

WAC 132S-100-030 Definitions. Assembly - Any overt activity engaged in by one or more persons, the object of which is to gain publicity, advocate a view, petition for a cause or disseminate information to any person, persons or group of persons.

Board of trustees - The board of trustees of Community College District No. 19, state of Washington.

Bullying - Physical or verbal abuse, repeated over time, and involving a power imbalance between the aggressor and victim.

College - Columbia Basin College, established within Community College District No. 19, state of Washington.

College facilities - Any and all real property controlled or operated by the college, including all buildings and appurtenances affixed thereon or attached thereto.

College premises - All land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the college, including adjacent streets and sidewalks.

Complainant - A person who reports that a violation of the student code of conduct has occurred towards themselves, another person, and/or group of people.

Complaint - A description of facts that allege a violation of student code of conduct or other college policy.

Consent - Knowing, voluntary and clear permission by word or action, to engage in mutually agreed upon activity, including sexual activity. A person cannot consent for sexual activity if they are not of legal age, unable to understand what is happening or is disoriented, helpless, asleep, or unconscious for any reason, including due to alcohol or other drugs. Intoxication is not a defense against allegations that an individual has engaged in nonconsensual sexual activity.

Cyberstalking, cyberbullying, and online harassment - The prohibited behavior of stalking, bullying, and/or harassment through the use of electronic communications including, but not limited to, electronic mail, instant messaging, electronic bulletin boards, and social media sites, which harms, threatens, or is reasonably perceived as threatening the health or safety of another person.

Disciplinary action - The sanctioning of any student pursuant to WAC 132S-100-430 for the violation of any designated rule or regulation of the college, including rules of student conduct, for which a student is subject to adverse action.

Harassment - Conduct by any means that is severe, persistent, or pervasive, and is of such a nature that it would, or does cause a reasonable person substantial emotional distress and undermine their ability to work, study, or participate in their regular life activities or participate in the activities of the college.

Instructional day - Any regularly scheduled instructional day designated in the academic year calendar, including summer quarter, as a day when classes are held or during final examination week. Saturdays and Sundays are not regularly scheduled instructional days.

Policy - The written regulations of the college as found in, but not limited to, the student code of conduct and any other official regulation written or in electronic form.

Preponderance of the evidence - The standard of proof used with all student disciplinary matters at CBC that fall within the student code of conduct, which means that the amount of evidence needs to be at fifty-one percent or "more likely than not" before a student is found responsible for a violation.

President - The chief executive officer appointed by the board of trustees or, in such president's absence, the acting president or oth-

er appointed designee. The president is authorized to delegate any and all of their responsibilities as may be reasonably necessary.

Respondent - The student against whom disciplinary action is being taken or initiated.

Rules of the student conduct code - The rules contained herein as now exist or which may be hereafter amended, the violation of which subject a student to disciplinary action.

Service - The process by which a document is officially delivered to a party. Service is deemed complete upon hand delivery of the document or upon the date the document is electronically mailed and deposited into the mail.

Stalking - Intentional and repeated harassment or following of another person, which places that person in reasonable fear that the perpetrator intends to injure, intimidate, or harass that person. Stalking also includes instances where the perpetrator knows or reasonably should know that the person is frightened, intimidated, or harassed, even if the perpetrator lacks such intent.

Student - Any person taking courses either full-time or part-time, or participating in any other educational offerings at CBC, excluding students enrolled in the High School Academy. If a student withdraws after allegedly violating the student code of conduct, but prior to the college reaching a disciplinary decision in the matter, the college can move forward with the disciplinary process, place the process on hold until the student returns, or choose to place the investigation results in the student's file for consideration should they reapply for admittance to reenroll in the college.

Student appeals board - Also referred to as the "SAB" or "appeals board." The SAB presides over the appeal process for the SCO and SCB conduct decisions that a student has timely appealed as set forth herein.

Student conduct board - Also referred to as the "SCB" is a hearing panel for some disciplinary matters as set forth herein.

Student conduct officer - Also referred to as "conduct officer" and/or "SCO" is the person designated by the college president to be responsible for the administration of the student code of conduct or, in such person's absence, the acting SCO or other appointed designee. The SCO is authorized to delegate any and all of his/her responsibilities as may be reasonably necessary.

[Statutory Authority: RCW 28B.50.140. WSR 16-12-039, § 132S-100-030, filed 5/25/16, effective 6/25/16.]