

TRANSMITTAL OF RULES ADOPTED BY INSTITUTION OF HIGHER EDUCATION

FROM: Community College District 12  
(Name of Institution)

TO: CODE REVISER  
LEGISLATIVE BLDG. (Southwest Corner, Ground Floor)  
OLYMPIA 98504

The enclosed rules Permanent rules  , being Order No. 77-29  
Emergency rules   
relating to (Name of rules or description of subject matter)

Student Rights and Responsibilities for Olympia Technical Community College:

WAC 132L-520-010 through WAC 132L-520-170;

WAC 132L-522-010 through WAC 132L-522-080: Code Procedures; and

WAC 132L-524-010 through WAC 132L-524-090: Summary Suspension Rules;

(ALTERNATIVE A. Use only for adoption of permanent rules)

pursuant to Notice No. 7576 ① filed with the code reviser  
on May 18, 1977 ② were regularly adopted as permanent rules of  
(date)  
this institution at O.T.C.C. on June 9, 1977 and are herewith  
(place) (date)  
filed in the office of the code reviser pursuant to chapter 28B.19  
RCW. The effective date of such rules shall be -- ③

(ALTERNATIVE B. Use only for adoption of emergency rules)

pursuant to its finding in the attached administrative order,  
that the immediate adoption of these rules is necessary for the  
preservation of the public health, safety, or general welfare and  
that observance of the requirements of notice and opportunity to  
present views on the proposed action would be contrary to the  
public interest, were regularly adopted as emergency rules of this  
institution at \_\_\_\_\_ on \_\_\_\_\_ and  
(place) (date)  
are herewith filed in the office of the code reviser pursuant to  
chapter 28B.19 RCW.

The undersigned hereby certifies that the requirements of chapter  
28B.19 RCW and of the Open Public Meetings Act of 1971, chapter  
42.30 RCW have been fulfilled.

Dated this \_\_\_\_\_ Nineteenth (19th) day of August 1977.

STATE OF WASHINGTON  
**FILED**

SEP 1 1977

CODE REVISER'S OFFICE  
DOCKET # 8439 FILE # 1

Community College District 12  
(INSTITUTION)  
[Signature]  
By \_\_\_\_\_  
District President  
Title

- ① Notice number as appears on the copy of notice returned to you by reviser's office (if proceedings were continued, use no. of last notice)
- ② Stamped date as appears on the copy of notice returned to you by reviser's office (if proceedings were continued, use date of last notice)
- ③ Unless a later date is specified in this order or is prescribed in another statute, rules are effective 30 days after filing: RCW 28B.19.050(2). Leave this space blank except in such special cases.

ADMINISTRATIVE ORDER  
Community College District No. 12  
Adoption of Rules

A resolution relating to the adoption of permanent rules of Community College District No. 12, specifically, student rights and responsibilities rules at the Olympia Technical Community College campus.

This rule is promulgated under the general rule, making authority of the Community College Board of Trustees as authorized in RCW 28B.50.140.

The orderly operation of a community college campus demands the adoption of rules outlining student rights and the rules of the institution by which the students enrolled must conduct themselves.

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees of Community College District No. 12 adopt permanent rules WAC 132L-520-010 through 132L-520-170; and WAC 132L-522-010 through 132L-522-080; and WAC 132L-524-010 through 132L-524-090, a copy of which rules are attached and made a part of this reference.

BE IT FURTHER RESOLVED that this administrative order after first being recorded in the Order Register of this agency shall be forwarded to the Code Reviser together with the rules referred to above for filing, pursuant to Chapter 34.04 RCW.

I certify that the foregoing, together with the attached rules, accurately reflects the action taken by the Board of Trustees of Community College District No. 12 during the course of their regularly scheduled public meeting held June 9, 1977.



President, Community College District  
No. 12; Secretary Board of Trustees

## Chapter 132L-520

## STUDENT RIGHTS AND RESPONSIBILITIES

## WAC

- 132L-520-010 Preamble.
- 132L-520-020 Definitions.
- 132L-520-030 Jurisdiction.
- 132L-520-040 Authority to prohibit trespass.
- 132L-520-050 Right to demand identification.
- 132L-520-060 Freedom of access to higher education.
- 132L-520-070 Freedom of expression.
- 132L-520-080 Freedom of association and organization.
- 132L-520-090 Student participation in college governance.
- 132L-520-100 Student records.
- 132L-520-110 Student publications.
- 132L-520-120 Distribution and posting of materials.
- 132L-520-130 Commercial and promotional activities.
- 132L-520-140 Use of college facilities.
- 132L-520-150 Noncollege speaker policy.
- 132L-520-160 Violations.
- 132L-520-170 Emergency procedures.

NEW SECTION

WAC 132L-520-010 PREAMBLE. Olympia Technical Community College is dedicated not only to learning and the advancement of knowledge but also to the development of ethically sensitive and responsible persons. It seeks to achieve these goals through a sound education program and policies concerning conduct that encourages independence and maturity while strengthening the spirit of mutual cooperation and responsibility shared by all members of the college community. Sharing goals held in common, the students, faculty, and staff of Olympia Technical Community College are joined in voluntary association in an educational community.

The student is, first of all, a member of the community at large, and as such, is entitled to the rights and responsibilities of any citizen of comparable age and maturity. In addition, students, as members of the college community are in the unique position of being citizens of two communities, subject to the regulations imposed by both and accountable to both.

Olympia Technical Community College expects that students will respect the laws of the greater society. As an agency of the state of Washington, the college must respect and adhere to the regulations established by local, state, and federal authorities. As an educational institution, it has the added responsibility for assisting students in gaining an understanding of the law and its function, and the responsibilities imposed upon each individual in a democratic society to respect and support the legal structure which protects the individual and the society. As a functioning organization, it also has the responsibility to develop a set of regulations to assure the orderly conduct of the affairs of the college.

Admission to the college carries with it the expectation that students will conduct themselves as responsible members of the college community, that they will comply with the rules and regulations of the college, maintain high standards of integrity and honesty, respect the rights, privileges and property of other members of the college community and will not interfere with legitimate college affairs.

An atmosphere of learning and self-development is created by appropriate conditions in the college community. The rights and responsibilities in this document are critical ingredients in the free, creative, and spirited educational environment to which the students, faculty and staff of Olympia Technical Community College are committed.

#### NEW SECTION

WAC 132L-520-020 DEFINITIONS. As used in this Code of Student Rights and Responsibilities the following words and phrases shall mean:

(1) "Assembly" means any overt 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 person, persons or group of persons.

(2) "ASOTCC Student Senate" means the representative governing body for students at OTCC recognized by the District Board of Trustees.

(3) "Board" means the board of trustees of Community College District 12, state of Washington.

(4) "college" means Olympia Technical Community College (OTCC), located within Community College District 12, state of Washington.

(5) "college facilities" means and includes any or all real and personal property owned or operated by the college and shall include all buildings and appurtenances affixed thereon or attached thereto.

(6) "college personnel" refers to any person employed by Community College District 12, on a full time or part time basis, except those who are faculty members.

(7) "Disciplinary action" means and includes suspension or any lesser sanction of any student by the director of student services, the student hearing committee, executive director, district president, or the board of trustees for the violation of any of the provisions of the Code of Student Rights and Responsibilities for which such sanctions may be imposed.

(8) "District" means Community College District 12, state of Washington.

(9) "District President" means the duly appointed chief executive officer of Community College District 12, state of Washington, or in his/her absence, the acting chief executive officer.

(10) "Executive director" means the duly appointed chief executive officer of Olympia Technical Community College, Community College District 12, state of Washington, or in his/her absence, the acting chief executive officer.

(11) "Faculty members" means any employee of Olympia Technical Community College who is employed on a full time or part time basis as a teacher, counselor, librarian, or other position for which the training, experience, and responsibilities are comparable as determined by the appointing authority, except administrative appointments.

(12) "Recognized student organization" means and includes any group or organization composed of students which is formally recognized by the student government of the college.

(13) A "sponsored event or activity" means any activity that is scheduled by the college and is supervised and controlled by the college's faculty members or college personnel. Such "sponsorship" shall continue only as long as the event is supervised and controlled by the college faculty member or college personnel. When the sponsored event or activity is of prolonged nature, and free time periods are permitted to the students participating in the event, any activity taking place during such a free time period outside of the supervision and control of the college's faculty member or college personnel responsible for the event or activity shall be deemed to be a nonsponsored activity.

(14) "Student", unless otherwise qualified, means and includes any person who is enrolled for classes or formally in the process of applying for admission to the college.

NEW SECTION

WAC 132L-520-030 JURISDICTION. (1) All rules herein adopted shall apply to every student whenever said student is present upon or in any college facility and whenever said student is present at or engaged in any college sponsored activity or function which is held on or in noncollege facilities not open to attendance by the general public.

(2) Faculty members, other college employees, and members of the public who breach or aid or abet another in the breach of any provision of this chapter shall be subject to possible prosecution under the state criminal trespass law and/or any other possible civil or criminal remedies available to the public and/or appropriate disciplinary action pursuant to the state of Washington higher education personnel board rules or the district's tenure rules and regulations.

NEW SECTION

WAC 132L-520-040 AUTHORITY TO PROHIBIT TRESPASS. (1) The executive director is authorized in the instance of any event that the executive director deems impedes the movement of persons or vehicles or which the executive director deems to disrupt or threatens to disrupt the ingress and/or egress of persons from college facilities, and the executive director acting through the director of student services, or such other designated person shall have authority and power to:

(a) Prohibit the entry of, withdraw the license or privilege of a person or persons or any group of persons to enter onto or remain upon any portion of a college facility; or

(b) Give notice against trespass to any person, persons, or group of persons against whom the license or privilege has been withdrawn or who have been prohibited from, entering onto or remaining upon all or any portion of a college facility; or

(c) Order any person, persons or group of persons to leave or vacate all or any portion of a college facility.

(2) Any student who shall disobey a lawful order given by the executive director or designee pursuant to the requirements of subsection (1) of this rule shall be subject to disciplinary action.

NEW SECTION

WAC 132L-520-050 RIGHT TO DEMAND IDENTIFICATION. (1) For the purpose of determining identity of a person as a student any faculty member or other college personnel authorized by the executive director may demand that any person on college facilities produce evidence of student enrollment at the college. Tender of the student identification card will satisfy this requirement.

(2) Refusal by a student to produce identification as required shall subject the student to disciplinary action.

NEW SECTION

WAC 132L-520-060 FREEDOM OF ACCESS TO HIGHER EDUCATION. Students are free to pursue their educational goals; appropriate opportunities for learning in the classroom and on the campus shall be provided by the district. Olympia Technical Community College shall maintain an open-door policy, to the end that no students will be denied admission because of the location of the student's residence, or because of the student's educational background or ability; that, insofar as is practical in the judgment of the college board, curriculum offerings shall be provided to meet the educational and training needs of the community generally and the students thereof; and that all students, regardless of their differing courses of study, will be considered, known and recognized equally as members of the student body: PROVIDED, That the administrative officers of Olympia Technical Community College may deny admission to a prospective student or attendance to an enrolled student if, in their judgment, the student would not be competent to profit from the curriculum offerings of the community college, or would, by the student's presence or conduct, create a disruptive atmosphere within the community college inconsistent with the purpose of the institution.

NEW SECTION

WAC 132L-520-070 FREEDOM OF EXPRESSION. Fundamental to the democratic process are the rights of free speech and peaceful assembly. Students and other members of the college community shall always be free to express their views or support causes by orderly means which do not disrupt the regular and essential operation of the college.

Concomitantly, while supporting the rights of students and other members of the college community, Olympia Technical Community College recognizes the responsibility to maintain an atmosphere on campus conducive to a sound educational endeavor.

To insure the reconciliation of such rights and responsibilities, while respecting the private rights of all individuals, campus demonstrations may be conducted only in areas which are generally available to the public provided such demonstrations are conducted in an orderly manner, do not interfere with vehicular or pedestrian traffic, do not interfere with processes of the college and are not held in or on facilities where college functions are in progress.

NEW SECTION

WAC 132L-520-080 FREEDOM OF ASSOCIATION AND ORGANIZATION. Students bring to the campus a variety of interests previously acquired and develop many new interests as members of the college community. They are free to organize and join associations to promote any legal purpose, whether it be religious, political, educational, recreational, or social.

Student organizations must be granted a charter by the Olympia Technical Community College student government before they may be officially recognized. Prior to becoming chartered, a student organization must submit to the student government a statement of purpose, criteria for membership, a statement of operating rules or procedures, and the name of a faculty member who has agreed to serve as advisor. All student organizations must also submit to the student government a list of officers and keep that list updated when changes occur. In order to qualify for issuance of a charter, a student organization

must be open to all students without respect to race, sex, creed or national origin, except for religious qualification which may be required by organizations whose aims are primarily sectarian, or for other reasonable justifications which are directly related to the purposes of the organization. Affiliation with a noncampus organization shall not be grounds for denial of charter provided that other conditions for charter issuance have been met.

#### NEW SECTION

WAC 132L-520-090 STUDENT PARTICIPATION IN COLLEGE GOVERNANCE. As members of the college community, students will be free, individually and collectively, to express their views on college policy, and on matters of general interests to the student body. The ASOTCC constitution and the college's administrative procedures provide clear channels for student participation in the formulation and application of institutional policies regarding academic and student affairs. Individuals affected by a policy shall have a representative voice in the formulation of that policy.

#### NEW SECTION

WAC 132L-520-100 STUDENT RECORDS. In compliance with the Family Educational Rights and Privacy Act, this policy has been created to insure continued confidentiality of student records at Olympia Technical Community College and govern the release of personally identifiable information contained within.

(1) Education Records. Education records are defined as those records, files, and documents containing information directly pertaining to a student. At Olympia Technical Community College these are: (a) Records pertaining to admission, advisement, registration, grading, and progress to a degree that are maintained by the registrar; (b) testing information used for advisement purposes by the counseling center; (c) information concerning payment of fees as maintained by the treasurer; (d) financial aid information as collected by the financial aid office; (e) information regarding students participating in student government or athletics that is maintained by the student programs office.

(2) Access to Education Records. Students who are or have attended Olympia Technical Community College have the right to examine or review their personal records, as defined above, by submitting to the registrar a written request indicating education records to which access is desired.

Charges for reproduced copies of education records are found in the current catalog.

(3) Directory Information. The following information is considered "Directory Information" and thus may be disclosed without consent of the student, unless otherwise directed by the student, at any time, to the registrar in writing: The student's name, address, telephone number, date and place of birth, major field of study, eligibility for and participation in officially recognized activities, organizations, and sports, weight and height of members of athletic teams, dates of attendance, honor roll, degrees and awards received, and the most recent previous educational agency or institution attended by the student.

(4) Disclosures from Education Records. In addition to directory information the college will, at its discretion, make disclosures from education records of students with the student's prior written consent or to the following listed parties:

(a) College officials including college administrative and clerical staff, faculty, and students where officially elected or appointed to the student senate or employed by the college. Access or release of records to the above is permissible only when the information is required for advisement, counseling, record keeping, reporting, or other legitimate educational interest consonant with their specific duties and responsibilities.

(b) To officials of another school in which the student seeks or intends to enroll.

(c) To authorized federal, state, or local officials as required by law.

(d) In connection with financial aid for which the student has applied or received.

(e) To accrediting organization, or organizations conducting studies for or on behalf of the institution.

(f) To appropriate parties in a health or safety emergency.

(g) To parents of a dependent student, as defined in section 152 of the Internal Revenue Code of 1954, upon receipt of a written affidavit stating that the student is a dependent for income tax purposes. This, however, will not affect the other rights of the student.

In cases where consent of the student is required for release of education records, the student shall in writing, signed and dated by the student, specify: The records to be disclosed, the purpose or purposes of the disclosure, and the name of the party or parties to whom the disclosure can be made.

When personally identifiable information is released without prior consent of the student, other than directory information and information released to college officials or the student, the college official in charge of these records will record the names of the parties who have requested information from educational records and the nature of the interest in that information.

Education records released to third parties shall be accompanied by a statement indicating that the information can not be subsequently released in a personally identifiable form to other parties without obtaining the consent of the student. The college is not precluded from permitting third party disclosures to other parties listed in (a) through (g) above.

(5) Challenge of Education Records. Students who believe that information contained in their education records is inaccurate, misleading or violates the privacy or other rights of the student may request in writing to the appropriate college official that the college amend their record(s). The college official(s) will make every effort to settle disputes through informal meetings and discussion with the student.

In instances where disputes regarding contents of education records can not be resolved by the parties concerned, the college official involved shall advise the student of the right to a hearing by the Academic Standards Committee through a written request to the registrar. Should the Academic Standards Committee deem that the education records in question are inaccurate or misleading, the committee can ask that the records be amended by the appropriate college official. If the education records are held to be accurate, the student shall be granted the opportunity to place within those records a personal statement commenting upon the information contained within.

Each eligible student is afforded the right to file a complaint concerning alleged failures by the college to comply with the requirements of the act. The address of the office designated to investigate, process, and review violations and complaints which are filed is:

The Family Educational Rights and Privacy Act Office (FERPA),  
Department of Health, Education, and Welfare; 330 Independence  
Avenue, S.W.; Washington, D.C. 20201.

Copies of the Federal Register pertaining to the Family Education Rights and Privacy Act may be obtained from:



Superintendent of Documents; U.S. Government Printing Office;  
Washington, D.C. 20402.

#### NEW SECTION

WAC 132L-520-110 STUDENT PUBLICATIONS. Olympia Technical Community College recognizes the fact that student publications are a valuable aid in establishing and maintaining an atmosphere of free and responsible discussion and of intellectual exploration on the campus. They are a means of bringing student concerns to the attention of the faculty and institutional authorities and of formulating opinion on various issues on the campus and in the college community at large. They may serve as a means of journalistic and/or creative expression.

Olympia Technical Community College, as the publisher of student publications, must bear the legal responsibility for the contents of the publications. For this reason it has approved a student publications policy and created a student publications board charged with the enforcement of that policy.

The student publications policy protects the student's freedom to deal with any ideas and to express any opinions in the student publications without fear of their censorship. Editors and managers of student publications are protected from arbitrary suspension and removal. Only for proper and stated causes, as outlined in the statement of purpose or philosophy adopted for each student publication, should editors and managers be subject to removal and then by orderly and prescribed procedures.

At the same time, the student publications policy has charged the student editors and managers with corollary responsibilities to be governed by the canons of responsible journalism, including the avoidance of libel, indecency, undocumented allegations, attacks on personal integrity, and the techniques of harassment and innuendo.

#### NEW SECTION

WAC 132L-520-120 DISTRIBUTION AND POSTING OF MATERIALS. The Olympia Technical Community College encourages free expression. Use of college facilities as provided herein, however, does not accord users immunity from legal action.

Permission for posting of literature in the various restricted areas provided therefore, shall be obtained from the following college officials:

(1) The student programs officer for posting on the restricted posting areas of the student center and those areas located on the campus outside of college buildings.

(2) Directors for posting on the restricted posting areas provided in the appropriate college facility.

ASOTCC campaign rules govern special poster and sign locations for ASOTCC elections. Information on these special policies and regulations is available in the ASOTCC office.

Posting of posters, signs, and other publicity or promotional materials is permitted only in the locations specified above. All material sought to be posted in restricted posting areas must have the identity of its sponsorship appearing on its face.

The dissemination or distribution of materials by persons on the public streets, walks and ways of the campus, shall be subject to the laws of the city of Olympia, Thurston county, state of Washington and the United States.

Permission for the dissemination or distribution of materials in other areas of the college campus, buildings and facilities shall be

obtained from the student programs officer. Persons distributing materials without permission shall be subject to provisions of the Code of Student Rights and Responsibilities.

#### NEW SECTION

WAC 132L-520-130 COMMERCIAL AND PROMOTIONAL ACTIVITIES. College facilities may not be used for commercial solicitation, advertising, or promotional activities except when such activities clearly serve educational objectives (as in display of books or technical equipment of interest to the academic community), and when they are conducted under the sponsorship or at the request of a college department or the associated students, and so long as such use does not interfere with or operate to the detriment of the conduct of college affairs.

#### NEW SECTION

WAC 132L-520-140 USE OF COLLEGE FACILITIES. Any recognized ASOTCC organization may request approval from the student programs officer to utilize available college facilities for authorized activities as provided for in official ASOTCC documents. Facilities will be provided free of charge to the organization except when such use necessitates staffing and services beyond regular college requirements. Standard college fees will be charged in these cases.

Use of facilities for purposes other than those approved or in an irresponsible manner may result in withdrawal of this privilege for an organization.

Student organizations should schedule facility use requests with the student programs officer at least three academic calendar days in advance of an event whenever possible.

#### NEW SECTION

WAC 132L-520-150 NONCOLLEGE SPEAKER POLICY. The trustees, the administration, and the faculty of Olympia Technical Community College subscribe to the proposition that an important aspect of the education of college students is the opportunity to listen to speakers representing a wide variety of opinions and beliefs on important public issues. In conformity with the American tradition of free speech and free inquiry, the following policies are established governing the appearance on campus of speakers not themselves members of the college community:

(1) Any recognized ASOTCC student organization with the written sanction of its advisor, may ask individuals to speak on campus subject to normal restraints imposed by considerations of common decency and the state law.

(2) The appearance of a speaker on the campus does not involve an endorsement either implicit or explicit, of the persons views by Olympia Technical Community College, its students, its faculty, its administration, or its board of trustees.

(3) The scheduling of facilities for hearing invited speakers shall be made through the office of the student programs officer.

(4) The student programs officer or designee will be notified at least three academic calendar days prior to the appearance of an invited speaker, at which time a form (available in the student

activities office) must be completed with such particulars as name of speaker speech or discussion topic, time of appearance(s) and sponsoring organization. The form must bear the signature of the sponsoring organization's advisor. Exceptions to the three day ruling may be made by the student programs officer with the approval of the director of student services.

(5) The director of student services may require views other than those of the invited speaker to be presented at the meeting, or at a subsequent meeting. The executive director may assign a faculty member to preside over any meeting where a speaker has been invited.

#### NEW SECTION

WAC 132L-520-160 VIOLATIONS. Any student shall be subject to immediate disciplinary action provided for in Code Procedures and Summary Suspension Rules who, either as a principal actor or aider or abettor:

(1) Materially and substantially interferes with the personal rights or privileges of others, or the educational process of the college;

(2) Violates any provision of the Code of Student Rights and Responsibilities;

(3) Commits any of the following acts which are hereby prohibited:

(a) All forms of dishonesty including cheating, plagiarism, knowingly furnishing false information to the college, and forgery, alteration or use of college documents or instruments of identification with intent to defraud;

(b) Failure to comply with lawful directions of faculty, administrators and other regularly employed personnel acting in performance of their lawful duties;

(c) Conduct which intentionally and substantially obstructs or disrupts freedom of movement, teaching, research, administration, disciplinary proceedings or other lawful activities on the college campus;

(d) Physical abuse of any person or conduct which is intended unlawfully to threaten imminent bodily harm or to endanger the health or safety of any person on college-owned or controlled property or at college-sponsored or supervised functions;

(e) Malicious damage to or malicious misuse of college property, or the property of any person where such property is located on the college campus;

(f) Refusal to comply with any lawful order to leave the college campus or any portion thereof;

(g) Possession or use of firearms, explosives, dangerous chemicals or other dangerous weapons or instrumentalities on the college campus, except for authorized college purposes; unless prior written approval has been obtained from the director of student services, or any other person designated by the executive director;

(h) Intentionally inciting others to engage immediately in any of the conduct prohibited herein, which incitement leads directly to such conduct. (Inciting is that advocacy which prepares the group addressed for imminent action and steels it to the conduct prohibited herein);

(i) Possessing, consuming or furnishing of alcoholic beverages on college-owned or controlled property or at college-sponsored or supervised functions where prohibited by law;

(j) Disorderly conduct, including disorderly conduct resulting from drunkenness;

(k) Engaging in lewd, indecent, or obscene behavior on college-owned or controlled property or at college-sponsored or supervised functions;

(l) Using, possessing, furnishing, or selling any narcotic or dangerous drug as those terms are used in Washington statutes, except when the use or possession of a drug is specifically prescribed as medication by an authorized medical doctor or dentist;

(m) 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;

(n) Theft or conversion of college property or private property;

(o) Entering an administrative office or any locked or otherwise closed college facility in any manner, at any time, without permission of the college employee or agent in charge thereof.

NEW SECTION

WAC 132L-520-170 EMERGENCY PROCEDURES. In the event of activities which interfere with the orderly operation of the college as defined in WAC 132L-520-070, Freedom of Expression, the director of student services or the executive director or their designees shall determine the course of action which appears to offer the best possibility of resolution of the problem. The emergency procedures outlined below will be followed if deemed essential:

(1) Inform those involved in such activities that they are in violation of college and/or civil regulations.

(2) Inform them that they should cease and desist. Indicate an area on campus where they are able to conduct their activities without interfering with the operation of the college, if such an area is available.

(3) If they do not respond within a reasonable time, call the civil authorities.

## Chapter 132L-522

## CODE PROCEDURES

NEW SECTION

WAC 132L-522-010 PURPOSE OF DISCIPLINARY ACTIONS. (1) The college may apply sanctions or take other appropriate action when student conduct materially and substantially interferes with the college's (a) primary educational responsibility of ensuring the opportunity for all students of the college community to attain their educational objectives, or (b) subsidiary responsibilities of protection and maintaining property, keeping records, other services, and sponsoring nonclassroom activities such as lectures, concerts, athletic events, and social functions. Disciplinary action proceedings shall determine whether and under what conditions the violator may continue as a student at the college.

(2) Nothing herein shall prevent faculty members from taking reasonable summary action as may be reasonably necessary to maintain order when they have reason to believe that such action is necessary for the physical safety and well-being of the student, or the safety and protection of other students or of college property or where the student's conduct materially and substantially disrupts the educational process.

(3) Such summary action in the form of removal from the classroom shall be effective for a period not to exceed two scheduled classroom days.

(4) Faculty shall maintain a written record of any summary action and a copy be on file with the director of student services within two scheduled classroom days.

(5) Any summary action may be appealed to the director of student services for an informal hearing.

NEW SECTION

WAC 132L-522-020 INITIAL PROCEEDINGS. (1) Initiation of Prosecution. Students, faculty members, administrators and other employees of the district shall have concurrent authority to report violations which will be acted upon by the director of student services. All disciplinary proceedings will be initiated by the director of student services or designated representative.

(2) Notice Requirements. Any student charged in a report filed pursuant to WAC 132L-522-020(1), with a violation of the Code of Student Rights and Responsibilities shall be notified by the director of student services or designated representative within two academic calendar days after the filing of such a report, if possible. The notice shall not be ineffective if presented later due to the student's absence. Such notice shall:

(a) Inform the student that a report has been filed alleging that the student violated specific provisions of the Code and the date of the violation; and

(b) Set forth those provisions allegedly violated; and

(c) Specify the exact time and date the student is required to meet with the director of student services; and

(d) Specify the exact time, date, and location of the formal hearing, if one is required; and

(e) Inform the student that he/she may question witnesses, that he/she may have anyone appear in his/her behalf to defend him/her, that he/she may have a maximum of three character witnesses appear in his/her behalf; and

(f) Inform the student that failure to appear at either of the appointed times at the director of student services office or at the hearing may subject the student to suspension from the institution for a stated or indefinite period of time.

(3) Meeting with the director of student services.

(a) At the meeting with the director of student services the student shall be informed of provisions of the Code of Student Rights and Responsibilities that are involved, that the student may appeal any sanction imposed by the director of student services and that if a hearing is required, the student may have the hearing open to the public. If the student requests a formal hearing, the director of student services shall take no action nor make any determination in the matter other than to inform the student again of the time, date, and location of the formal hearing.

(b) After considering the evidence in the case and interviewing the student or students involved, the director of student services may take any of the following actions:

(i) Terminate the proceedings exonerating the student or students; or

(ii) Dismiss the case after whatever counseling and advice may be appropriate; or

(iii) Impose minor sanctions directly (warning, reprimand, fine, restitution, disciplinary probation) subject to the student's right of appeal described below; or

(iv) Refer the matter to the student hearing committee for a recommendation to the executive director as to appropriate action; or

(v) Recommend through the executive director to the district president that the student be suspended. The student shall immediately be notified in writing of such recommendation and of the right to a hearing before the student hearing committee prior to the district president's final decision.

(c) A student accused of violating any provision of the Code of Student Rights and Responsibilities shall be given immediate notification of any disciplinary action taken by the director of student services or designated representative.

(d) No disciplinary action taken by or at the recommendation of the director of student services or designated representative is final unless the student fails to exercise the right of appeal as provided for in these rules. The executive director, district president or designated representative after reviewing the case, including any statement the student may file with the executive director or district president, shall either give written approval of the action taken by or at the recommendation of the director of student services, or give written direction as to what lesser disciplinary action, if any, is to be taken.

NEW SECTION

WAC 132L-522-030 APPEALS. (1) Appeals contesting recommendation of disciplinary action(s) shall be taken in the following order:

(a) Disciplinary action taken by or at the recommendation of the director of student services or designated representative may be appealed to the student hearing committee;

(b) Disciplinary recommendations made by the student hearing committee may be appealed by the student to the executive director; in the case of a recommendation for suspension it may be appealed to the district president;

(c) Disciplinary action taken by the district president and resulting in suspension may be appealed by the student to the board of trustees and their decision shall be final.

(2) All appeals by a student must be made in writing to the committee, executive director, district president or board of trustees and presented to the committee, executive director, district president or chairman of the board of trustees within ten calendar days after the student has been notified of the action from which there is right of appeal.

#### NEW SECTION

WAC 132L-522-040 STUDENT HEARING COMMITTEE. (1) Composition. Olympia Technical Community College shall have a standing committee composed of nine members, who shall be chosen and appointed no later than October 15, of each year to serve as standing committee until their successors are appointed. The membership of the standing committee shall consist of three members of the administration, excepting the director of student services, chosen by the executive director; three faculty members chosen by the faculty organization; and three students chosen by the ASOTCC student senate. Any student entitled to a hearing before a student hearing committee shall choose, in writing, five members of the standing committee to hear and decide the appeal: PROVIDED, That the student must choose at least one student, one faculty member, and one member of the administration from the nine member standing committee. The balance of the student hearing committee, two members, may be chosen from the remainder of the standing committee, except that both shall not be from the same classification. In the event that unforeseen circumstances prevent a previously selected committee member from attending the hearing, the student must choose a replacement from among the balance of the standing committee.

(2) Procedures for Hearing.

(a) Five members of the student hearing committee will hear, de novo, and make recommendations to the executive director on all disciplinary cases appealed to the committee by the student or referred to it by the director of student services or designated representative. Recommendations involving suspension will be referred to the district president.

(b) The student hearing committee shall elect from among its five members a chairman for the purpose of presiding at the disciplinary hearing.

(c) Hearings generally will be held in closed session, except when a student requests that persons other than those directly involved be invited to attend. If at any time during the conduct of a hearing any person is disruptive of the proceedings, the chairman of the student hearing committee may exclude such person from the hearing room.

(d) The student has a right to a fair and impartial hearing before the committee on any charge of violating a provision or provisions of the Code of Student Rights and Responsibilities. The student's failure to cooperate with the hearing procedures hereinafter outlined, however, shall not preclude the committee from making its findings of fact, conclusions and recommendations as provided below. Failure by the student to cooperate may be taken into consideration by the committee in recommending to the executive director or the district president the appropriate disciplinary action.

(e) The student shall be given written notice of the time and place of the hearing before the committee. Said notice shall contain:

(i) A statement of the date, time, place and nature of the disciplinary proceedings.

(ii) A statement of the specific charges against the student including references to the particular sections of the Code of Student Rights and Responsibilities involved.

(iii) To the extent known, a list of witnesses who will appear and a summary description of any documentary or other physical evidence that will be presented by the college at the hearing.

(f) The student shall be entitled to hear and examine the evidence against him/her and be informed of the identity of its source; the student shall be entitled to present evidence in his/her own behalf and cross-examine witnesses testifying against him/her as to factual matters. The student shall have all authority possessed by the college to obtain information that the student specifically describes, in writing, and tenders to the director of student services no later than three days prior to the hearings or to request the presence of witnesses or the production of other evidence relevant to the hearings.

(g) The student may be represented by counsel of his/her choice at the disciplinary hearings. If the student elects to choose a duly licensed attorney admitted to practice in any state in the United States as counsel, the student must tender three days notice thereof to the director of student services.

(h) In all disciplinary proceedings the college may be represented by the director of student services or designee; the director of student services may then present the college's case against the student accused of violating the Code of Student Rights and Responsibilities, except that in those cases in which the student elects to be represented by a licensed attorney, the director of student services may elect to have the college represented by an assistant attorney general.

(i) The proceedings of the hearing shall be recorded. A copy thereof shall be on file at the office of the director of student services.

(j) The time of the hearing may be advanced by the committee at the request of the student or continued for good cause.

### (3) Admissible Evidence.

(a) Only those matters presented at the hearing, in the presence of the accused student, will be considered in determining whether the student hearing committee has sufficient cause to believe that the accused student is guilty of violating the rules that the student is charged with having violated.

(b) In determining whether sufficient cause, as stated in the preceding paragraph (a), does exist, members of the student hearing committee shall give probative effect to evidence which possesses probative value commonly accepted by reasonably prudent persons in the conduct of their affairs.

(c) The chairman of the student hearing committee shall, in the course of presiding at the disciplinary hearing, give effect to the rules of privilege recognized by law and exclude incompetent, irrelevant, immaterial and unduly repetitious evidence.

(4) Interference with Proceedings. Any student interfering with the proceedings of the meeting with the director of student services or the formal hearing or any subsequent hearings shall be in contempt of the proceedings and may be summarily suspended from the college by the director of student services, or the student hearing committee, or the executive director, or the district president, or the board of trustees at the time the interference takes place and shall be subject to suspension or any lesser sanction as may be determined by the student hearing committee, or executive director, or district president, or the board of trustees at the time the interference takes place or within fifteen academic calendar days thereafter.

### (5) Decision by the Committee.

(a) Upon conclusion of the disciplinary hearing, the student hearing committee shall consider all the evidence therein presented and decide by majority vote whether to recommend to the executive director or district president any of the following actions:

(i) That the college terminate the proceedings and exonerate the student or students;



- (ii) That the college impose minor sanctions directly, such as a warning, reprimand, fine, restitution, or disciplinary probation;
  - (iii) That the student be suspended from the college including a recommendation of the duration of such suspension.
- (b) The student shall be provided with a copy of the committee's findings of fact and conclusions regarding whether the student did violate any rule or rules of the Code of Student Rights and Responsibilities and the committee's recommendation to the executive director or district president. The committee shall also advise the student in writing of the right to present, within ten calendar days, a written statement to the executive director or district president appealing the recommendation of the committee.

#### NEW SECTION

WAC 132L-522-050 FINAL DECISION REGARDING DISCIPLINARY SANCTION. (1) The executive director or district president or designee (except the director of student services) shall after reviewing the record of the case prepared by the student hearing committee together with any statement filed by the student, include therein a written acceptance of the recommendation of the committee, or written directions as to what lesser disciplinary sanction shall be taken.

(2) If the executive director or district president or designee decides that discipline is to be imposed after the review provided by subsection (1) of this section, the executive director or district president shall notify the student in writing of the discipline imposed.

(3) In all cases of disciplinary action, the decision of the executive director or district president or designee shall be final except for these cases involving suspension if the suspension has been appealed to the board.

#### NEW SECTION

WAC 132L-522-060 DISCIPLINARY SANCTIONS. The following definitions of disciplinary terms have been established and shall be the sanctions imposed upon violators of the Code of Student Rights and Responsibilities:

(1) Warning. Notice to a student, either verbally or in writing, that the student has been in violation of college rules or regulations or has otherwise failed to meet the college's standards of conduct. Such warnings will include the statement that continuation or repetition of the specific conduct involved or other misconduct will normally result in one of the more serious disciplinary actions described below.

(2) Reprimand. Formal action censuring a student for violation of the college rules or regulations or for failure to meet the college's standards of conduct. Reprimands shall be made in writing to the student by the director of student services. A reprimand will include the statement that continuation or repetition of the specific conduct involved or other misconduct will normally result in one of the more serious disciplinary actions described below.

(3) Fines. The director of student services and/or the student hearing committee may assess monetary fines up to a maximum of twenty-five dollars against individual students for violation of college rules and regulations or for the failure to meet the college's standards of conduct. Failure to pay such fines within thirty days will result in suspension for an indefinite period of time as set

forth in subsection (6) of this section, but a student may be reinstated upon payment of the fine.

(4) Restitution. An individual student may be required to make restitution for damage or loss to the College or other property and for injury to persons. Failure to make restitution with thirty days will result in suspension for an indefinite period of time as set forth in subsection (6) of this section, but a student may be reinstated upon payment.

(5) Disciplinary Probation. Formal action placing conditions upon the student's continued attendance for violation of college rules or regulations or other failure to meet the college's standards of conduct. The office or agency placing the student on disciplinary 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 suspension 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.

(6) Suspension. Temporary or indefinite dismissal from the college and termination of the student status of a student for violation of college rules or regulations or for failure to meet the college's standards of conduct. The notification suspending a student will indicate, in writing, the term of the suspension and any special conditions which must be met before readmission.

There is no refund of fees for the quarter in which the action is taken, but fees paid in advance for a subsequent quarter are to be refunded.

Students 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.

#### NEW SECTION

WAC 132L-522-070 READMISSION AFTER SUSPENSION. Any student suspended from the college for disciplinary reasons may be readmitted upon expiration of the time period for which the suspension was issued. If the student has been suspended for an indefinite period, or feels that circumstances warrant reconsideration of the temporary suspension prior to its expiration, the student may be readmitted following approval of a written petition submitted to the director of student services. Such petitions must state reasons which support a reconsideration of the matter. Before readmission may be granted, such petitions must be reviewed and approved by the district president, or by the board in those cases in which it made the final disciplinary action decision.

#### NEW SECTION

WAC 132L-522-080 REESTABLISHMENT OF ACADEMIC STANDING. Students who have been suspended pursuant to disciplinary procedures set forth in Code Procedures of Summary Suspension Rules, 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.

## Chapter 132L-524

## SUMMARY SUSPENSION RULES

## WAC

- 132L-524-010 Initiation of summary suspension proceedings.
- 132L-524-020 Permission to enter or remain on campus.
- 132L-524-030 Notice of summary suspension proceedings.
- 132L-524-040 Procedures of summary suspension hearing.
- 132L-524-050 Decision by the director of student services.
- 132L-524-060 Notice of suspension.
- 132L-524-070 Suspension for failure to appear.
- 132L-524-080 Appeal.
- 132L-524-090 Summary suspension proceedings not duplicitous.

NEW SECTION

WAC 132L-524-010 INITIATION OF SUMMARY SUSPENSION PROCEEDINGS. The executive director or designee may suspend any student of the college for not more than ten academic calendar days pending investigation, action or prosecution on charges of alleged Code of Student Rights and Responsibilities violation or violations, and if the executive director or designee has reason to believe the student's physical or emotional safety and well-being, or the safety and well-being of the college property command such suspension.

NEW SECTION

WAC 132L-524-020 PERMISSION TO ENTER OR REMAIN ON CAMPUS. During the period of summary suspension, the student shall not enter any campus of District 12 other than to meet with the director of student services or to attend the hearing. However, the director of student services may grant the student special permission to enter a campus for the express purpose of meeting with faculty, staff, or students in preparation for the hearing.

NEW SECTION

WAC 132L-524-030 NOTICE OF SUMMARY SUSPENSION PROCEEDINGS. (1) If the executive director or designee desires to exercise the authority to summarily suspend a student, the executive director 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.

(2) 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 Code of Student Rights and Responsibilities involved; and

(b) That the student charged must appear before the director of student services at a time specified in the notice.

NEW SECTION

WAC 132L-524-040 PROCEDURES OF SUMMARY SUSPENSION HEARING. (1)

At the summary suspension hearing, the student against whom the violation or violations are alleged shall have the opportunity of proving to the director of student services that there is no cause to believe that the violation stated on the notice of summary suspension proceedings did occur, and that immediate suspension is not necessary nor justifiable pursuant to chapter 132L-524 WAC, Summary Suspension Rules.

(2) The student may offer personal oral testimony or that of any person, submit any statement or affidavit, examine any affidavit or cross-examine any witness, and submit any matter in extenuation or mitigation of the violation or violations charged.

(3) The director of student services shall at the time of the summary suspension proceedings determine whether there is probable cause to believe that a violation of law or of provisions of the Code of Student Rights and Responsibilities has occurred, and whether there is reason to believe that immediate suspension is necessary. In the course of making such a decision, the director of student services may consider the sworn affidavits or oral testimonies of persons who have alleged that the student charged has committed a violation of law or of provisions of the Code of Student Rights and Responsibilities and the oral testimony and affidavits submitted by the student charged.

NEW SECTION

WAC 132L-524-050 DECISION BY THE DIRECTOR OF STUDENT SERVICES.

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

(1) The student against whom specific violations of law or of provisions of the Code of Student Rights and Responsibilities are alleged has committed one or more of such violations upon any college facility; and

(2) That summary suspension of said student is necessary under the provisions of WAC 132L-524-010, Summary Suspension Rules; and

(3) Such violation or violations of the law or of provisions of the Code of Student Rights and Responsibilities constitute grounds for disciplinary action, then the director of student services may, with the written approval of the executive director, suspend such student from the college.

NEW SECTION

WAC 132L-524-060 NOTICE OF SUSPENSION. (1) If a student is

suspended pursuant to the above rules, the student shall be provided with a written copy of the director of student services' findings of fact and conclusions, as expressly concurred in by the executive director which constituted probable cause to believe that the conditions for summary suspension existed.

(2) 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. Notice of mail shall be sent to said student's last known address. The suspension shall be effective from the date the notice of suspension is mailed or personal service accomplished, whichever shall occur first.

NEW SECTION

WAC 132L-524-070 SUSPENSION FOR FAILURE TO APPEAR. If the student against whom specific violations of provisions of the Code of Student Rights and Responsibilities have been alleged has been served pursuant to the notice required and then fails to appear at the time designated for the summary suspension proceedings, the director of student services may, with the written concurrence of the district president, suspend the student from the college.

NEW SECTION

WAC 132L-524-080 APPEAL. (1) Any student aggrieved by an order issued at the summary suspension proceedings may appeal the same to the district president. No such appeal shall be entertained, however, unless written notice of the appeal, specifically describing alleged errors in the proceedings of findings of the director of student services and the executive director is tendered at the office of the executive director within seventy-two hours following the date notice of summary suspension was served or mailed to the student, whichever occurred first.

(2) The district president shall, as soon as reasonably possible, examine the allegations contained within the notice of appeal, along with the findings of the director of student services and executive director, the record of the summary suspension proceedings, and determine therefrom whether the summary suspension order is justified. Following such examination the district president may, at his/her discretion, stay the summary suspension pending determination of the merits of the disciplinary proceedings pursuant to the provisions of the Code Procedures.

(3) The district president shall notify the appealing student within forty-eight hours following his/her consideration of the notice of appeal, as to whether the summary suspension shall be maintained or stayed pending disposition of the disciplinary proceedings pursuant to the provisions of the Code Procedures.

NEW SECTION

WAC 132L-524-090 SUMMARY SUSPENSION PROCEEDINGS NOT DUPLICIOUS. (1) The summary suspension proceedings shall in no way substitute for the disciplinary proceedings provided for in provisions of the Code Procedures. At the end of the suspension, the student shall be reinstated to full rights and privileges as a student, subject to whatever sanctions may have been or may be in the future imposed for violation of the Code of Student Rights and Responsibilities.

(2) Any disciplinary proceedings initiated against the student because of violations alleged against any student in the course of the summary suspension proceedings provided for herein shall be heard de novo. The records made and evidence presented during the course of any facet of the summary suspension proceedings brought against the student shall be available for the use of the student and of the college in the disciplinary proceedings initiated under the provisions of the Code Procedures.

STATE OF WASHINGTON  
COMMUNITY COLLEGE DISTRICT NO. 12  
Board of Trustees

RESOLUTION NO. 77-29

Administrative Order No. --

A RESOLUTION Relating to permanent rules of the Community College District No. 12.

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE COMMUNITY COLLEGE DISTRICT NO. 12, STATE OF WASHINGTON:

**Section 1. The annexed regulations, to-wit:**

Student Rights and Responsibilities for Olympia Technical Community College:

WAC 132L-520-010 through WAC 132L-520-170;

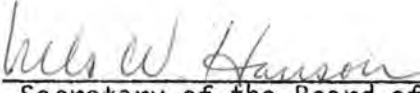
WAC 132L-522-010 through WAC 132L-522-080: Code Procedures; and

WAC 132L-524-010 through WAC 132L-524-090: Summary Suspension Rules;

are hereby approved and adopted as permanent rules of the Community College District No. 12.

Sec. 2. This resolution and annexed regulations, after being first recorded as an administrative order in the Order Register of the Community College District No. 12, shall be forwarded to the Code Reviser for filing pursuant to chapter 28B.19 RCW (1971 1st ex.s. c 57) and WAC 1-13-050.

APPROVED and ADOPTED June 9, 1977.

Attest:   
Secretary of the Board of Trustees

## M E M O R A N D U M

April 4, 1973

TO: Mrs. Loma L. Barmore, Code Reviser's Office

FROM: Thomas L. Anderson, Assistant Attorney General

SUBJECT: Washington Administrative Code Designation for  
Community College District No. 12 (Centralia  
College and OVTI) WAC 132L

This is written to confirm our conversation of this week concerning the proper chapter heading for Community College District No. 12. RCW 28B.50.040(12) provides that: "The twelfth district shall encompass the counties of Lewis and Thurston;". The designation of WAC 132L has been allotted to District No. 12 by the Code Reviser's Office. In 1971 when the Olympia Vocational Technical Institute (OVTI) was transferred to Community College District No. 12, a new chapter entitled WAC 132X was allotted to the OVTI campus.

It is the desire of the District to retain WAC 132L as the proper designation for all of Community College District No. 12 encompassing both the Centralia and OVTI campuses. Therefore, any rules which may be adopted under WAC 132L have been and will be considered applicable to the entire district unless the rules themselves specify that they apply to only one campus within the district.

The District does not intend to use the designation WAC 132X in any future codifications. At some undetermined future date it is hoped that the single policy currently codified under WAC 132X-12 dealing with tenure will be repealed and incorporated within WAC 132L.

Thank you for your help in resolving this matter. If the arrangement specified above does not meet with your satisfaction, please contact me.

*TLA*  
TLA

TLA:lcs

cc: Dr. Nels W. Hanson, President - Centralia College (Community  
College District No. 12)  
Dr. Gene L. Curtis, Dean of Students