

WSR 21-18-116

EXPEDITED RULES

WASHINGTON STATE UNIVERSITY

[Filed September 1, 2021, 8:47 a.m.]

Title of Rule and Other Identifying Information: Amending WAC 504-31-020 conduct on campus rules regarding prohibited conduct.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The proposed change clarifies the term "explosives" in subsection (5) of WAC 504-31-020. The purpose of the change is to bring this WAC section into conformance with the standards of conduct for students prohibited conduct rules regarding fire-arms and dangerous weapons (WAC 504-26-213).

Reasons Supporting Proposal: This is a housekeeping revision.

Statutory Authority for Adoption: RCW 28B.30.150.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Washington State University (WSU), public.

Name of Agency Personnel Responsible for Drafting: Darren Jones, Fire and Safety Compliance Officer, Public Safety, Public Safety Building, 2201 East Grimes Way, Room 144, Pullman, WA 99164-1072, 509-335-4310; Implementation: Stacy Pearson, Vice President, Finance and Administration, French Administration 442, Pullman, WA 99164-1048, 509-335-4484; and Enforcement: Bill Gardner, Associate Vice President, WSU Police, Public Safety, Public Safety Building, 2201 East Grimes Way, Room 104, Pullman, WA 99164-1072, 509-335-4484.

This notice meets the following criteria to use the expedited adoption process for these rules:

Adopts or incorporates by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule.

Is being amended after a review under RCW 34.05.328.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: The proposed change brings the section into conformance with another agency WAC rule already adopted and implemented.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Deborah Bartlett, Washington State University, P.O. Box 641225, Pullman, WA 99164-1225, phone 509-335-2004, fax 509-335-3969, email prf.forms@wsu.edu, AND RECEIVED BY October 30, 2021.

September 1, 2021
Deborah L. Bartlett, Director
Procedures, Records, and Forms,
and University Rules Coordinator

OTS-3265.1

AMENDATORY SECTION (Amending WSR 13-08-033, filed 3/27/13, effective 4/27/13)

WAC 504-31-020 Prohibited conduct. In order to assure the above rights to all members of the university community and to maintain a peaceful atmosphere in which the university may continue to make its unique contribution to society, the following types of conduct are hereby prohibited on or in property either owned, controlled, or operated by the university which is used or set aside for university purposes, hereinafter referred to as the university campus:

(1) Conduct that intentionally and substantially obstructs or disrupts teaching or freedom of movement or other lawful activities on the university campus;

(2) Physical abuse of any person or conduct that unlawfully threatens imminent bodily harm or endangers the health or safety of any person on the university campus;

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

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

(5) Possession or use of firearms, explosives (including fireworks), dangerous chemicals or other dangerous weapons or instrumentalities on the university campus. This prohibition does not apply to possession of such items for authorized university purposes; possession of such items by authorized law enforcement officers; individuals who have obtained prior written approval from the university chief of police, president, or designee; or lawful possession of firearms by persons other than students in privately owned vehicles while on any university campus((-));

(6) Unlawful possession, use, distribution, or manufacture of alcohol or controlled substances on the university campus or during university-sponsored activities;

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

[Statutory Authority: RCW 28B.30.150. WSR 13-08-033, § 504-31-020, filed 3/27/13, effective 4/27/13.]