

FORM OF ORDER AND TRANSMITTAL BY BOARD, COMMISSION, OR COUNCIL

State of Washington

(name of governing body)

South Puget Sound Community College (Community College District 12)
(name of institution)

Resolution No. _____

Administrative Order No. 87-1

(1) Be it resolved by the board of trustees

of ~~the~~ South Puget Sound Community College (Community College District 12)
(institution)

acting at 2011 Mottman Road, S.W., Olympia, Washington 98502
(place)

that it does adopt the annexed rules relating to: "Student Rights and Responsibilities,"
"Code Procedures," and "Summary Suspension Rules."

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. _____

filed with the code reviser on _____. These rules shall take effect:

- thirty days after they are filed with the code reviser pursuant to RCW 28B.19.050(2).
- at a later date, such date being _____.

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

We, the Board of Trustees of Community College District 12, find that an emergency exists and that this order 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 public interest. A statement of the facts constituting the emergency is: these emergency rules/amendments are necessary to continuing to define the rights and responsibilities of students attending South Puget Sound Community College.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of WAC 1-13-040' that each order shall set forth an appropriate statement of state statutory authority fill in statement (a), (b), or (c) as appropriate:

- (a) This rule is promulgated pursuant to RCW _____ and is intended to administratively implement that statute.
- (b) This rule is promulgated pursuant to RCW _____ which directs that the

(institution)

has authority to implement the provisions of

(name of act or RCW citation)

(c) This rule is promulgated under the general rule-making authority of the

South Puget Sound Community College (Community College District 12)
(institution)

as authorized in RCW 28B.50.140

(4) The undersigned hereby declares that the institution has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

(5) This order after being first recorded in the order register of this governing body is herewith transmitted to the Code Reviser for filing pursuant to chapter 28B.19 RCW and chapter 1-13 WAC.

STATE OF WASHINGTON
APPROVED AND ADOPTED
FILED

March 12

19 87

MAR 13 1987

By

Car... [Signature]

Chairman of the Board of Trustees
Title

CODE REVISER'S OFFICE
WSR 87-07-031

SOUTH PUGET SOUND
CHAPTER 132L-10 WAC
STUDENT RIGHTS AND RESPONSIBILITIES

NEW SECTION

WAC 132L-10-010 PREAMBLE.

South Puget Sound Community College is dedicated to learning, the advancement of knowledge, and the development of ethically sensitive and responsible persons. To achieve these objectives, the students, faculty, and staff of South Puget Sound 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. Students, as members of the college community are also subject to regulations developed to assure the orderly operation of the college.

As such, admission to the college carries with it the expectation that students will (1) conduct themselves as responsible members of the college community, (2) that they will comply with the college rules and regulations which insure the orderly operation of the college, (3) maintain high standards of integrity and honesty, and (4) respect the rights, privileges and property of other members of the college community. The student assumes responsibility for his/her own conduct.

It is the purpose of these rules to provide statements about the rights and responsibilities of students enrolled at South Puget Sound Community College as well as procedural processes for dealing with student discipline.

NEW SECTION

WAC 132L-10-020 DEFINITIONS.

As used in this Code of Student Rights and Responsibilities the following words and phrases shall mean:

- (1) "ASSPSCC Senate" means the representative governing body for students at South Puget Sound Community College recognized by the board of trustees.
- (2) "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.
- (3) "Board" means the board of trustees of Community College District 12, State of Washington.
- (4) "President" means the duly appointed chief executive officer of South Puget Sound Community College, Community College District 12, State of Washington, or in his/her absence, the acting chief executive officer.

- (5) "College" means South Puget Sound Community College located within Community College District 12, State of Washington.
- (6) "College facilities" means buildings and grounds owned, operated, controlled, or supervised by the college.
- (7) "College personnel" refers to any person employed by Community College District 12.
- (8) "Dean of Students" means the administrative officer or designee at South Puget Sound Community College charged with the enforcement of student discipline.
- (9) "Disciplinary action" means and includes suspension or any lesser sanction of any student by the dean of students, the student judicial board or president for the violation of any of the provisions of college policy including these regulations for which such sanctions may be imposed.
- (10) "Faculty member(s)" means any employee of South Puget Sound 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.
- (11) "Recognized student organization" means and includes any group or organization composed of students which is formally recognized by the ASSPSCC Senate.
- (12) "A sponsored event or activity" means any activity that is scheduled by the college and is supervised and controlled by 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 a prolonged nature, and free time periods are permitted to the students participating in the event, any activity taking place during 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.
- (13) "Student", unless otherwise qualified, means and includes any person who is enrolled for classes, formally in the process of applying for admission to the college, or who has been enrolled at the college.

NEW SECTION

WAC 132L-10-030 JURISDICTION.

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 non-college facilities.

NEW SECTION

WAC 132L-10-040 AUTHORITY TO PROHIBIT TRESPASS.

- (1) The president, dean of students or other designated person, is authorized in the instance of any event that the president deems impedes the movement of persons or vehicles or which disrupts or threatens to disrupt the ingress and/or egress of persons from college facilities to:
 - (a) Prohibit the entry of or 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 who have 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.

NEW SECTION

WAC 132L-10-050 RIGHT TO DEMAND IDENTIFICATION.

For the purpose of determining identity of a person as a student, college personnel may demand that any person on college facilities produce evidence of student enrollment.

NEW SECTION

WAC 132L-10-060 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 operation of the college. Concomitantly, the college recognizes the responsibility to maintain a campus atmosphere 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, and do not interfere with the operation of the college.

NEW SECTION

WAC 132L-10-070 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.

Student organizations must be granted a charter by the ASSPSCC Senate before they may be officially recognized. Prior to becoming chartered, a student organization must submit to the ASSPSCC Senate a statement of purpose, criteria for membership, a statement of operating rules or procedure, and the names of college personnel who have agreed to serve as an advisor. All student organizations must also submit to the ASSPSCC Senate 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 qualifications 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-10-080 STUDENT PARTICIPATION IN COLLEGE GOVERNANCE.

As members of the college community, students may express their views on college policy and on matters of general interest to the student body. The ASSPSCC constitution and the college's administrative procedures shall provide 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-10-090 STUDENT RECORDS.

In compliance with the Family Educational Rights and Privacy Act, this policy has been created to insure confidentiality of student records at the 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 South Puget Sound 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 the 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.

(NOTE: 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) Disclosure 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 ASSPSCC senate or employed by the college. Access or release of records to the above is permissible only when the information is required for the 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 organizations, 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 cannot 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) of this section.

- (5) Challenge of education records. Students who believe that information contained in their education records is inaccurate, misleading or violates the privacy of 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 cannot 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.

NEW SECTION

WAC 132L-10-100 STUDENT PUBLICATIONS.

The 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 opinions on the various issues on the campus and the college community at large.

The college, as the publisher of student publications must bear the legal responsibility for the contents of the publications. For this reason the college will establish a student publications policy and create a student publications board charged with the enforcement of the policy. The publications board shall be composed of an administrator appointed by the college president, two faculty, and three students appointed by the ASB President.

The student publications policy shall protect the students' 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 shall charge 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-10-110 DISTRIBUTION AND POSTING OF MATERIALS.

Literature may be distributed on campus in accordance with the following provisions:

- (1) Handbills, leaflets, newspapers, and similarly related materials may be distributed in college facilities at locations specifically designated by the director of student programs, provided such distribution does not interfere with the ingress or egress of persons or interfere with the free flow of vehicular traffic. Such literature must bear the name of the organization or individual who publishes, sponsors or distributes them.

All non-students shall register with the director of student programs intent to distribute handbills, leaflets, newspapers, and similarly related materials on college facilities.

(2) Materials may be posted on campus in accordance with the following:

Permission for posting of materials on restricted bulletin boards shall be obtained from the following officials:

- (a) The director of student programs for restricted bulletin boards in the student center, hallways, and outside of college facilities. Notices may not exceed 8 1/2" X 11" unless otherwise approved by the director of student programs.
 - (b) The college official responsible for all other areas within college facilities.
- (3) Such notices must bear the name of the organization or individual who publishes, sponsors, or distributes them.

NEW SECTION

WAC 132L-10-120 USE OF COLLEGE FACILITIES.

Any recognized ASSPSCC organization may request use of available college facilities for authorized activities. 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.

NEW SECTION

WAC 132L-10-130 OUTSIDE SPEAKERS.

Student organizations recognized by the ASSPSCC Senate may invite speakers to the college provided there is no interference with the regularly scheduled operation of the college. The following govern the appearance of speakers not themselves members of the college community:

- (1) Any recognized ASSPSCC student organization with the sanction of its advisor, may ask individuals to speak on campus.
- (2) The appearance of a speaker on the campus does not involve an endorsement, either implicit or explicit, of the speaker's views by the college, its students, its faculty, its administration or its board of trustees.
- (3) The director of student programs or designee will be notified at least three academic calendar days prior to the appearance of an invited speaker. Exceptions to the three day ruling may be made by the director of student programs.
- (4) The dean of students may require views other than those of the invited speaker to be presented at the meeting, or at a subsequent meeting.
- (5) The dean of students may assign a college employee to facilitate any meeting where a speaker has been invited to insure the orderly conduct of the presentation.

NEW SECTION

WAC 132L-10-140 STUDENT COMPLAINTS.

The purpose of these procedures is to establish a process where a student may express and resolve misunderstandings, complaints or grievances with any college employee in a fair and equitable manner. This procedure emphasizes an informal resolution.

A complaint is any expression of dissatisfaction with the performance of all college employee or procedure. The students who have a complaint about an action of a college employee should use the following procedure:

1. Initiating a non-academic complaint:

- a. The student and the college employee should make a good faith effort to resolve the grievance on a one to one basis within fifteen (15) instructional days from the date of the complaint. In the event of absence from campus by the employee, the student shall contact the organizational unit administrator for advise on how to proceed with the complaint. If the student feels that he/she cannot meet face to face with the employee he/she may directly contact the organizational unit administrator.
- b. If the student determines that a complaint cannot be resolved appropriately with the employee concerned, the student may contact the organizational unit administrator of the employee to facilitate a solution to the grievance.
- c. If a complaint filed with the appropriate organization unit administrator has not been resolved, the student may proceed with a formal complaint.

2. Proceeding with a formal complaint:

- a. Office to address: Complaints regarding an instructional employee or policy shall be addressed to the dean of instruction or designee. Complaints regarding an administrative services employee or policy shall be addressed to the dean of administrative services. Complaints regarding student services employees or other college personnel shall be addressed to the dean of students.
- b. The dean/designee shall discuss with the student the concerns with the student and options available to resolve the concern. If the student should elect to proceed with the formal complaint the student must outline in writing the complaint, identifying dates and persons involved as accurately as possible.

- c. The dean shall also inform the student that the student may ask the dean of students or another person the student chooses to act as an advocate in assisting the student in the completion of the complaint process.
- d. The student's written complaint shall be forwarded to the employee concerned who shall provide a written response within ten (10) instructional days.
- e. If the written response does not resolve the complaint to the satisfaction of the student, the dean shall convene a conference of all the involved parties within ten (10) instructional days to (1) attempt to resolve to the satisfaction of all parties the complaint and/or (2) hear the issues(s) and take appropriate action(s) to resolve the complaint.
- f. Any action if any, taken by the dean may be appealed to the president.

NEW SECTION

WAC 132L-10-150 VIOLATIONS.

Any student shall be subject to disciplinary action 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 college policy;
- (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 dean of students, or any other person designated by the president.
- (h) Intentionally inciting others to engage immediately in 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 steers 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 any 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-10-160 EMERGENCY PROCEDURES.

In the event of activities which interfere with the orderly operation of the college, the dean of students or the president shall determine the course of action which appears to offer the best possibility for 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.

SOUTH PUGET SOUND
CHAPTER 132L-21 WAC
CODE PROCEDURES

NEW SECTION

WAC 132L-21-010 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 dean of students. All disciplinary proceedings will be initiated by the dean of students.

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.

- (a) Such summary action in the form of removal from the classroom shall be effective for a period not to exceed two (2) scheduled classroom days.
- (b) Any summary action may be appealed to the dean of students for an informal hearing.
- (2) NOTICE REQUIREMENTS. Any student charged in a report filed pursuant to WAC 132L-10-010, subsection (1), shall be notified by the dean of students within three academic calendar days after the filing of such a report. The notice shall not be ineffective if presented later due to student's absence. Such notice shall:

- (a) Inform the student that a report has been filed alleging that the student violated specific provisions of college policy 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 dean of students; and
- (d) Specify the exact time, date, and location of the formal hearing with the Student Judicial Board, 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 dean of student's 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 DEAN OF STUDENTS.

- (a) At the meeting with the dean of students the student shall be informed of provision of the Code of Student Rights and Responsibilities that are involved, that the student may appeal any sanction imposed by the dean of students and that if a hearing with the student judicial board is required the student may have that hearing open to the public. If the student requests a hearing with the student judicial board, the dean of students 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 hearing.
- (b) After considering the evidence in the case and interviewing the student or students involved, the dean of students may take any of the following actions:
 - (i) Terminate the proceedings exonerating the student or students; or
 - (ii) Impose disciplinary sanctions as provided for in WAC 132L-21-030.
 - (iii) Refer the matter to the student judicial board for appropriate action;

- (c) A student accused of violating any provision of college policy shall be given immediate notification of any disciplinary action taken by the dean of students.
- (d) No disciplinary action taken by the dean of students is final unless the student fails to exercise the right of appeal as provided for in these rules.

(4). STUDENT JUDICIAL BOARD

(a) Composition. The college shall have a standing student judicial board composed of nine members, who shall be chosen and appointed no later than October 15 each year to serve as a standing committee until their successors are appointed. The membership of the board shall consist of three members of the administration, excepting the dean of students, appointed by the president; three faculty members appointed by the faculty organization; and three students appointed by the ASSPSCC Senate. Any student entitled to a hearing before the Student Judicial Board shall choose, in writing, five members of the board to hear and decide the appeal or disciplinary case, provided, the student must choose at least one student, one faculty member and one member of the administration from the nine member board. In the event that unforeseen circumstances prevent a previously selected board member from attending the hearing, the student must choose a replacement from among the balance of the standing committee.

(b) Hearing Procedures:

- (1) The five members of the student judicial board will hear, de novo, all disciplinary cases appealed to the committee by the student or referred to it by the dean of students.
- (2) The five members of the student judicial board shall elect from among themselves a chairperson for the purpose of presiding at the disciplinary hearing.
- (3) Student shall be given written notice of: the time, date, and location of the hearing; the specific charges against him/her; and shall be accorded reasonable access to the case file, which will be retained by the dean of students.
- (4) Hearings will be closed to the public except for the dean of students, immediate members of the student's family, and the student's representative. An open hearing may be held, in the discretion of the chairperson, if requested by the student. All parties, the witnesses, and the public shall be excluded during the student judicial board's deliberations.

- (5) The chairperson shall exercise control over the hearing to avoid needless consumption of time and to prevent the harassment or intimidation of witnesses. Any person, including the student, who disrupts a hearing or who fails to adhere to the rulings of the chairperson or committee advisor may be excluded from the proceedings and may be subject to disciplinary action as set forth in this policy.
- (6) The student may: question witnesses, bring an advocate to defend him/her, and have a maximum of three (3) character witnesses appear on his/her behalf.
- (7) The burden of proof shall be on the dean of students who must establish the guilt of the student by a preponderance of the evidence.
- (8) Formal rules of evidence and procedure shall not be applicable in disciplinary proceedings conducted pursuant to this code. The chairperson shall admit all matters into evidence which reasonable persons would accept as having probative value in the conduct of their affairs. Unduly repetitious or irrelevant evidence may be excluded.
- (9) The dean of students may appoint a special presiding officer to the student judicial board in complex cases or in any case in which the respondent is represented by legal counsel. Special presiding officers may participate in committee deliberations but shall not vote.
- (10) In order that a complete record of the proceeding, including all evidence presented, can be made, hearings may be tape-recorded or transcribed. If a recording or a transcription is not made, the decision of the student judicial board must include a summary of the testimony and shall be sufficiently detailed to permit appellate review.
- (11) After considering the evidence in the case and interviewing the student or students involved, the student judicial board shall decide by majority vote whether to:
 - (i) Terminate the proceedings exonerating the student(s);
or
 - (ii) Impose disciplinary sanctions as provided in WAC 132L-21-030.
- (12) Final decisions of the student judicial board, including findings of fact or reasons for the decision, shall be delivered to the student personally or by registered or certified mail to the student's last known address and a copy filed with the office of the dean of students.

NEW SECTION

✓ WAC 132L-21-020 APPEALS.

- (1) Appeals of disciplinary action(s) shall be taken in the following order:
 - (a) Disciplinary action taken by or at the recommendation of the dean of students or designated representative may be appealed to the student judicial board.
 - (b) Disciplinary decisions and action taken by the student judicial board may be appealed by the student to the president.
- (2) All appeals by a student must be made in writing to the dean of students within ten calendar days after the student has been notified of the action from which he/she has a right of appeal to the student judicial board or the president.

✓ NEW SECTION

WAC 132L-21-030 DISCIPLINARY SANCTIONS.

- (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 has otherwise failed to meet the college's standards of conduct. Reprimands shall be made in writing to the student as appropriate by the deans of students or the student judicial board with copies filed in the office of the dean of students. 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 dean of students and/or the student judicial board may assess monetary fines up to a maximum of one hundred dollars per violation 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 (30) days will result in suspension for an indefinite period of time as set forth in subsection (6) below, provided that 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 college or other property and for injury to persons. Failure to make restitution within (30) days will result in suspension for an indefinite period of time as set forth in subsection (6) below, provided that a student may be reinstated upon payment.

- (5) DISCIPLINARY PROBATION. Formal action placing conditions upon the student's continued attendance for violations of college rules or regulations or other failure to meet the college standards of conduct. Written notice of disciplinary probation will specify the period of probation and any condition, such as limiting the student's participation in extra-curricular activities or access to specific areas of the college's facilities. Copies of the notice shall be kept on file in the office of the dean of students and in the student's official educational records. 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 of a student for violation of college rules and regulations. The notification suspending a student will indicate, in writing, the term of the suspension and any special conditions which must be met before readmission. Copies of the notification shall be kept on file in the office of the dean of students and in the students official education record

Refund of fees for the quarter in which disciplinary action is taken shall be in accord with the college's refund policy.

Students who are suspended from the college may be denied access to all or any part of the campus or other facility during the duration of the period of suspension.

NEW SECTIONS

WAC 132L-21-040 READMISSION AFTER SUSPENSION.

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 dean of students. Such petitions must state reasons which support a reconsideration of the matter.

CHAPTER 132L-23
SUMMARY SUSPENSION RULES

NEW SECTION

✓ WAC 132L-23-010 SUMMARY SUSPENSION PROCEDURES.

The dean of students, 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 violation or violations of college policy, if the dean of students has reason to believe the student's physical or emotional safety and well-being, or the safety and well-being of other college community members, or the safety and well-being of the college property requires such suspension.

NEW SECTION

✓ WAC 132L-23-020 PERMISSION TO ENTER OR REMAIN ON CAMPUS.

During the period of summary suspension, the suspended student shall not enter the campus of the college or any facility under the operation of the college other than to meet with the dean of students or to attend the hearing. However, the dean of students 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-23-030 NOTICE OF SUMMARY SUSPENSION PROCEEDINGS.

- (1) If the dean of students or designee finds it necessary to exercise the authority to summarily suspend a student, he/she shall give the student notice, orally or in writing, stating: the time, date, place and nature of the alleged misconduct; the evidence in support of the charge(s); the corrective action or punishment which may be imposed against the student; that anything the student says to the dean may be used against the student; and that the student may either accept the disciplinary action or, within forty-eight (48) hours or two (2) work days following receipt of this notification, file at the office of the dean of students, a written request for a hearing by the student judicial board. If the request is not filed within the prescribed time, it will be deemed as waived.
- (2) APPEAL AND HEARING: If oral notice is given, it shall be followed by written notice within forty-eight (48) hours or two (2) working days. The hearing shall be accomplished according to the procedures set forth in WAC 132L-21-010. Failure by the student to appear at the hearing with the student judicial board shall result in the dean of students suspending the student from the college.