

## WSR 25-01-037

## EXPEDITED RULES

## BELLEVUE COLLEGE

[Filed December 9, 2024, 8:06 p.m.]

Title of Rule and Other Identifying Information: Chapter 132H-400 WAC, Student athletic participation.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: College name change, officer title change, added definition of "Legend Drugs—Prescription Drugs," WAC title name change for clarity.

Reasons Supporting Proposal: Bellevue College changed its name, the reporting officer title changed, and the focus of the WAC is ineligibility, so we are changing the title to Student athletic participation ineligibility—Legend drugs—Prescription drugs.

Statutory Authority for Adoption: Chapter 34.05 RCW; and RCW 28B.50.140.

Statute Being Implemented: RCW 34.053.353 [34.05.353].

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

Name of Proponent: Bellevue College, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Loreen McRea Keller, Bellevue College, 3000 Landerholm Circle S.E., A-201, Bellevue, WA 98007, 425-564-6155.

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

Corrects typographical errors, makes address or name changes, or clarifies language of a rule without changing its effect.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: College name change, change of WAC title to clarify purpose, added definition, and title of reporting officer.

## 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 Loreen McRea Keller, Bellevue College, 3000 Landerholm Circle S.E., A-201, phone 425-564-6155, email [loreen.keller@bellevuecollege.edu](mailto:loreen.keller@bellevuecollege.edu), BEGINNING December 10, 2024, AND RECEIVED BY February 19, 2025.

November 10, 2024

Loreen M. Keller

Associate Director

Policy and Government Relations

OTS-5946.2

## Chapter 132H-400 WAC

~~((STUDENT ATHLETIC PARTICIPATION))~~ GROUNDS FOR ATHLETIC INELIGIBILITY  
—LEGEND DRUGS—PRESCRIPTION DRUGS

AMENDATORY SECTION (Amending WSR 90-09-067, filed 4/18/90, effective 5/19/90)

**WAC 132H-400-005 Title.** Chapter 132H-400 WAC will be known as ~~((student athletic participation))~~ Grounds for athletic ineligibility  
—Legend drugs—Prescription drugs.

NEW SECTION

**WAC 132H-400-007 Definitions.** "Legend drugs" means any drugs which are required by state law or regulation of the pharmacy quality assurance commission to be dispensed on prescription only or are restricted to use by practitioners only.

AMENDATORY SECTION (Amending WSR 90-09-067, filed 4/18/90, effective 5/19/90)

**WAC 132H-400-010 Grounds for ineligibility.** Any student found by Bellevue ~~((Community))~~ College to have violated chapter 69.41 RCW by virtue of a criminal conviction or otherwise insofar as it prohibits the possession, use or sale of legend drugs, including anabolic steroids, will be disqualified from participation in any school-sponsored athletic event or activity.

AMENDATORY SECTION (Amending WSR 90-09-067, filed 4/18/90, effective 5/19/90)

**WAC 132H-400-020 Suspension procedure—Right to informal hearing.** Any student notified of a claimed violation of WAC 132H-400-010 shall have the right to a brief adjudicative hearing if a written request for such a hearing is received by the ~~((dean of students))~~ vice president of student affairs or designee within three days of receipt of a declaration of further athletic ineligibility. If no written request is received within three days after receipt of the declaration of athletic ineligibility, the student will be deemed to have waived any right to a brief adjudicative hearing and will be declared ineligible from further participation in school-sponsored athletic events for the remainder of the school year.

AMENDATORY SECTION (Amending WSR 90-09-067, filed 4/18/90, effective 5/19/90)

**WAC 132H-400-030 Hearing.** If a timely written request for a hearing is made, the (~~dean of students~~) vice president of student affairs or designee shall designate a hearing officer who shall be a college officer who is not involved with the athletic program to conduct the brief adjudicative hearing. The hearing officer shall promptly conduct the hearing and permit affected parties to explain both the college's view of the matter and the student's view of the matter. The brief adjudicative proceeding shall be conducted in accordance with the Administrative Procedure Act, RCW 34.05.482-494.

AMENDATORY SECTION (Amending WSR 90-09-067, filed 4/18/90, effective 5/19/90)

**WAC 132H-400-040 Decision.** The college official who acts as hearing officer shall issue a written decision which shall include a brief statement of the reasons for the decision and a notice that judicial review may be available. All documents presented, considered, or prepared by the hearing officer shall be maintained as the official record of the brief administrative proceeding. A decision must be promptly rendered after the conclusion of the brief adjudicative hearing and in no event later than (~~twenty~~) 20 days after the request for hearing is received by the (~~dean of students~~) vice president of student affairs.