

(Order 84-1, Resolution No. 83/84-2), § 132J-160-030, filed 5/11/84; Order 77-2, § 132J-160-030, filed 7/22/77; Order 73-1, § 132J-160-030, filed 5/14/73.]

WAC 132J-160-040 Repealed. See Disposition Table at beginning of this chapter.

WAC 132J-160-045 Tuition and special course/program-connected fees withdrawal or reduction in class load refund policy. Upon withdrawal from college or reduction in class load and the completion of tuition and special course/program-connected fees refund forms, the student may receive a refund under the following conditions:

(1) A full refund of general tuition fees, operating fees, and services and activities fees will be made if the student has properly withdrawn prior to the first class session or first day of instruction of the quarter.

(2) A full refund will be made when courses or programs are cancelled.

(3) One-half refund will be made on or after the first class session or first day of instruction of the quarter and on or prior to the thirtieth calendar day of the quarter or when forty percent of the course or program has elapsed, whichever is earlier in the quarter.

(4) No refund will be made after the thirtieth calendar day of the quarter or after forty percent of the course or program has elapsed.

(5) Exceptions may be made for medical reasons or when called into the military.

(6) The college shall charge a refund processing fee to be set by the college president.

(7) Refunds of less than five dollars will not be made.

(8) Students who have paid fees for equipment or materials which have a return/refund value must have the instructor or staff person who is responsible for the return/refund complete the appropriate form approving the refund.

(9) Other fees which are nonrefundable and not subject to this policy will be set by the college president and identified as such in the quarterly course schedule, and/or course announcement. [Statutory Authority: RCW 28B.15.600 and 28B.50.140. 84-11-021 (Order 84-1, Resolution No. 83/84-2), § 132J-160-045, filed 5/11/84. Formerly WAC 132J-160-040.]

WAC 132J-160-050 Appeal. Students have the right to appeal the refund policy within one calendar year of their payment when there are special circumstances involved. All appeals go to the dean for students. [Statutory Authority: RCW 28B.15.600 and 28B.50.140. 84-11-021 (Order 84-1, Resolution No. 83/84-2), § 132J-160-050, filed 5/11/84; Order 77-2, § 132J-160-050, filed 7/22/77.]

Title 132L WAC

COMMUNITY COLLEGES--CENTRALIA COLLEGE--SOUTH PUGET SOUND COMMUNITY COLLEGE

(Formerly: Olympia Technical Community College)

Chapter

132L-140 Environmental protection.

Chapter 132L-140 WAC

ENVIRONMENTAL PROTECTION

WAC

132L-140-020 Responsible officer.

WAC 132L-140-020 Responsible officer. In compliance with WAC 197-10-820, the district director of facilities and capital planning is designated to be the "responsible official" for carrying out this policy. [Statutory Authority: Chapters 28B.50, 28B.19 and 28B.52 RCW. 85-18-056 (Order 85-1, Motion No. 85-56), § 132L-140-020, filed 9/3/85; 83-17-022 (Order 83-2, Motion No. 83-50), § 132L-140-020, filed 8/9/83; Order 77-3, § 132L-140-020, filed 3/30/77.]

Title 132Q WAC

COMMUNITY COLLEGES--SPOKANE COMMUNITY COLLEGE--SPOKANE FALLS COMMUNITY COLLEGE

Chapters

132Q-04 Rules of student conduct and procedures of enforcement.

132Q-136 Use of district facilities.

Chapter 132Q-04 WAC

RULES OF STUDENT CONDUCT AND PROCEDURES OF ENFORCEMENT

WAC

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WAC 132Q-04-010 Purpose of adoption of student rules.

(1) All colleges administered by the board of trustees for Washington State Community College District 17 are maintained by the state of Washington for the accomplishment of certain special purposes; namely, the provision of programs of instruction in higher education, the advancement of knowledge through scholarship and research, and the provision of related community services. Like any other social institution having its own special purpose, 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.

(2) Admission to a college within the district carries with it the presumption that students will conduct themselves as responsible members of the academic community. This includes an expectation that students will obey the law, will comply with rules and regulations of the college and its departments, will maintain a high standard of integrity and honesty and will respect the rights, privileges and property of other members of the college community.

(3) It is assumed that students are, and wish to be treated as adults. As such, the students will accept responsibility for their 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: RCW 28B.50.140. 84-19-029 (Resolution No. 23), § 132Q-04-010, filed 9/14/84; Order 1-69, § 132Q-04-010, filed 12/8/69.]

WAC 132Q-04-020 Definitions. As used in this chapter, chapter 132Q-04 WAC, 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, persons or group of persons.

(2) "Board" shall mean the board of trustees of Washington State Community College District 17.

(3) "College" shall mean any community college which may be created by the board of trustees of Washington State Community College District 17.

(4) "College facilities" shall mean and include any or all real property owned, rented, leased, or operated by the board of trustees of Washington State Community College District 17, and shall include all buildings and appurtenances affixed thereon or attached thereto.

(5) "College personnel" refers to any person employed on a full-time or part-time basis except those who are faculty members as defined in subparagraph 8 infra, by any community college administered by the board of trustees for Washington State Community College District 17.

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

(7) "District" shall mean Washington State Community College District 17.

(8) "Faculty members" shall mean any employee of any community college administered by the board of trustees of Washington State Community College District 17, who received a probationary faculty appointment or faculty appointment under the terms of the community college tenure law, RCW 28B.50.850 through 28B.50.869, as now law or hereinafter amended.

(9) "President" unless otherwise designated shall mean the duly appointed president or chief executive officer of any campus of Washington State Community College District 17.

(10) "Rules of student conduct" shall mean those rules regulating student conduct as herein adopted in chapter 132Q-04 WAC.

(11) "Student" shall mean and include any person who is enrolled in any community college administered by the board of trustees for Washington State Community College District 17. [Statutory Authority: RCW 28B.50.140. 84-19-029 (Resolution No. 23), § 132Q-04-020, filed 9/14/84; Order 70-1, § 132Q-04-020, filed 9/22/70; Order 1-69, § 132Q-04-020, filed 12/8/69.]

WAC 132Q-04-030 Jurisdiction. All rules herein adopted concerning student conduct and discipline shall apply to every student attending a community college within the district whenever said student is engaged in or present at any college-related activity occurring on or off college facilities. It shall also mean for enforcement of the rules of conduct to include facilities in which students are engaged in official college training and/or activities including places of training internships, cooperative education, practicums or supervised work experiences. [Statutory Authority: RCW 28B.50.140. 84-19-029 (Resolution No. 23), § 132Q-04-030, filed 9/14/84; Order 1-69, § 132Q-04-030, filed 12/8/69.]

WAC 132Q-04-050 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(o) as now law or hereinafter amended, or any controlled substance as defined in RCW 69.50.101(d) as now law or hereinafter amended, shall be subject to disciplinary action except when the use or possession of a drug is specifically authorized by a licensed practitioner as defined by RCW 69.50.101 (t)(1), (2), and (3), as now law or hereinafter amended. For purposes of this regulation, "sell" shall include the statutory meaning defined in RCW 69.50.410. [Statutory Authority: RCW 28B.50.140. 84-19-029 (Resolution No. 23), § 132Q-04-050, filed 9/14/84; Order 1-69, § 132Q-04-050, filed 12/8/69.]

WAC 132Q-04-060 Cheating. (1) 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.

(2) Any student who aids or abets the accomplishment of cheating as defined in subsection (1) of this section, shall also be subject to disciplinary action. [Statutory Authority: RCW 28B.50.140. 84-19-029 (Resolution No. 23), § 132Q-04-060, filed 9/14/84; Order 1-69, § 132Q-04-060, filed 12/8/69.]

WAC 132Q-04-067 Classroom conduct. Any student who, by any act of misconduct, substantially disrupts any college class by engaging in conduct that renders it difficult or impossible to maintain the decorum of the class, shall be subject to disciplinary action. [Statutory Authority: RCW 28B.50.140. 84-19-029 (Resolution No. 23), § 132Q-04-067, filed 9/14/84; Order 70-1, § 132Q-04-067, filed 9/22/70.]

WAC 132Q-04-070 Theft and/or sale of stolen property. Any student who shall commit larceny of the property of another, as defined in RCW 9A.56.020, or who shall sell, or offer to be sold such property, shall be subject to disciplinary action. [Statutory Authority: RCW 28B.50.140. 84-19-029 (Resolution No. 23), § 132Q-04-070, filed 9/14/84; Order 1-69, § 132Q-04-070, filed 12/8/69.]

WAC 132Q-04-075 Damaging property. Any student who shall willfully attempt to damage or destroy, or who in fact does willfully damage or destroy, any property owned, controlled or operated by Washington State Community College District 17 or owned, controlled or operated by another person while said property is located on facilities owned, rented, leased, or operated by Washington State Community College District 17 shall be subject to disciplinary action. [Statutory Authority: RCW 28B.50.140. 84-19-029 (Resolution No. 23), § 132Q-04-075, filed 9/14/84; Order 70-1, § 132Q-04-075, filed 9/22/70.]

WAC 132Q-04-080 Intimidation/interference. Any student who shall interfere or intimidate by force or violence another person, in the manner prohibited by law in RCW 28B.10.570 and 28B.10.571, shall be subject to disciplinary action. [Statutory Authority: RCW 28B.50.140. 84-19-029 (Resolution No. 23), § 132Q-04-080, filed 9/14/84; Order 1-69, § 132Q-04-080, filed 12/8/69.]

WAC 132Q-04-085 Abusive conduct. Any student who shall use abusive language towards any person while on college facilities or participating in college related programs shall be subject to disciplinary action. [Statutory Authority: RCW 28B.50.140. 84-19-029 (Resolution No. 23), § 132Q-04-085, filed 9/14/84; Order 70-1, § 132Q-04-085, filed 9/22/70.]

WAC 132Q-04-090 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: RCW 28B.50.140. 84-19-029 (Resolution No. 23), § 132Q-04-090, filed 9/14/84; Order 1-69, § 132Q-04-090, filed 12/8/69.]

WAC 132Q-04-095 Computer trespass. Any student who, without authorization, intentionally gains access to a computer system or electronic data owned or used by the Community Colleges of Spokane (Washington Community College District 17) shall be subject both to disciplinary action pursuant to chapter 132Q-04 WAC and to criminal prosecution pursuant to chapter 273, Laws of 1984 and any or all other statutory law or regulations pertaining thereto. [Statutory Authority: RCW 28B.50.140. 85-19-032 (Resolution No. 24), § 132Q-04-095, filed 9/12/85.]

WAC 132Q-04-100 Right of assembly. (1) Students shall have the right of "assembly" as defined in WAC 132Q-04-020 upon college facilities that are generally available to the public; provided that such assembly shall:

- (a) Be conducted in an orderly manner; and
 - (b) Not unreasonably interfere with vehicular or pedestrian traffic; or
 - (c) Not unreasonably interfere with classes, schedules, meetings or ceremonies, or with educational functions of the college; and
 - (d) Not unreasonably interfere with college functions.
- (2) A student who conducts or participates in an assembly violative of any provision of this rule shall be subject to disciplinary action.

(3) 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. Faculty members and other college personnel who participate in or aid or abet any assembly or assemblies violative of this section shall be subject to appropriate discipline.

(4) Any student who commits any other act on college facilities which is punishable as a gross misdemeanor or

a felony under the laws of the state of Washington and which act is not a violation of any other provision of the rules of student conduct, shall be subject to disciplinary action. [Statutory Authority: RCW 28B.50.140. 84-19-029 (Resolution No. 23), § 132Q-04-100, filed 9/14/84; Order 1-69, § 132Q-04-100, filed 12/8/69.]

WAC 132Q-04-110 Commercial activities. (1) College facilities will not be used for commercial solicitation, advertising or promotional activities except when such activities clearly serve 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 or at the request of a college department or 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.

(2) For the purpose of this regulation, the term "commercial activities" does not include handbills, leaflets, newspapers and similarly related materials as regulated in WAC 132Q-04-140. [Statutory Authority: RCW 28B.50.140. 84-19-029 (Resolution No. 23), § 132Q-04-110, filed 9/14/84; Order 1-69, § 132Q-04-110, filed 12/8/69.]

WAC 132Q-04-120 Outside speakers. (1) Any recognized campus student organization with the written certification of its advisor, may invite speakers on that campus subject to the legal restraints imposed by the laws of the United States and the state of Washington.

(2) The appearance of an invited speaker on a campus does not represent an endorsement, either implicit or explicit, of views or opinions of the speaker by the college, its students, its faculty, its administration or its board.

(3) The scheduling of facilities for hearing invited speakers shall be made through the student senate or the student activities council of the campus at which the speaker will appear.

(4) The appropriate student senate or student activities council will be notified at least seven days prior to the appearance of an invited speaker, at which time a proper form (available in the office of the director of student activities) must be completed with all particulars regarding speaker, time, place, etc., signed by the sponsoring organization's advisor, and filed with the director of student activities. Exceptions to the seven-day ruling may be made by the director of student activities with the approval of the dean of student personnel services.

(5) The appropriate student senate or student activities council may require a question period or arrange to have views other than those of the invited speakers represented at the meeting, or at a subsequent meeting. The president of the college or a designated representative, may assign a faculty member to preside over any meeting where a speaker has been invited. [Statutory Authority: RCW 28B.50.140. 84-19-029 (Resolution No.

23), § 132Q-04-120, filed 9/14/84; Order 1-69, § 132Q-04-120, filed 12/8/69.]

WAC 132Q-04-130 Trespass. (1) The president of the college, or, in such president's absence, the acting president, is authorized 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 student personnel services or such other person designated by the president, shall have power and authority to:

(a) 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

(b) To give notice against trespass by any manner provided for by law, to any person, persons, or group of persons against whom the license or privilege has been withdrawn or who have been prohibited from, entering onto or remaining upon all or any portion of a college facility; or

(c) To order any person, persons, or group of persons to leave or vacate all of any portion of a college facility.

(2) Any student who shall disobey a lawful order given by the president or the president's designee pursuant to the requirements of section 1 of this rule, shall be subject to disciplinary action. [Statutory Authority: RCW 28B.50.140. 84-19-029 (Resolution No. 23), § 132Q-04-130, filed 9/14/84; Order 1-69, § 132Q-04-130, filed 12/8/69.]

WAC 132Q-04-140 Distribution of materials. (1) Handbills, leaflets, newspapers and similarly related matter distributed free of charge by any student or students or by members of recognized student organizations or by college personnel, may be distributed upon college facilities designated by the director of student activities; provided that such distribution does not interfere with the ingress and egress of persons or interfere with the free flow of vehicle or pedestrian traffic.

(2) Newspapers, leaflets and similarly related materials offered for sale by any student or nonstudent person or organization may be distributed and sold only through the college book store as are other commercial forms of merchandise, subject to reasonable rules and regulations that may be imposed by the bookstore manager.

(3) All handbills, leaflets, newspapers and similarly related matter must bear identification as to the publishing agency and distributing organization or individual.

(4) All students and nonstudents shall be required to register with the director of student activities prior to the distribution or sale of any handbill, leaflet, newspaper or related matter, including, but not limited to, posting materials on college bulletin boards and distributing materials in college parking lots.

(5) 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.

(6) Any distribution of the materials regulated in this section shall not be construed as approval of the same by the college or by the board of trustees of Washington State Community College District 17. [Statutory Authority: RCW 28B.50.140. 84-19-029 (Resolution No. 23), § 132Q-04-140, filed 9/14/84; Order 1-69, § 132Q-04-140, filed 12/8/69.]

WAC 132Q-04-150 Right to demand identification.

(1) For the purpose of determining whether probable cause exists for application of any section of the code of student conduct to any conduct by any person on a college facility, any faculty member or other college personnel expressly authorized by the president of the college or chief executive officer may demand that any person on college facilities produce evidence of student enrollment at the college, by tender of said person's student identification card to the faculty member or authorized college personnel.

(2) Refusal by a student to produce a student identification card, as required by subsection (1) of this section, shall be cause for disciplinary action. [Statutory Authority: RCW 28B.50.140. 84-19-029 (Resolution No. 23), § 132Q-04-150, filed 9/14/84; Order 1-69, § 132Q-04-150, filed 12/8/69.]

WAC 132Q-04-160 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 non-abiding student will determine whether and under what conditions the violator may continue as a student at the college. [Statutory Authority: RCW 28B.50.140. 84-19-029 (Resolution No. 23), § 132Q-04-160, filed 9/14/84; Order 1-69, § 132Q-04-160, filed 12/8/69.]

WAC 132Q-04-170 Initiation of prosecution. (1)

Faculty members, the dean of student personnel services and the president shall have concurrent authority to invoke sanctions for violations of the rules of student conduct and to require the commencement of the disciplinary proceedings provided for in WAC 132Q-04-180 through 132Q-04-270.

(2) Faculty members shall have the authority to take such summary 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 president of the college at any time before the end of the next succeeding quarter in which the student is enrolled. [Statutory Authority: RCW 28B.50.140. 84-19-029 (Resolution No. 23), § 132Q-04-170, filed 9/14/84; Order 1-69, § 132Q-04-170, filed 12/8/69.]

WAC 132Q-04-180 Initial disciplinary proceedings.

(1) All disciplinary proceedings will be initiated by the dean of student personnel services or a designated representative, who may also establish advisory panels to advise or act for the office in disciplinary proceedings.

(2) Any student accused of violating any provisions of the rules of student conduct will be called for an initial conference with the dean of student personnel services or a designated representative, and will be informed of what provision or provisions of the rules of student conduct the student is charged with violating, and what appear to be maximum penalties which might result from consideration of the disciplinary proceeding.

(3) After considering the evidence in the case and interviewing the student or students accused of violating the rules of student conduct, the dean of student personnel services or a designated representative may take any of the following actions.

(a) Terminate the proceeding, exonerating the student or students.

(b) Dismiss the case after whatever counseling and advice may be appropriate;

(c) Impose minor sanctions directly (warning, reprimand, disciplinary probation or fine) subject to the student's rights of appeal described below;

(d) Refer the matter to the college disciplinary committee 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;

(e) Issue an order of dismissal pursuant to the conditions of WAC 132Q-04-260(d).

(4) A student accused of violating any provision of the rules of student conduct shall be given written notification of any disciplinary action taken by the dean of student personnel services or a designated representative. In case of an unmarried student under 18 years of age, written notification of the disciplinary action taken by the dean of student personnel services or a designated representative shall also be sent to the parents or guardian of the student.

(5) No disciplinary action recommended by the dean of student personnel services or a designated representative is final unless the student fails to exercise his right of appeal as provided in WAC 132Q-04-190. [Statutory Authority: RCW 28B.50.140. 84-19-029 (Resolution No. 23), § 132Q-04-180, filed 9/14/84; Order 74-1, § 132Q-04-180, filed 9/23/74; Order 70-1, § 132Q-04-180, filed 9/22/70; Order 1-69, § 132Q-04-180, filed 12/8/69.]

WAC 132Q-04-190 Appeals. Any disciplinary action taken by the dean of student personnel services or a designated representative may be appealed to the college disciplinary committee; and disciplinary action taken by the college disciplinary committee may be appealed by the student to the president of the college. All appeals by a student must be made in writing to the disciplinary committee or the president and presented to the committee or president within seven days after the student has been notified of the action taken by the disciplinary

committee or the president. [Statutory Authority: RCW 28B.50.140, 84-19-029 (Resolution No. 23), § 132Q-04-190, filed 9/14/84; Order 1-69, § 132Q-04-190, filed 12/8/69.]

WAC 132Q-04-200 Composition of college disciplinary committee. Each campus of Spokane Community College and after July 1, 1970, each college created by the board of trustees for Washington State Community College District 17 shall have a college disciplinary committee composed of six members, who shall be chosen by no later than October 15 of each academic year. The membership shall be selected as follows:

(1) The recognized faculty organization at each college shall appoint two members and an alternate who are teaching on the appropriate campus or college; such members shall serve a two-year term.

(2) The college president shall appoint two members from the college administration who shall serve at the pleasure of the president.

(3) Student membership shall be appointed by the respective student governments on each college campus. Student membership must include a male and female student and two alternates who shall serve for no more than one year.

(4) The chairman of the college disciplinary committee shall be the dean of student personnel services or a designated representative; provided, however, that no person who personally participates in any disciplinary action reviewed by the disciplinary committee may serve as chairman, nor may said person cast a vote on the merits of the issue decided by the disciplinary committee pursuant to WAC 132Q-04-240. [Statutory Authority: RCW 28B.50.140, 84-19-029 (Resolution No. 23), § 132Q-04-200, filed 9/14/84. Statutory Authority: RCW 28B.50.140(13), 82-01-034 (Order 81-03, Resolution No. 19), § 132Q-04-200, filed 12/14/81; Order 74-1, § 132Q-04-200, filed 9/23/74; Order 70-1, § 132Q-04-200, filed 9/22/70; Order 1-69, § 132Q-04-200, filed 12/8/69.]

WAC 132Q-04-210 Procedures for hearing before the college disciplinary committee. (1) The college disciplinary committee for each campus, and after July 1, 1970 for each college, will hear, de novo, and make recommendations to the president of the college on all disciplinary cases referred to it by the dean of student personnel services or the dean's designated representative.

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

(3) The student shall be given written notice by registered or certified mail of the time and place of the hearing before the college disciplinary committee, and be afforded not less than 20 days notice thereof. Said notice shall contain:

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

(b) A statement of the charges including reference to the particular sections of the rules of student conduct involved.

(c) A list of witnesses who will appear and a summary description of any documentary or other physical evidence that will be presented by the college at the hearing.

(4) The student shall be entitled to hear and examine the evidence brought forward and be informed of the identity of its source and shall be entitled to present evidence in the student's own behalf and to cross-examine witnesses testifying against the student as to factual matters. The student shall have all authority possessed by the college to obtain information provided requests for such information is specifically described, in writing, and tendered to the dean of student personnel services 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 issues of the hearings.

(5) The student may be represented by counsel of 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 counsel, the student must tender three days notice thereof to the dean of student personnel services.

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

(7) An adequate summary of all the evidence and facts presented to the disciplinary committee during the course of the proceeding will be taken. A copy thereof shall be available at the office of the dean of student personnel services.

(8) The chairman of the college disciplinary committee shall preside at the disciplinary hearing and make rulings on all evidentiary procedural matters heard in the course of the disciplinary hearing. [Statutory Authority: RCW 28B.50.140, 84-19-029 (Resolution No. 23), § 132Q-04-210, filed 9/14/84; Order 74-1, § 132Q-04-210, filed 9/23/74; Order 70-1, § 132Q-04-210, filed 9/22/70; Order 1-69, § 132Q-04-210, filed 12/8/69.]

WAC 132Q-04-230 Evidence admissible in hearings. (1) Only those matters presented at the hearing in the presence of the accused student, except where the student fails to attend after receipt of proper notice, will

be considered in determining whether the college disciplinary committee had sufficient cause to believe that the accused student is guilty of violating the rules the student is charged with having violated.

(2) In determining whether sufficient cause, as stated in the foregoing subparagraph 1, does exist, members of the disciplinary committee shall give probative effect to evidence which possesses probative value commonly accepted by reasonable prudent persons in the conduct of their affairs.

(3) The chairman of the college disciplinary committee shall, in the course of presiding at the disciplinary hearing, give effect to the rules of privilege recognized by law and exclude incompetent, irrelevant, immaterial and unduly repetitious evidence. [Statutory Authority: RCW 28B.50.140. 84-19-029 (Resolution No. 23), § 132Q-04-230, filed 9/14/84; Order 70-1, § 132Q-04-230, filed 9/22/70; Order 1-69, § 132Q-04-230, filed 12/8/69.]

WAC 132Q-04-240 Decision by the committee. (1) Upon conclusion of the disciplinary hearing, the college disciplinary committee shall consider all the evidence therein presented and decide by majority vote whether to recommend to the president any of the following actions:

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

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

(c) That the college impose any of the disciplinary actions as provided in WAC 132Q-04-260; or

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

(2) The student will be provided with a copy of the committee'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 the right to present, within seven calendar days, a written statement to the president of the college appealing the recommendation of the college disciplinary committee. [Statutory Authority: RCW 28B.50.140. 84-19-029 (Resolution No. 23), § 132Q-04-240, filed 9/14/84; Order 1-69, § 132Q-04-240, filed 12/8/69.]

WAC 132Q-04-250 Final decision regarding disciplinary action. (1) The president of the college or any representative designated, except the dean of student personnel services shall, after reviewing the record of the case, include in the report of the college disciplinary committee any statement filed by the student, approval of the recommendations of the college disciplinary committee or give directions as to what lesser disciplinary action shall be taken.

(2) If the president decides that discipline is to be imposed after the review provided by the above section, the president or a designee shall notify the student in writing of the discipline imposed. In case of an unmarried student under legal age, written notice of any action involving dismissal or disciplinary action shall also be sent

to parents or guardian of the student. [Statutory Authority: RCW 28B.50.140. 84-19-029 (Resolution No. 23), § 132Q-04-250, filed 9/14/84; Order 1-69, § 132Q-04-250, filed 12/8/69.]

WAC 132Q-04-260 Disciplinary action. The following disciplinary actions are hereby established and shall be the sanctions imposed upon violators of the rules of student conduct:

(a) Disciplinary warning: Notice to a student, either verbally or in writing, that the student 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 and on the next page.

(b) 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 officer or agency taking the action, with copies to the office of student personnel services. 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 and on the next page.

(c) Disciplinary probation: Formal action placing conditions upon the student's continued attendance for violation of rules of student conduct. The office placing the student on disciplinary probation 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. Violation of disciplinary probation shall be cause for disciplinary action.

(d) Dismissal: Termination of student status for violation of the rules of student conduct. 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 the action is taken, but fees paid in advance for a subsequent quarter are to be refunded.

(e) Fines: The office of student personnel services may assess monetary fines against individual students for violation of the rules of student conduct. Failure to pay such fines promptly will result in the cancellation of the student's registration and will prevent the student from reregistering. [Statutory Authority: RCW 28B.50.140. 84-19-029 (Resolution No. 23), § 132Q-04-260, filed 9/14/84; Order 70-1, § 132Q-04-260, filed 9/22/70; Order 1-69, § 132Q-04-260, filed 12/8/69.]

WAC 132Q-04-280 Reporting, recording and maintenance of records. (1) Records of all disciplinary cases shall be kept by the office of student personnel services. Except in proceedings wherein the student is exonerated, all documentary or other physical evidence produced or considered in disciplinary proceedings and all recorded

testimony shall be preserved insofar as possible for at least five years. No record of proceedings wherein the student is exonerated, other than the fact of exoneration, shall be maintained in the student's file or other college repository after the date of the student's graduation.

(2) The office of student personnel services shall keep accurate records of all disciplinary actions taken by, or reported to, that office. All disciplinary action will be entered on the student's record and may be removed at the time of graduation or earlier, at the discretion of the office initiating the action, if special terms and conditions have been met or if other circumstances warrant the removal. The office which initiated the action is responsible for ordering the removal of temporary notations of any disciplinary action on the student's record. A student may petition to that office for removal of such a notation at any time. [Statutory Authority: RCW 28B.50.140. 84-19-029 (Resolution No. 23), § 132Q-04-280, filed 9/14/84; Order 74-1, § 132Q-04-280, filed 9/23/74; Order 1-69, § 132Q-04-280, filed 12/8/69.]

Chapter 132Q-136 WAC USE OF DISTRICT FACILITIES

WAC

- 132Q-136-010 Use of district facilities—General policy and delegation.
- 132Q-136-020 Definitions.
- 132Q-136-030 Users.
- 132Q-136-040 Limitations.
- 132Q-136-050 Reservation, scheduling and approval procedure.
- 132Q-136-060 Safety and liability.

WAC 132Q-136-010 Use of district facilities—General policy and delegation. (1) Washington State Community College District 17 (the Community Colleges of Spokane) is an educational institution provided and maintained by the people of the state in order to carry out its mission pursuant to chapter 28B.50 RCW. The purpose of this policy is to assure that all facilities operated, owned or maintained by the district are reserved primarily for those activities which either are related directly to the district's mission or are otherwise justifiable on the basis of their contributions to the cultural, educational, economic or recreational interests of the state and its people.

(2) The board of trustees delegates to the chief executive officer and district president, or staff so designated by the chief executive officer, the authority to establish procedures for the regulation and review of the use of district facilities and to establish user fees where appropriate. [Statutory Authority: RCW 28B.50.140. 84-19-028 (Resolution No. 22), § 132Q-136-010, filed 9/14/84.]

WAC 132Q-136-020 Definitions. As used in this chapter, the following terms shall have the following meaning:

(1) "Facilities" shall include all structures, building, grounds, parking lots, sidewalks and airspace owned or controlled by District 17.

(2) "District" or "District 17" shall include Spokane Community College, Spokane Falls Community College, the Institute of Extended Learning and any other college or organizational unit of Washington State Community College District 17 hereafter established by the district board of trustees.

(3) "Use of facilities" shall include the holding of events, the posting and removal of signs, all forms of advertising, commercial activities, charitable solicitation and any other activity which takes place in or on facilities owned or controlled by District 17.

(4) "Scheduling office" shall be the office within the organization of the district which is designated as the office responsible for scheduling a particular district facility. The designation of scheduling offices shall be made by the chief executive officer, or staff so designated by the chief executive officer, pursuant to WAC 132Q-136-010(2).

(5) "User fee" shall be the fee, if any, charged any user for the use of facilities, including a use fee, fees for special custodial, attendant or security services, fees for supervisor services, fees for the use of special district equipment in conjunction with the use of facilities and any other fees established pursuant to WAC 132Q-136-010(2). The schedule of user fees may be amended from time to time.

(6) "Academic or administrative unit sponsorship" shall mean that the head of an academic or administrative unit within the district has reviewed a request for use of facilities, has determined that such use of facilities meets the general policy concerning the use of district facilities pursuant to WAC 132Q-136-010(1) and all limitation on the use of facilities pursuant to WAC 132Q-136-040, has determined that the academic or administrative unit is willing to sponsor the proposed use of facilities and has signed the appropriate request form. [Statutory Authority: RCW 28B.50.140. 84-19-028 (Resolution No. 22), § 132Q-136-020, filed 9/14/84.]

WAC 132Q-136-030 Users. (1) Faculty, staff, and official student organizations may use district facilities to hold events for faculty, staff and students provided such use complies with the general policy on the use of district facilities pursuant to WAC 132Q-136-010 and that all events are scheduled pursuant to WAC 132Q-136-050. Such use does not require either academic or administrative unit sponsorship nor does such use require approval by the chief executive officer or other designated staff.

(2) Faculty, staff, and official student organizations may use district facilities to hold events to which the general public is invited when the event has academic or administrative unit sponsorship and the approval of the chief executive officer or other designated staff.

(3) Organizations or persons other than district faculty, staff, or official student organizations may use district facilities to hold events for members of that organization provided such use complies with the general policy of the use of district facilities. Such use does not

require either academic or administrative unit sponsorship, but does require the approval of the chief executive officer or designated staff.

(4) Organizations or persons other than district faculty, staff, or official student organizations may use district facilities to hold events to which the general public is invited when the event has academic or administrative unit sponsorship and the approval the chief executive officer or designated staff.

(5) Use of facilities for religious purposes is permitted on the same basis as for nonreligious purposes as long as use of religious purposes does not dominate access to facilities pursuant to WAC 132Q-136-040. [Statutory Authority: RCW 28B.50.140. 84-19-028 (Resolution No. 22), § 132Q-136-030, filed 9/14/84.]

WAC 132Q-136-040 Limitations. (1) District facilities may not be used in ways which substantially obstruct or disrupt educational activities or freedom of movement or other lawful activities on or in district facilities.

(2) District facilities may not be used by groups, including informal groups, which discriminate in their membership or limit participation in activities on the basis of race, creed, color, national origin, sex, marital status, age, or the presence of any sensory, mental, or physical handicap.

(3) Faculty, staff, or official student organizations may use district facilities to present educational forums regarding ballot propositions and/or candidates who have filed for public office as long as the audience is limited to faculty, staff and students. However, pursuant to RCW 42.17.130 "the use of any of the facilities of a public office or agency, directly or indirectly, for the purpose of assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition" is prohibited.

(4) District facilities may not be used for private or commercial purposes such as sales, advertising, or promotional activities unless such activities are in conjunction with authorized use of facilities by outside groups, fund raising activities directly benefiting the district, or activities fulfilling an educational or service need of the students, faculty or staff. The sale of any item, the use of any advertising material, or operation of any promotional activity is subject to prior approval of the chief executive officer or designated staff. Any such sales, advertising, or promotional activities judged not to be in the best interest of the district shall not be allowed.

(5) The distribution of handbills, leaflets, pamphlets and similar materials is not permitted in or on those facilities to which access by the general public is restricted or where such distribution would significantly impinge upon the primary business being conducted.

(6) Charitable solicitation is not permitted in or on those facilities to which access by the general public is restricted or where such solicitation would significantly impinge upon the primary business being conducted.

(7) District facilities may be used by other public or private educational institutions or public agencies only

insofar as the intended use of the facilities meets a community need not being fulfilled by District 17 and where such activities do not interfere with the educational programs being offered by District 17 or with the maintenance and repair programs of the district. A user fee, if any, for such use shall be determined by the chief executive officer or designated staff.

(8) Organizations or persons other than district faculty, staff, or official student organizations may use district facilities only after the procedure pursuant to WAC 132Q-136-050 are completed and appropriate user fees have been paid in full or satisfactory payment arrangements completed.

(9) District 17 reserves the right to require that the district be represented at any use of facilities where the presence of a representative is in the best interest of the district.

(10) District equipment shall be used only when authorized and shall not be removed from any facility unless written authorization for such removal has been obtained prior to use.

(11) No decorations or other application of material to walls, ceiling or floors of any facility shall be permitted if such application will in any way mar, deface or injure the facility. Users shall be responsible for the removal or disposal of any decorations, materials, equipment, furnishings or rubbish which remain in or on any facility following use of the facility. Failure of any user to meet this obligation which results in additional cost to the district shall subject the user to additional charges for such costs.

(12) The district reserves the right to reject any application for the use of district facilities when such use, pursuant to WAC 132Q-136-010(1), is determined not to be in the best interest of the district. [Statutory Authority: RCW 28B.50.140. 84-19-028 (Resolution No. 22), § 132Q-136-040, filed 9/14/84.]

WAC 132Q-136-050 Reservation, scheduling and approval procedure. (1) To reserve or schedule the use of facilities, faculty, staff, official student organizations or outside parties shall contact the appropriate college or Institute scheduling office. The scheduling office shall provide all appropriate scheduling procedures, forms and agreements and shall arrange for all necessary approvals, reservations, scheduling and payments.

(2) No less than fourteen days prior to the anticipated date for use of district facilities, any individual or organization desiring to reserve or schedule facility use shall present all required forms, fully completed, to the appropriate scheduling office. The scheduling office shall process the completed application and secure all required approvals. The individual or organization requesting the use of facilities shall be notified of the disposition of the request within ten days. Such fourteen day notice may be waived by the scheduling office provided that such waiver does not disrupt normal facility operation.

(3) Full payment of the appropriate user fee, if any, or satisfactory payment arrangements are required prior to the use of district facilities. [Statutory Authority:

RCW 28B.50.140. 84-19-028 (Resolution No. 22), § 132Q-136-050, filed 9/14/84.]

WAC 132Q-136-060 Safety and liability. (1) It is the responsibility of any person or organization requesting the use of district facilities to insure that the proposed use will be carried out in a manner that assures the safety of all persons concerned. Compliance with applicable fire, health and safety regulations is required.

(2) Authorization to organizations or persons other than district faculty, staff, or official student organizations for the use of district facilities is granted with the express understanding and condition that such organization or person assumes full responsibility for any loss, damage or claims arising out of such use. When the event involves physical activity, or otherwise would increase the risk of bodily injury above the level inherent in the facilities to be used, proof of appropriate liability insurance coverage with limits of at least one million dollars per occurrence shall be provided to the chief executive officer or designee. [Statutory Authority: RCW 28B.50.140. 84-19-028 (Resolution No. 22), § 132Q-136-060, filed 9/14/84.]

Title 132R WAC

COMMUNITY COLLEGES--BIG BEND COMMUNITY COLLEGE

Chapters

- 132R-128 Regulations on tenure, nonrenewal of faculty probationers' contracts, and faculty dismissals.**
- 132R-180 Reduction in force policy--Academic employees--Declaration of emergency.**

Chapter 132R-128 WAC

REGULATIONS ON TENURE, NONRENEWAL OF FACULTY PROBATIONERS' CONTRACTS, AND FACULTY DISMISSALS

WAC

132R-128-010 through 132R-128-130 Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 132R-128-010 Purpose. [Order 73-10, § 132R-128-010, filed 6/18/73.] Repealed by 85-14-078 (Resolution No. 82-6), filed 7/1/85. Statutory Authority: RCW 28B.50.852.
- 132R-128-020 Definitions. [Order 76-28, § 132R-128-020, filed 12/23/76; Order 75-6, § 132R-128-020, filed 3/6/75; Order 73-10, § 132R-128-020, filed 6/18/73.] Repealed by 85-14-078 (Resolution No. 82-6), filed 7/1/85. Statutory Authority: RCW 28B.50.852.
- 132R-128-030 Composition of review committees. [Order 75-6, § 132R-128-030, filed 3/6/75; Order 73-10, § 132R-128-030, filed 6/18/73.] Repealed by 85-14-078 (Resolution No. 82-6), filed 7/1/85. Statutory Authority: RCW 28B.50.852.
- 132R-128-040 Review committee evaluation procedures. [Order 73-10, § 132R-128-040, filed 6/18/73.] Repealed by

85-14-078 (Resolution No. 82-6), filed 7/1/85. Statutory Authority: RCW 28B.50.852.

- 132R-128-050 Review committee evaluation standards. [Order 73-10, § 132R-128-050, filed 6/18/73.] Repealed by 85-14-078 (Resolution No. 82-6), filed 7/1/85. Statutory Authority: RCW 28B.50.852.
- 132R-128-060 Communication of evaluation to probationers. [Order 73-10, § 132R-128-060, filed 6/18/73.] Repealed by 85-14-078 (Resolution No. 82-6), filed 7/1/85. Statutory Authority: RCW 28B.50.852.
- 132R-128-070 Recommendations regarding tenure. [Order 73-10, § 132R-128-070, filed 6/18/73.] Repealed by 85-14-078 (Resolution No. 82-6), filed 7/1/85. Statutory Authority: RCW 28B.50.852.
- 132R-128-080 Board decisions regarding tenure. [Order 73-10, § 132R-128-080, filed 6/18/73.] Repealed by 85-14-078 (Resolution No. 82-6), filed 7/1/85. Statutory Authority: RCW 28B.50.852.
- 132R-128-090 Dismissals. [Order 73-10, § 132R-128-090, filed 6/18/73.] Repealed by 85-14-078 (Resolution No. 82-6), filed 7/1/85. Statutory Authority: RCW 28B.50.852.
- 132R-128-100 Dismissal for sufficient cause. [Order 76-28, § 132R-128-100, filed 12/23/76; Order 73-10, § 132R-128-100, filed 6/18/73.] Repealed by 85-14-078 (Resolution No. 82-6), filed 7/1/85. Statutory Authority: RCW 28B.50.852.
- 132R-128-110 Nonrenewal of tenured faculty contracts. [Order 73-10, § 132R-128-110, filed 6/18/73.] Repealed by 85-14-078 (Resolution No. 82-6), filed 7/1/85. Statutory Authority: RCW 28B.50.852.
- 132R-128-120 Tenure considerations. [Order 73-10, § 132R-128-120, filed 6/18/73.] Repealed by 85-14-078 (Resolution No. 82-6), filed 7/1/85. Statutory Authority: RCW 28B.50.852.
- 132R-128-121 Summary suspension. [Order 76-18, § 132R-128-121, filed 8/4/76.] Repealed by 85-14-078 (Resolution No. 82-6), filed 7/1/85. Statutory Authority: RCW 28B.50.852.
- 132R-128-122 Hearing. [Order 76-18, § 132R-128-122, filed 8/4/76.] Repealed by 85-14-078 (Resolution No. 82-6), filed 7/1/85. Statutory Authority: RCW 28B.50.852.
- 132R-128-130 Severability. [Order 73-10, § 132R-128-130, filed 6/18/73.] Repealed by 85-14-078 (Resolution No. 82-6), filed 7/1/85. Statutory Authority: RCW 28B.50.852.

WAC 132R-128-010 through 132R-128-130 Repealed. See Disposition Table at beginning of this chapter.

Chapter 132R-180 WAC

REDUCTION IN FORCE POLICY--ACADEMIC EMPLOYEES--DECLARATION OF EMERGENCY

WAC

132R-180-010 through 132R-180-090 Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 132R-180-010 Purpose. [Order 74-21, § 132R-180-010, filed 1/7/75.] Repealed by 85-14-078 (Resolution No. 82-6), filed 7/1/85. Statutory Authority: RCW 28B.50.852.
- 132R-180-020 Definitions. [Order 74-21, § 132R-180-020, filed 1/7/75.] Repealed by 85-14-078 (Resolution No. 82-6), filed 7/1/85. Statutory Authority: RCW 28B.50.852.
- 132R-180-030 Determination of need for reduction in force. [Order 74-21, § 132R-180-030, filed 1/7/75.] Repealed by