

Chapter 132S-200 WAC

HEALTH AND SAFETY REGULATIONS

WAC

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PART I

WAC 132S-200-110 Animal control on campus. In order to assure the health and safety of all persons on properties owned or controlled by Columbia Basin College, the following rules and regulations regarding animals on campus are hereby promulgated: No person will be permitted to bring any animal upon properties owned or controlled by Columbia Basin College unless such animal is a service animal as defined in RCW 70.84.021 and is under the immediate control of such person. Animals are prohibited from being on college grounds and from entering college buildings, with the following exceptions:

- (1) Service animals;
- (2) Events at which animals are participants;
- (3) When animals are part of an academic program.

Owners shall have immediate physical control of their animals (for example: Leashed, caged or carried) while on the grounds of Columbia Basin College.

Exceptions to this section may be authorized by the college president or his or her designee(s).

[Statutory Authority: RCW 28B.50.140. WSR 16-12-039, § 132S-200-110, filed 5/25/16, effective 6/25/16.]

WAC 132S-200-120 Penalties for violations of animal control regulations. Persons violating WAC 132S-200-110 may be trespassed from the college campus and/or referred by administration or campus security to the appropriate police agency for prosecution under the city animal control code for the campus on which the violation occurred.

[Statutory Authority: RCW 28B.50.140. WSR 16-12-039, § 132S-200-120, filed 5/25/16, effective 6/25/16.]

PART II

WAC 132S-200-130 Smoke and tobacco-free environment. (1) Smoking and tobacco products are not allowed inside any building or vehicle operated by Columbia Basin College (CBC).

(2) Smoking materials and related tobacco supplies will not be available for sale or vended on the campuses.

(5/25/16)

(3) Smoking and tobacco use by staff, students and non-students, including visitors, are prohibited within at least fifty feet of building openings (i.e., doors, air intakes, windows) and spaces near outdoor work areas.

(4) Smoking is prohibited in any location where the air-flow carries smoke directly into a facility work area.

(5) Smokers must dispose of smoking and tobacco refuse in ash cans or other containers specifically designed and placed for such disposal.

(6) CBC shall ensure through proper posting that outside smoking and tobacco use areas are at least fifty feet from doorways and air intakes.

(7) Any student, staff, or faculty member who violates the college smoking and tobacco-free policy may be subject to disciplinary action. In addition, violations of the college smoking and tobacco-free policy by the public may subject the violator to trespass from campus and/or enforcement by a local law enforcement agency.

[Statutory Authority: RCW 28B.50.140. WSR 16-12-039, § 132S-200-130, filed 5/25/16, effective 6/25/16.]

PART III

WAC 132S-200-140 Regulations governing firearms and weapons on or in college facilities. (1) It shall be the policy of this college that possession of weapons apparently capable of producing bodily harm and/or property damage is prohibited on or in college facilities or college-leased facilities.

(2) Explosives are prohibited on or in college facilities or leased college facilities.

(3) Carrying of firearms on or in college facilities or college-leased facilities is prohibited except when the concealed permit carrier registers his or her intent to lawfully carry a legal firearm with the campus security office for a specified period of time.

(4) The aforementioned regulations shall not apply to equipment or materials owned, used or maintained by the college; nor will they apply to law enforcement officers while on campus.

(5) Violations of these rules may be grounds for immediate suspension for student, staff or faculty pending a hearing. In addition, violations of this policy by a member of the public may subject the violator to trespass from the campus and/or enforcement by a local law enforcement agency.

[Statutory Authority: RCW 28B.50.140. WSR 16-12-039, § 132S-200-140, filed 5/25/16, effective 6/25/16.]

WAC 132S-200-150 Trespass. Columbia Basin College campuses are open to the public, as are the buildings during business hours. To ensure safety of all on the campuses, the student conduct office and the campus security office may at times need to issue a trespass notice to an indi-

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vidual, trespassing that person or their vehicle from college property.

Trespass notices may be issued by the student conduct officer or campus security officers to an individual who has violated the student rights and responsibilities code, college regulations specified in Title 132S WAC, administrative policies, state law or municipal codes, or has willfully jeopardized the safety of others.

When the student conduct officer or any campus security officer deems that any of the above criteria have been met, he or she will issue a trespass notice to the individual. A copy of the notice will be kept on file at the campus security office and may be shown to the local law enforcement agencies if an arrest for violation of the trespass order is necessary in the future.

(1) Temporary trespass notice.

(a) A temporary trespass notice of up to twenty-four hours can be issued, without a right to appeal, to any person for whom the college has received a complaint or who has been observed doing any of the following:

- (i) Causing harm or inflicting injury to college community members;
- (ii) Threatening or intimidating members of the community;
- (iii) Disrupting academic and administrative business of the college;
- (iv) Causing damage to college or personal property; and/or
- (v) Violating college policy, college regulation or the student conduct code.

(b) A temporary trespass notice will be hand delivered to the recipient at the time of the incident or as soon as possible if the recipient has left college grounds. Copies of all written notices are kept on file with the campus security office.

(c) If an individual violates the temporary trespass notice, the student conduct officer or the campus security officer can extend the trespass to remain in effect for up to two weeks.

(d) Individuals have the right to appeal a trespass that is longer than twenty-four hours.

(2) Permanent trespass notice.

(a) Individuals who are not current students of the college can be issued a permanent trespass by the campus security office if deemed necessary to protect the campus community. Permanent trespass notices will be hand delivered or sent via U.S. mail (certified receipt) to the individual.

(b) A permanent trespass can be simultaneously administered with the assistance of local law enforcement agencies and their official trespass notification.

(c) Individuals have a right to appeal a permanent trespass.

(3) Student trespass appeals process.

(a) Currently enrolled students who wish to appeal a temporary trespass notice must contact the office of student conduct. However, a trespass notice that is in effect for twenty-four hours or less cannot be appealed.

(b) Students, who are permanently trespassed through the student rights and responsibility code process will be notified through the sanction letter from the student conduct officer.

(4) Nonstudent trespass appeals process.

(a) Nonstudents who are not currently enrolled who wish to appeal a trespass notice must contact the office for the vice president of administrative services.

(b) The criteria used for the appeals review include, but are not limited to:

- (i) Determination of the threat posed by the individual to the community;
- (ii) Review of the individual's need to be present on campus (with limitations when decided as appropriate); and
- (iii) Review of the incident or supporting documentation that resulted in the trespass notice being issued.

(c) The vice president for administrative services will review one appeal or request from the trespassed individual for modification per year and reserves the right to deny any appeal based on the safety of the campus community.

(d) If the vice president of administrative services considers modifying or rescinding a trespass notice, he may consult with other college personnel as part of the appeal review process, such as the student conduct officer or the vice president for human resources and legal affairs.

(e) Notification of the outcome of the appeal will be sent to the requestor within thirty days of the request via U.S. mail (certified receipt).

[Statutory Authority: RCW 28B.50.140. WSR 16-12-039, § 132S-200-150, filed 5/25/16, effective 6/25/16.]