

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

State of Washington

BOARD OF TRUSTEES

(name of governing body)

COMMUNITY COLLEGE DISTRICT VIII - BELLEVUE COMMUNITY COLLEGE

(name of institution)

Resolution No. 173

Administrative Order No. 94

(1) Be it resolved by the board of Trustees

of the Community College District VIII - Bellevue Community College (institution)

acting at Bellevue Community College - 3000 Landerholm Circle, S.E., Bellevue WA 98007 (place)

that it does adopt the annexed rules relating to:

WAC 132H-120 The Student Code of Community College District VIII

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

This action is taken pursuant to Notice No. 86-13-047

filed with the code reviser on 6-13-86. These rules shall take effect:

- X 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, 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 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

has authority to implement the provisions of (institution)

(name of act or RCW citation)

X (c) This rule is promulgated under the general rule-making authority of the Community College District VIII - Bellevue Community College (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.

APPROVED AND ADOPTED September 9, 1986

By Paul N. Thompson Secretary, Board of Trustees Title

SEP 13 1986

CODE REVISER'S OFFICE 86-19-036

NOTE:

¹Pursuant to WAC 1-13-040, each rule-making order adopted by an institution of higher education shall incorporate the most specific, but in no case omit all of the following language alternatives when adopting or amending rules:

(a) The most specific reference shall be to a section of law which the rule is implementing, and shall be quoted as follows: "This rule is promulgated pursuant to RCW _____ and is intended to administratively implement that statute."

(b) The next specific reference, and one which shall be used only if paragraph (a) of this subsection is not applicable, shall be to that portion of an act which directs an agency to adopt rules and regulations as necessary to implement the act, and shall be quoted as follows: "This rule is promulgated pursuant to RCW _____ which directs that the (agency) has authority to implement the provisions of (name of act or RCW citation)."

(c) The least specific reference, and one which shall be used only if paragraphs (a) and (b) of this subsection are not applicable, is one which indicates that the rule is promulgated under the agency's broad rule-making authority—either in the agency enabling legislation or chapter 34.04 RCW, and shall be quoted as follows: "This rule is promulgated under the general rule-making authority of the (agency) as authorized in RCW _____."

REPEALER

The following section of the Washington Administrative Code is hereby repealed:

(1) WAC 132H-120-060 STUDENT GRIEVANCE APPEAL PROCEDURES.

NEW SECTION

WAC 132H-120-062 STUDENT GRIEVANCE PROCEDURES--PURPOSE AND SCOPE. The purpose of these procedures is to enable a student to express and resolve misunderstandings, complaints, or grievances with faculty and other college personnel in a fair and equitable manner. Students have the right to receive clear information and fair application of college policies, standards, rules, and requirements and are responsible for complying with them in their relationships with faculty and other college personnel. This grievance procedure emphasizes an informal resolution. (1) STUDENT COMPLAINTS. A complaint is any expression of dissatisfaction with the performance of a college employee or procedure. Students who have a complaint about an action of a college employee shall use the following procedure:

(a) Initiating the Complaint Process.

(i) The college employee and student shall make a good faith effort to resolve the grievance on a one-to-one basis. (If the student feels as a result of extraordinary circumstances, that she/he cannot meet with the employee face to face he/she may contact the Organizational Unit Administrator for advice on how to proceed with the complaint. The Organizational Unit Administrator is responsible for advising the employee of the complaint).

(ii) If the student determines that the 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 which may include a facilitator agreeable to both parties.

(iii) If complaints filed with the appropriate Organizational Unit Administrator have not been resolved, the student may proceed with a formal complaint.

(b) Proceeding With a Formal Complaint.

(i) Office to Address. Complaints regarding an Instructor, Instructional employee, or Instructional policy shall be coordinated by the Dean of Instruction or his designee. Complaints regarding a Student Programs employee or Personnel Office employee or policy shall be coordinated by the Dean of Student Programs and Personnel Services. Complaints regarding an Administrative Services employee or policy shall be coordinated by the Dean of Administrative Services.

(ii) The Dean/designee shall discuss with the student the concerns of the student and the options available to resolve the concern. If the student should elect to proceed with a formal complaint, the student should outline in writing the complaint, identifying dates and persons involved as accurately as possible.

(iii) In case of a grade review, the student should indicate to the Dean in writing the grade received in the course in question, together with the reason for the grade complaint, specifying as accurately as possible all necessary performance scores and attendance data.

(iv) The Dean shall also inform the student that the ASBCC Vice-President of Student Affairs or another person the student chooses may act as an advocate who will assist the student in completion of the complaint process. The student may waive the right to an advocate.

(v) The student's written complaint shall be forwarded to the employee concerned who shall provide a written response within ten (10) instructional days.

(vi) 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 except regarding issues of grades or counseling.

(vii) If the complaint concerns a grade or a counseling issue (an academic matter) the student shall have her/his grievance heard before the Student Academic Grievance Committee.

(c) Composition, Organization and Procedures of the Student Academic Grievance Committee.

(i) The Student Academic Grievance Committee shall be comprised of six members: four faculty and two students. One faculty member shall be elected annually by the faculty at large under the auspices of the BCCAHE in the conduct of their annual elections. The elected faculty member shall serve as permanent chair for the academic year commencing with the fall quarter. The remaining three faculty members shall be appointed by the Dean in consultation with the permanent faculty chair. Two faculty members shall be selected from the same or closely aligned discipline (normally within the organizational unit of the college employee against whom the grievance is filed). One faculty member from the same or other organizational unit who is sufficiently aware of related discipline issues so as to add professional perspective to the hearing committee shall be appointed by the Dean, in concurrence with the permanent faculty chair. The two students shall be the student justices appointed by the ASBCC President from the ASBCC Judicial Board.

(ii) The Student Academic Grievance Committee shall consider each case separately within five instructional days of the filing of the grievance with the faculty chair. All hearings shall be closed meetings of the Student Academic Grievance Committee to include the student and the college employee except that any party to the grievance may have one representative or advisor in attendance. Based upon the evidence and proceedings the Student Academic Grievance Committee shall find findings of fact and make a written recommendation of the action to resolve the grievance within five instructional days of the hearing to the college employee, the student and the Dean. If either of the parties does not agree to fulfill the recommendations of the Student Academic Grievance Committee, or if they do not respond, or if the committee recommends the Dean take action, the chair of the Student Academic Grievance Committee shall immediately forward the entire record of the hearing deliberations to the Dean.

(d) Decisions and Dispensation of Records.

(i) The Dean shall keep all written statements, transcripts and minutes associated with the complaint as part of the files of the college, but not in the personnel files of the employee. The files will be destroyed after two years from the initiation of the complaint.

(ii) As a result of the conference and/or the recommendation of the Student Academic Grievance Committee, the Dean shall issue a decision to resolve the complaint.

(iii) The recommendation of the Dean will be reviewed by the President who may amend, modify, reverse or accept the recommendation and who shall then implement the resolution.

(iv) Since the evaluation of the course content is exclusively within the province of the instructor for a particular course, any adjustments or grade changes may be initiated only by that instructor, or, under extenuating circumstances, by the Dean of Instruction, upon the approval of the College President. In such an instance, the course grade record shall be coded and indicate "grade changed by administrative action." The transcript shall indicate "changed by administrative action."

(v) The decision of the President shall be final.

(e) Time Limits on Filing a Complaint

(i) The student must file a complaint within one academic quarter after termination of the course or procedure in question. The Dean may suspend this rule under exceptional circumstances such as extended illness, or sabbatical leave of a party to the complaint.

(ii) No complaints requesting a grade review will be considered after two consecutive quarters from the date of issue of that grade.

(iii) When either party of the complaint is no longer in residence at the college and does not expect to return, the Dean will give reasonable opportunity to complete appeal procedures or reply to the charges before making a decision.