



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (7/10/97)

Agency: Clover Park Technical College

- Permanent Rule**
- Emergency Rule**
- Expedited Adoption**
- Expedited Repeal**

(1) Date of adoption: January 9, 2002

(2) Purpose:
To make changes to the Student Conduct Code.

(3) Citation of existing rules affected by this order:
Repealed:
Amended:
Suspended:

(4) Statutory authority for adoption:
Other authority: RCW 28B.50.140(13)

PERMANENT RULE ONLY (Including EXPEDITED ADOPTION)
Adopted under notice filed as WSR 01-22-096 on November 6, 2001 (date).
Describe any changes other than editing from proposed to adopted version:

EMERGENCY RULE ONLY
Under RCW 34.05.350 the agency for good cause finds:
 (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
 (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

EXPEDITED REPEAL ONLY
Under Preproposal Statement of Inquiry filed as WSR _____ on _____ (date).

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?
 Yes No If Yes, explain:

(6) Effective date of rule:
Permanent Rules or Expedited Rule Making
 31 days after filing
 Other (specify) _____*
Emergency Rules
 Immediately
 Later (specify) _____

NAME (TYPE OR PRINT)
N. P. Robinson *[Signature]*
SIGNATURE
TITLE Vice President for Operations & Facilities
DATE 1/16/02

CODE REVISER USE ONLY

COMMUNICATIONS SECTION
STATE OF WASHINGTON
FILED

JAN 24 2002

TIME 4:35 AM (PM)

WSR 02-04-022

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New _____	Amended _____	Repealed _____
Federal rules or standards:	New _____	Amended _____	Repealed _____
Recently enacted state statutes:	New _____	Amended _____	Repealed _____

The number of sections adopted at the request of a nongovernmental entity:

New _____ Amended _____ Repealed _____

The number of sections adopted on the agency's own initiative:

New _____ Amended _____ Repealed _____

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New _____ Amended _____ Repealed _____

The number of sections adopted using:

Negotiated rule making:	New _____	Amended _____	Repealed _____
Pilot rule making:	New _____	Amended _____	Repealed _____
Other alternative rule making:	New _____	Amended _____	Repealed _____

AMENDATORY SECTION (Amending WSR 00-12-019, filed 5/26/00, effective 6/26/00)

WAC 495C-120-040 Student misconduct. Disciplinary action may be taken for a violation of any provision of this student code, for a violation of other college rules which may from time to time be properly adopted, or for any of the following types of misconduct:

(1) Possession, use, sale, or distribution of any illegal drug on the college campus. The use of illegal drugs by any student attending a college-sponsored event is also prohibited, even though the event does not take place at the college. The use of alcohol by any student attending such events on college or noncollege property shall conform to state law;

(2) Behavior in the classroom or at a college function that is disruptive to the teaching and learning environment;

(3) Engaging in lewd, indecent, or obscene behavior;

~~((3))~~ (4) Where the student presents an imminent danger to college property or to himself or herself or other students or persons in college facilities on or off campus, or to the education process of the college;

~~((4))~~ (5) Dishonesty, including cheating, plagiarism, or knowingly furnishing false information to the college;

~~((5))~~ (6) The intentional making of false statements or filing of false charges against the college and members of the college community;

~~((6))~~ (7) Forgery, alteration, or misuse of college documents, records, funds, or instruments of identification with the intent to defraud;

~~((7))~~ (8) Theft from, damage to, or misuse of college premises or property, or theft of or damage to property of a member of the college community or college premises;

~~((8))~~ (9) Failure to comply with the direction of college officials acting in the legitimate performance of their duties;

~~((9))~~ (10) Possession of firearms, except where approved by state statute;

~~((10))~~ (11) Engaging in unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of sexual nature where such behavior knowingly offends the recipient, causes discomfort, or humiliates or interferes with job performance;

~~((11))~~ (12) 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;

~~((12))~~ (13) Actions and/or language directed to others that incites disruptive behavior;

(14) Verbal or written threats and intimidation;

(15) Malicious damage to or malicious misuse of college property, or the property of any person where such property is

located on the college campus;

~~((13))~~ (16) 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;

~~((14))~~ (17) Refusal to provide identification. Refusal to provide positive identification (e.g., valid driver's license or state identification card) in appropriate circumstances to any college employee in the lawful discharge of said employee's duties;

(18) Violation of any rules or policies pertaining to the use of computer and technology resources.

AMENDATORY SECTION (Amending WSR 00-12-019, filed 5/26/00, effective 6/26/00)

WAC 495C-120-041 Hazing policy. (1) No student, or other person in attendance at Clover Park Technical College, may conspire to engage in hazing or participate in hazing of another. Hazing is defined as any activity that includes one or more of the following:

(a) Activities that expose personal values to compromise or ridicule.

(b) Stunts which have no meaningful relationship to the objectives of the organization.

(c) Activities that abuse the trust an organization is striving to build between its members and prospective members.

(d) Activities that humiliate or subject individuals to circumstances with which they are not comfortable or of which they are fearful.

(e) Activities which are illegal or violate college policy.

(f) Activities which interfere with educational pursuits or normal life functions.

(2) Penalties.

(a) Any organization or association that knowingly permits hazing shall:

(i) Be liable for harm caused to persons or property resulting from hazing; and

(ii) Be denied recognition by Clover Park Technical College as an official organization or association on this campus.

If the organization or association is a corporation, whether for profit or nonprofit, the individual directors of the corporation may be held individually liable for damages.

(b) A person who participates in the hazing of another shall forfeit any entitlement to state-funded grants, scholarships or awards for ninety calendar days.

(c) Forfeiture of state-funded grants, scholarships or awards shall continue for ninety calendar days, up to and including permanent forfeiture, based upon the seriousness of the violations.

(3) Disciplinary action may be taken under this chapter for

hazing violations

(4) Hazing violations are also misdemeanors punishable under state criminal law according to RCW 9A.20.021.

(5) Conduct which causes embarrassment, ridicule, sleep deprivation, verbal abuse, or personal humiliation, not amounting to hazing, shall be subject to disciplinary action under this chapter.