RCW.

132E-120-080 Edmonds Community College student rights and responsibilities code—Disciplinary procedures. [Order 76-11-1, § 132E-120-080, filed 12/17/76; Order 74-1, § 132E-120-080, filed 3/12/74, effective 4/15/74.] Repealed by WSR 88-17-082 (Order 88-8-1, Resolution No. 88-8-1), filed 8/22/88. Statutory Authority: RCW 28B.50.040 and chapter 28B.19 RCW.

132E-120-110 Everett Community College student rights and responsibilities. [Statutory Authority: RCW 28B.50.140. WSR 00-17-015, § 132E-120-110, filed 8/3/00, effective 9/3/00.] Repealed by WSR 18-01-119, filed 12/19/17, effective 1/19/18. Statutory Authority: RCW 28B.50.-140.

132E-120-120 Academic affairs. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. WSR 07-11-165, § 132E-120-120, filed 5/23/07, effective 6/23/07. Statutory Authority: RCW 28B.50.140. WSR 00-17-015, § 132E-120-120, filed 8/3/00, effective 9/3/00.] Repealed by WSR 18-01-119, filed 12/19/17, effective 1/19/18. Statutory Authority: RCW 28B.50.140.

132E-120-130 Students as research subjects. [Statutory Authority: RCW 28B.50.140. WSR 14-04-048, § 132E-120-130, filed 1/27/14, effective 2/27/14. Statutory Authority: Chapters 28B.50 and 28B.10 RCW. WSR 07-11-165, § 132E-120-130, filed 5/23/07, effective 6/23/07. Statutory Authority: RCW 28B.50.140. WSR 00-17-015, § 132E-120-130, filed 8/3/00, effective 9/3/00.] Repealed

by WSR 18-01-119, filed 12/19/17, effective 1/19/18. Statutory Authority: RCW 28B.50.140.

132E-120-140 Right to due process. [Statutory Authority: RCW 28B.50.140. WSR 00-17-015, § 132E-120-140, filed 8/3/00, effective 9/3/00.] Repealed by WSR 18-01-119, filed 12/19/17, effective 1/19/18. Statutory Authority: RCW 28B.50.140.

132E-120-150 Student affairs. [Statutory Authority: RCW 28B.50.140. WSR 14-04-048, § 132E-120-150, filed 1/27/14, effective 2/27/14. Statutory Authority: Chapters 28B.50 and 28B.10 RCW. WSR 07-11-165, § 132E-120-150, filed 5/23/07, effective 6/23/07. Statutory Authority: RCW 28B.50.140. WSR 00-17-015, § 132E-120-150, filed 8/3/00, effective 9/3/00.] Repealed by WSR 18-01-119, filed 12/19/17, effective 1/19/18. Statutory Authority: RCW 28B.50.140.

132E-120-160 Disclosure of student information. [Statutory Authority: RCW 28B.50.140. WSR 14-04-048, § 132E-120-160, filed 1/27/14, effective 2/27/14. Statutory Authority: Chapters 28B.50 and 28B.10 RCW. WSR 07-11-165, § 132E-120-160, filed 5/23/07, effective 6/23/07. Statutory Authority: RCW 28B.50.140. WSR 00-17-015, amended and recodified as § 132E-120-160, filed 8/3/00, effective 9/3/00. Statutory Authority: Chapter 28B.50 RCW and 34 C.F.R. 99FERPA. WSR 97-24-056, § 132E-121-010, filed 12/1/97, effective 1/1/98. Statutory Authority: Chapter 28B.19 RCW. WSR 88-18-028 (Order 88-8-3, Resolution No. 88-8-1), § 132E-121-010, filed 8/30/88.] Repealed by WSR 18-01-119, filed 12/19/17, effective 1/19/18. Statutory Authority: RCW 28B.50.140.

132E-120-170 Everett Community College distribution of literature procedures. [Statutory Authority: RCW 28B.50.140. WSR 14-04-048, § 132E-120-170, filed 1/27/14, effective 2/27/14. Statutory Authority: Chapters 28B.50 and 28B.10 RCW. WSR 07-11-165, § 132E-120-170, filed 5/23/07, effective 6/23/07. Statutory Authority: RCW 28B.50.140. WSR 00-17-015, amended and recodified as § 132E-120-170, filed 8/3/00, effective 9/3/00; Order 72-1, § 132E-124-020, filed 2/1/73, effective 3/9/73.] Repealed by WSR 18-01-119, filed 12/19/17, effective 1/19/18. Statutory Authority: RCW 28B.50.140.

132E-120-180 Everett Community College—Student conduct code—Statement of purpose. [Statutory Authority: RCW 28B.50.140. WSR 00-17-015, recodified as § 132E-120-180, filed 8/3/00, effective 9/3/00; Order 72-1, § 132E-120-010, filed 2/1/73, effective 3/9/73.] Repealed by WSR 18-01-119, filed 12/19/17, effective 1/19/18. Statutory Authority: RCW 28B.50.140.

132E-120-190 Everett Community College—General policies concerning student conduct. [Statutory Authority: RCW 28B.50.140. WSR 14-04-048, § 132E-120-190, filed 1/27/14, effective 2/27/14. Statutory Authority: Chapters 28B.50 and 28B.10 RCW. WSR 07-11-165, § 132E-120-190, filed 5/23/07, effective 6/23/07. Statutory Authority: RCW 28B.50.140. WSR 00-17-015, amended and recodified as § 132E-120-190, filed 8/3/00, effective 9/3/00; Order 72-1, § 132E-120-020, filed 2/1/73, effective 3/9/73.] Repealed by WSR 18-01-119, filed 12/19/17, effective 1/19/18. Statutory Authority: RCW 28B.50.140.

132E-120-200 Authority to request identification. [Statutory Authority: RCW 28B.50.140. WSR 00-17-015, § 132E-120-200, filed 8/3/00, effective 9/3/00.] Repealed by WSR 18-01-119, filed 12/19/17, effective 1/19/18. Statutory Authority: RCW 28B.50.140.

132E-120-210 Everett Community College student conduct—Authority and responsibility. [Statutory Authority: RCW 28B.50.140. WSR 14-04-048, § 132E-120-210, filed 1/27/14, effective 2/27/14. Statutory Authority: Chapters 28B.50 and 28B.10 RCW. WSR 07-11-165, § 132E-120-210, filed 5/23/07, effective 6/23/07. Statutory Authority: RCW 28B.50.140. WSR 00-17-015, § 132E-120-210, filed 8/3/00, effective 9/3/00.] Repealed

filed 12/19/17, effective 1/19/18. Statutory Authority: RCW 28B.50.140.

WAC 132E-120-400 Drug-free campus policy. It is the responsibility of the college to provide a safe and healthy educational and work environment. A motivated and healthy work force and student body are the college's greatest assets.

Fit for participation.

It is essential that all employees and students report to work and class both mentally and physically able to perform their duties and learn in a satisfactory manner.

All employees and students who report to work or class must be in a condition fit to perform their duties, fit to learn, unimpaired due to the use of alcohol or other drugs.

Possession/use guidelines.

Possession or consuming any form of liquor or alcoholic beverage on college property, in college housing or at off-campus college events is prohibited.

Illegal possession, consumption, selling, or distributing, or being demonstrably under the influence of marijuana or any substance as defined by RCW 69.50.101 on property owned or controlled by the college, in college housing or at functions sponsored or supervised by the college is prohibited.

For the purpose of this rule, "sale" shall include the statutory meaning defined in RCW 69.50.410.

Disorderly or abusive conduct resulting from being under the influence of drugs or alcohol on college owned or controlled property, in college housing or at functions sponsored or supervised by the college is prohibited. Disorderly or abusive conduct includes, but is not limited to, interfering with the right of others or obstructing or disrupting teaching, research, or administrative functions including failure to abide by the directive(s) of a college employee who is acting in their capacity as an agent of the college.

Allowable use.

Medication

Prescription and over-the-counter drugs are not prohibited when taken in standard dosage and/or according to a physician's prescription. Any employee or student taking prescribed or over-the-counter medications will be responsible for consulting the prescribing physician and/or pharmacist to learn about the effects of a medication. If the use of a medication could compromise the safety of the employee or student, other employees and/or other students or the public, it is the individual's responsibility to use appropriate procedures (e.g., call in sick, use leave, request change of duty, notify supervisor, notify instructor) to avoid unsafe practices.

The illegal or unauthorized use of prescription drugs is prohibited. It is a violation of this policy to intentionally misuse and/or abuse prescription medications.

Events

Alcohol use is prohibited as described above except for participants of legal age at programs which have the special written permission of the college president.

Employees representing the college at official functions in the scope of their employment including, but not limited to, attendance at conferences and events, should exercise prudence in consuming alcohol and should refrain from driving after consuming alcohol.

Violations.

Any employee or student found in violation of this policy will be subject to formal disciplinary action, which may include completion of an appropriate rehabilitation program up to and/or including dismissal/expulsion, as per the applicable collective bargaining agreement/student handbook.

Other legal penalties may be enforced by state and local law enforcement officials.

Abuse assistance.

Everett Community College recognizes that alcohol and drug abuse and addiction are treatable illnesses. We also realize that early intervention and support improve the success of rehabilitation and may prevent those whose problems have yet to reach the level of addiction from progressing.

Employees needing assistance with problems related to alcohol or drug abuse are encouraged to seek assistance utilizing employee medical insurance programs or the employee assistance program (EAP).

Students are encouraged to seek referral assistance from the college's counseling center and/or appropriate off-campus substance abuse agencies.

Federal law.

The college will continue to comply with the federal Drug-Free Work Place Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989.

(1) All employees must, as a condition of continued employment, notify the chief human resources officer of any criminal drug statute conviction for a violation occurring during the course of the employee's work duties no later than five days after such conviction.

(2) Students must report any such conviction to the dean of students within five days after such conviction. Students may lose federal funding as well as be subject to the student disciplinary process.

(3) Everett Community College will report any conviction to the appropriate federal or state agency within ten days after having received notice that a person employed under a federally funded grant or contract or receiving grant funds has any drug statute conviction occurring on the campus.

All employees and students, regardless of status, shall comply with this policy regarding a drug-free campus.

[Statutory Authority: RCW 28B.50.140. WSR 16-08-120, § 132E-120-400, filed 4/6/16, effective 5/7/16; WSR 14-04-048, § 132E-120-400, filed 1/27/14, effective 2/27/14. Statutory Authority: Chapters 28B.50 and 28B.10 RCW. WSR 07-11-165, § 132E-120-400, filed 5/23/07, effective 6/23/07. Statutory Authority: RCW 28B.50.140. WSR 00-17-015, § 132E-120-400, filed 8/3/00, effective 9/3/00.]

WAC 132E-120-410 Tobacco use policy. The college's board of trustees has adopted the following tobacco use policy:

Everett Community College acknowledges and supports the findings of the Surgeon General that tobacco use in any form, active and passive, is a significant health hazard. The college further recognizes that environmental tobacco smoke has been classified as a Class A carcinogen.

In accordance with the Washington Clean Indoor Air Act of 1985 (chapter 70.160 RCW) and in recognition of the executive order establishing governor's policy on smoking in state facilities, and in support of a safe and healthy learning and working environment, smoking or other tobacco usage is

not permitted within the perimeter of Everett Community College property, including usage in any vehicle parked on college property.

To achieve the goal of a healthy, tobacco-free environment, the following are also prohibited:

(1) The use of other tobacco products, such as smokeless or chewing tobacco.

(2) The use of electronic cigarettes.

(3) The sale of tobacco products or tobacco related merchandise.

(4) The free distribution (sampling) of tobacco products and associated products.

(5) Sponsorship of campus events by organizations that promote tobacco use.

(6) Advertisement of tobacco products at campus events regardless of sponsorship.

Tobacco cessation aids including, but not limited to, nicotine patches and nicotine gum are permissible.

Smoking may be permitted in a theatrical production when it is required in the script. In these circumstances, there must be an appropriate safe method of extinguishing any resultant fire readily available. Audiences must be notified that there will be smoking on stage.

Violations of the above policy may result in a fine and/or disciplinary action.

Definitions

"College property" includes all college sidewalks, parking lots, landscaped areas, recreational areas and buildings on Everett Community College property; the interior of all buildings located on the college property; and in any and all vehicles owned or operated by Everett Community College regardless of location.

"Improper disposal" includes, but is not limited to, spitting smokeless tobacco product, littering (i.e., discarded cigarette butts, throwing cigarette butts out of windows), leaving spit container, or anything that creates fire hazards.

"Smoking" includes the inhaling, exhaling, burning, or carrying of any lighted smoking material, including cigarettes, cigars, or pipes.

[Statutory Authority: RCW 28B.50.140. WSR 12-16-005, § 132E-120-410, filed 7/19/12, effective 8/19/12; WSR 00-17-015, § 132E-120-410, filed 8/3/00, effective 9/3/00.]