

TRANSMITTAL OF RULES ADOPTED BY INSTITUTION OF HIGHER EDUCATION
(Instruction for Completion on Back of Page)

FROM: Community College District VIII
(Name of Institution)

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

The enclosed Permanent rules
Emergency rules , being order No. 4

relating to (Name of rules or description of subject matter)

Rules concerning: Adoption of the Student Conduct Code.

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

pursuant to Notice No. _____ ① filed with the code reviser
on _____ ② were regularly adopted as permanent rules of this
(date)
institution at _____ on _____ and are herewith
(place) (date)
filed in the office of the code reviser pursuant to chapter
28B.19 RCW (1971 1st ex.s. c 57). The effective date of such rules
shall be _____. ③

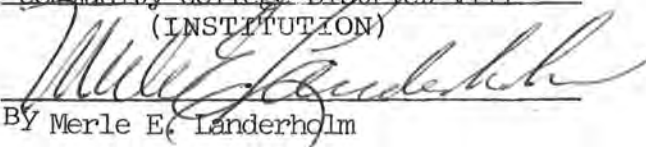
(ALTERNATIVE B. Use only for adoption of emergency rules)

pursuant to its finding 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
Bellevue Community College on 12-5-72 and are herewith filed in the office
(place) (date)
of the code reviser pursuant to chapter 28B.19 RCW (1971 1st ex.s.
c 57).

The undersigned hereby certifies that the requirements of chapter
28B.19 RCW (1971 1st ex.s. ch 57) and of the Open Public Meetings
Act of 1971, chapter 42.30 RCW (1971 1st ex.s. ch 250) have been
fulfilled.

Dated this _____ 5th _____ day of December 1972.

STATE OF WASHINGTON
FILED
DEC 13 1972
CODE REVISER'S OFFICE
DOCKET # 4500 FILE # 1

Community College District VIII
(INSTITUTION)

BY Merle E. Landerholm
Secretary - Board of Trustees
Title

Effective 9/7/71

[Form CR-5]

- 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) (1971 1st ex.s. c 57 §5 (2)). Leave this space blank except in such special cases.

STATE OF WASHINGTON
COMMUNITY COLLEGE DISTRICT VIII
BOARD OF TRUSTEES

RESOLUTION NO. 25

Administrative Order No. 4

A RESOLUTION Relating to adoption of emergency rules of the Student Conduct Code for Community College District VIII.

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF COMMUNITY COLLEGE DISTRICT VIII, STATE OF WASHINGTON.

WAC 132H.120.010 TITLE. WAC 132H.120.010 through 132H.150 will be known as the Student Conduct Code of Bellevue Community College.

WAC 132H.120.020 PREAMBLE, PURPOSE OF THE COLLEGE.

WAC 132H.120.030 PREAMBLE, EXPECTATIONS REGARDING STUDENT CONDUCT.

WAC 132H.120.030 PROCEDURES: INTRODUCTION.

WAC 132H.120.050 PROCEDURES: JURISDICTION

WAC 132H.120.060 USE OF DISCIPLINARY AUTHORITY.

WAC 132H.120.070 COLLEGE DISCIPLINE COMMITTEE. MEMBERSHIP.

WAC 132H.120.080 DISCIPLINE COMMITTEE PROCEDURAL GUIDELINES AND SAFEGUARDS.

WAC 132H.120.090 THE PRESIDENT'S REVIEW.

WAC 132H.120.100 APPEALS.

WAC 132H.120.110 DISCIPLINARY TERMS.

WAC 132H.120.120 READMISSION AFTER EXPULSION.

WAC 132H.120.130 REPORTING, RECORDING AND MAINTENANCE OF RECORDS.

WAC 132H.120.140 DISCLOSURE OF STUDENT RECORDS.

WAC 132H.120.150 CONFIDENTIALITY IN THE TEACHER-STUDENT RELATIONSHIP.

The Board of Trustees hereby finds that the adoption of the Student Conduct Code prior to the commencement of classes for the fall term of 1972, and effective for ninety days and extending the emergency rules for another ninety days, is necessary for the preservation of the public health and safety and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to the public interest. Therefore the Board extends the emergency rules of this institution for the Student Conduct Code, WAC 132H.120.010 through WAC 132H.120.050, to be effective for another ninety days.

APPROVED AND ADOPTED _____ December 5, 1972 _____, 1972.

BOARD OF TRUSTEES



Merle E. Landerholm, Secretary
Board of Trustees

new WAC 132H.120.010 TITLE. WAC 132H.120.010 through 132H.120.150 will be known as the Student Conduct Code of Community College District VIII.

new WAC 132H.120.020 PREAMBLE, PURPOSE OF THE COLLEGE. The College is maintained by society for the purpose of providing its students with programs of instruction in higher education and competent counseling which will enable them to make wise choices in respect to vocational and academic concerns.

The freedom to learn depends upon appropriate opportunities and conditions in the classroom, on the campus, and in the larger community. Students should exercise their freedom with responsibility. Like any other social institution, the College must maintain those conditions conducive to the performance of its special purpose.

new WAC 132H.120.030 PREAMBLE, EXPECTATIONS REGARDING STUDENT CONDUCT. Admission to the College carries with it the expectation that the student will conduct himself as a responsible member of the academic community. This includes the expectation that the student will obey the law; 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. (However, restrictive rules and regulations will not be made without showing relevance to those conditions toward which they apply.)

The student will assume responsibility for his own conduct. Sanctions for violations of College rules and regulations or for conduct which interferes with legitimate College affairs will be dealt with by the College. In the case of student conduct which involves an alleged or proven violation of criminal law, the disciplinary authority of the College will not be used to duplicate the function of civil authority. Disciplinary action may be taken if the conduct also involves a violation of college standards and if the interests of the academic community are distinct from those of civil authority.

new WAC 132H.120.040 PROCEDURES: INTRODUCTION. In keeping with the educational purposes of the College, disciplinary actions, other than those requiring expulsion, are intended to be remedial rather than punitive. Certainly, many disciplinary proceedings will be conducted informally between the student and the Dean of Students. (See below for jurisdiction.)

More formal procedures are provided, however, including an impartial hearing before a College Discipline Committee; these procedures may be invoked either by the Dean of Students or by the student involved. In all situations, whether handled formally or informally, basic standards of fairness will be observed in the determination of (1) the truth or falsity of the charges against the student. (2) whether the alleged misconduct calls for sanctions, and, if so, (3) what those sanctions should be.

Sanctions, up to and including expulsion from the College, may be imposed for failure to satisfy the expectations stated above. These sanctions will determine whether, and under what conditions, the violator may continue at the College.

new WAC 132H.120.050 PROCEDURES: JURISDICTION. The Dean of Students is responsible for initiating disciplinary proceedings as suggested above.

The Dean of Students is also responsible for initiating disciplinary proceedings brought to him as an appeal.

new WAC 132H.120.060 USE OF DISCIPLINARY AUTHORITY. All disciplinary proceedings will be initiated by the Dean of Students. The Dean of Students may, however, delegate this responsibility to others. In cases referred to it, the College Discipline Committee assumes the responsibility for making a recommendation to the President.

The student shall be informed at the initial conference of what appears to be the maximum penalty which might result from consideration of the disciplinary matter. In order that the informality of procedure in these instances not mislead a student as to the seriousness of the matter under consideration, the student shall be informed in writing if expulsion is involved. If further consideration reveals that more severe disciplinary action may be appropriate, the student shall be so advised as soon thereafter as possible.

After considering the evidence in the case and interviewing the students involved, the Dean of Students may take one of the following actions:

- (a) Terminate the proceedings, exonerating the student or students.
- (b) Dismiss the case after whatever counseling and advice may be appropriate.
- (c) Impose the minor sanction directly (disciplinary warning) subject to the student's right of appeal described below. The student shall be notified of the action taken; this notification must be in writing. In the case of an unmarried student under 21 years of age being suspended or expelled, written notice shall also be sent to the parents or the guardian of the student.
- (d) Refer the matter to the College Discipline Committee. The student shall be notified in writing that the matter has been referred to the committee.

In all cases, the student shall be advised of his rights by reference to the appropriate section of this document.

new WAC 132H.120.070 COLLEGE DISCIPLINE COMMITTEE. MEMBERSHIP. The committee will be established each fall. It will be composed of the following persons:

- (1) A faculty member appointed by the President of the college.
- (2) A member of the faculty, appointed by the President of the Faculty Association (BCCPA).
- (3) Two faculty representatives from the Student Personnel Council, elected by the council members.
- (4) Three students. The three students will be appointed by the president of the Student Body Association, but, at the option of the student being disciplined, they may not hear the case.

None of the above-named persons shall sit in any case in which he is a complainant or witness, in which he has a direct or personal interest or in which he has acted previously in an advisory capacity. Decisions in this regard, including the selection of alternates, shall be made by the Discipline Committee as a whole.

The Discipline Committee Chairman will be elected by the members of the Discipline Committee.

There shall be a list of alternates provided in the same manner in which membership was obtained.

new

WAC 132H.120.080 DISCIPLINE COMMITTEE PROCEDURAL GUIDELINES AND SAFEGUARDS. The student has a right to a fair and impartial hearing before the Discipline Committee on any charge of misconduct. His failure to cooperate with the hearing procedures, however, shall not preclude the Committee from making its findings of fact, conclusions and recommendations as provided below. Failure of the student to cooperate may be taken into consideration by the Committee in recommending penalties.

(1) The student shall be given notice of the time and place of the hearing, the charges against him, a list of witnesses who will appear, and a description of any documentary or other physical evidence that will be presented at the hearing. This notice shall be given to the student in writing and shall be provided in sufficient time to permit him to prepare his defense. The notice may be amended at any time prior to the hearing, but, if such amendment is prejudicial to the student's case, the hearing shall be rescheduled to a later date.

(2) The student shall be entitled to hear and examine the evidence against him and be informed of the identity of its sources; he shall be entitled to present evidence in his own behalf and to question witnesses testifying against him as to factual matters. The student shall have all authority possessed by the College to obtain information or to request the presence of witnesses or the production of other evidence relevant to the issues at the hearing.

(3) Only those matters presented at the hearing, in the presence of the student involved, will be considered in determining whether he is guilty of the misconduct charged, but the student's past record of conduct may be taken into account in formulating the committee's recommendation for disciplinary action.

(4) The student may be represented by counsel and/or accompanied by an adviser of his choice.

(5) No one will be required to give self-incriminating evidence.

(6) Hearings conducted by the Committee may be held in closed session at the discretion of the committee. If at any time during the conduct of a hearing invited guests are disruptive of the proceedings, the chairman of the committee may exclude such persons from the hearing room.

(7) All proceedings of the committee will be conducted with reasonable dispatch and terminated as soon as fairness to all parties involved permits.

(8) An adequate summary of the proceedings will be kept. As a minimum, such a summary would include a tape recording of testimony.

(9) The student will be provided with a copy of the findings of fact and with the conclusions and the recommendations of the committee. He will also be advised of his right to present, within seven calendar days, a written statement of appeal to the President of the college before action is taken on the recommendation.

(10) If discipline is to be imposed after the review provided by this section, the Dean of Students who initiated the proceedings shall notify the student in writing of the discipline imposed. In the case of an unmarried student under 21 years of age, written notice of any action involving expulsion or suspension also will be sent to the parents or guardian of the student.

The committee shall establish general rules of procedure consistent with the foregoing procedural safeguards. A copy of any such rules of procedure shall be given to the student in advance of his hearing.

WAC 132H.120.090 THE PRESIDENT'S REVIEW. The President of the college, or his designated representative, shall review all cases heard by the College Discipline Committee, including the report of the committee and any statement filed by the student, and shall either approve the recommendation of the committee or give directions as to what other

disciplinary action should be taken, and he shall notify the initiating authority.

new WAC 132H.120.100 APPEALS. An appeal by a student shall be made in writing and addressed to the chairman of the committee within fifteen days after the student has been notified of the action taken. In all proceedings where the student is not exonerated, there shall be one automatic review by a reviewing authority.

(1) Disciplinary action by the Dean of Students may be appealed to, and shall be reviewed by, the Disciplinary Committee.

(2) Disciplinary action by the Disciplinary Committee may be appealed to, and shall be reviewed by, the College President.

(3) Final authority in all disciplinary action shall rest with the Board of Trustees of the college.

(4) A petition for grade inquiry is available through the admissions office.

new WAC 132H.120.110 DISCIPLINARY TERMS. The following definitions of disciplinary terms have been established to provide consistency in the application of penalties:

(1) Disciplinary Warning: Formal action censuring a student for violation of college rules or regulations or for failure to satisfy the college's expectations regarding conduct. Disciplinary warnings are always made in writing to the student by the Dean of Students. A disciplinary warning indicates to the student that continuation of the specific conduct involved or other misconduct will result in one of the more serious disciplinary actions described below.

(2) Disciplinary Probation: Formal action placing conditions upon the student's continued attendance for violation of college rules or regulations or failure to satisfy the college's expectations regarding conduct. The Disciplinary Committee will specify, in writing, the period of probation and the conditions. Disciplinary probation warns the student that any further misconduct will make him liable to suspension or expulsion from the college. Disciplinary probation may be for a specific term or for an indefinite period which may extend to graduation or other termination of the student's enrollment in the college.

(3) Suspension: Formal action by an authorized disciplinary agency dismissing a student temporarily from the college for unacceptable conduct or violation of college rules or regulations. Suspension may be for an indefinite period, but the implication of the action is that the student may eventually return if evidence or other assurance is presented that the unacceptable conduct will not be repeated.

(4) Expulsion: Students may be expelled only on the approval of the President of the college and on the recommendation of the Dean of Students or the College Discipline Committee. The notification expelling a student will indicate, in writing, the term of the expulsion and any 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.

(5) Registration Denied: Formal action refusing to allow a student to register for subsequent quarters, for violation of college rules or regulations, or failure to satisfy the college's expectations regarding conduct, or failure to fulfill obligations to the college. Students may be denied registration only on the approval of the president and on the

recommendation of the College Discipline Committee. The initiating authority, in his written notification to the student, will detail the reasons for the denial of registration and the conditions to be met before registration will be allowed. Registration may be denied for a fixed or indefinite period. Future registration will not be allowed until the initiating authority is satisfied that the conditions have been met.

new WAC 132H.120.120 READMISSION AFTER EXPULSION. Any student expelled from the college may be readmitted only on written petition to the office which initiated the action resulting in his expulsion. Such petitions must indicate how specified conditions have been met and if the term of the expulsion has not expired, any reasons which support a reconsideration of the matter. Because the President of the college participates in all disciplinary actions expelling students from the college, decisions on such petitions for readmission must be reviewed and approved by the President before readmission is granted.

new WAC 132H.120.130 REPORTING, RECORDING AND MAINTENANCE OF RECORDS. Records of all disciplinary cases shall be kept by the office taking or initiating the action. Except in proceedings wherein the student is exonerated, all documentary or other physical evidence produced or considered in disciplinary proceedings and all recorded testimony shall be preserved in so far as possible, for not more than five years. No record of proceedings wherein the student is exonerated, other than the fact of exoneration, shall be maintained in the student's file or other college repository after the date of the student's graduation.

new WAC 132H.120.140 DISCLOSURE OF STUDENT RECORDS. The college continually receives requests from outside sources for information about students, both past and present. The staff and faculty of the college are reminded that, as a matter of internal policy, student records should be treated in a responsible manner with due regard to the personal nature of the information contained in these records. In order to prevent embarrassment or possible legal involvement of the College and its employees because of improper disclosure of information, it is important that care be exercised in the release of such information. Therefore, these procedures should be followed in the implementation of this policy:

(1) Transcripts of academic records shall contain only information about academic status. Academic records will not be released without the consent of the student.

(2) Information from disciplinary or counseling files will not be available to unauthorized persons on campus or to any person off campus without the written consent of the student involved.

(3) No records which reflect the political activities or beliefs of students shall be kept.

(4) Disciplinary and counseling files shall be destroyed on a routine basis five years after the last year of attendance.

new

WAC 132H.120.150 CONFIDENTIALITY IN THE TEACHER-STUDENT RELATIONSHIP.

The teacher-student relationship is a confidential one. The student may hold the expectation that statements he makes in the classroom, his discussion with teachers, or his written views will be respected and not reported outside the academic community. Questions relating to what an individual student has demonstrated as a student--for example, the ability to write in a certain way, to solve problems of a certain kind, to reason consistently, to direct personnel or projects--pose no threat to educational privacy. However, questions relating to the individual student's loyalty and patriotism, his political, religious, and social value attitudes, his general outlook, his private life, are of a confidential nature and should be respected as such.

Thus, when demands which challenge the fundamental principle of confidentiality are made for information about a student's beliefs or associations, no response, beyond the reaffirmation of the principle, shall be made without consultation with attorneys.