

Title 132C WAC

COMMUNITY COLLEGES--OLYMPIC COLLEGE

Chapters

- 132C-10** Board of trustees--Policies--Bylaws.
- 132C-104** Bylaws and standing orders of governing boards.
- 132C-120** Student conduct code.
- 132C-122** Withholding services for outstanding debts.
- 132C-276** Public records.
- 132C-280** State Environmental Policy Act rules.
- 132C-285** Grievance procedures.

- 132C-132-100 Assignment. [Order 4975, § 132C-132-100, filed 12/20/74.] Repealed by 82-01-008 (Order 22, Resolution No. 50-1181), filed 12/4/81. Statutory Authority: Chapter 28B.50 RCW.
- 132C-132-110 Right to return. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-132-110, filed 4/4/80; Order 4975, § 132C-132-110, filed 12/20/74.] Repealed by 82-01-008 (Order 22, Resolution No. 50-1181), filed 12/4/81. Statutory Authority: Chapter 28B.50 RCW.

DISPOSITION OF CHAPTERS FORMERLY CODIFIED IN THIS TITLE

Chapter 132C-12

UNIFORM CLASSIFIED PERSONNEL RULES

- 132C-12-010 Uniform classified personnel rules. [Order 6, § 132C-12-010, filed 10/8/70.] Repealed by Order 15, filed 6/18/76. Later promulgation, see Title 251 WAC.

Chapter 132C-132

RULES AND PROCEDURES FOR IMPLEMENTING REDUCTION IN FACULTY

- 132C-132-010 Procedure for reduction in faculty. [Order 4975, § 132C-132-010, filed 12/20/74.] Repealed by 82-01-008 (Order 22, Resolution No. 50-1181), filed 12/4/81. Statutory Authority: Chapter 28B.50 RCW.
- 132C-132-020 Review by president. [Order 4975, § 132C-132-020, filed 12/20/74.] Repealed by 82-01-008 (Order 22, Resolution No. 50-1181), filed 12/4/81. Statutory Authority: Chapter 28B.50 RCW.
- 132C-132-030 The association meets with president. [Order 4975, § 132C-132-030, filed 12/20/74.] Repealed by 82-01-008 (Order 22, Resolution No. 50-1181), filed 12/4/81. Statutory Authority: Chapter 28B.50 RCW.
- 132C-132-040 The need for reduction. [Order 4975, § 132C-132-040, filed 12/20/74.] Repealed by 82-01-008 (Order 22, Resolution No. 50-1181), filed 12/4/81. Statutory Authority: Chapter 28B.50 RCW.
- 132C-132-050 Assignment of faculty. [Order 4975, § 132C-132-050, filed 12/20/74.] Repealed by 82-01-008 (Order 22, Resolution No. 50-1181), filed 12/4/81. Statutory Authority: Chapter 28B.50 RCW.
- 132C-132-060 Consideration of number to be reduced. [Order 4975, § 132C-132-060, filed 12/20/74.] Repealed by 82-01-008 (Order 22, Resolution No. 50-1181), filed 12/4/81. Statutory Authority: Chapter 28B.50 RCW.
- 132C-132-070 Most necessary services considered. [Order 4975, § 132C-132-070, filed 12/20/74.] Repealed by 82-01-008 (Order 22, Resolution No. 50-1181), filed 12/4/81. Statutory Authority: Chapter 28B.50 RCW.
- 132C-132-080 Order of layoff. [Order 4975, § 132C-132-080, filed 12/20/74.] Repealed by 82-01-008 (Order 22, Resolution No. 50-1181), filed 12/4/81. Statutory Authority: Chapter 28B.50 RCW.
- 132C-132-090 Seniority. [Order 4975, § 132C-132-090, filed 12/20/74.] Repealed by 82-01-008 (Order 22, Resolution No. 50-1181), filed 12/4/81. Statutory Authority: Chapter 28B.50 RCW.

Chapter 132C-10 WAC

BOARD OF TRUSTEES--POLICIES--BYLAWS

WAC

- 132C-10-010 Distribution of printed material on campus.
- 132C-10-015 Publications.
- 132C-10-020 Rental of Olympic College facilities by noncollege organizations or individuals.
- 132C-10-030 Addition of courses to the curriculum.
- 132C-10-035 Deletion of courses from the curriculum.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 132C-10-005 Noncollege speakers. [Order, § 132C-10-005, filed 4/15/68.] Repealed by Orders 4928 and 12, filed 12/2/74 and 12/13/74.
- 132C-10-025 Summer school. [Order, § 132C-10-025, filed 4/15/68.] Repealed by Orders 4928 and 12, filed 12/2/74 and 12/13/74.
- 132C-10-040 Name, composition, and powers of the board of trustees. [Order 68-2, § 132C-10-040, filed 5/24/68.] Repealed by Order 4433, filed 1/24/74.
- 132C-10-045 The board of trustees of Community College District Number III. [Order 68-2, § 132C-10-045, filed 5/24/68.] Repealed by Order 4433, filed 1/24/74.
- 132C-10-050 Special provision relating to the board of trustees. [Order 68-2, § 132C-10-050, filed 5/24/68.] Repealed by Order 4433, filed 1/24/74.
- 132C-10-055 Officers of the board. [Order 68-2, § 132C-10-055, filed 5/24/68.] Repealed by Order 4433, filed 1/24/74.
- 132C-10-060 Powers and duties of officers. [Order 7, § 132C-10-060 (3) and (4), filed 10/8/70; Order 68-2, § 132C-10-060, filed 5/24/68.] Repealed by Order 4433, filed 1/24/74.
- 132C-10-065 Committees. [Order 68-2, § 132C-10-065, filed 5/24/68.] Repealed by Order 4433, filed 1/24/74.
- 132C-10-070 Meetings. [Order 7, § 132C-10-070 (1), filed 10/8/70; Order 68-2, § 132C-10-070, filed 5/24/68.] Repealed by Order 4433, filed 1/24/74.
- 132C-10-075 Seal. [Order 68-2, § 132C-10-075, filed 5/24/68.] Repealed by Order 4433, filed 1/24/74.
- 132C-10-080 Board legislation. [Order 68-2, § 132C-10-080, filed 5/24/68.] Repealed by Order 4433, filed 1/24/74.
- 132C-10-085 Procedure. [Order 68-2, § 132C-10-085, filed 5/24/68.] Repealed by Order 4433, filed 1/24/74.
- 132C-10-090 Business procedure. [Order 68-2, § 132C-10-090, filed 5/24/68.] Repealed by Order 4433, filed 1/24/74.
- 132C-10-095 Reduction in staff. [Order 70-1, § 132C-10-095, filed 7/7/70.] Repealed by 82-01-008 (Order 22,

Resolution No. 50-1181), filed 12/4/81. Statutory Authority: Chapter 28B.50 RCW.

WAC 132C-10-010 Distribution of printed material on campus. Publications, handbills, leaflets, statements, and similar materials EXCEPT THOSE WHICH ARE COMMERCIAL, OBSCENE OR UNLAWFUL IN CHARACTER—may be distributed without review or approval by any regularly enrolled full-time student, faculty or staff member or recognized group of students enrolled at Olympic College. It is to be understood that such materials do not necessarily represent the views of the college, its faculty, student body or staff. Such materials may be distributed from authorized public areas in the student center and at any outdoor area on the campus consistent with the maintenance of college property, with the free flow of traffic and persons, and not in a manner which in itself limits the orderly operation of college affairs.

All such materials shall INDICATE THE NAME OF THE SPONSORING PERSON OR STUDENT ORGANIZATION, and its chairman, by which the distribution is made. Distribution of any printed materials by persons not members of the college community shall be prohibited unless approved in advance by the college president or his designee. [Order, § 132C-10-010, filed 4/15/68.]

WAC 132C-10-015 Publications. All printing requests such as programs, recruitment or departmental brochures, booklets, catalog or any other printed matter that requires an expenditure from college funds must be coordinated through the office of public relations. Help in lay-out and design will be provided. The most economical method of production will be secured and all charges will be made to the appropriate departmental budget. [Order, § 132C-10-015, filed 4/15/68.]

WAC 132C-10-020 Rental of Olympic College facilities by noncollege organizations or individuals. It shall be the policy of Community College District No. 3 to allow rental of the Olympic College facilities when they are not previously scheduled for college use to noncollege organization or any individuals upon approval by the president of the college and in accordance with administrative regulations. [Order, § 132C-10-020, filed 4/15/68.]

WAC 132C-10-030 Addition of courses to the curriculum. In addition to the basic program, additional courses may be offered (1) on a trial basis, (2) as a special service to the community, or (3) to meet a specific occupational need which has not been previously anticipated, when financial and other arrangements are feasible and regulations regarding scheduling and appointment of instructors have been met. [Order, § 132C-10-030, filed 4/15/68.]

WAC 132C-10-035 Deletion of courses from the curriculum. Courses may be dropped from the curriculum by the same procedure as for addition. Courses not

offered in any two consecutive years shall be automatically dropped and deleted from the college catalog. [Order, § 132C-10-035, filed 4/15/68.]

Chapter 132C-104 WAC BYLAWS AND STANDING ORDERS OF GOVERNING BOARDS

WAC

- 132C-104-040 Seal.
- 132C-104-060 Regular meetings of the board of trustees.
- 132C-104-07001 Legislative matters.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 132C-104-005 Name, composition, and powers of the board of trustees. [Order 4433, § 132C-104-005, filed 1/24/74.] Repealed by 78-05-001 (Order 17, Resolution 45-0378), filed 4/6/78. Statutory Authority: Chapters 28B.10 and 28B.50 RCW.
- 132C-104-010 The board of trustees. [Order 4433, § 132C-104-010, filed 1/24/74.] Repealed by 78-05-001 (Order 17, Resolution 45-0378), filed 4/6/78. Statutory Authority: Chapters 28B.10 and 28B.50 RCW.
- 132C-104-015 Special provision relating to the board of trustees. [Order 4433, § 132C-104-015, filed 1/24/74.] Repealed by 78-05-001 (Order 17, Resolution 45-0378), filed 4/6/78. Statutory Authority: Chapters 28B.10 and 28B.50 RCW.
- 132C-104-020 Officers of the board. [Order 4433, § 132C-104-020, filed 1/24/74.] Repealed by 78-05-001 (Order 17, Resolution 45-0378), filed 4/6/78. Statutory Authority: Chapters 28B.10 and 28B.50 RCW.
- 132C-104-025 Powers and duties of officers. [Order 4433, § 132C-104-025, filed 1/24/74.] Repealed by 78-05-001 (Order 17, Resolution 45-0378), filed 4/6/78. Statutory Authority: Chapters 28B.10 and 28B.50 RCW.
- 132C-104-030 Committees. [Order 4433, § 132C-104-030, filed 1/24/74.] Repealed by 78-05-001 (Order 17, Resolution 45-0378), filed 4/6/78. Statutory Authority: Chapters 28B.10 and 28B.50 RCW.
- 132C-104-035 Meetings. [Order 4433, § 132C-104-035, filed 1/24/74.] Repealed by 78-05-001 (Order 17, Resolution 45-0378), filed 4/6/78. Statutory Authority: Chapters 28B.10 and 28B.50 RCW.
- 132C-104-045 Meeting procedures. [Order 4433, § 132C-104-045, filed 1/24/74.] Repealed by 78-05-001 (Order 17, Resolution 45-0378), filed 4/6/78. Statutory Authority: Chapters 28B.10 and 28B.50 RCW.
- 132C-104-050 Procedures. [Order 4433, § 132C-104-050, filed 1/24/74.] Repealed by 78-05-001 (Order 17, Resolution 45-0378), filed 4/6/78. Statutory Authority: Chapters 28B.10 and 28B.50 RCW.
- 132C-104-055 Gifts. [Order 4433, § 132C-104-055, filed 1/24/74.] Repealed by 78-05-001 (Order 17, Resolution 45-0378), filed 4/6/78. Statutory Authority: Chapters 28B.10 and 28B.50 RCW.
- 132C-104-070 Meetings. [Order 3422, § 132C-104-070, filed 5/15/72.] Repealed by Order 4433, filed 1/24/74.

WAC 132C-104-040 Seal. (1) Design. The seal of Olympic College shall be the following form and design:



(2) Use. The seal shall be used only in connection with the transaction of official business of Olympic College. [Order 4433, § 132C-104-040, filed 1/24/74.]

WAC 132C-104-060 Regular meetings of the board of trustees. One regular meeting of the board of trustees shall be held each month. This meeting shall be held on the fourth Tuesday [of] [on] each month and begin at 7:30 p.m., in the Art Lecture Room A-103, Olympic College Campus, Chester Street, Bremerton, Washington, or at such other time and place as the board may direct from time to time and as published in the state register. The location of each meeting is available in the office of the President, Olympic College, 16th and Chester Streets, Bremerton, Washington. [Statutory Authority: Chapter 28B.50 RCW. 78-09-008 (Order 20, Resolution 48-0678), § 132C-104-060, filed 8/7/78; Statutory Authority: Chapters 28B.10 and 28B.50 RCW. 78-05-002 (Order 18, Resolution 46-0378), § 132C-104-060, filed 4/6/78.]

Reviser's note: WAC 1-13-130 requires the use of underlining and deletion marks to indicate amendments to existing rules. The bracketed material in the above section does not appear to conform to this rule.

WAC 132C-104-07001 Legislative matters. The board may from time to time designate persons to represent the board and the college in matters requiring action by the legislature or officers of the state of Washington. [Statutory Authority: Chapters 28B.10 and 28B.50 RCW. 78-05-002 (Order 18, Resolution 46-0378), § 132C-104-070 (codified as WAC 132C-104-07001), filed 4/6/78.]

Chapter 132C-120 WAC STUDENT CONDUCT CODE

WAC

- 132C-120-010 Evaluation.
- 132C-120-015 Protection of freedom of expression.
- 132C-120-020 Protection against improper academic evaluation.
- 132C-120-025 Protection against improper disclosure.
- 132C-120-030 Freedom of association.
- 132C-120-035 Freedom of inquiry and expression.
- 132C-120-040 Student participation in institutional government.
- 132C-120-045 Student publications.
- 132C-120-050 Exercise of rights of citizenship.
- 132C-120-055 Institutional authority and civil penalties.
- 132C-120-060 Procedural standards in disciplinary proceedings.

- 132C-120-065 Standards of conduct expected of students.
- 132C-120-070 Investigation of student conduct.
- 132C-120-075 Status of student pending final action.
- 132C-120-080 Purpose of adoption of student conduct code.
- 132C-120-085 Definitions.
- 132C-120-090 Jurisdiction.
- 132C-120-095 Right of assembly.
- 132C-120-100 Commercial activities.
- 132C-120-105 Noncollege speakers.
- 132C-120-110 Trespass.
- 132C-120-115 Distribution of printed material on campus.
- 132C-120-120 Purpose of disciplinary actions.
- 132C-120-125 Initiation of prosecution.
- 132C-120-130 Initial disciplinary proceedings.
- 132C-120-135 Appeals.
- 132C-120-140 Composition of student conduct board.
- 132C-120-145 Procedures for hearing before the student conduct board.
- 132C-120-150 Conduct of disciplinary hearings.
- 132C-120-155 Evidence admissible in hearings.
- 132C-120-160 Decision by the student conduct board.
- 132C-120-165 Final decision regarding disciplinary action.
- 132C-120-170 Disciplinary action.
- 132C-120-175 Readmission after dismissal.
- 132C-120-180 Summary suspension rules.
- 132C-120-185 Initiation of summary suspension proceedings.
- 132C-120-190 Notice of summary proceedings.
- 132C-120-195 Procedures of summary suspension hearing.
- 132C-120-200 Decision by dean of students.
- 132C-120-205 Notice of findings.
- 132C-120-210 Suspension for failure to appear.
- 132C-120-215 Appeal.
- 132C-120-220 Summary suspension proceedings not duplicitous.
- 132C-120-225 Reporting, recording and maintenance of records.

WAC 132C-120-010 Evaluation. The instructor in the classroom and in conferences shall encourage free discussion, inquiry and expression. Student performance shall be evaluated solely on an academic basis, not on opinions of conduct in matters unrelated to academic standards. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-010, filed 4/4/80.]

WAC 132C-120-015 Protection of freedom of expression. Students shall be free to take reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course of study for which they are enrolled. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-015, filed 4/4/80.]

WAC 132C-120-020 Protection against improper academic evaluation. Students shall have protection through orderly procedures against prejudiced or capricious academic evaluation. At the same time they are responsible for maintaining standards of academic performance established for each course in which they are enrolled. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-020, filed 4/4/80.]

WAC 132C-120-025 Protection against improper disclosure. Information about student views, beliefs and political associations which faculty and staff acquire in the course of their work as instructors, advisers and

counselors shall be considered confidential. Protection against improper disclosure is a serious professional obligation. Judgments of ability and character may be provided under appropriate circumstances, normally with the knowledge or consent of the student. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-025, filed 4/4/80.]

WAC 132C-120-030 Freedom of association. Students bring to the campus a variety of interests previously acquired and develop many new interests as members of the academic community. They shall be free to organize and join associations to promote their common interests.

(1) Affiliation with an extramural organization shall not of itself disqualify a student organization from institutional recognition.

(2) Each organization shall have a campus advisor chosen by the membership of the organization with the approval of the director of student programs and activities. Campus advisors may advise organizations in the area of responsibility, but they shall not have the authority to control the policy of such organizations.

(3) In order to be officially recognized, a student organization must maintain a club charter with the associated students of Olympic College.

(4) Campus organizations, including those affiliated with an extramural organization, shall be open to all students without respect to race, religion or national origin. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-030, filed 4/4/80.]

WAC 132C-120-035 Freedom of inquiry and expression. Students and student organizations shall be free to examine and to discuss all questions of interest to them and to express opinions publicly and privately. They shall always be free to support causes by orderly means which do not disrupt the regular and essential operation of the institution. At the same time it should be made clear to the academic and the larger community that in their public expressions or demonstrations, students or student organizations speak only for themselves.

Recognized student groups shall be allowed to invite and to hear any person of their own choosing, subject only to procedural rules relating to noncollege speakers.

These rules are designed to insure that there is orderly scheduling of facilities and adequate preparation for the event, and that the occasion is conducted in a manner appropriate to an academic community. The institutional control of campus facilities shall not be used as a device for censorship. It shall be made clear to the academic and larger community that sponsorship for guest speakers does not necessarily imply approval or endorsement of the views expressed either by the sponsoring group or the institution. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-035, filed 4/4/80.]

WAC 132C-120-040 Student participation in institutional government. As constituents of the academic community, students are free, individually and collectively, to express their views on issues of institutional policy and on matters of general interest to the student body. The student body shall have clearly defined means to participate in the formation and application of institutional policy affecting academic and student activities. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-040, filed 4/4/80.]

WAC 132C-120-045 Student publications. Student publications and the student press are a valuable aid in establishing and maintaining an atmosphere of free and responsible discussion and of intellectual exploration on the campus. They are a means of bringing student concerns to the attention of the faculty and the institutional authorities and of formulating student opinion on various issues on the campus and in the world at large. Financial and legal autonomy is not possible, therefore, Olympic College, as the publisher of student publications, may have to bear the legal responsibility for the contents of the publications. In the delegation of editorial responsibility to students, the institution must provide sufficient editorial freedom and financial autonomy for the student publications to maintain their integrity of purpose as vehicles for free inquiry and free expression in an academic community. At the same time the editorial freedom of student editors and managers entails corollary responsibilities to be governed by the canons of responsibilities such as the avoidance of libel, indecency, undocumented allegations, attacks on personal integrity, and the techniques of harassment and innuendo. As safeguards for the editorial freedom of student publications, the following provisions are necessary.

(1) The student press should be free of censorship and advance approval of copy, and its editors and managers should be free to develop their own editorial policies and news coverage consistent with Canons of Journalism.

(2) Editors and managers of student publications should be protected from arbitrary suspension and removal because of student, faculty, administration or public disapproval of editorial policy or content. Only for proper and stated causes should editors and managers be subject to removal and then by orderly and prescribed procedures. The agency responsible for the appointment of editors and managers should be the agency responsible for their removal.

(3) It is expected that campus student publications will have a written editorial policy consistent with the above. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-045, filed 4/4/80.]

WAC 132C-120-050 Exercise of rights of citizenship. Olympic College students are both citizens and members of the academic community. As citizens, students shall enjoy the same freedom of speech, peaceful assembly, and right of petition that other citizens enjoy and, as members of the academic community, they are

subject to the obligations which accrue to them by virtue of this membership. Faculty members and administrative officials shall insure that institutional powers are not employed to inhibit such intellectual and personal development of students as is often promoted by their exercise of the rights of citizenship both on and off campus. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-050, filed 4/4/80.]

WAC 132C-120-055 Institutional authority and civil penalties. Activities of students may upon occasion result in violation of law. In such case institutional officials shall be prepared to apprise students of sources of legal counsel and may offer other assistance. Students who violate the law may incur penalties prescribed by civil authorities, but institutional authority shall never be used merely to duplicate the function of general laws. Only where the institution's interests as an academic community are distinct and clearly involved should the special authority of the institution be asserted. The student who incidently violates institutional regulations in the course of his/her off-campus activity such as those relating to class attendance, shall be subject to no greater penalty than would normally be imposed. Institutional action should be independent of community pressure. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-055, filed 4/4/80.]

WAC 132C-120-060 Procedural standards in disciplinary proceedings. In developing responsible student conduct, disciplinary proceedings play a role substantially secondary to example, counseling, guidance and admonition. At the same time Olympic College has a duty and the corollary disciplinary powers to protect its educational purpose through the setting of standards of scholarship and conduct for the students who attend and through the regulation of the use of institutional facilities. In the exceptional circumstances when the preferred means fail to resolve problems of student conduct, prior procedural safeguards shall be observed to protect the student from the unfair imposition of serious penalties.

The administration of discipline shall guarantee procedural fairness to an accused student. Practices in disciplinary cases may vary in formality with the gravity of the offense and the sanctions which may be applied. They shall also take into account the presence or absence of an honor code and the degree to which the institutional officials have direct acquaintance with student life in general and the involved student and the circumstances of the case in particular. The jurisdictions of faculty or student judicial bodies, the disciplinary responsibilities of institutional officials and the regular disciplinary procedures, including the student's rights to appeal a decision shall be clearly formulated and communicated in advance. Minor penalties may be assessed informally under prescribed procedures.

In all situations procedural fair play requires that the student be informed of the nature of the charges against

him/her, that he/she be given a fair opportunity to refute them, that the situation not be arbitrary in its actions, and that there be provision for appeal of a decision. The following are recommended as proper safeguards in such proceedings when there are no honor codes offering comparable guarantees. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-060, filed 4/4/80.]

WAC 132C-120-065 Standards of conduct expected of students. The institution has an obligation to clarify those standards of behavior which it considers essential to its educational mission and its community life. These general behavior expectations and the resultant specific regulations should represent a reasonable regulation of student conduct, but the student shall be as free as possible from imposed limitations that have no direct relevance to his/her education. Offenses should be as clearly defined as possible and interpreted in a manner consistent with the aforementioned principles of relevancy and reasonableness. Disciplinary proceedings shall be instituted, only for violations of standards of conduct formulated with significant student participation and published in advance through such means as a student handbook as a generally available body of institutional regulations. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-065, filed 4/4/80.]

WAC 132C-120-070 Investigation of student conduct. Premises occupied by students and the personal possessions of students shall not be searched unless appropriate authorization has been obtained. For premises controlled by the institution, an appropriate and responsible authority shall be designated to whom application shall be made before a search is conducted. The application shall specify the reasons for the search and objects or information sought. The student shall be present, if possible, during the search. For premises not controlled by the institution, the ordinary requirements for lawful search shall be followed.

Students charged with violations of institutional regulations shall be informed of their right to due process. No form of harassment shall be used by institutional representatives to coerce admissions of guilt or information about conduct of other suspected persons. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-070, filed 4/4/80.]

WAC 132C-120-075 Status of student pending final action. Pending action on the charges the status of a student shall not be altered, or his/her right to be present on the campus and to attend classes suspended, except for reasons relating to his/her physical or emotional safety and well-being, or for reasons relating to safety and well-being of students, faculty or college property in accordance with summary suspension rules. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-075, filed 4/4/80.]

WAC 132C-120-080 Purpose of adoption of student conduct code. Olympic College is maintained by the state of Washington for the accomplishment of certain special purposes, namely, the provision of programs of instruction in higher education, the provision of vocational-technical occupation education, the advancement of knowledge through scholarship and research, and the provision of related community services and adult education. Just as any other social institution has its own special purposes, a college must maintain conditions conducive to the effective performance of its functions. Consequently, the college has special expectations regarding the conduct of the various participants in the academic community. Student conduct which distracts from or interferes with accomplishment of college purposes is not acceptable.

Admission to the college carries with it the presumption that the student will conduct himself/herself as a responsible member of the academic community. This included an expectation that the student will obey the law, will comply with rules and regulations of the college, will maintain a high standard of integrity and honesty and will respect the rights, privileges and property of other members of the college community.

It is assumed that the student is, and wishes to be treated as, an adult. As such, he/she will accept responsibility for his/her own conduct. In order to accomplish educational purposes of the college and also to provide students a full understanding of the rules that will enable the college to maintain conditions conducive to the effective performance of the college's functions, the following rules regarding the conduct of students are hereby adopted. Sanctions for violations of the rules of student conduct herein adopted will be administered by the college in the manner provided by said rules. When violations of laws of the state of Washington and/or the United States are also involved, the college may refer such matters to proper civil authorities. In case of minors, this conduct may be referred to parents or legal guardians. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-080, filed 4/4/80.]

WAC 132C-120-085 Definitions. As used in this set of documents, the following words and phrases shall mean:

(1) "Assembly" shall mean any overt activity engaged in by two or more persons, the object of which is to gain publicity, advocate a view, petition for a cause or disseminate information to any person, or group of persons.

(2) "Board" shall mean the board of trustees of Olympic College.

(3) "College" shall mean Olympic College.

(4) "College facilities" shall mean and include any or all real property owned or operated by the board of trustees of Olympic College, and shall include all buildings and appurtenances affixed thereon or attached thereto.

(5) "College personnel" refers to any person employed by Olympic College on a full or part-time basis, except

those who are faculty members as defined in subparagraph 8 infra.

(6) "Disciplinary action" sanctions shall mean and include the expulsion, suspension, probation or admonition of any student by the college president or dean of students for the violation of any designated rule of student conduct for which a student is subject to disciplinary action.

(7) "District" shall mean Community College District No. 3, state of Washington.

(8) "Faculty member" shall mean any instructor or aide employed by Olympic College who is authorized to teach at a community college in the state of Washington.

(9) "President" unless otherwise designated shall mean the duly appointed president of Olympic College.

(10) "Rules of student conduct" shall mean those rules regulating student conduct as herein adopted.

(11) "Student" shall mean and include any person who is enrolled in the college.

(12) "De novo" shall mean renewed. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-085, filed 4/4/80.]

WAC 132C-120-090 Jurisdiction. All rules herein adopted concerning student conduct and discipline shall apply to every student attending community college within the district whenever said student is present upon any college facility or college sponsored function.

Breaches of discipline shall include but not be limited to:

(1) Liquor. The possessing, consumption or being demonstrably under the influence of any form of liquor by any student on college facilities or college sponsored function shall be cause for disciplinary action. The exception of possession or consumption of liquor is if special approval for use of liquor has been obtained from the dean of students or his/her designee.

(2) Drugs. Any student who shall use, possess, be demonstrably under the influence of, or sell any narcotic drug as defined in RCW 69.50.101(0) as now law or hereinafter amended, or any dangerous drug as defined in RCW 69.40.050 as now law or hereinafter amended, shall be subject to disciplinary action except when the use or possession of a drug is specifically prescribed as medication by an authorized medical doctor or dentist. For purposes of this regulation, "sell" shall include the statutory meaning defined in RCW 69.04.005.

(3) Cheating. (a) Any student who, for the purpose of fulfilling or partially fulfilling any assignment or task required by a faculty member as part of the student's program of instruction, shall knowingly tender any work product that the student fraudulently represents to the faculty member as the student's work product, shall be deemed to have cheated. Cheating shall be cause for disciplinary action. (b) Any student who aids or abets the accomplishment of cheating as defined in subparagraph one above, shall also be subject to disciplinary action.

(4) Theft. Any student who shall commit theft of the property of another, as defined in RCW 9A.56.020 shall be subject to disciplinary action.

(5) Assault. Any student who shall assault any person in the manner prohibited by law in RCW 9A.36.010 or 9A.36.020 or 9A.36.030 shall be subject to disciplinary action.

(6) Forgery or alteration of records. Any student who engages in acts of forgery, as defined in RCW 9A.60.020 shall be subject to disciplinary action. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-090, filed 4/4/80.]

WAC 132C-120-095 Right of assembly. Students shall have the right of "assembly" as defined in WAC 132C-120-085 upon college facilities that are generally available to the public: *Provided*, That such assembly shall:

- (1) Be conducted in an orderly manner; and
- (2) Not unreasonably interfere with vehicular or pedestrian traffic; or
- (3) Not unreasonably interfere with classes, scheduled meetings or ceremonies, or with educational functions of the college; and
- (4) Not unreasonably interfere with college functions.

A student who conducts or participates in an assembly violative of any provision of this rule shall be subject to disciplinary action.

Nonstudents who participate in or aid or abet any assembly or assemblies in violation of this section shall be subject to possible prosecution under the state criminal trespass law and/or any other possible civil or criminal remedies available to the college. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-095, filed 4/4/80.]

WAC 132C-120-100 Commercial activities. College facilities will not be used for commercial solicitation, advertising or promotional activities except when such activities clearly serve Olympic College educational objectives, including but not limited to, display of books of interest to the academic community or the display or demonstration of technical or research equipment, and when such commercial activities relate to educational objectives and are conducted under the sponsorship of, at the request of a college division of the office of student activities of the college, provided that such solicitation does not interfere with or operate to the detriment of the conduct of college affairs or the free flow of pedestrian or vehicular traffic. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-100, filed 4/4/80.]

WAC 132C-120-105 Noncollege speakers. The trustees, the administration, and the faculty of Olympic College subscribe to the proposition that an important aspect of the education of college students is the opportunity to listen to speakers representing a wide variety of opinions and beliefs on important public issues. Because

of the confidence reposed in Olympic College students' capacity to listen critically and to judge intelligently the statements made by advocates of varying ideologies, beliefs, and theories, and in conformity with American traditions of free speech and free inquiry, the following policies are established governing the appearance on campus of speakers not themselves members of the college community.

Any recognized student organization may invite to the campus any speaker a group wishes to hear, providing suitable space is available and there is no interference with the regular scheduled program of the college and officially sanctioned procedure is followed. It is understood that the appearance of such speakers on the campus implies neither approval nor disapproval of them or their viewpoints by this college, its faculty, its administration or the board of trustees. In the case of speakers who are candidates for political office, equal opportunities shall be available to opposing candidates if desired by them. Speakers are subject to the normal considerations for law and order and to the specific limitations imposed by the Washington State Constitution which prohibits religious worship, exercise, or instruction on state property.

In order to insure an atmosphere of open exchange and to insure that the educational objectives of the college are not obscured, the President, in a case attended by extreme emotional feeling, may prescribe conditions for the conduct of the meeting, such as requiring a designated member of the faculty as chairman, or requiring permission for comments and questions from the floor. Likewise, the president may encourage the appearance of one or more additional speakers at the meeting in question or at a subsequent meeting so that other points of view may be expressed. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-105, filed 4/4/80.]

WAC 132C-120-110 Trespass. The president of the college, or in such president's absence the acting president, in the instance of any event that the president deems to be disruptive of order, or which the president deems impedes the movement of persons or vehicles, or which the president deems to disrupt or threatens to disrupt the ingress and/or egress of persons from college facilities, and the president acting through the dean of students or such other person designated by the president shall have power and authority to:

(1) Prohibit the entry of, or withdraw the license or privilege of a person or persons or any group of persons to enter onto or remain upon any portion of a college facility; or

(2) Give notice against trespass by any manner specified in section 2, chapter 7, Laws of 1969, to any person, persons, or group of persons against whom the license or privilege has been withdrawn or who has been prohibited from entering onto or remaining upon all or any portion of a college facility; or

(3) Order any person, persons, or group of persons to leave or vacate all or any portion of a college facility.

Any student who shall disobey a lawful order given by the president or his/her designee pursuant to the requirements of subsection 1 of this rule shall be subject to disciplinary action. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-110, filed 4/4/80.]

WAC 132C-120-115 Distribution of printed material on campus. Publications, handbills, leaflets, statements, and similar materials except those which are commercial, obscene or unlawful in character may be distributed without review or approval by any regularly enrolled student, faculty or staff member, or recognized group of students enrolled at Olympic College. It is to be understood that such materials do not necessarily represent the views of the college, its faculty, student body, or staff. Such materials may be distributed from authorized public areas in the student center and at any outdoor area on campus consistent with the maintenance of college property, with the free flow of traffic and persons, and not in a manner which in itself limits the orderly operation of college affairs.

All such materials shall indicate the name of the sponsor. Distribution of any printed materials by persons not members of the college community shall be prohibited unless approved in advance by the dean of students or his/her designee.

Any student who violates any provision of this rule relating to the distribution and sale of handbills, leaflets, newspapers, or related materials shall be subject to disciplinary action.

Any distribution of the materials in this section shall not be construed as approval of the same by the college or by the board of trustees. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-115, filed 4/4/80.]

WAC 132C-120-120 Purpose of disciplinary actions. Disciplinary action, up to and including dismissal from the college, may be imposed upon a student for failure to abide by the rules of student conduct herein adopted. The form of disciplinary action imposed upon the nonabiding student will determine whether and under what conditions the violator may continue as a student at the college. Practices in disciplinary cases may vary in formality according to the severity of the case. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-120, filed 4/4/80.]

WAC 132C-120-125 Initiation of prosecution. Any person shall have the right to request sanctions for violations of the code of student conduct.

Faculty members shall have the authority to take such actions as may be necessary to maintain order and proper conduct in the classroom in order to assure the effective cooperation of students in the accomplishment of objectives of the course of instruction. Such actions may be appealed to the dean of students or his/her designee at any time before the end of the next succeeding

quarter in which the student is enrolled. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-125, filed 4/4/80.]

WAC 132C-120-130 Initial disciplinary proceedings. All disciplinary proceedings will be initiated by the dean of students or his/her designated representative who may also establish advisory panels to advise or act for the office in disciplinary proceedings.

Any student accused of violating any provision of the rules of student conduct will be called for an initial conference with the dean of students or his/her designated representative and will be informed of what provision or provisions of the code of student conduct he/she is charged with violating and what appears to be the maximum penalties which might result from consideration of the disciplinary proceeding.

After considering the evidence in the case and interviewing the student or students accused of violating the code of student conduct, the dean of students or his/her designated representative may take any of the following actions:

(1) Terminate the proceeding, exonerating the student or students providing both parties agree;

(2) Dismiss the case after whatever counseling and advice may be appropriate, provided both parties (accused and accuser) agree;

(3) Impose minor sanctions directly (warning, reprimand, or disciplinary probation) subject to the student's right of appeal described in WAC 132C-120-135;

(4) Refer the matter to the student conduct board for a recommendation to the president of the college as to appropriate action. The student shall be notified in writing when such a recommendation is made;

(5) Recommend to the president of the college that the student be dismissed, if the student agrees to waive a hearing and agrees to the dismissal.

A student accused of violating any provision of the code of student conduct shall be given written notification within five calendar days of any disciplinary action recommended by the dean of students or his/her designated representative.

No disciplinary action recommended by the dean of students or his/her designated representative is final unless the student fails to exercise his/her right of appeal as provided in WAC 132C-120-135 and the president of the college or his/her designated representative, after reviewing of the case including any statement the student may file with the president, shall either express written approval of the recommendation of the dean of students or give written direction as to what lesser disciplinary action, if any, is to be taken. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-130, filed 4/4/80.]

WAC 132C-120-135 Appeals. Any disciplinary action taken may be appealed. Action taken by the dean of students may be appealed to the student conduct board. Action taken by the student conduct board may be appealed to the president or his/her designee. Action taken by the president shall be final. All appeals by a student

must be made in writing and presented to the appropriate agency within five instructional days after the original action was taken. Decisions on appeals will be made by the appropriate agency within five instructional days. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-135, filed 4/4/80.]

WAC 132C-120-140 Composition of student conduct board. Olympic College shall have a student conduct board composed of seven members, who should be chosen on an ad hoc basis as needed. The member shall be selected as follows:

(1) The Olympic College president or his/her designee shall appoint three members and an alternate who are teaching on the appropriate campus; such members shall serve at his/her pleasure.

(2) The college president or his/her designee shall appoint one member from the college administration who shall serve at his/her pleasure.

(3) Three student members shall be designated by the president of the associated students of Olympic College subject to the approval of the executive council. Student membership must include a male and female student and two alternates.

(4) The chairman shall be chosen from the membership. The chairman shall preside at all meetings and hearings and shall be designated by the president of the college or his/her designee provided that no person who personally participates in any disciplinary action reviewed by the disciplinary committee may serve. The chairman shall not vote except in case of tie vote. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-140, filed 4/4/80.]

WAC 132C-120-145 Procedures for hearing before the student conduct board. The student conduct board will hear, de novo, and make recommendations to the president of the college on all disciplinary cases referred to it by the dean of students or his/her designee.

The student has a right to a fair and impartial hearing before the student conduct board on any charge of violating the rules of student conduct. The student's failure to cooperate with the hearing procedures hereinafter outlined, however, shall not preclude the student conduct board from making its findings of fact, conclusions, and recommendations as provided below. Failure by the student to cooperate may be taken into consideration by the committee in recommending to the president the appropriate disciplinary action.

The student shall be given written notice of the time and place of his/her hearing before the student conduct board and be afforded not less than ten days notice thereof. Said notice shall contain:

(1) A statement of the time, place, and nature of the disciplinary proceeding.

(2) A statement of the charges against him/her including reference to the particular sections of the code of student conduct involved.

The student shall be entitled to hear and examine the evidence against him/her and be informed of the identity of its source; he/she shall be entitled to present evidence in his/her own behalf and cross examine witnesses testifying against him/her as to factual matters. The student shall have all authority possessed by the college to obtain information he/she specifically describes in writing and renders to the dean of students no later than three days prior to the hearings, or to request the presence of witnesses or the production of other evidence relevant to the issue of the hearings.

The student may be represented by counsel of his/her choice at the disciplinary hearing. If the student elects to choose a duly licensed attorney admitted to practice in any state in the United States as his/her counsel, he/she must render three days notice thereof to the dean of students.

In all disciplinary proceedings the college may be represented by a designee appointed by the dean of students; said designee may then present the college's case against the student accused of violating the code of student conduct provided that in those cases in which the student elects to be represented by a licensed attorney the dean of students may elect to have the college represented by an assistant attorney general.

An adequate summary of all the evidence and facts presented to the disciplinary committee during the course of the proceedings will be taken. A copy thereof shall be available at the office of the dean of students for distribution.

The chairman of the student conduct board, as defined by the student conduct code, shall preside at the disciplinary hearing. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-145, filed 4/4/80.]

WAC 132C-120-150 Conduct of disciplinary hearings. Hearings conducted by the student conduct board generally will be held in closed session except when the accused requests that student and faculty other than those directly involved be invited to attend. 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.

Any student or faculty member attending the student conduct board hearing as an invited guest who continues to disrupt said proceedings after the chairman of the committee has asked him/her to cease and desist therefrom shall be subject to disciplinary action. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-150, filed 4/4/80.]

WAC 132C-120-155 Evidence admissible in hearings. Only those matters presented at the hearing in the presence of the accused student will be considered in student conduct board determinations. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-155, filed 4/4/80.]

WAC 132C-120-160 Decision by the student conduct board. Upon conclusion of the disciplinary hearing, the student conduct board shall in closed session consider all the evidence therein presented and decide by majority vote whether to recommend to the president any of the following actions:

(1) That the college terminate the proceedings and exonerate the student or students;

(2) That the college impose minor sanctions directly, such as warning, reprimand, or minor fine subject to the student's right of appeal as described below;

(3) That the college impose any of the disciplinary actions as provided in WAC 132C-120-170.

(4) Recommend to the president that the student be dismissed from the college.

The student shall be provided by the president of the college a copy of the student conduct board's findings of fact and conclusions regarding whether the student did violate any rule or rules of the code of student conduct. The committee shall also advise the student of his/her rights to present within seven days a written statement to the president of the college appealing the recommendation of the student conduct board. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-160, filed 4/4/80.]

WAC 132C-120-165 Final decision regarding disciplinary action. The president of the college or any representative he/she may designate except the dean of students shall, after reviewing the record of the case, include in the report of the student conduct board in any statement filed by the student either his/her indicated approval of the recommendations of the college disciplinary committee or give directions as to what lesser disciplinary action shall be taken.

If the president decides that discipline is to be imposed after the review provided by the above section, the president or his/her designee shall notify the student in writing of the discipline imposed. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-165, filed 4/4/80.]

WAC 132C-120-170 Disciplinary action. The following disciplinary actions are hereby established and shall be the sanctions imposed upon violators of the code of student conduct:

Disciplinary warnings: Notice to a student either verbally or in writing that he/she has been in violation of the rules of student conduct or has otherwise failed to satisfy the college's expectations regarding conduct. Such warnings imply that continuation or repetition of the specific conduct involved or other misconduct will result in one of the more serious disciplinary actions described below.

Reprimand: Formal action censuring a student for violation of the rules of student conduct. Reprimands are always made in writing to the student by the dean of students or his/her designee with copies to the office or agency involved. A reprimand indicates to the student that continuation or repetition of the specific conduct

involved or other misconduct will result in one of the more serious disciplinary actions described below.

Disciplinary probation: Formal action placing conditions upon the student's continued attendance for violation of code of student conduct. The dean of students will specify, in writing, the period of probation and the conditions such as limiting the student's participation in extracurricular activities. Disciplinary probation may be for a specified term or for an indefinite period which may extend to graduation or other termination of the student's enrollment in the college.

Dismissal: Termination of student status for violation of the code of student conduct. Student may be dismissed only with the approval of the president of the college. Dismissal may be for a stated or for an indefinite period. The notification dismissing a student will indicate, in writing, the term of the dismissal and any special conditions which must be met before readmission. There is no refund of fees for the quarter in which action is taken but fees paid in advance for a subsequent quarter are to be refunded.

Restitution: The dean of students may demand restitution from individual students for destruction or damage of property. Failure to make arrangements for restitution promptly will result in the cancellation of the student's registration and will prevent the student from reregistration. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-170, filed 4/4/80.]

WAC 132C-120-175 Readmission after dismissal. Any student dismissed from the college for disciplinary reasons may be readmitted only on written petition to the dean of students. Such petitions must indicate how specified conditions have been met and, if the term of the dismissal has not expired, any reasons which support a reconsideration of the matter. Because the president of the college participates in all disciplinary actions dismissing students from the college, decisions on such petitions for readmission must be reviewed by the student conduct board and recommendation made to the president and approved by the president before readmission is granted. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-175, filed 4/4/80.]

WAC 132C-120-180 Summary suspension rules. The board of trustees of Olympic College recognizes the need to provide the administration with a summary system of student discipline that can swiftly and fairly respond to immediate disorder or conditions relating to student's physical and emotional well-being.

The board of trustees recognizes the need to provide the college administrators with a summary system of student discipline that can swiftly and fairly respond to immediate disorder in conditions relating to students. The board further desires to create and operate such a system within the framework of fundamental due process as presently embodied in the historic notions embodied in the jurisprudential tool of the temporary

restraining order. Therefore the board adopts the following rules:

(1) It is to be understood, however, that nothing within the rules adopted shall be construed to supplant the provisions of the student conduct code and disciplinary procedures and the student disciplinary system created therein. Rather, the provisions of the rules of this chapter shall be deemed to be supplementary to the student conduct code by providing a method of suspension during the pendency of the investigation and prosecution for student violations that will be subsequently heard on their merits pursuant to the system embodied in the said student conduct code. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-180, filed 4/4/80.]

WAC 132C-120-185 Initiation of summary suspension proceedings. If the president or in his/her absence his/her designee has cause to believe that any student has violated any law of the state or the United States or any of the code of student conduct and the president or his/her designee also has further cause to believe that the student's violation involves:

(1) Participation in any mass protest or demonstration violative of WAC 132C-120-095 and that immediate disciplinary action is necessary to restore order on any college campus, or

(2) Violation of any other rule of student conduct and there also appears to be a significant probability that said violation or violations will continue to the great injury of the college so as to render disciplinary process contained herein ineffectual,

Then the president or his/her designee shall, pursuant to the following rules, have authority to suspend said student for one to ten days prior to any subsequent disciplinary proceeding initiated under the code of student conduct contained in WAC 132C-120-185. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-185, filed 4/4/80.]

WAC 132C-120-190 Notice of summary proceedings. If the president desires to exercise the authority conferred by WAC 132C-120-185 against any student, he/she shall direct the dean of students to cause notice thereof to be served upon said student by registered or certified mail at the student's last known address or by causing personal service of such notice upon said student.

The notice shall be entitled "notice of summary suspension" and shall include:

(1) A description of evidence that misconduct did occur.

(2) The charges against the student, including reference to the law and/or code of student conduct involved, and

(3) A summons to appear before the dean of students or his/her designee at a time to be set by the dean, but not later than 24 hours from the date and time of receipt

of the "notice of summary suspension." [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-190, filed 4/4/80.]

WAC 132C-120-195 Procedures of summary suspension hearing. At the summary suspension hearing the dean of students or his/her designee shall state that there is cause to believe that the violation stated on the notice of summary suspension to the student did occur and that the president or his/her designee did have probable cause to believe the immediate suspension of said student is necessary, pursuant to WAC 132C-120-190.

The student may offer oral testimony of himself/herself or of any person, submit any statement or affidavit on his/her behalf, examine any affidavit and cross examine any witness who may appear against him/her and submit any matter in extenuation or mitigation of the offense or offenses charged.

The dean of students shall at the time of the summary suspension proceeding determine whether there is a probable cause to believe that a violation of law or of the code of student conduct has occurred and whether there is cause to believe that immediate suspension is necessary pursuant to WAC 132C-120-200. In the course of making such a decision, said dean may only consider the sworn affidavit or oral testimony of persons who have alleged that the student charged has committed a violation of law or of the code of student conduct and the oral testimony and affidavits submitted by the student charged. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-195, filed 4/4/80.]

WAC 132C-120-200 Decision by dean of students. If the dean of students, following the conclusion of the summary suspension proceeding, is still of the opinion that there is probable cause to believe:

(1) The student against whom specific violations of the law or of the code of student conduct are alleged has committed one or more such violations upon any college facility or college sponsored activity; and

(2) That summary suspension of said student is necessary to attain peace and order on the campus; and

(3) Such violation or violations of the law or of the code of student conduct constitute grounds for disciplinary probation or dismissal pursuant to WAC 132C-120-200, then the dean of students may, with written approval of the president, continue suspension of such student from college for maximum of ten days. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-200, filed 4/4/80.]

WAC 132C-120-205 Notice of findings. If a student is suspended pursuant to the above rules, said student will be provided with a written copy of the dean of students findings of fact and conclusions, as expressly concurred in by the president, as to whether said dean had probable cause to believe that the conditions for summary suspension outlined in WAC 132C-120-200

exists and whether immediate suspension of said student should issue.

The student suspended pursuant to the authority of this rule shall be served a copy of the notice of suspension by personal service or by registered mail. Notice by mail shall be sent to said student's last known address. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-205, filed 4/4/80.]

WAC 132C-120-210 Suspension for failure to appear. If the student against whom specific violations of the rules of student conduct or law have been alleged has been served pursuant to the notice required in WAC 132C-120-190 wilfully fails to appear at the time designated for the summary suspension proceeding, the dean of students may, with the written concurrence of the president, suspend the student from college for a maximum of ten days. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-210, filed 4/4/80.]

WAC 132C-120-215 Appeal. Any student aggrieved by an order issued at the summary suspension proceeding may appeal the same to the president or his/her designee. No such appeal shall be entertained, however, unless written notice of the appeal specifically describing alleged errors in the findings of the dean of students is tendered at the office of the president within 72 hours following the date notice of summary suspension was served or mailed to the student.

The president shall, as soon as reasonably possible, examine the allegations contained within the notice of appeal, along with the findings of the dean, the record of the summary suspension proceedings and determine therefrom whether the summary suspension is justified. Following such examination, the president may, at his/her discretion, suspend the summary suspension pending determination of the merits of the disciplinary proceeding pursuant to the code of student conduct.

The president shall notify the appealing student within 48 hours following its consideration of the notice of appeal as to whether the summary suspension shall be maintained or stayed pending disposition of the disciplinary proceeding pursuant to the code of student conduct.

The appellant shall have the right to appear personally before the president and, conversely, the president may require the appellant to appear personally.

A student's academic standing shall not be jeopardized in the event of his/her exoneration. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-215, filed 4/4/80.]

WAC 132C-120-220 Summary suspension proceedings not duplicious. As indicated, the summary suspension proceeding shall in no way substitute for the disciplinary proceedings provided for in the code of student conduct. At the end of the suspension, the student suspended shall be reinstated to his/her full rights and

privileges as a student, subject to whatever sanctions may have been or may be in the future imposed pursuant to the code of student conduct or these rules of summary suspension.

Any disciplinary proceeding initiated against the student because of violations alleged against any student in the course of the summary suspension proceeding provided for herein shall be de novo provided that the records made and evidence presented during the course of any facet of a summary suspension proceeding brought against the student shall be available for the use of the student and of the college in a disciplinary proceeding initiated under the code of student conduct. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-220, filed 4/4/80.]

WAC 132C-120-225 Reporting, recording and maintenance of records. Records of all disciplinary cases and summary suspension proceedings which result in sanctions shall be kept in the office of the dean of students. To minimize the risk of improper disclosure, academic and disciplinary records shall be kept separately. Except in proceedings where the student is exonerated, all documentary or other physical evidence produced or considered and all recorded testimony shall be preserved no longer than five years. No record of proceedings wherein the student is exonerated, other than the fact of exoneration, shall be maintained after the date of the student's graduation (maximum two years).

All disciplinary actions shall be entered on the student's disciplinary record and may be removed at the time of graduation or earlier at the discretion of the dean of students, however, all records must be destroyed within five years.

In any case in which a student summarily suspended pursuant to these rules is subsequently exonerated in the course of disciplinary proceedings provided for in the code of student conduct, all records related to the summary suspension of the student shall be removed from the student's disciplinary record. The dean of students shall be responsible for such removal.

Any failure by the college to remove records of disciplinary action pursuant to this section may be corrected by request of the student.

Information from disciplinary or student record files shall not be available to unauthorized persons on campus or to any person off campus without the consent of the student, except under legal compulsion or in cases where the safety of persons or property is involved. Persons who may be authorized are the dean of students, director of counseling, testing and student information analysis, chairman student conduct board, or others designated by the dean of students or president.

No records shall be kept which reflect the political activities or beliefs of the student.

All parties shall maintain full confidentiality with respect to such hearings. [Statutory Authority: Chapter 28B.50 RCW. 80-05-004 (Order 21, Resolution 49-0280), § 132C-120-225, filed 4/4/80.]

Chapter 132C-122 WAC
WITHHOLDING SERVICES FOR OUTSTANDING
DEBTS

WAC

- 132C-122-010 Policy.
132C-122-020 Notification.
132C-122-030 Informal hearing notification.
132C-122-040 Procedure for informal hearing.

WAC 132C-122-010 Policy. If any person, including faculty, staff, student or former student, be indebted to the institution for an outstanding overdue debt, the institution need not provide any further services of any kind to such individual, including but not limited to transmitting files, records, transcripts or other services which have been requested by any such person. The institution reserves the right to set off any funds received from an individual against an outstanding overdue debt. [Statutory Authority: Chapter 28B.50 RCW. 78-09-009 (Order 19, Resolution 47-0678), 132C-122-010, filed 8/7/78.]

WAC 132C-122-020 Notification. Upon receipt of such a request for services where there is an outstanding debt due the institution from that person, the institution shall notify the person by first-class mail that the services will not be provided since there is an outstanding debt due the institution, and further that until that debt is satisfied, no such services as are requested will be provided the individual. When the institution exercises its right of set off, the institution shall notify the person by first-class mail of the amount applied and balance due, if any. [Statutory Authority: Chapter 28B.50 RCW. 78-09-009 (Order 19, Resolution 47-0678), 132C-122-020, filed 8/7/78.]

WAC 132C-122-030 Informal hearing notification. The letter of notification contained in WAC 132C-122-020 shall also notify the individual that he has a right to a hearing before a person designated by the president of the institution to the extent that he believes the records of the institution are incorrect concerning his indebtedness. The letter shall also indicate that the request for the hearing must be made within twenty days from the date of mailing said letter. [Statutory Authority: Chapter 28B.50 RCW. 78-09-009 (Order 19, Resolution 47-0678), 132C-122-030, filed 8/7/78.]

WAC 132C-122-040 Procedure for informal hearing. Upon receipt of a timely request for a hearing, the person designated by the president shall have the records and files of the institution available for review and, at that time, shall hold an informal hearing concerning whether the individual in fact owes or owed any outstanding debts to the institution. After the informal hearing, a decision shall be rendered by the president's designee indicating whether in fact the institution is correct in withholding services or applying set off for the outstanding debt, and if the outstanding debt is in fact owed by the individual involved, the set off shall remain

applied and no further services shall be provided. Notification of this shall be sent to the individual within five days after the hearing. Said decision shall constitute an informal proceeding established by the institution pursuant to the Higher Education Administrative Procedure Act as defined in RCW 28B.19.110. [Statutory Authority: Chapter 28B.50 RCW. 78-09-009 (Order 19, Resolution 47-0678), 132C-122-040, filed 8/7/78.]

Chapter 132C-276 WAC
PUBLIC RECORDS

WAC

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132C-276-990 Appendix A—Request for public record to Community College District No. 3.

WAC 132C-276-010 Purpose. The purpose of this chapter shall be to ensure compliance by the Community College District No. 3 with the provisions of chapter 1, Laws of 1973 (Initiative 276), Disclosure—Campaign finances—Lobbying—Records; and in particular with sections 25-32 of that act, dealing with public records. [Order 4020, § 132C-276-010, filed 5/25/73.]

WAC 132C-276-020 Definitions. (1) **PUBLIC RECORDS.** "Public record" includes any writing containing information relating to the conduct of governmental or the performance of any governmental or proprietary function prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics.

(2) **WRITING.** "Writing" means handwriting, type-writing, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds; or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums and other documents.

(3) **COMMUNITY COLLEGE DISTRICT NO. 3.** The Community College District No. 3 is an agency organized by statute pursuant to RCW 28B.50.040. The Community College District No. 3 shall hereinafter be referred to as the "district." Where appropriate, the term district also refers to the staff and board of trustees employees of the district. [Order 4020, § 132C-276-020, filed 5/25/73.]

WAC 132C-276-030 Description of central and field organization of Community College District No. 3.

District No. 3 is a community college district organized under RCW 28B.50.040. The administrative office of the district and its staff are located at Olympic College, 16th and Chester, Bremerton, Washington 98310. [Order 4020, § 132C-276-030, filed 5/25/73.]

WAC 132C-276-040 Operations and procedures.

The district is established under RCW 28B.50.040 to implement the educational purposes established by RCW 28B.50.020. The college district is operated under the supervision and control of a board of trustees. The board of trustees is made up of five members each appointed by the governor to a term of five years. The trustees meet the fourth Tuesday of each month at 7:30 p.m. in the Art Lecture Room, A-103, Olympic College, unless public notice is given of a special meeting. At such time the trustees exercise the powers and duties granted it under RCW 28B.50.140. [Order 4020, § 132C-276-040, filed 5/25/73.]

WAC 132C-276-050 Public records available. All public records of the district, as defined in WAC 132C-276-020 are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by section 31, chapter 1, Laws of 1973 and WAC 132C-276-100. [Order 4020, § 132C-276-050, filed 5/25/73.]

WAC 132C-276-060 Public records officer. The district's public records shall be in the charge of the public records officer designated by the college president. The person so designated shall be located in the administrative office of the district. The public records officer shall be responsible for the following: The implementation of the district's rules and regulations regarding release of public records, coordinating the staff of the district in this regard, and generally insuring compliance by the staff with the public records disclosure requirements of chapter 1, Laws of 1973. [Order 4020, § 132C-276-060, filed 5/25/73.]

WAC 132C-276-070 Office hours. Public records shall be available for inspection and copying during the customary office hours of the district. For the purposes of this chapter, the customary office hours shall be from 8:00 a.m. to noon and from 1:00 p.m. to 4:00 p.m., Monday through Friday, excluding legal holidays. [Order 4020, § 132C-276-070, filed 5/25/73.]

WAC 132C-276-080 Requests for public records. In accordance with requirements of chapter 1, Laws of 1973 that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records may be inspected or copied or copies of such records may be obtained, by members of the public, upon compliance with the following procedures: (1) A request shall be made in writing upon a form prescribed by the district which shall be available at its administrative office. The form shall be presented to the public records officer; or to any

member of the district's staff, if the public records officer is not available, at the administrative office of the district during customary office hours. The request shall include the following information:

- (a) The name of the person requesting the record;
- (b) The time of day and calendar date on which the request was made;
- (c) The nature of the request;
- (d) If the matter requested is referenced within the current index maintained by the records officer, a reference to the requested record as it is described in such current index;
- (e) If the requested matter is not identifiable by reference to the district's current index, an appropriate description of the record requested should be given.

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the public records officer or staff member to whom the request is made, to assist the member of the public in appropriately identifying the public record requested. [Order 4020, § 132C-276-080, filed 5/25/73.]

WAC 132C-276-090 Copying. No fee shall be charged for the inspection of public records. The district shall charge a fee of 10¢ per page of copy for providing copies of public records and for use of the district's copy equipment. This charge is the amount necessary to reimburse the district for its actual costs incident to such copying. If a particular request for copies requires an unusually large amount of time, or the use of any equipment not readily available, the district will provide copies at a rate sufficient to cover any additional cost. All fees must be paid by money order, cashier's check or cash in advance. [Order 4020, § 132C-276-090, filed 5/25/73.]

WAC 132C-276-100 Exemptions. (1) The district reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 132C-276-080 is exempt under the provisions of section 31, chapter 1, Laws of 1973.

(2) In addition, pursuant to section 26, chapter 1, Laws of 1973, the district reserves the right to delete identifying details when it makes available or publishes any public record, in any cases when there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by chapter 1, Laws of 1973. The public records officer will fully justify such deletion in writing.

(3) All denials of requests for public records must be accompanied by a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld. [Order 4020, § 132C-276-100, filed 5/25/73.]

WAC 132C-276-110 Review of denials of public records requests. (1) Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by tendering a written request

for review. The written request shall specifically refer to the written statement by the public records officer or other staff member which constituted or accompanied the denial.

(2) Immediately after receiving a written request for review of a decision denying a public record, the public records officer or other staff member denying the request shall refer it to the president of the college. The president or his designee shall immediately consider the matter and either affirm or reverse such denial or consult with the attorney general to review the denial. In any case, the request shall be returned with a final decision, within two business days following the original denial.

(3) Administrative remedies shall not be considered exhausted until the district has returned the petition with a decision or until the close of the second business day following denial of inspection, whichever occurs first. [Order 4020, § 132C-276-110, filed 5/25/73.]

WAC 132C-276-120 Protection of public records. Requests for public records shall be made in the administration building of Olympic College. Public records and a facility for their inspection will be provided by the public records officer. Such records shall not be removed from the place designated for their inspection. Copies shall be made at Olympic College. If copying facilities are not available at the college, the college will arrange to have copies made commercially according to the provisions of WAC 132C-276-090. [Order 4020, § 132C-276-120, filed 5/25/73.]

WAC 132C-276-130 Adoption of form. The district hereby adopts for use by all person requesting inspection and/or copying or copies of its records, the form attached hereto as Appendix A, entitled "request for public record." [Order 4020, § 132C-276-130, filed 5/25/73.]

WAC 132C-276-990 Appendix A--Request for public record to Community College District No. 3.

APPENDIX "A"

REQUEST FOR PUBLIC RECORD TO COMMUNITY COLLEGE DISTRICT NO. 3

(a) Signature _____ Name (Please Print) _____
Name of Organization, if Applicable _____
Mailing Address of Applicant _____ Phone Number _____
(b) Date Request Made at Community College District No. 3 _____ Time of Day Request Made _____
(c) Nature of request _____

(d) Description of Record, or Matter, Requested if not Identifiable by Reference. _____

Request: Approved _____ Date _____ By _____ Public Records Officer

Denied Date _____

Reasons for Denial: _____

Referred to _____ Date _____
By _____ Public Records Officer

[Order 4020, Appendix A (codified as WAC 132C-276-990), filed 5/25/73.]

Chapter 132C-280 WAC

STATE ENVIRONMENTAL POLICY ACT RULES

WAC
132C-280-010 State Environmental Policy Act (SEPA).

WAC 132C-280-010 State Environmental Policy Act (SEPA). (1) It shall be the policy of Community College District No. 3 that capital projects proposed and developed by the district shall comply with the provisions of chapter 43.21C RCW, the State Environmental Policy Act (SEPA); chapter 197-10 WAC, guidelines for SEPA implementation; and WAC 131-24-030, SEPA implementation rules of the state board for community college education as now or hereinafter amended.

(2) In compliance with WAC 197-10-820, the business manager shall be the responsible official for carrying out this policy. [Order 14, § 132C-280-010, filed 6/18/76.]

**Chapter 132C-285 WAC
GRIEVANCE PROCEDURES**

WAC
132C-285-010 Grievance procedure.

WAC 132C-285-010 Grievance procedure. Any enrolled student or employee of Olympic College who believes he/she has been discriminated against on the basis of a handicap may lodge a formal institutional grievance by:

(1) Step 1: Informal meeting—Requesting an informal meeting with the individual believed to have committed the discriminatory act in an attempt to informally resolve the concern.

(2) Step 2: Official hearing—If not satisfied by the results of the informal meeting, the complainant may request in writing, stipulating a specific grievance(s), a

meeting with the college handicap representative (administrative assistant to the president). Within thirty calendar days of receiving a written request, the handicap representative will have arranged a meeting and reported the findings, in writing, to both the complainant and the person to whom the complaint is directed. It shall be at the discretion of the complainant to determine whether the handicap representative will meet with each party separately or in a single meeting.

If the complainant requests a single meeting, the meeting shall be attended by the complainant, the person to whom the complaint is directed, and the handicap representative who will chair the meeting.

(3) Step 3: Presidential appeal—If the complaint is not resolved as a result of the hearing conducted by the handicap representative, either the complainant or the person to whom the complaint is directed may request an appeal to the college president in writing within ten calendar days after receiving the written results of the official hearing. Within fifteen calendar days after receiving a written request, the college president or his designee will conduct a presidential appeal hearing and report the findings in writing to both the complainant and the person to whom the complaint is directed.

(a) The college president or his designee, the handicap representative, the complainant, and the person to whom the complaint is directed, shall attend the presidential appeal hearing. The college president or his designee shall preside.

(b) Either the complainant or the person to whom the complaint is directed may have a reasonable number of witnesses present.

(c) The written findings of the presidential appeal will be considered final. No further intrainstitutional appeal exists.

This procedure is not applicable to applicants for admission or employment. [Statutory Authority: RCW 28B.50.140(13). 78-02-062 (Order 16), § 132C-285-010, filed 1/23/78.]