Title 132H WAC
COMMUNITY COLLEGES—BELLEVUE COMMUNITY COLLEGE

Chapters
132H-106 Bylaws and standing orders of Community College District VIII.
132H-108 Practice and procedure and formal hearing rules for contested case hearings.
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DISPOSITION OF CHAPTERS FORMERLY CODIFIED IN THIS TITLE

Chapter 132H-104 BYLAWS AND STANDING ORDERS OF GOVERNING BOARDS

132H-104-010 Regular meeting of Community College District VIII board of trustees. [Order 26, § 132H-104-010, filed 3/7/75; Order 5, § 132H-104-010, filed 10/5/72.] Repealed by 78-10-017 (Order 61, Resolution No. 116), filed 9/13/78. Statutory Authority: RCW 28B.50.140.


132H-104-120 Appointing authority. [Order 9, § 132H-104-120, filed 3/9/73.] Repealed by 78-10-017 (Order 61, Resolution No. 116), filed 9/13/78. Statutory Authority: RCW 28B.50.140.


Chapter 132H-105 BYLAWS AND STANDING ORDERS OF COMMUNITY COLLEGE DISTRICT VIII

132H-105-010 Introduction. [Statutory Authority: RCW 28B.50.140. 81-09-025 (Order 77, Resolution No. 146), § 132H-105-010, filed 9/18/81; 78-10-017 (Order 61, Resolution No. 116), § 132H-105-010, filed 9/13/78.] Repealed by 92-13-093 (Order 111, Resolution No. 202), filed 6/17/92, effective 7/18/92. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. Later promulgation, see WAC 132H-106-010.

132H-105-020 Offices of the board of trustees. [Statutory Authority: RCW 28B.50.140. 78-10-017 (Order 61, Resolution No. 116), § 132H-105-020, filed 9/13/78.] Repealed by 92-13-093 (Order 111, Resolution No. 202), filed 6/17/92, effective 7/18/92. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. Later promulgation, see WAC 132H-106-020.

132H-105-030 Meetings of the board of trustees. [Statutory Authority: RCW 28B.50.140. 83-05-051 (Order 83, Resolution No. 154), § 132H-105-030, filed 2/16/83; 78-10-017 (Order 61, Resolution No. 116), § 132H-105-030, filed 9/13/78.] Repealed by 92-13-093 (Order 111, Resolution No. 202), filed 6/17/92, effective 7/18/92. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. Later promulgation, see WAC 132H-106-030.

132H-105-040 Agenda. [Statutory Authority: RCW 28B.50.140. 82-09-025 (Order 77, Resolution No. 146), § 132H-105-040, filed 4/13/82; 79-10-050 (Order 65, Resolution No. 122), § 132H-105-040, filed 9/17/79; 78-10-017 (Order 61, Resolution No. 116), § 132H-105-040, filed 9/13/78.] Repealed by 92-13-093 (Order 111, Resolution No. 202), filed 6/17/92, effective 7/18/92. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140.

132H-105-050 Parliamentary procedure. [Statutory Authority: RCW 28B.50.140. 78-10-017 (Order 61, Resolution No. 116), § 132H-105-050, filed 9/13/78.] Repealed by 92-13-093 (Order 111, Resolution No. 202), filed 6/17/92, effective 7/18/92. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140.

132H-105-060 Records of board meetings. [Statutory Authority: RCW 28B.50.140. 78-10-017 (Order 61, Resolution No. 116), § 132H-105-060, filed 9/13/78.] Repealed by 92-13-093 (Order 111, Resolution No. 202), filed 6/17/92, effective 7/18/92. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140.

132H-105-070 Officers of the board. [Statutory Authority: RCW 28B.50.140. 78-10-017 (Order 61, Resolution No. 116), § 132H-105-070, filed 9/13/78.] Repealed by 92-13-093 (Order 111, Resolution No. 202), filed 6/17/92, effective 7/18/92. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. Later promulgation, see WAC 132H-106-040.

132H-105-090 Restrictions of individual authority. [Statutory Authority: RCW 28B.50.140. 78-10-017 (Order 61, Resolution No. 116), § 132H-105-090, filed 9/13/78.]
Title 132H—RULES FOR SELECTION OF A Bargaining Agent

Repealed by 92-13-093 (Order 111, Resolution No. 202), filed 6/17/92, effective 7/18/92. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140.


132H-112-024 Record of vote—Signature—Challenge. [Order 7, § 132H-112-024, filed 10/17/72.] Repealed by 92-13-094 (Order 112, Resolution No. 203), filed 6/17/92, effective 7/18/92. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. 

132H-112-027 Incorrectly marked ballot. [Order 7, § 132H-112-027, filed 10/17/72.] Repealed by 92-13-094 (Order 112, Resolution No. 203), filed 6/17/92, effective 7/18/92. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140.


132H-112-033 Folding ballot—Ballot box. [Order 7, § 132H-112-033, filed 10/17/72.] Repealed by 92-13-094 (Order 112, Resolution No. 203), filed 6/17/92, effective 7/18/92. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140.


132H-112-042 Run-off election. [Order 7, § 132H-112-042, filed 10/17/72.] Repealed by 92-13-094 (Order 112, Resolution No. 203), filed 6/17/92, effective 7/18/92. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140.

132H-112-044 Disposition of challenged ballots—Tally sheets—Investigation by chief election officer. [Order 7, § 132H-112-044, filed 10/17/72.] Repealed by 92-13-094 (Order 112, Resolution No. 203), filed 6/17/92, effective 7/18/92. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140.


132H-112-051 Electioneering within the polls forbidden. [Order 7, § 132H-112-051, filed 10/17/72.] Repealed by 92-13-094 (Order 112, Resolution No. 203), filed 6/17/92, effective 7/18/92. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140.


132H-112-057 Persons eligible to vote—Definition of "academic employee." [Order 7, § 132H-112-057, filed 10/17/72.] Repealed by 92-13-094 (Order 112, Resolution No. 203), filed 6/17/92, effective 7/18/92. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140.

132H-112-060 Election determined by majority of valid votes cast—Run-off election. [Order 7, § 132H-112-060, filed 10/17/72.] Repealed by 92-13-094 (Order 112, Resolution No. 203), filed 6/17/92, effective 7/18/92. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140.


132H-112-015 List of academic employees—Posting of list. [Order 7, § 132H-112-015, filed 10/17/72.] Repealed by 92-13-094 (Order 112, Resolution No. 203), filed 6/17/92, effective 7/18/92. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140.
Chapter 132H-128

REDUCTION IN FORCE POLICY

132H-128-010 Title. [Order 44, § 132H-128-010, filed 1/14/74.] Repealed by 92-13-095 (Order 113, Resolution No. 204), filed 6/17/92, effective 7/18/92. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140.

132H-128-020 Objective. [Order 44, § 132H-128-020, filed 1/14/74.] Repealed by 92-13-095 (Order 113, Resolution No. 204), filed 6/17/92, effective 7/18/92. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140.

132H-128-030 Authority. [Order 44, § 132H-128-030, filed 1/14/74.] Repealed by 92-13-095 (Order 113, Resolution No. 204), filed 6/17/92, effective 7/18/92. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140.

132H-128-040 Procedure. [Order 29, § 132H-128-040, filed 3/7/75; Order 44, § 132H-128-040, filed 1/14/74.] Repealed by 92-13-095 (Order 113, Resolution No. 204), filed 6/17/92, effective 7/18/92. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140.

Chapter 132H-132

BELLEVUE COMMUNITY COLLEGE CALENDAR

132H-132-010 Title. [Order 17, § 132H-132-010, filed 9/11/73.] Repealed by 03-14-014, filed 6/19/03, effective 7/20/03. Statutory Authority: RCW 28B.50.140.

132H-132-020 Bellevue Community College calendar. [Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. 92-19-055, § 132H-132-020, filed 9/10/92, effective 10/11/92; Order 17, § 132H-113-020, filed 9/11/73.] Repealed by 03-14-014, filed 6/19/03, effective 7/20/03. Statutory Authority: RCW 28B.50.140.

Chapter 132H-148

AFFIRMATIVE ACTION PROGRAM

132H-148-010 Title. [Order 3, § 132H-148-010, filed 9/19/72.] Repealed by 92-13-096 (Order 114, Resolution No. 205), filed 6/17/92, effective 7/18/92. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140.


(2005 Ed.)
Chapter 132H-106 WAC: Bellevue Community College

Chapter 132H-200

GENERAL OPERATING POLICIES OF COMMUNITY COLLEGE DISTRICT VIII


132H-200-040 Organization/operation information. [Statutory Authority: RCW 28B.50.140. 90-09-065 (Order 101, Resolution No. 188), § 132H-200-040, filed 4/18/90, effective 5/19/90.] Repealed by 92-19-048, filed 9/10/92, effective 10/11/92. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140.


132H-200-110 General policy on sexual harassment. [Statutory Authority: RCW 28B.50.140. 84-07-039 (Order 86, Resolution No. 162), § 132H-200-110, filed 3/20/84.] Repealed by 92-19-048, filed 9/10/92, effective 10/11/92. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140.


WAC 132H-106-010 Board of trustees. The board of trustees is an agency of the state and derives its authority as described in chapter 8, Laws of 1967 ex. sess. It shall be the responsibility of the board of trustees to establish policy and to evaluate the total college program. The board of trustees shall appoint a college president to administer the college and shall delegate to him/her the authority and responsibility for implementation of board policy.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. 92-13-093 (Order 111, Resolution No. 202), § 132H-106-010, filed 6/17/92, effective 7/18/92. Formerly WAC 132H-105-010.]

WAC 132H-106-020 Offices of the board of trustees. The board of trustees shall maintain an office at Bellevue Community College, 3000 Landerholm Circle S.E., Bellevue, Washington 98007-6484, where all records, minutes and the official college seal shall be kept.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. 92-13-093 (Order 111, Resolution No. 202), § 132H-106-020, filed 6/17/92, effective 7/18/92. Formerly WAC 132H-106-060.]

WAC 132H-106-030 Meetings of the board of trustees. Meetings may be held upon request by the chair or by a majority of the members of the board.

The board of trustees customarily holds a regular meeting at such time and place as it may designate approximately every six weeks from January through June and from September through December. Exact board meeting dates may be found in the Washington State Register or by contacting the president's office at (425) 564-2302.

(1) All regular and special meetings of the board of trustees shall be announced and held in accordance with chapter 42.30 RCW (the Open Public Meetings Act).

(2) No official business shall be conducted by the board of trustees except during a regular or special meeting.

(3) The board of trustees may convene in executive session whenever it is deemed necessary pursuant to RCW 42.30.110.

[Statutory Authority: RCW 28B.50.140. 02-10-067, § 132H-106-030, filed 4/26/02, effective 5/27/02. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. 92-13-093 (Order 111, Resolution No. 202), § 132H-106-030, filed 6/17/92, effective 7/18/92. Formerly WAC 132H-105-030.]

WAC 132H-106-040 Officers of the board. Annually, at its June meeting the board elects from its membership a chair and vice-chair to serve for the ensuing year. In addition, the president of Bellevue Community College or the president's designee serves as secretary to the board of trustees as specified by state law.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. 92-13-093 (Order 111, Resolution No. 202), § 132H-106-040, filed 6/17/92, effective 7/18/92. Formerly WAC 132H-105-070.]

WAC 132H-106-050 Seal and name of the college. The board of trustees of Community College District VIII shall maintain an official seal for use upon any or all official documents of the board. The seal shall have inscribed upon it the name of the college which shall be: Bellevue Community College.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. 92-13-093 (Order 111, Resolution No. 202), § 132H-106-050, filed 6/17/92, effective 7/18/92. Formerly WAC 132H-105-110.]

WAC 132H-106-060 Bylaws of the board of trustees. Bylaws of the board may be revised by majority vote of the board.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. 92-13-093 (Order 111, Resolution No. 202), § 132H-106-060, filed 6/17/92, effective 7/18/92. Formerly WAC 132H-106-060.]

Persons may obtain information from and submit written comments or requests to the secretary of the board who is located in this office.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. 92-13-093 (Order 111, Resolution No. 202), § 132H-106-020, filed 6/17/92, effective 7/18/92. Formerly WAC 132H-105-020.]
Chapter 132H-108 WAC

PRACTICE AND PROCEDURE AND FORMAL HEARING RULES FOR CONTESTED CASE HEARINGS

WAC

132H-108-470 Procedure for closing parts of the hearings.

132H-108-450 Brief adjudicative procedures.


Chapter 132H-108 WAC

PRACTICE AND PROCEDURE AND FORMAL HEARING RULES FOR CONTESTED CASE HEARINGS

WAC


Practice and Procedure—Contested Case Hearings 132H-108-410

WAC 132H-108-410 Model rules of procedure. The model rules of procedure adopted by the chief administrative law judge pursuant to RCW 34.05.250, as now or hereafter amended, are hereby adopted for use at this institution. Those

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[Title 132H WAC—p. 5]
rules may be found at chapter 10-08 WAC. Other procedural rules adopted in this title are supplementary to the model rules of procedure. In the case of a conflict between the model rules of procedure and procedural rules adopted in this title, the procedural rules adopted by this institution shall govern. Rules adopted at this institution prior to July 1, 1989, remain in full force and effect unless specifically repealed or amended.

WAC 132H-108-420 Appointment of presiding officers. The president or president's designee shall designate a presiding officer for an adjudicative proceeding. The presiding officer shall be an administrative law judge, a member in good standing of the Washington State Bar Association, a panel of individuals, the president or his or her designee, or any combination of the above. Where more than one individual is designated to be the presiding officer, one person shall be designated by the president or president's designee to make decisions concerning discovery, closure, means of recording adjudicative proceedings, and similar matters.

WAC 132H-108-430 Method of recording. Proceedings shall be recorded by a method determined by the presiding officer, among those available, pursuant to the model rules of procedure in WAC 10-08-170.

WAC 132H-108-440 Application for adjudicative proceeding. An application for adjudicative proceeding shall be in writing. Application forms are available at the following address: 3000 Landerholm Circle, S.E., Room B202, Bellevue, Washington.

(1) Written application for an adjudicative proceeding should be submitted to the above address within 20 days of the agency action giving rise to the application, unless provided for otherwise by statute or rule.

WAC 132H-108-450 Brief adjudicative procedures. This rule is adopted in accordance with RCW 34.95.482-494 [34.05.482-494], the provisions of which are hereby adopted. Brief adjudicative procedures shall be used in all matters related to:

(1) Residency determinations made pursuant to RCW 28B.15.013, conducted by the admissions office;
(2) Disputes concerning educational records;
(3) Student conduct proceedings. The procedural rules in chapter 132H-200 WAC apply to these procedures.
(4) Parking violations. The procedural rules in chapter 132H-116 WAC apply to these proceedings;
(5) Outstanding debts owed by students or employees;
(6) Loss of eligibility for participation in institution-sponsored athletic events, pursuant to chapter 132H-400 WAC.

WAC 132H-108-460 Discovery. Discovery in adjudicative proceedings may be permitted at the discretion of the presiding officer. In permitting discovery, the presiding officer shall make reference to the civil rules of procedure. The presiding officer shall have the power to control the frequency and nature of discovery permitted, and to order discovery conferences to discuss discovery issues.

WAC 132H-108-470 Procedure for closing parts of the hearings. A party may apply for a protective order to close part of a hearing. The party making the request should state the reasons for making the application to the presiding officer. If the other party opposes the request, a written response to the request shall be made within 10 days of the request to the presiding officer. The presiding officer shall determine which, if any, parts of the proceeding shall be closed, and state the reasons therefor in writing within 20 days of receiving the request.

WAC 132H-108-480 Recording devices. No cameras or recording devices shall be allowed in those parts of proceedings which the presiding officer has determined shall be closed pursuant to WAC 132H-108-410, except for the method of official recording selected by the institution.

Chapter 132H-116 WAC PARKING AND TRAFFIC RULES

WAC 132H-116-300 Preamble
132H-116-310 Objectives of parking and traffic rules and regulations.
132H-116-315 Definitions
132H-116-320 Applicable parking and traffic rules and regulations.
132H-116-330 Enforcement of parking and traffic rules and regulations.
132H-116-352 Permit revocations.
132H-116-353 Right to appeal revocation.
132H-116-354 Transfer of permits.
132H-116-355 Responsibility of person to whom permit issued.
132H-116-357 Parking fees.
132H-116-360 Visitors—Exemption from permit requirements.
132H-116-405 Allocation of parking spaces.
132H-116-410 Parking within designated spaces.
132H-116-415 Day and evening parking.
132H-116-430 Special parking and traffic regulations authorized.
132H-116-431 Regulatory signs, markings, barricades, etc.
132H-116-432 Speed.
132H-116-433 Pedestrian's right of way.
132H-116-470 Exceptions to parking and traffic restrictions.
132H-116-590 Motorcycles, bicycles, scooters.
132H-116-615 Issuance of traffic citations.
132H-116-620 Fines, penalties and impounding.
132H-116-630 Appeals of fines and penalties.
132H-116-730 Regulatory signs, markings, barricades, etc.
132H-116-750 Delegation of authority.

[Statutory Authority: RCW 28B.50.140. 90-09-066 (Order 102, Resolution No. 189), § 132H-108-450, filed 4/18/90, effective 5/19/90.]

[Statutory Authority: RCW 28B.50.140. 90-09-066 (Order 102, Resolution No. 189), § 132H-108-460, filed 4/18/90, effective 5/19/90.]

[Statutory Authority: RCW 28B.50.140. 90-09-066 (Order 102, Resolution No. 189), § 132H-108-470, filed 4/18/90, effective 5/19/90.]

[Statutory Authority: RCW 28B.50.140. 90-09-066 (Order 102, Resolution No. 189), § 132H-108-480, filed 4/18/90, effective 5/19/90.]

[Title 132H WAC—p. 6] (2005 Ed.)
Section XVII—Horses on campus. [Order 18, § 132H-116-230, filed 8/10/73.] Repealed by Order 43, filed 8/10/76. Later promulgation, see WAC 132H-116-770.

Modification of parking and traffic regulations. [Order 43, § 132H-116-340, filed 8/10/76.] Repealed by 92-13-097 (Order 115, Resolution No. 206), filed 7/18/92, effective 7/18/92. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140.

Section XVIII—Speed. [Statutory Authority: RCW 28B.50.140. 82-04-005 (Order 75, Resolution No. 143), § 132H-116-370, filed 1/21/82; Order 43, § 132H-116-350, filed 8/10/76.] Formerly WAC 132H-116-370.

Repealed by 92-13-097 (Order 115, Resolution No. 206), filed 7/18/92, effective 7/18/92. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140.

Disabled and inoperative vehicles—Impounding. [Order 43, § 132H-116-380, filed 8/10/76.] Repealed by 92-13-097 (Order 115, Resolution No. 206), filed 6/17/92, effective 7/18/92. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140.

Disabled and inoperative vehicles—Placing tags. [Order 43, § 132H-116-390, filed 8/10/76.] Repealed by 92-13-097 (Order 115, Resolution No. 206), filed 6/17/92, effective 7/18/92. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140.


Modification of parking and traffic regulations. [Order 43, § 132H-116-340, filed 8/10/76.] Repealed by 92-13-097 (Order 115, Resolution No. 206), filed 7/18/92, effective 7/18/92. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140.


Modification of parking and traffic regulations. [Order 43, § 132H-116-340, filed 8/10/76.] Repealed by 92-13-097 (Order 115, Resolution No. 206), filed 7/18/92, effective 7/18/92. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140.


Modification of parking and traffic regulations. [Order 43, § 132H-116-340, filed 8/10/76.] Repealed by 92-13-097 (Order 115, Resolution No. 206), filed 7/18/92, effective 7/18/92. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140.


Modification of parking and traffic regulations. [Order 43, § 132H-116-340, filed 8/10/76.] Repealed by 92-13-097 (Order 115, Resolution No. 206), filed 7/18/92, effective 7/18/92. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140.


Modification of parking and traffic regulations. [Order 43, § 132H-116-340, filed 8/10/76.] Repealed by 92-13-097 (Order 115, Resolution No. 206), filed 7/18/92, effective 7/18/92. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140.


Modification of parking and traffic regulations. [Order 43, § 132H-116-340, filed 8/10/76.] Repealed by 92-13-097 (Order 115, Resolution No. 206), filed 7/18/92, effective 7/18/92. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140.


Modification of parking and traffic regulations. [Order 43, § 132H-116-340, filed 8/10/76.] Repealed by 92-13-097 (Order 115, Resolution No. 206), filed 7/18/92, effective 7/18/92. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140.


Modification of parking and traffic regulations. [Order 43, § 132H-116-340, filed 8/10/76.] Repealed by 92-13-097 (Order 115, Resolution No. 206), filed 7/18/92, effective 7/18/92. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140.
132H-116-300 Preamble. Under RCW 28B.50.-140(10) the board of trustees of Community College District VIII has the authority to establish rules and regulations for pedestrian and vehicular traffic over property owned, operated, or maintained by the college district.

[Statutory Authority: RCW 28B.50.140. 04-01-046, § 132H-116-300, filed 12/11/03, effective 11/11/04. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. 92-13-097 (Order 115, Resolution No. 206), § 132H-116-700, filed 8/10/76.]

WAC 132H-116-310 Objectives of parking and traffic rules and regulations. The objectives of these regulations are:

- To provide a safe environment for students, faculty, staff, and visitors.
- To promote the efficient use of space.
- To ensure the smooth flow of traffic.
- To prevent delays and congestion.
- To reduce the risk of accidents.
- To maintain a clean and pleasant campus environment.

[Title 132H WAC—p. 8]
WAC 132H-116-315 Definitions. For the purpose of this chapter, the following terms and definitions shall apply:

(1) Board: The board of trustees of Community College District VIII, state of Washington.

(2) Campus: Any or all real property owned, operated, controlled, or maintained by Community College District VIII, state of Washington.

(3) Car pool: Any group of three or more faculty, staff, or students who commute to the college in the same vehicle.

(4) College: Bellevue Community College, or any additional community college hereafter established within Community College District VIII, state of Washington, and collectively, those responsible for its control and operations.

(5) Faculty members: Any employee of Community College District VIII who is employed on a full-time or part-time basis as a teacher, counselor, librarian or other position for which the training, experience and responsibilities are comparable as determined by the appointing authority, including administrative appointment.

(6) Foot propelled device: Wheeled devices including but not limited to skateboards, roller skates, roller blades, etc. designed or used for recreation and/or transportation purposes.

(7) Public safety officers: Employees of the college accountable to the vice-president of administrative services and responsible for campus security, public safety, and parking and traffic control.

(8) Staff: The administrative and classified members employed by the college.

(9) Student: Any person enrolled in the college.

(10) Vehicle: An automobile, truck, motorcycle, scooter or bicycle, both engine-powered and non-engine-powered.

(11) Visitor(s): Person(s) who come on to campus as guest(s), or who lawfully visit the campus for purposes in keeping with the college’s role as an institution of higher learning in the state of Washington and are neither employees nor registered students of the institution.

WAC 132H-116-320 Applicable parking and traffic rules and regulations. The applicable parking and traffic rules and regulations upon the campus are:

(1) The motor vehicle and other traffic laws of the state of Washington. Title 46 RCW.

(2) The traffic code of the city of Bellevue.

(3) The Bellevue Community College parking and traffic regulations. In case of conflict among the provisions of the motor vehicle and other traffic laws of the state of Washington or the traffic code of the city of Bellevue and Bellevue Community College parking and regulations, the provisions of the state of Washington motor vehicle laws shall govern.

WAC 132H-116-330 Enforcement of parking and traffic rules and regulations. The vice-president of administrative services is responsible for parking and traffic management on campus. Duly appointed public safety officers of Bellevue Community College are delegated the authority to enforce all college parking and traffic rules and regulations.

WAC 132H-116-350 Permits required for vehicles on campus. No person shall park, or leave any vehicle, whether attended or unattended, upon the campus of Bellevue Community College between 6:00 a.m. and 3:00 p.m. without properly displaying a valid permit issued by the public safety or cashiering offices.

(1) A valid permit is:

(a) A current student or faculty/staff permit displayed in accordance with WAC 132H-116-356.

(b) A temporary permit authorized by public safety and displayed in accordance with instructions.

(2) The college reserves the right to refuse to issue a parking permit.

(3) Vehicles displaying government agency license plates do not need BCC parking permits.

WAC 132H-116-351 Authorization for issuance of permits. (1) The vice-president of administrative services or his or her designee is authorized to issue all parking permits.

Special permits are valid only in the areas specified, on the date(s) specified on the permits, and when displayed on the dashboard of the vehicle. Vehicles operated by students, faculty and staff members must display a regular student or faculty/staff permit in addition to the special permit.
WAC 132H-116-352 Permit revocations. Parking permits are the property of the college, and may be recalled by the vice-president of administrative services or his or her designee for any of the following reasons:

(1) When the purpose for which the permit was issued no longer exists.

(2) When a permit is used by an unauthorized individual.

(3) Falsification on a parking permit application.

(4) Repeated violation of parking and traffic regulations.

(5) Counterfeiting or altering of permits.

(6) Failure to comply with a final decision of the citation review committee, or institutional hearing officer.

Parking permit revocations may be appealed to the citation review committee and to the institutional hearing officer.

WAC 132H-116-353 Right to appeal revocation. Parking permit revocations under this chapter may be appealed pursuant to the procedures in WAC 132H-120-062.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. 92-13-097 (Order 115, Resolution No. 206), § 132H-116-353, filed 6/17/92, effective 7/18/92.]

WAC 132H-116-354 Transfer of permits. (1) With the exception of carpool permits, parking permits are not transferable. If a vehicle is sold or traded, a replacement permit will be issued to the permit holder if he/she:

(a) Records invalid permit number;

(b) Removes invalid permit; and

(c) Brings invalid permit or remnant thereof to public safety. Public safety will then issue a replacement permit and [the] permit holder will then be registered under the new number.

(2) Permits may be reissued as authorized by the director of public safety.


Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems inef
tectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 132H-116-355 Responsibility of person to whom permit issued. The person to whom a permit is issued is responsible for the vehicle upon which the permit is affixed. He or she shall be held responsible for all violations of these rules and regulations charged to that vehicle. However, the operator of a vehicle will not be relieved of responsibility for violating any rule or regulation of this chapter simply because he or she is not also the holder of the permit.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. 92-13-097 (Order 115, Resolution No. 206), § 132H-116-355, filed 6/17/92, effective 7/18/92.]

WAC 132H-116-356 Display of permits. (1) Student or faculty/staff permits. The vehicle permit issued by the college shall be affixed to the inside of the rear window on the lower left corner. If the vehicle is a convertible or a truck camper or has no permanently fixed rear window, the permit shall be affixed to the front windshield. Permits not displayed in accordance with the provisions of this section shall not be valid and vehicles displaying the improperly placed permit shall be subject to citation.

(2) Temporary or special permits. The temporary permit shall be displayed on the dashboard of the vehicle in such a way that it is legible from outside the vehicle.


WAC 132H-116-357 Parking fees. Parking fees may be adopted by the board of trustees, specifying the charge per quarter and year.
WAC 132H-116-360 Visitors—Exemption from permit requirements. (1) The director of public safety may allow visitors without permits to drive through the campus without parking.

(2) The director of public safety or his or her designee may require visitors to wait at the entrances to the campus during times when pedestrian and/or vehicular traffic congestion is above normal. (See WAC 132H-116-430.)

(3) Guests of the college who are present to attend a conference, interview, etc., may be issued visitor permits valid for faculty/staff parking lots.

(4) Visitors on brief errands to campus may park in any student lot.

WAC 132H-116-405 Allocation of parking spaces. The parking space available on the campus shall be allocated by the vice-president of administrative services or his or her designee in such manner as will best obtain the objectives of these regulations. The vice-president of administrative services or his or her designee is further authorized to designate and mark the various parking areas on the campus with numbers or titles or both. This includes the authorization to reserve certain areas for vehicles displaying certain special permits.

WAC 132H-116-410 Parking within designated spaces. (1) No vehicle shall be parked on the campus except in those areas set aside and designated as parking areas.

(2) No vehicle shall be parked so as to occupy any portion of more than one parking space or stall as designated within the parking area. The fact that other vehicles may have been so parked as to require the vehicle parked to occupy a portion of more than one space or stall shall not constitute an excuse for a violation of this section.

(3) No vehicle shall be parked at any time in roadways, fire lanes, bus zones, loading zones, or service driveways; or on sidewalks; or in the landscaping.

WAC 132H-116-415 Day and evening parking. Students, staff and faculty may obtain day and/or evening parking on campus to the extent spaces are available as follows:

(1) Student daytime parking is limited to areas designated student parking.

(2) Staff/faculty daytime parking is limited to areas designated staff/faculty parking.

(3) Evening parking, after 3:00 p.m., for students, staff and faculty is available in all designated parking areas with the exceptions of the parking spaces for the handicapped, the college motor pool, and specifically signed reserved areas. Students may not park in those lots designated as "staff/faculty parking" with signage stating "no student parking anytime Mon-Fri."

WAC 132H-116-430 Special parking and traffic regulations authorized. During special occasions causing additional and/or heavy traffic and during emergencies, the director of public safety is authorized to impose additional traffic and parking regulations to achieve the specified objectives of this chapter.

WAC 132H-116-431 Regulatory signs, markings, barricades, etc. (1) The director of campus operations is authorized to erect signs, barricades, and other structures and to paint marks and other directions upon the streets and parking areas owned and operated by the college. Such signs, barricades, structures, markings, and directions shall be so made and placed as in the opinion of the director of campus operations will best achieve the goals of these regulations.

(2) Drivers of vehicles shall obey the signs, barricades, structures, markings, and directions erected pursuant to this section. Drivers shall also comply with directions given to them by a campus public safety officer or other public safety personnel controlling and regulating traffic or parking.

(3) No person without authorization from the director of campus operations shall move, deface, or in any other way change a sign, barricade, structure, marking or direction so placed, or previously placed, for the purpose of regulating traffic or parking.

WAC 132H-116-432 Speed. No vehicle shall be operated on the campus at a speed in excess of twenty miles per hour or such lower speed as is reasonable and prudent in the circumstance.

WAC 132H-116-433 Pedestrian's right of way. (1) The operator of a vehicle shall yield right of way, slowing down or stopping, if need be, to so yield to any pedestrian, but no pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible or unsafe for the driver to yield.

(2005 Ed.)
(2) Whenever any vehicle slows or stops so as to yield to pedestrian traffic, the operator of any other vehicle approaching from the rear shall not overtake and pass such a vehicle which has slowed or stopped to yield to pedestrian traffic.

(3) Where a sidewalk is provided, pedestrian shall proceed upon such a sidewalk.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. 04-01-046, § 132H-116-470, filed 12/11/03, effective 1/11/04. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. 92-13-097 (Order 115, Resolution No. 206), § 132H-116-615, filed 6/17/92, effective 7/18/92.]

WAC 132H-116-460 Parking—Operator’s responsibility. No person driving or in charge of a motor vehicle shall permit it to stand unattended without first:

(1) Stopping the engine, locking the ignition and removing the key.

(2) Effectively setting the brake and transmission to prevent movement of the vehicle.

[Order 43, § 132H-116-460, filed 8/10/76.]

WAC 132H-116-470 Exceptions to parking and traffic restrictions. The regulations governing permits and parking within designated spaces shall not apply to the drivers of state-owned operated by Bellevue Community College in the performance of assigned functions.


WAC 132H-116-590 Motorcycles, bicycles, scooters.

(1) Motorcycles, bicycles and scooters are for the purpose of these regulations considered to be motor vehicles and are subject to all traffic and parking rules and regulations controlling other motor vehicles.

(2) Motorcycles and motorized scooters may be parked in designated areas in addition to the regular parking lots.

(3) Motorcycles and motorized scooters are not permitted on paths, sidewalks, or authorized bicycle or pedestrian areas or in buildings at any time.

(4) Bicycles shall be parked in designated areas only. Improperly parked bicycles may be impounded and a citation and/or a fine imposed upon the owner.

(5) No bicycles or foot propelled devices shall be operated on campus walkways, corridors, hallways or buildings unless their use is required as part of the educational process in an authorized program.

[Statutory Authority: RCW 28B.50.140. 04-01-046, § 132H-116-590, filed 12/11/03, effective 1/11/04. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. 92-13-097 (Order 115, Resolution No. 206), § 132H-116-590, filed 6/17/92, effective 7/18/92. Statutory Authority: RCW 28B.50.140. 82-04-005 (Order 75, Resolution No. 143), § 132H-116-590, filed 1/21/82; Order 43, § 132H-116-590, filed 8/10/76.]

WAC 132H-116-615 Issuance of traffic citations.

Upon probable cause to believe that a violation of these rules and regulations has occurred, the vice-president of administrative services and/or duly appointed public safety officers may issue citations setting forth the date, the approximate time, the locality, the nature of the violation, the permit number, license number, infraction, officer, and the amount fine(s), by attaching or affixing a copy thereof to the vehicle allegedly involved in such violation, by placing a copy thereof in some prominent place within such vehicle, by mail, or by personal service.

[Statutory Authority: RCW 28B.50.140. 04-01-046, § 132H-116-615, filed 12/11/03, effective 1/11/04. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. 92-13-097 (Order 115, Resolution No. 206), § 132H-116-615, filed 6/17/92, effective 7/18/92.]

WAC 132H-116-620 Fines, penalties and impounding.

(1) The current schedule and fines for parking and traffic violations shall be published by the college and made available for review in the public safety office.

(2) An individual receiving a parking and traffic citation must pay all fines listed on the citation notice within 20 calendar days after the date on the citation notice unless he/she elects to appeal the citation. Payments should be taken or mailed to the cashiering office.

(3) If any citation remains unpaid after 20 calendar days from the date of the citation, Bellevue Community College may take any of the following actions:

(a) Withhold degrees, transcripts, grades, refunds, and/or credits;

(b) Block or delay registration for the following quarter;

(c) Impound the violator's vehicle;

(d) Deny future parking privileges, whether student or faculty/staff;

(e) Refuse to issue keys to students, faculty or staff.

(4) In addition to imposing fines, the vice-president of administrative services and duly appointed public safety officers are authorized to impound, immobilize and take to such place for storage as the director of public safety selects, any vehicles parked on college property in violation of these regulations with the following stipulations:

(a) The expenses of such impounding, immobilization and storage shall be charged to the owner or operator of the vehicle and must be paid prior to the vehicle's release.

(b) The college shall not be liable for loss or damage of any kind resulting from such impounding, immobilization or storage.

(c) Impoundment of a vehicle does not remove the obligation for any fines associated with the violation.

(d) Grounds for impounding vehicles shall include, but not be limited to the following:

(i) Blocking a roadway so as to impede the flow of traffic;

(ii) Blocking a walkway so as to impede the flow of pedestrian traffic;

(iii) Blocking a fire hydrant or fire lane;

(iv) Creating a safety hazard in the opinion of a public safety officer;

(v) Blocking another legally parked vehicle;

(vi) Parking in a marked "tow-away" zone.

(5) An accumulation of traffic violations by a student will cause for disciplinary action, and the vice-president of administrative services or his or her designee may initiate disciplinary proceedings against such students.

[Statutory Authority: RCW 28B.50.140. 04-01-046, § 132H-116-620, filed 12/11/03, effective 1/11/04. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. 92-13-097 (Order 115, Resolution No. 206), § 132H-116-620, filed 6/17/92, effective 7/18/92. Statutory Authority: RCW 28B.50.140. 82-04-005 (Order 75, Resolution No. 143), § 132H-116-620, filed 1/21/82; 79-10-052 (Order 63, Resolution No. 120), § 132H-116-620, 6/17/92, effective 7/18/92.]

WAC 132H-116-665 Violation of these rules and regulations.

No person shall violate these rules and regulations.
Parking and Traffic Rules

WAC 132H-116-630 Appeals of fines and penalties. (1) Right to appeal. Anyone who has received a citation for an alleged violation of these parking and traffic rules has the right to appeal. Appeals must be made in writing and must be submitted to administrative services within 20 calendar days after the date of the citation. Appeal forms are available from the public safety, cashiering and administrative services offices.

If the alleged violator has paid the fine(s) associated with the parking and traffic citation, he/she has forfeited the right to appeal the citation.

(2) Citation review committee. Appeals shall be considered by the BCC citation review committee, which is made up of two students (one the ASBCC chief justice), a faculty representative and a classified staff representative. The citation review committee shall hold hearings regularly throughout the academic year. The committee shall consider each appeal on its merits based upon these parking and traffic regulations. Appellants shall be notified on the hearing dates so that they may state their cases and present any additional evidence in person. The committee shall decide the cases of appellants who do not attend the hearing in person based on the statements given on the appeal form, with no penalty for nonappearance. Appellants who do not attend the hearing shall be sent written notification of the committee's decision.

The citation review committee may uphold, reduce, or waive the fine(s) associated with the parking and traffic citation. Any fine(s) still levied against the appellant must be paid within 15 calendar days after the date of the hearing unless the appellant wishes to pursue a second-level appeal. Nonpayment after 15 calendar days may result in any of the college actions listed under WAC 132H-116-620.

(3) Second level appeal. An appellant who is not satisfied with the decision of the citation review committee has the right to a second-level appeal before the institutional hearing officer appointed by the president of Bellevue Community College. The appellant must contact the institutional hearing officer within 15 calendar days after the citation review committee hearing to request a second-level appeal. The institutional hearing officer shall notify the appellant of his/her decision in writing. The institutional hearing officer's decision is final.

Any appellant who has paid the fine(s) confirmed or set by the citation review committee has forfeited the right to a second-level appeal.

WAC 132H-116-655 Report of accident and theft. The operator of any vehicle involved in an accident on campus resulting in injury to or death of any person or total or claimed damage to either or both vehicles of $500, shall within 24 hours report such accident to the public safety department. This does not relieve any person so involved in an accident from his responsibility to file a state of Washington motor vehicle accident report within 24 hours after such accident.

Students, faculty, staff, and visitors should report any theft of or out of vehicles to the public safety department promptly.

WAC 132H-116-730 Regulatory signs, markings, barricades, etc. (1) The director of campus operations is authorized to erect signs, barricades and other structures and to paint marks and other directions upon the streets and parking areas owned and operated by the college. Such signs, barricades, structures, markings and directions shall be so made and placed as in the opinion of the director of campus operations will best achieve the goals of these regulations.

(2) Drivers of vehicles shall obey the signs, barricades, structures, markings and directions erected pursuant to this section. Drivers shall also comply with the directions given them by a campus security officer or other campus security personnel controlling and regulating traffic.

(3) No person without authorization from the director of campus operations shall move, deface, or in any way change a sign, barricade, structure, marking or direction so placed, or previously placed, for the purpose of regulating traffic or parking.

WAC 132H-116-750 Delegation of authority. The authority and powers conferred upon the director of campus operations or the director of public safety by these regulations may be delegated by them to their subordinates.

WAC 132H-116-765 Liability of college. Except for college owned and/or operated vehicles, the college assumes no liability under any circumstances for vehicles on college properties.

WAC 132H-116-790 Prohibition of literature. Distribution of literature by placing the same on motor vehicles parked on the premises of Bellevue Community College is hereby prohibited. Literature includes but is not limited to:

(1) Pamphlets
(2) Flyers
(3) Stickers.

WAC 132H-116-791 Enforcement. Parking rules and regulations will be enforced throughout the calendar year.
Chapter 132H-120

Title 132H WAC: Bellevue Community College

Parking and traffic rules and regulations are enforced on a 24 hour daily basis.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. 92-13-097 (Order 115, Resolution No. 206), § 132H-116-791, filed 6/17/92, effective 7/1/92.]

Chapter 132H-120 WAC

THE STUDENT CODE OF COMMUNITY COLLEGE DISTRICT VIII

WAC

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132H-120-1000 Title. This chapter shall be known as the Student Code of Community College District VIII.

[Title 132H WAC—p. 14]
WAC 132H-120-020 Preamble. Bellevue Community College is maintained by the state of Washington for the purpose of providing its students with appropriate learning programs which will facilitate the orderly pursuit and achievement of their educational objectives. The college is dedicated not only to learning and the advancement of knowledge but also to the development of ethically sensitive and responsible persons through policies which encourage independence and maturity.

The student is in the unique position of being a member of the college community and the community at large. Admission to the college carries with it the expectation that students:

(1) Will respect and abide by the laws of the community, state, and nation;
(2) Will adhere to college rules and regulations which assure the orderly conduct of college affairs;
(3) Will maintain high standards of integrity and honesty;
(4) Will respect the rights, privileges, and property of other members of the college community; and
(5) Will not interfere with legitimate college affairs.

Bellevue Community College may apply sanctions or take other appropriate action only when student conduct interferes with the college's:

(1) Primary educational responsibility of ensuring the opportunity of all members of the college community to attain their educational objectives;
(2) Subsidiary responsibilities of protecting property, keeping records, providing services, and sponsoring non-classroom activities, such as lectures, concerts, athletic events and social functions.

An atmosphere of learning and self-development is created by appropriate conditions in the college community. The rights, freedoms and responsibilities in this document are critical ingredients toward the free, creative and spirited educational environment to which the students, faculty, and staff of Bellevue Community College are committed.

WAC 132H-120-030 Definitions. As used in this student code of Community College District VIII the following words and phrases shall mean:

(1) "Alcoholic beverages" are any beverages as defined in RCW 66.04.010(15), as now law or hereafter amended.
(2) "Assembly" is 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 groups of persons.
(3) "Associated students" is the student body and such authorized groups organized under the provisions of the constitution and bylaws of the associated students of the college.
(4) "Board" means the board of trustees of Community College District VIII, state of Washington.
(5) "College" means Bellevue Community College located within Community College District VIII, state of Washington.
(6) "College property or facilities" are any and all real and personal property that the college owns, uses, controls or operates, including all equipment, buildings and appurtenances affixed thereon or attached thereto. College property and facilities extend to affiliated websites, distance education classroom environments, and agencies or institutions that have educational agreements with the college.
(7) "College personnel" refers to any person employed on a full-time or part-time basis, except those who are faculty members, by Bellevue Community College.
(8) "Complaint" means any expression of dissatisfaction with the performance of a student, employee or procedure.
(9) "Controlled substance" is any drug or substance as defined in RCW 69.50 as now law or hereafter amended.
(10) "Disciplinary action" includes warning, reprimand, probation, expulsion, suspension, or any sanction of any student by the dean of student services, the college discipline committee, the president, or the board of trustees for the violation of any of the provisions of the student code for which sanctions may be imposed.
(11) "Distance education" means various methods of instructional delivery that include, but are not limited to, online courses, telecourses and interactive video courses.
(12) "District" means Community College District VIII, state of Washington.
(13) "Faculty member" means any employee of Bellevue Community College who is employed on a full-time or part-time basis as a teacher, counselor, librarian, or other position for which the training, experience and responsibilities are comparable as determined by the appointing authority, including administrative appointment.
(14) "Free speech area" means an area that shall be designated by the college president which can be reserved by student groups through the office of student programs.
(15) "President" means the duly appointed chief executive officer of Bellevue Community College, state of Washington, or in his/her absence, the acting chief executive officer.
(16) "Recognized student organization" shall mean and include any group or organization composed of students which is formally recognized by the associated students of Bellevue Community College.
(17) "Sponsored event or activity" shall mean any activity that is scheduled by the college and supervised and controlled by the college's faculty members, librarians, counselors, or other college personnel. Such "sponsorship" shall continue only as long as the event is supervised and controlled by the college faculty member, librarian, counselor or other college personnel. When the sponsored event or activity is of prolonged nature, and free time periods are permitted to the students participating in the event, any activity taking place during such a free time period outside of the supervision and control of the activity shall be deemed to a nonsponsored activity.
(18) "Student," unless otherwise qualified, means any person who is enrolled for classes or has been accepted for admission to the college.
WAC 132H-120-040 Jurisdiction. (1) All rules herein adopted concerning student conduct and discipline shall apply to every student whenever said student is participating in a distance education class or event, or is attending a class, or is present in any college facility, or whenever said student is engaged in or present at any college-related activity whether occurring on or off college facilities.

(2) Faculty members, other college employees, and members of the public who breach or aid or abet another in the breach of any provision of this chapter shall be subject to
   (a) Possible prosecution under the state criminal law;
   (b) Any other civil or criminal liability for which remedies are available to the public; or
   (c) Appropriate disciplinary action pursuant to the state of Washington higher education personnel board or the district's policies and regulations.
   (d) Restriction from entry to any college property or facilities, the violation of which could result in criminal trespass;
   (3) The college may carry out any disciplinary proceedings prior to, simultaneously, or following civil or criminal proceedings in a court of law.

WAC 132H-120-050 Student rights and freedoms. The following enumerated rights and freedoms are guaranteed to each student within the limitations of statutory law and college policies that are deemed necessary to achieve the educational goals of the college:

(1) Academic freedom.
   (a) Students are guaranteed rights of free inquiry, expression and peaceful assembly upon and within college facilities that are generally open and available to the public. Students and other members of the college community shall always be free to express their views or support causes by orderly means which do not disrupt the regular and essential operations of the college.
   (b) Students shall have the right of assembly as defined in WAC 132H-120-030 upon college facilities that are generally available to the public. Provided, That such assembly shall:
      (i) Be conducted in an orderly manner; and
      (ii) Not unreasonably interfere with vehicular or pedestrian traffic; or
      (iii) Not unreasonably interfere with classes, schedules, meetings, or ceremonies, or with the educational functions of the college;
      (iv) Not unreasonably interfere with college functions; and
      (v) Not cause damage or destruction to college property or private property on the college campus.
   (vi) The president reserves the right to direct students assembling under this subsection to relocate to the free speech area designated in WAC 132H-120-030(14), to prevent interference will college classes or other college activities.

(2) Due process.
   (a) The right of students to be secure in their persons, quarters, papers and effects against unreasonable searches and seizures is guaranteed.
   (b) No disciplinary sanction may be imposed on any student without notice to the accused of the nature of the charges.
   (c) A student accused of violating this student code is entitled, upon request, to procedural due process as set forth in this chapter.

(3) Distribution and posting. Students may distribute or post printed or published material subject to official procedures printed and available in the office of student programs. All free publications not in violation of state and/or federal laws such as books, magazines, newspapers, handbills, leaflets, or similar materials may be distributed on campus. The college may restrict the distribution of any publications where such distribution unreasonably interferes with college operations. 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. Any person desiring to distribute such publications shall first register with the office of student programs so that reasonable areas and times can be assured and the activities of the institution will not be unduly interfered with. All handbills, leaflets, newspapers, and similarly related matter must bear identification as to the publishing agency and distributing organization or individual.

(4) Off campus speakers. Recognized student organizations shall have the right to invite outside speakers to speak on campus subject to the availability of campus facilities, funding, and compliance with the college procedures available in the campus operations office.

(5) Incidental sales. Students have the right to engage in incidental sales of personal property in a private transaction provided college facilities are not explicitly used for this purpose.

(6) Commercial activities. The use of college grounds or facilities for commercial or private gain purposes is prohibited except where commercial activity such as sale of books, instructional supplies, or food contribute to the operation of the instructional program or where limited sale is specifically authorized by the dean of student services for the benefit of the approved activity.
(7) Fund raising. Students have the right to engage in fund raising activities for nonprofit organizations as recognized by the Internal Revenue Service. All fund raising activities must be approved by the dean of student services.

(8) Sale of merchandise. All merchandise offered for commercial sale may be sold only through the college bookstore or college food services except when approved by the dean of student services. [Statutory Authority: 28B.50.140. 04-12-045, § 132H-120-050, filed 6/19/03, effective 7/20/03; 02-10-069, § 132H-120-050, filed 4/26/02, effective 5/27/02. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. 93-12-008, § 132H-120-050, filed 5/19/93, effective 6/19/93; 92-19-047, § 132H-120-050, filed 9/10/92, effective 10/11/92; Order 16, § 132H-120-050, filed 3/15/73.]

WAC 132H-120-200 Student responsibilities. Any student shall be subject to disciplinary action as provided for in this chapter, who either as a principal actor, aide, abettor or accomplice as defined in RCW 9A.08.020:

(1) Materially and substantially interferes with the personal rights or privileges of others or the educational process of the college;

(2) Engages in unlawful conduct;

(3) Violates any provisions of this chapter; or

(4) Commits any prohibited act, including but not limited to the following:

(a) Alcoholic beverages. Being demonstrably under the influence of any form of alcoholic beverage. Possessing or consuming any form of liquor or alcoholic beverage except as a participant of legal age in a student program, banquet or educational program which has the special written authorization of the college president or his/her designee.

(b) Controlled substances. Using, possessing, selling or being under the influence of any narcotic drug or controlled substance as defined in RCW 69.50.101 as now law or hereafter amended, except when the use or possession of a drug is specifically prescribed as medication by an authorized medical doctor or dentist. For the purpose of this regulation, "sale" shall include the statutory meaning defined in RCW 69.04.005 as now law or hereafter amended.

(c) Illegal entry. Unauthorized entry into or onto any locked or otherwise closed college property or facility in any manner, at any time, without permission of the college employee or agent in charge thereof.

(d) Forgery or alteration of records. Forgery, as defined in RCW 9A.60.010 - 9A.60.020 as now law or hereafter amended or any district record of instrument or rendering any forged record of instrument to any employee or agent of the district acting in his/her official capacity as such.

(e) Illegal assembly. Participation in an assembly which materially and substantially interferes with vehicular or pedestrian traffic, classes, hearings, meetings, the educational and administrative functions of the college, or the private rights and privileges of others.

(f) Malicious mischief. Intentional or negligent damage to or destruction of any college facility or other public or private real or personal property.

(g) Failure to follow instructions. Failure to comply with directions of properly identified college officials acting in performance of their duties.

(h) Physical abuse. Physical abuse of any person or conduct which is intended unlawfully to threaten imminent bodily harm or to endanger the health or safety of any person on college-owned or controlled property or at college-sponsored or supervised functions.

(i) Assault. Assault, reckless endangerment, intimidation or interference upon another person in the manner set forth in RCW 9A.36.010 through 9A.36.050 or RCW 28B.10.570 through 28B.10.572 as now or hereafter amended.

(j) Disorderly, abusive, or bothersome conduct. Disorderly or abusive behavior that interferes with the rights of others or which obstructs or disrupts teaching, research, or administrative functions.

(k) Weapons. Possession or use of firearms, explosives, dangerous chemicals or other dangerous weapons or instrumentalities on the college campus, except for authorized college purposes or for law enforcement officers, unless written approval has been obtained from the dean of student services or any other person designated by the president.

(l) Lewd conduct. Engaging in lewd, indecent, or obscene behavior on college-owned or controlled property or at college-sponsored or supervised functions.

(m) False alarms. Falsely setting off or otherwise tampering with any emergency safety equipment, alarm or other device established for the safety of individuals and/or college facilities.

(n) Cheating and plagiarism. Engaging in cheating, stealing, plagiarizing, knowingly furnishing false information to the college, or submitting to a faculty member any work product that the student fraudulently represents as his or her own work for the purpose of fulfilling or partially fulfilling any assignment or task required as part of a program of instruction.

(o) Sexual harassment. Engaging in unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature where such behavior knowingly offends the recipient, causes discomfort or humiliation, or interferes with job or school performance.

(p) Theft or robbery. Theft or robbery from the district or from another as defined in RCW 9A.56.010 through 9A.56.050 and RCW 9A.56.100 as now law or hereafter amended.

(q) Unauthorized use of property. Converting or using college equipment, supplies or other property without proper authority.

(r) False to provide identification. False to provide positive identification (e.g., valid driver's license or state identification card) in appropriate circumstances to any college employee in the lawful discharge of said employee's duties.

(s) Smoking. Smoking in any college facility or on campus grounds except where specifically posted as permitted, or any other smoking not complying with chapter 70.160 RCW.

(t) False complaint. Filing a formal complaint falsely accusing another student or college employee with violating a provision of this chapter.

(u) Improper use of computer, telephone or other electronic devices. Conduct that violates WAC 132H-120-210. Trespassing or gaining access, without authorization, to a computer, system, network, or electronic data owned, used by, or affiliated with the college.

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(v) Ethics violation. The breach of any generally recognized and published code of ethics or standards of professional practice that governs the conduct of a particular profession for which the student is taking courses or is pursuing as an educational goal or major. These ethics codes must be distributed to students as part of an educational program, course, or sequence of courses and the student must be informed that a violation of such ethics may subject the student to disciplinary action by the college.

(w) Criminal law violation, illegal behavior, other unlawful violations. Students can be reported to proper authorities for acts which constitute violations to applicable local, state and federal laws. When the student's behavior is determined to threaten the health, safety and/or property of the college and its members, the college may immediately and summarily suspend the student and refer any such violation to the proper authorities for disposition.

[WAC 132H-120-210 Purpose of disciplinary action. The college may apply sanctions or take other appropriate action as defined in WAC 132H-120-200 this document. Disciplinary action proceedings shall determine whether and under what conditions the violator may continue as a student of the college.

[Order 16, § 132H-120-210, filed 3/15/73.]]

WAC 132H-120-220 Responsibility of college discipline committee. The dean of student services is the college administrator responsible for student discipline. All discipline procedures will be initiated by the dean or his/her designee. The dean shall have the authority to administer the disciplinary action prescribed in this chapter and to convene the college discipline committee. The composition of the college discipline committee shall be as follows: The committee shall be established each fall. It will be composed of the following persons:

1. A faculty member appointed by the president of the college.
2. A member of the faculty, appointed by the president of the Bellevue Community College Association of Higher Education.
3. Two representatives selected by the student services cabinet.
4. Three students appointed by the president of the associated students of Bellevue Community College.

None of the above-named persons shall sit in any case in which he/she has a conflict of interest, is a complainant or witness, has a direct or personal interest, or has acted previously in an advisory capacity. Decisions in this regard, including the selection of alternates, shall be made by the college discipline committee as a whole.

The college discipline committee chair will be elected by the members of the college discipline committee.

There shall be a list of alternates provided in the same manner and number in which membership was obtained. The quorum required for a hearing is the chair, one faculty member, one representative of the student services cabinet and one student.

[WAC 132H-120-225 Disciplinary terms. The following definitions of disciplinary terms have been established to provide consistency in the application of penalties:

1. Disciplinary warning: Formal action censoring a student for violation of college rules or regulations or for failure to satisfy the college's expectations regarding conduct. Disciplinary warnings are always made in writing to the student by the dean of student services. A disciplinary warning indicates to the student that continuation of the specific conduct involved or other misconduct will result in one of the more serious disciplinary actions described below.

2. Disciplinary probation: Formal action placing conditions upon the student's continued attendance for violation of college rules or regulations or failure to satisfy the college's expectations regarding conduct. Disciplinary probation warns the student that any further misconduct will make him/her liable to suspension or expulsion from the college. Disciplinary probation may be for a specific term or for an indefinite period.

3. Suspension: Formal action dismissing a student temporarily from the college for unacceptable conduct or violation of college rules or regulations. Suspension may be for an indefinite period, but the implication of the action is that the student may eventually return if evidence or other assurance is presented that the unacceptable conduct will not be repeated.

4. Summary suspension: Exclusion from college property and/or classes and other privileges or activities in accordance with WAC 132H-120-405.

5. Expulsion: Students may be expelled only on the approval of the president of the college and on the recommendation of the dean of student services or the college discipline committee. The notification expelling a student will indicate, in writing, the term of the expulsion and any 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.

6. Registration denied: Formal action refusing to allow a student to register for subsequent quarters, for violation of college rules or regulations, or failure to satisfy the college's expectations regarding conduct, or failure to fulfill obligations to the college.

Students may be denied registration only on the approval of the president and on the recommendation of the dean of

[Title 132H WAC—p. 18] (2005 Ed.)
student services or college discipline committee. The initiating authority, in his/her written notification to the student, will detail the reasons for the denial of registration and the conditions to be met before registration will be allowed. Registration may be denied for a fixed or indefinite period. Future registration will not be allowed until the initiating authority is satisfied that the conditions have been met.

(7) Restitution: Reimbursement for damage to or misappropriation of property. This may take the form of appropriate service or other compensation.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. 93-12-008, § 132H-120-225, filed 5/19/93, effective 6/19/93; 92-19-047, § 132H-120-225, filed 9/10/92, effective 10/11/92.]

WAC 132H-120-235 Initial disciplinary proceedings.
(1) All disciplinary proceedings will be initiated by the dean of student services or his or her designated representative. The student may be placed on suspension pending commencement of disciplinary action, pursuant to the conditions set forth in WAC 132H-120-405.

(2) Any student accused of violating any provision of the rules of conduct shall be called for an initial meeting with the dean of student services or his or her designated representative. The student will be informed in writing of what provision or provisions of the rules of conduct he/she is charged with violating, and what appears to be the range of penalties, if any, which might result from initiation of disciplinary proceedings.

(3) After considering the evidence in the case and interviewing the accused student, if the accused student has appeared at the scheduled conference, the dean 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 the dean deems appropriate;
(c) Impose verbal warning to student directly, not subject to the student's right of appeal as provided in this chapter;
(d) Impose additional sanctions of reprimand, probation, suspension or dismissal, subject to the student's right of appeal as provided in the following provisions.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. 92-19-047, § 132H-120-235, filed 9/10/92, effective 10/11/92.]

WAC 132H-120-245 Appeals of disciplinary action—Generally.
(1) Appeals contesting any disciplinary action may be made by the student(s) involved. Such appeals shall be made in the following order:

(a) Disciplinary action taken by the dean of student services or his or her designee(s) may be appealed to the discipline committee, which may, at the request of the dean, hear the case de novo.
(b) Disciplinary recommendations made by the discipline committee may be appealed by the student to the president of the college. The president shall review the record of the proceedings which give rise to the appeal, as well as the recommendations made by the dean and the discipline committee. The president's decision shall be final.

(2) Any appeal by a student receiving a disciplinary sanction must meet the following conditions: (a) The appeal must be in writing and must clearly state errors in fact or matters in extenuation or mitigation which justify the appeal; and (b) the appeal must be filed within twenty-one calendar days from the date on which the student was notified that disciplinary action was being taken.

(3) All decisions shall be sent from the office of the dean to the president. Written decisions shall include the signature of the discipline committee chair. Copies shall be sent to the president of the college or his or her designee and the student involved in the proceeding.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. 93-12-008, § 132H-120-245, filed 5/19/93, effective 6/19/93; 92-19-047, § 132H-120-245, filed 9/10/92, effective 10/11/92.]

WAC 132H-120-300 Discipline committee procedure.
(1) The discipline committee shall conduct a hearing within twenty calendar days after disciplinary action has been referred to the committee.

(2) When a person is charged with an offense punishable by suspension, or dismissal of his or her relationship with the institution, and where the person

(a) Waives the opportunity for a brief adjudicative proceeding, or
(b) By his/her conduct in the judgment of the hearing officer makes it impossible to conduct a brief adjudicative proceeding, or

(c) Is dissatisfied with the results of the brief adjudicative proceeding; that person is entitled to an adjudicative proceeding according to the provisions of RCW 34.05.410 and the guidelines of this chapter. Where an adjudicative proceeding is neither required by law nor requested by the student or the college, the matter may be resolved informally. Brief adjudicative proceedings before the discipline committee shall be conducted in any manner which will bring about a prompt, fair resolution of the matter.

(3) Written notice of the time and place of this hearing before the college discipline committee, shall be given to the student by personal service or certified mail not less than fifteen calendar days in advance of the hearing. The notice shall be issued by the dean of student services and shall contain:

(a) A statement of the time, place and nature of the disciplinary proceedings;
(b) A statement of the charges including reference to the particular sections of the student code involved; and
(c) To the extent known, 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:

(a) Hear and examine the evidence against him or her and be informed of the identity of its source;
(b) Present evidence in his or her own behalf and to cross-examine witnesses testifying on behalf of the college as to factual matters.
(c) Take depositions upon oral examination or written interrogatories. Discovery shall be done according to the rules of civil procedure or by a less formal method where all parties agree.

(5) The student shall have all authority possessed by the college to obtain information relevant to the issues of the hearings, he/she specifically describes, in writing, and tenders to the dean of student services no later than three days

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prior to the hearings, or requests the presence of witnesses or the production of other relevant evidence.

(6) The student shall have the right to dismiss a member of the college discipline committee on prejudicial grounds if notice is tendered in writing to the dean of student services at least three days prior to the scheduled hearing.

(7) The student may be represented by counsel of his or her choice at the disciplinary hearing. If the student elects to choose a duly licensed attorney as his or her counsel, he or she must tender at least seven calendar days' notice thereof to the dean of student services.

(8) In all disciplinary proceedings the college may be represented by the dean of student services or his or her designee who shall present the college's case to the college discipline committee. The dean of student services may elect to have the college represented by an assistant attorney general.

(9) An adequate record of the hearing shall be maintained and shall include:

(a) All documents, motions, and intermediate rulings;
(b) Evidence received and considered;
(c) A statement of matters noticed; and
(d) Questions and offers of proof, objections and rulings thereon.

(10) The chair of the college discipline committee shall preside at the disciplinary hearing and shall be considered the presiding officer.

(11) The dean of student services shall designate a recorder to take notes during the hearing and to prepare a written summary of all evidence, facts and testimony presented to the college discipline committee during the course of the hearing.

(12) Hearings conducted by the college discipline committee generally will be held in closed session, provided that the accused student may request the hearing to be held in open session.

(13) If at any time during the conduct of a hearing visitors disrupt the proceedings, the chair of the committee may exclude such persons from the hearing room.

(14) Any student attending the college discipline committee hearing who continues to disrupt the proceedings after the chair of the committee has asked him or her to cease or to leave the hearing room shall be subject to disciplinary action.

**WAC 132H-120-305 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 discipline committee has sufficient cause to believe that the accused student is guilty of violating the rules he or she is charged with having violated. Hearsay evidence is admissible in the hearing.

(2) The presiding officer of the discipline 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.

(3) Evidence or testimony to be offered by or on behalf of the student in extenuation or mitigation shall not be presented or considered until all substantive evidence or testimony has been presented.

**WAC 132H-120-310 Decision by the college discipline committee.** (1) Upon conclusion of the disciplinary hearing, the college discipline committee shall consider all the evidence therein presented and decide by majority vote whether to uphold the decision of the dean of student services or 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 any of the disciplinary actions as provided in this chapter.

(2) Within seven calendar days, the student will be provided with a copy of the college discipline committee's findings of fact and conclusions regarding what occurred, whether the student violated any provision of the student code and recommendation for the final disposition of the matter at issue. The committee shall also advise the student of his/her rights to present, within twenty-one calendar days, a written statement to the president of the college appealing the recommendation of the college discipline committee.

**WAC 132H-120-335 Final appeal.** Any student who is aggrieved by the finding(s) or conclusions of an appeal to the discipline committee may appeal the same in writing to the president within twenty-one days following notification to the student of the action taken by the committee. The president may, at his or her discretion, suspend the disciplinary actions imposed. In the consideration of such an appeal, the president shall base his or her findings and decision solely on the official written record of the case and on any reports or recommendations of the discipline committee and/or the dean who conducted the original hearing.

**WAC 132H-120-350 Readmission after expulsion.** Any student expelled from the college may be readmitted only on written petition to the office which initiated the action resulting in his expulsion. Such petitions must indicate how specified conditions have been met and if the term of the expulsion has not expired, any reasons which support a reconsideration of the matter. Because the president of the college participates in all disciplinary actions expelling students from the college, decisions on such petitions for readmission must be reviewed and approved by the president before readmission is granted. The president shall render a decision in writing to the student.
WAC 132H-120-360 Reporting, recording and maintenance of records. Records of all disciplinary cases shall be kept in the office of the dean of student 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 for not more than 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.

WAC 132H-120-405 Summary suspension proceedings. (1) If a dean or his or her designee(s) has cause to believe that any student (a) has committed a felony; or (b) has violated any provision of this chapter; and (c) presents an imminent danger either to himself or herself, other persons on the college campus or to the educational process; that student shall be summarily suspended and shall be notified by certified and regular mail at the student’s last known address, of shall be personally served. Summary suspension is appropriate only where (c) of this subsection can be shown, either alone or in conjunction with (a) or (b) of this subsection.

WAC 132H-120-410 Permission to enter or remain on campus. During the summary suspension period, the suspended student shall not enter any campus of District No. VIII other than to meet with the dean of student services or to attend the hearing. However, the dean of student services or the college president may grant the student special permission to enter a campus for the express purpose of meeting with faculty, staff, or students in preparation for a probable cause hearing.

WAC 132H-120-420 Notice of summary suspension proceedings. (1) When the president or his/her designee exercises the authority to summarily suspend a student, he/she shall cause notice thereof to be served upon that student by registered or certified mail at the student's last known address, or by causing personal service of such notice upon that student.

(2) The notice shall be entitled "notice of summary suspension proceedings" and shall state:
(a) The charges against the student including reference to the provisions of the student code of Bellevue Community College District VIII or the law involved; and
(b) That the student charged must appear before the dean of student services at a time specified in the notice for a hearing as to whether probable cause exists to continue the summary suspension. The hearing shall be held as soon as practicable after the summary suspension.

WAC 132H-120-430 Procedures of summary suspension hearing. (1) The summary suspension hearing shall be considered an emergency adjudicative proceeding. The proceeding must be conducted as soon as practicable with the dean of student services presiding.

(2) At the summary suspension hearing, the dean of student services shall determine whether there is probable cause to believe that continued suspension is necessary and/or whether some other disciplinary action is appropriate.

WAC 132H-120-440 Decision by the dean of student services. If the dean of student services, following the conclusion of the summary suspension proceedings, finds that there is probable cause to believe that:
(1) The student against whom specific violations of law or of provisions of this chapter are alleged has committed one or more of such violations upon any college facility; and
(2) That summary suspension of said student is necessary for the protection of the student, other students or persons on college facilities, college property, the educational process, or to restore order to the campus, and
(3) Such violation or violations of the law or of provisions of this chapter constitute grounds for disciplinary action, then the dean of student services may, with the written approval of the president, continue to suspend such student from the college and may impose any other disciplinary action appropriate.

WAC 132H-120-450 Notice of suspension. (1) A student who is suspended or otherwise disciplined pursuant to the above rules shall be provided with a written copy of the dean of student service's findings of fact and conclusions, as expressly concurred in by the president, which constituted probable cause to believe that the conditions for summary suspension existed.

(2) 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 to said student's last known address within three working days following the conclusion of the summary suspension hearing.

(3) The notice of suspension shall state the duration of the suspension or nature of other disciplinary action and the conditions under which the suspension may be terminated.
WAC 132H-120-460 Suspension for failure to appear. The dean of student services is authorized to enforce the suspension of the summary suspended student in the event the student has been served pursuant to the notice requirement and fails to appear at the time designated for the summary suspension proceeding.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. 92-19-047, § 132H-120-460, filed 9/10/92; Order 16, § 132H-120-460, filed 3/15/73.]

WAC 132H-120-475 Appeals from summary suspension hearing. (1) Any student aggrieved by an order issued at the summary suspension proceeding may appeal to the discipline committee. No such appeal shall be entertained, however, unless

(a) The student has first appeared at the student hearing in accordance with WAC 132H-120-430;

(b) The student has been officially notified of the outcome of the hearing;

(c) Summary suspension or other disciplinary sanction has been upheld; and

(d) The appeal conforms to the standards set forth in WAC 132H-120-245(2).

(2) The discipline committee shall, within five working days, conduct a formal hearing in the manner described in WAC 132H-120-300.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. 93-12-008, § 132H-120-475, filed 5/19/93, effective 6/19/93; 92-19-047, § 132H-120-475, filed 9/10/92, effective 10/11/92.]

Chapter 132H-121 WAC

GENERAL CONDUCT

WAC 132H-121-010 Smoking. WAC 132H-121-020 Hazing rules.

WAC 132H-121-010 Smoking. It shall be the policy of Bellevue Community College, consistent with its efforts to promote wellness, fitness, and a campus environment conducive to work, study, and activities for staff, students, and the public, to maintain a smoke/tobacco free indoor campus environment. Smoking and tobacco use is permitted only in designated locations. Receptacles for smoking materials are provided and are required to be used to maintain litter free campus grounds.

Information regarding the Bellevue Community College smoking policy is available in Campus Operations, located in K100.

[Statutory Authority: RCW 28B.15.605. 00-21-013, § 132H-121-010, filed 10/6/00, effective 11/6/00. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. 92-19-051, § 132H-121-010, filed 9/10/92, effective 10/11/92.]

WAC 132H-121-020 Hazing rules. Community College District VIII board of trustees has authorized the college to adopt rules to regulate hazing activities within college sponsored organizations, associations, or living groups.

(1) Hazing is prohibited. Hazing means any method of initiation into a student organization, association, or living group, or any pastime or amusement engaged in with respect to such an organization or living group that causes, or is likely to cause bodily danger or physical harm, or serious mental or emotional harm, to any student or other person attending any institution of higher education or post-secondary institution.

PENALTIES

(1) Any organization, association, or living group that knowingly permits hazing shall:

(a) Be liable for harm caused to persons or property resulting from hazing, and

(b) Be denied recognition by Bellevue Community College as an official organization, association or student living group on the Bellevue Community College campus. If the organization, association or student living group is a corporation, whether for profit or nonprofit, the individual directors of the corporation may be held individually liable for damages.

(2) A person who participates in the hazing of another shall forfeit any entitlement to state-funded grants, scholarships or awards for not less than one academic quarter and up to and including permanent forfeiture, based upon the seriousness of the violation(s).

(3) The student code of Community College District VIII may be applicable to hazing violations. WAC 132H-120-200 (1)(3), 132H-120-210 through 132H-120-475.

(4) Hazing violations are also misdemeanors punishable under state criminal law according to RCW 9A.20.021.

SANCTIONS FOR IMPERMISSIBLE CONDUCT NOT AMOUNTING TO HAZING

(1) Impermissible conduct associated with initiation into a student organization or living group or any pastime or amusement engaged in, with respect to the organization or living group, will not be tolerated.

(2) Impermissible conduct which does not amount to hazing may include conduct which causes embarrassment, sleep deprivation or personal humiliation, or may include ridicule or unprotected speech(amounting to verbal abuse.

(3) Impermissible conduct not amounting to hazing is subject to sanctions available under WAC 132H-120-200 (1)(3), 132H-120-210 through 132H-120-475, the student code of Community College District VIII, depending upon the seriousness of the violation.

[Statutory Authority: RCW 128B.50.140 [28B.50.140]. 95-19-050, § 132H-121-020, filed 9/14/95, effective 10/15/95.]

Chapter 132H-122 WAC

WITHHOLDING SERVICES FOR OUTSTANDING DEBTS


WAC 132H-122-010 Statement of policy. The college expects that students who receive services for which a financial obligation is incurred will exercise responsibility in meeting these obligations. Appropriate college staff are empowered to act in accordance with regularly adopted procedures to carry out the intent of this policy, and if necessary to initiate legal action to insure that collection matters are brought to a timely and satisfactory conclusion.

[Title 132H WAC—p. 22]
Admission to or registration with the college, conferring of degrees and issuance of academic transcripts may be withheld for failure to meet financial obligations to the college.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. 92-19-054, § 132H-122-010, filed 9/10/92, effective 10/11/92.]

WAC 132H-122-020 Withholding services for outstanding debts. (1) Where there is an outstanding debt owed to the college and upon receipt of a written request inquiring as to the reason(s) for services or refund being withheld the college shall reply in writing to the person that the services and/or refund will not be provided. The college will include the amount of the outstanding debt, and further explain that until that debt is satisfied (or stayed by bankruptcy proceedings or discharged in bankruptcy), no such services and/or refund will be provided to the individual.

(a) The notice shall include a statement to inform the individual that he or she has a right to a hearing before a person designated by the president of the college if he or she believes that no debt is owed. The notice shall state that the request for the hearing must be made within twenty-one days from the date of notification.

(2) Upon receipt of a timely request for a hearing, the person designated by the president shall have the records and files of the college available for review and, at that time, shall hold a brief adjudicative proceeding concerning whether the individual owes or owed any outstanding debts to the institution. After the brief adjudicative proceeding, a decision shall be rendered by the president's designee indicating whether the college is correct in withholding services and/or applying offset for the outstanding debt.

(a) If the outstanding debt is found to be owed by the individual involved, no further services shall be provided.

(b) Notice of the decision shall be sent to the individual within five days after the hearing.

[Statutory Authority: RCW 28B.50.140. 02-14-008, § 132H-122-020, filed 6/20/02, effective 7/21/02. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. 92-19-054, § 132H-122-020, filed 9/10/92, effective 10/11/92.]

WAC 132H-122-030 Appeal of initial order upholding the withholding of services for outstanding debts. (1) Any person aggrieved by an order issued under WAC 132H-122-020 may file an appeal with the president. The appeal must be in writing and must clearly state errors in fact or matters in extenuation or mitigation which justify the appeal.

(2) The appeal must be filed within twenty-one days from the date on which the appellant received notification of the order issued under WAC 132H-122-020 upholding the withholding of services for outstanding debts. The president's determination shall be final.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. 92-19-054, § 132H-122-030, filed 9/10/92, effective 10/11/92.]

Chapter 132H-131 WAC

SCHOLARSHIPS AND FINANCIAL AID

WAC

132H-131-010 Scholarships.

(2005 Ed.)
WAC 132H-133-050 Commercial activity policy. The mission of Community College District VIII, Bellevue Community College, is to provide comprehensive educational programs of the highest quality as provided for in the Community College Act of 1967. These programs will be responsive to the changing needs of the communities and the students served by our district and will be accessible to all those seeking to continue their education.

To promote the mission of Bellevue Community College it is often necessary to engage in commercial activities that provide goods and services that meet special needs of students, faculty, staff and members of the public participating in college activities and events.

Chapter 28B.63 RCW establishes standards for institutions of higher education to follow in conducting commercial activities. The purpose of these laws is to require institutions of higher education to define the legitimate purposes under which commercial activities may be approved by a college or university and to establish mechanisms for review of such activities. The purpose of the policy statement and standards that follow is to assure that Bellevue Community College pursues commercial activities in compliance with chapter 28B.63 RCW and that all commercial activities of the college serve the mission of the college.

(1) Policy statement. Bellevue Community College may engage in the providing of goods, services, or facilities for a fee only when such are directly and substantially related to the educational mission of the college. Fees charged for goods, services[,] and facilities shall reflect their full direct and indirect costs, including overhead. They shall also take into account the price of such items in the private marketplace.

(2) Approval and review of commercial activities. The vice-president of administrative services shall be responsible for the approval of new commercial activities and the periodic review of existing ones. It shall be the responsibility of this officer to assure that each commercial activity meets the criteria established for commercial activities of the college. Proposals for new or altered services shall be approved by the vice-president of administrative services prior to implementation.

(3) Criteria for commercial activities serving members of the campus community. Each of the following criteria shall be used in assessing the validity of providing goods or services to members of the campus community:

(a) The goods or services are substantially and directly related to the mission of the college.

(b) Provision of the goods, services or facilities on campus represents a special convenience to the campus community or facilitates extracurricular activities.

(c) Fees charged for the goods, services or facilities shall take into account the full direct and indirect costs, including overhead. They shall also reflect the costs of such items in the private marketplace.

(d) Procedures adequate to the circumstances shall be observed to ensure that the goods and services are provided only to persons who are students, faculty, staff, or invited guests.

(4) Criteria for providing commercial activities to the external community.

(a) The goods, services or facilities provided relate substantially and directly to the mission of the college and are not commonly available or otherwise easily accessible in the private marketplace and are [in] demand from external community.

(b) Fees charged for the goods, services, or facilities shall take into account the full direct and indirect costs, including overhead. They shall also reflect the price of such items in the private marketplace.

(5) Definitions and limitations. "Commercial activity" means an activity which provides a product or service for a fee which could be obtained from a commercial source. This definition shall be used to determine which activities shall be governed by this policy, except that this policy shall not apply to:

(a) The initiation of or changes in academic or vocational programs of instruction in the college's regular, extension, evening or continuing education programs;

(b) Fees for services provided in the practicum aspects of instruction;

(c) Extracurricular programs, including food services, athletic and recreational programs, and performing arts programs.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffec-

Chapter 132H-136 WAC

LIBRARY-MEDIA CENTER CODE

WAC

132H-136-010 Title.
132H-136-020 Loans.
132H-136-030 Fines.
132H-136-035 Schedule of fines.
132H-136-040 Student handbook.

WAC 132H-136-010 Title. WAC 132H-136-010 through 132H-136-040 will be known as the library-media center code of Community College District VIII.

[Order 13, § 132H-136-010, filed 5/9/73.]

(2005 Ed.)
WAC 132H-136-020 Loans. Materials from the Bellevue Community College library-media center are checked out to the following groups.

1. All currently registered students of Bellevue Community College.
2. All current faculty and administrative staff members.
3. All persons currently employed in classified staff positions.
4. All holders of currently valid course cards. This latter group includes members of the board of trustees, community educators whose work might necessitate usage of library-media materials, and other individuals who show a particular need for specialized items in the library-media collections which are not available elsewhere.
5. Students from other institutions with which the Bellevue Community College library-media center has a reciprocal lending agreement through the "shared use plan." This group may use materials on a loan basis at the discretion of the circulation supervisor who shall determine lending priorities based upon the current usage of individual items by Bellevue Community College students.


WAC 132H-136-030 Fines. (1) In cases where damage or loss of library material is evident, the offending patron is assessed the replacement cost.

(2) Where library-media materials are retained by the borrower beyond the designated due date, fines are levied as a sanction to effect the prompt return of items which might be in demand by others.

(3) When materials are not returned, or fines not paid, holds are placed on the transcript records of those involved—only as a sanction to cause the ultimate return of library-media material in order to protect the integrity of the library-media collection.

(4) In extreme cases, when expensive or valuable items are involved, the provisions of RCW 27.12.340 may be invoked.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. 92-19-052, § 132H-136-030, filed 9/10/92, effective 10/11/92; Order 35, § 132H-136-030, filed 10/10/75; Order 13, § 132H-136-030, filed 3/9/73.]

WAC 132H-136-035 Schedule of fines. The college should publish the fines that are to be charged for overdue materials.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. 92-19-052, § 132H-136-035, filed 9/10/92, effective 10/11/92.]

WAC 132H-136-040 Student handbook. Detailed information governing the operation of the library-media center and the rules for loan of books, other print materials and nonprint materials is included in the student handbook of Bellevue Community College.


WAC 132H-140-010 Title. WAC 132H-140-010 through 132H-140-110 will be known as facility usage for Community College District VIII.

[Statutory Authority: RCW 28B.50.140. 82-11-039 (Order 80, Resolution No. 121), § 132H-140-010, filed 5/12/82; 79-10-051 (Order 64, Resolution No. 121), § 132H-140-010, filed 9/17/79; Order 28, § 132H-140-010, filed 3/7/75.]

WAC 132H-140-020 Statement of purpose. Bellevue Community College District VIII is an educational institution provided and maintained by the people of the state of Washington. The college reserves its facilities, buildings and grounds for those activities [that] [which] are related to its broad educational mission. At other times, the college facilities may be made available to other individuals and organizations.

The purpose of these regulations is to establish procedures and reasonable controls for the use of college facilities for noncollege groups and for college groups where applicable.
In keeping with this general purpose, and consistent with RCW 28B.50.140(7) and 28B.50.140(9), facilities should be available for a variety of uses which are of benefit to the general public if such general uses substantially relate to and do no interfere with the mission of the college. However, a state agency is under no obligation to make its public facilities available to the community for private purposes.

Primary consideration shall be given at all times to activities specifically related to the college’s mission, and no arrangements shall be made that may interfere with, or operate to the detriment of, the college’s own teaching, or public service programs.

Reasonable conditions may be imposed to regulate the timeliness of requests, to determine the appropriateness of space assigned, time of use, and to insure the proper maintenance of the facilities. Subject to the same limitations, college facilities shall be made available for assignment to individuals or groups within the college community. Such arrangements by both organizations and individuals must be made through campus operations.

[Statutory Authority: RCW 28B.50.140. 02-14-007, § 132H-140-040, filed 6/20/02, effective 7/21/02; 82-11-039 (Order 80, Resolution No. 149), § 132H-140-040, filed 5/12/82; 79-10-051 (Order 64, Resolution No. 121), § 132H-140-040, filed 9/17/79; Order 28, § 132H-140-040, filed 3/7/75.]

Reviser’s note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffective changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 132H-140-030 Request for use of facilities.
Requests by noncollege groups for utilization of college facilities shall be made to the director of campus operations or a designee, who shall be the agent of the college in summarizing rental and use agreements.

[Statutory Authority: RCW 28B.50.140. 02-14-007, § 132H-140-030, filed 6/20/02, effective 7/21/02; 79-10-051 (Order 64, Resolution No. 121), § 132H-140-030, filed 9/17/79; Order 28, § 132H-140-030, filed 3/7/75.]

WAC 132H-140-040 Facility usage board policy. The board of trustees of Bellevue Community College District VIII provides college personnel, students, college organizations and the general public the opportunity to use the college grounds and buildings subject to WAC 132H-140-010 through 132H-140-110 and in compliance with local, state and federal laws if

(1) The individual or organization requesting the space is approved to use it and
(2) The space is available and has been reserved for the activity.

[Statutory Authority: RCW 28B.50.140. 02-14-007, § 132H-140-040, filed 6/20/02, effective 7/21/02; 82-11-039 (Order 80, Resolution No. 149), § 132-140-040 (codified as WAC 132H-140-040), filed 5/12/82; 79-10-051 (Order 64, Resolution No. 121), § 132H-140-040, filed 9/17/79; Order 28, § 132H-140-040, filed 3/7/75.]

WAC 132H-140-050 Scheduling and reservation practices. The primary purpose of college facilities is to serve the instructional program of the college. However, the facilities, when not required for scheduled college use, may be available for rental by the public in accordance with current fee schedules and other relevant terms and conditions for such use.

No college facilities may be used by individuals or groups from outside the college unless the facilities including buildings, equipment and facilities land have been reserved.

In determining whether to accept a request for the use of college facilities, the administration shall use the college mission statement and the following items, listed in priority order, as guidelines:

(1) Bellevue Community College scheduled programs and activities.
(2) Major college events.
(3) Foundation related events.
(4) Noncollege (outside individual or organization) events.

Arrangements for use of college facilities must be made through the campus operations office.

[Statutory Authority: RCW 28B.50.140. 02-14-007, § 132H-140-050, filed 6/20/02, effective 7/21/02; 82-11-039 (Order 80, Resolution No. 149), § 132H-140-050, filed 5/12/82; 79-10-051 (Order 64, Resolution No. 121), § 132H-140-050, filed 9/17/79; Order 28, § 132H-140-050, filed 3/7/75.]

WAC 132H-140-065 Limitations and denial of use. Bellevue Community College is a state agency and exists to serve the public. However, the college may deny use of its facilities to any individual, group or organization if the requested use would

(1) Interfere or conflict with the college's instructional, student services or support programs;
(2) Interfere with the free flow of pedestrian or vehicular traffic on campus;
(3) Involve illegal activity;
(4) Create a hazard or result in damage to college facilities; or
(5) Create undue stress on college resources (e.g., a request for a major event may be denied if another major event is already scheduled for the same time period, because of demands for parking, security coverage, etc.).

Where college space is used for an authorized function (such as a class or a public or private meeting under approved sponsorship, administrative functions or service related activities), groups must obey or comply with directions of the designated administrative officer or individual in charge of the meeting.

Any individual or group granted permission to use college facilities shall agree in advance to abide by all college rules and regulations. The college reserves the right to deny use of college facilities to any individual or group whose past conduct indicates a likelihood that college rules and regulations will not be obeyed. The college may also deny use to a requesting individual or organization which has used the facilities in the past and has damaged college property, left college buildings and grounds in excessive disorder, or failed to cooperate with college staff concerning use of the facilities.

No person or group may use or enter onto college grounds or facilities having in their possession firearms or other dangerous weapons, even if licensed to do so, except commissioned police officers as prescribed by law.

College facilities may be used for purposes of political campaigning by or for candidates who have filed for public office, directed to members of the public, only when the full rental cost of the facility is paid. Use of state funds to pay for
facility rental costs for political campaigns is prohibited. No person may solicit contributions on college property for political uses, except where this limitation conflicts with federal law regarding interference with the mails.

Orderly picketing and other forms of peaceful dissent are protected activities on and about the college premises when such premises are open to public use. However, interference with free passage through areas where members of the college community have a right to be, interference with ingress and egress to college facilities, interruption of classes, injury to persons, or damage to property exceeds permissible limits. While peaceful dissent is acceptable, violence or disruptive behavior is not a legitimate means of dissent. If any person, group, or organization attempts to resolve differences by means of violence, the college retains the right to take steps to protect the safety of individuals, the continuity of the educational process, and the property of the state.

If at any time actual use of college facilities by an individual or group constitutes an unreasonable disruption of the normal operation of the college, such use shall immediately terminate, all persons engaged in such use shall immediately vacate the premises, and leave the college property upon command of the appropriate college official.

Advertising or promotional materials for any event being held in a college facility must follow the same procedure as applies to students outlined in WAC 132H-120-050.

Use of audio amplifying equipment is permitted only in locations and at times that will not interfere with the normal conduct of college affairs.

BCC facilities may not be used for private or commercial purposes unless such activities clearly serve the educational mission of the college, are either sponsored by an appropriate college unit or conducted by contractual agreement with the college. Commercial uses may also be made as noted in WAC 132H-133-050.

Alcoholic beverages will not be served without the approval of the president or his/her designee. It shall be the responsibility of the event sponsor to obtain all necessary licenses from the Washington State Liquor Control Board and adhere to their regulations, and those of Bellevue Community College.

[Statutory Authority: RCW 28B.50.140. 02-14-007, § 132H-140-065, filed 6/20/02, effective 7/21/02.]

WAC 132H-140-070 Other requirements. (1) When using college facilities, an individual or organization may be required to make an advance deposit, post a bond and/or obtain insurance to protect the college against cost or other liability.

(2) When the college grants permission to an individual or organization to use its facilities it is with the expressed understanding and condition that the individual or organization assumes full responsibility for any loss or damage resulting from such use and agrees to hold harmless and indemnify the college against any loss or damage claim arising out of such use.

[Statutory Authority: RCW 28B.50.140. 02-14-007, § 132H-140-070, filed 6/20/02, effective 7/21/02; 82-11-039 (Order 80, Resolution No. 149), § 132H-140-070, filed 5/12/82.]

WAC 132H-140-085 Facility rental/use fees. Fees will be charged in accordance with a schedule available at the campus operations office. The college reserves the right to make pricing changes without prior written notice, except that such price changes shall not apply to facility use agreements already approved by the administration.

[Statutory Authority: RCW 28B.50.140. 02-14-007, § 132H-140-085, filed 6/20/02, effective 7/21/02.]

WAC 132H-140-110 Animals policy. Pets on the grounds of Bellevue Community College shall be in the physical control of their owner in accordance with the city of Bellevue "leash law" ordinance, chapter 8.04.

Animals, except for service animals, are prohibited from entering buildings operated by Bellevue Community College.

[Statutory Authority: RCW 28B.50.140. 02-14-007, § 132H-140-110, filed 6/20/02, effective 7/21/02; 82-11-039 (Order 80, Resolution No. 149), § 132H-140-110, filed 5/12/82.]

WAC 132H-140-120 Trespass. (1) Individuals who are not students or members of the faculty or staff and who violate these rules will be advised of the specific nature of the violation, and if they persist in the violation, they will be requested by the president, or his or her designee, to leave the college property. Such a request prohibits the entry of and withdraws the license or privilege to enter onto or remain upon any portion of the college facilities by the person or group of persons requested to leave. Such persons shall be subject to arrest under the provisions of chapter 9A.52 RCW.

Individuals requested to leave college property may appeal that decision by submitting to the college president by certified mail, return receipt requested, a letter stating the reasons that decision by submitting to the college president by certified mail, return receipt requested, a letter stating the reasons the person should not be barred from college facilities. The college president or designee shall respond in writing within 15 calendar days with a final decision of the college. Persons shall continue to be barred from college property while an appeal is pending.

(2) Students, faculty, and staff of the college who do not comply with these regulations will be reported to the appropriate college office or agency for action in accordance with this chapter or with other applicable rules, regulations, or policies.

[Statutory Authority: RCW 28B.50.140. 02-14-007, § 132H-140-120, filed 6/20/02, effective 7/21/02.]

Chapter 132H-155 WAC

DISCRIMINATION COMPLAINT PROCEDURE OF BELlevue COMMUNITY COLLEGE

WAC 132H-155-010 Title.
132H-155-020 Purpose.
132H-155-030 Informal complaint process.
132H-155-040 How to file a discrimination complaint.
132H-155-060 Appeal.
132H-155-070 External complaint.

WAC 132H-155-010 Title. WAC 132H-155-010 through 132H-155- shall be known as the discrimination complaint procedure of Bellevue Community College.

[Statutory Authority: RCW 28B.50.140. 03-14-013, § 132H-155-010, filed 6/19/03, effective 7/20/03.]

[Title 132H WAC—p. 27]
WAC 132H-155-020 Purpose. It is the policy of Bellevue Community College to provide clear and accurate information, provide accessible services, and offer excellent educational programs and quality service.

Bellevue Community College, through its affirmative action policy and general policy on sexual harassment, and in accordance with state and federal regulations, prohibits discrimination against students and employees on the basis of race or ethnicity, creed, color, national origin, sex, marital status, sexual orientation, age, religion, the presence of sensory, mental or physical disability, or status as a disabled or Vietnam-era veteran.

BCC employees are responsible for ensuring that their conduct does not discriminate against anyone; they are expected to treat people conducting business at Bellevue Community College with respect and may expect the same consideration, in return.

[Statutory Authority: RCW 28B.50.140. 03-14-013, § 132H-155-020, filed 6/19/03, effective 7/20/03.]

WAC 132H-155-030 Informal complaint process. The purpose of this step is to enable an individual to express and resolve misunderstandings, complaints or grievances at the lowest level possible by speaking directly with the employee or departmental supervisor. The aggrieved person should make an appointment to talk directly with the employee to attempt to reach a mutual agreement. In some situations, the aggrieved person may be more comfortable requesting a meeting with the employee's supervisor, instead. Both parties should be courteous, flexible and respectful, as concerns are identified and possible resolutions discussed. Both sides should be open to alternative solutions or suggestions. If the problem cannot be solved together, the following formal complaint procedures may be used.

[Statutory Authority: RCW 28B.50.140. 03-14-013, § 132H-155-030, filed 6/19/03, effective 7/20/03.]

WAC 132H-155-040 How to file a discrimination complaint. Whenever a complaint alleges discrimination or sexual harassment, this procedure should be used rather than the other complaint procedures. Alledged Title IX and Section 503 violations as well as other discrimination complaints will be investigated under this procedure. A student or member of the public who believes he/she has been discriminated against should bring his/her complaint to the Department of Human Resources, A101, or telephone (425) 564-2274.

[Statutory Authority: RCW 28B.50.140. 03-14-013 and 03-14-138, § 132H-155-040, filed 6/19/03 and 7/2/03, effective 7/20/03 and 8/2/03.]

WAC 132H-155-050 Formal discrimination complaint procedure. Discrimination complaints should be filed within one year after the incident(s) occurred. The college will act promptly to investigate the complaint and will attempt to protect the rights of the individual bringing the complaint (the complainant), the alleged discriminator, and any witnesses involved. All parties involved have the right to protection from any retaliating behavior by the alleged discriminator or any college employee. All complaints shall be kept as confidential as is reasonably possible during the investigation/resolution process. However, complaints may be subject to public disclosure under the state's Public Disclo-
Chapter 132H-160 WAC

ADMISSIONS, RESIDENCY CLASSIFICATION AND REGISTRATION REGULATIONS—SCHEDULE OF FEES AND FINANCIAL AID FOR COMMUNITY COLLEGE DISTRICT VIII

WAC

132H-160-010 Title.
132H-160-052 Tuition and fee waivers.
132H-160-053 Procedure for implementing tuition and fee waivers authorized pursuant to RCW 28B.15.530.
132H-160-060 Laboratory fees.
132H-160-170 Insurance.
132H-160-182 Student schedule changes—Refund policy and administrative fees.
132H-160-185 Refund for Title IV federal aid recipients.
132H-160-190 Financial obligation.
132H-160-200 Title.
132H-160-270 Admission to specific degree programs.
132H-160-280 Request for reconsideration of admission decision.
132H-160-360 Residency application form.
132H-160-370 Nonresidents entitled to pay resident tuition and fees.
132H-160-380 Verification classification.
132H-160-500 Military withdrawal.
132H-160-530 Special instructional programs.
132H-160-550 Comprehensive fee.

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER


(2005 Ed.)
Title 132H WAC: Bellevue Community College


132H-160-710

WAC 132H-160-010 Title. WAC 132H-160-010 through 132H-160-710 will be known as the admissions, resi-
idency classification and registration regulations - schedule of fees and financial aid for Community College District VIII as established by the board of trustees pursuant to the authority granted to them by RCW 28B.50.140 and chapter 28B.15 RCW.

[Statutory Authority: RCW 28B.50.140. 78-07-026 (Order 58, Resolution No. 112), § 132H-160-010, filed 6/15/78; Order 14, § 132H-160-010, filed 4/18/73.]

WAC 132H-160-052 Tuition and fee waivers. (1) The board of trustees of Community College District VIII may periodically establish tuition and fee waivers for specific categories of students as permitted by state law and by the state board for community and technical colleges. Such waivers will be established in accordance with state statutes and with regular college fiscal processes.

(2) Information regarding current waivers will be available in the schedule of classes and from the student services center.

(3) A student who wishes to appeal the determination of his or her tuition and fee waiver eligibility may [submit a written appeal to the associate dean of enrollment services, who will review the student's eligibility] [contact the Associate Dean of Enrollment Services, who will initiate a brief adjudicative proceeding according to RCW 34.05.482 through 34.05.494].

[Statutory Authority: RCW 128B.50.140. 98-03-044, § 132H-160-052, filed 1/15/98, effective 2/15/98; 95-19-049, § 132H-160-052, filed 9/14/95, effective 10/15/95.]

Revisor's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 132H-160-053 Procedure for implementing tuition and fee waivers authorized pursuant to RCW 28B.15.530. (1) Tuition and fee waivers for needy or disadvantaged students in any fiscal year, excluding waivers granted for summer quarter enrollments, as authorized by RCW 28B.15.530 may not exceed three percent of any college district's estimated total collections of tuition, operating, and services and activities fees has authorized the registrar to refund fees to the appropriate federal account(s), in concurrence with rules governing of other districts waiving at levels less than the three percent capacity.

(5) There is no percentage limitation on the amount of tuition and fee waivers granted for summer quarter enrollments provided that recipients of such waivers qualify as needy, resident students.

[Statutory Authority: RCW 28B.50.140. 78-09-020 (Order 60, Resolution No. 115), § 132H-160-053, filed 8/10/78.]

WAC 132H-160-060 Laboratory fees. Students of Community College District VIII will be charged laboratory fees for those courses requiring such fees. Laboratory fees are printed in the quarterly class schedule.

[Order 14, § 132H-160-060, filed 4/18/73.]

WAC 132H-160-090 Community service. Community College District VIII community service classes are self-supporting. Therefore, fees vary with each class offering and students will be charged accordingly.

[Order 14, § 132H-160-090, filed 4/18/73.]

WAC 132H-160-170 Insurance. Students of Community College District VIII participating in an accident and sickness insurance program as provided by a signed policy agreement between Community College District VIII and an insuring company shall pay fee charges as established by insuring company for requested coverage.

[Order 14, § 132H-160-170, filed 4/18/73.]

WAC 132H-160-182 Student schedule changes—Refund policy and administrative fees. The Community College District VIII board of trustees has authorized the Associate Dean of Enrollment Services (or his/her designee) to collect an administrative fee when a student adds or drops course(s) or withdraws from the college. In addition, the Associate Dean of Enrollment Services (or his/her designee) is authorized to refund tuition and/or fees when a student withdraws from college or a course(s), in accordance with RCW 28B.15.605 and the refund policies approved by the board of trustees. The Associate Dean of Enrollment Services (or his/her designee) has the authority to make judgments regarding refunds in extraordinary circumstances. A student who is requested to withdraw for disciplinary reasons will not be eligible for a refund. Refund provisions for students receiving Title IV Federal Aid are described in WAC 132H-160-185.[,] Refund for Title IV Federal Aid Recipients.

The specific refund procedure and rates are published in the college catalog and the quarterly schedule of classes.

[Statutory Authority: RCW 28B.15.605. 00-11-102, § 132H-160-182, filed 5/18/00, effective 6/18/00. Statutory Authority: RCW 28B.50.140. 96-01-056, § 132H-160-182, filed 12/15/95, effective 1/15/96; 94-01-181, § 132H-160-182, filed 12/22/93, effective 1/22/94.]

Revisor's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 132H-160-185 Refund for Title IV federal aid recipients. Community College District VIII board of trustees has authorized the registrar to refund fees to the appropriate federal account(s), in concurrence with rules governing

(2005 Ed.)
financial assistance from the federal government, for students receiving Federal Title IV assistance in the amounts mandated by current federal regulation when the student withdraws, or the college withdraws the student, from the college dated by current federal regulation when the student with- 

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. 93-16- 051, § 132H-160-185, filed 7/28/93, effective 8/28/93.]

WAC 132H-160-190 Financial obligation. Community College District VIII board of trustees has authorized the registrar to place a hold on the records of any student who has a financial obligation due the college. Until this financial obligation is cleared (or stayed by bankruptcy proceedings or discharged in bankruptcy), the college 1) Will not release the student's record or any information based upon the record; 2) Will not prepare transcript(s); and 3) Will deny registration for a subsequent quarter as well as graduation from the college.

[Statutory Authority: RCW 28B.50.140. 02-14-008, § 132H-160-190, filed 6/20/02, effective 7/21/02; Order 14, § 132H-160-190, filed 4/18/73.]

WAC 132H-160-200 Title. WAC 132H-160-200 through 132H-160-530 shall be known as the admissions, residency classification and registration regulations for Community College District VIII as established by the board of trustees pursuant to the authority granted to them by RCW 28B.50.140 and chapter 28B.15 RCW.

[Order 15, § 132H-160-200, filed 4/18/73.]

WAC 132H-160-270 Admission to specific degree programs. Applicants who are qualified for admission to Community College District VIII are required to enroll in one of the college's educational major programs. Upon receipt of a student's application to attend the college, the admissions office requests that the applicant file a data information request form stating his or her program major. However, all applicants who are qualified for admission to the college cannot always be accommodated in the educational program of their choice because of space limitations or because some prerequisites for program acceptance have not been fulfilled. In such cases, applicants are offered admission to the college as a preprogram major. In order to be considered for admission in the educational major program of their choice, at a later date, such students will be required to submit a supplemental application and present additional information to the admission office. Examples of information which might be considered may include but are not necessarily limited to the following:

(1) Grade point average.

(2) Successful completion of high school courses or elementary courses in the field.

(3) Recommendation and test scores.

Although criteria for program acceptance may vary from program to program, they are binding if all of the following conditions have been met:

(1) They have been accepted by the office of admission and the instructional program chairman.

(2) The criteria applies to all students seeking admission to the educational program major.

(3) The criteria has been made available through printed statements in the office of admissions and in the advising offices of the educational programs prior to the first day of the preceding quarter.

[Order 15, § 132H-160-270, filed 4/18/73.]

WAC 132H-160-280 Request for reconsideration of admission decision. Applicants who have been denied educational program admission may contact the admissions office for additional information relative to their program denial.

[Order 15, § 132H-160-280, filed 4/18/73.]

WAC 132H-160-340 Residency classification procedures—Statement of purpose. The purpose of these regulations are:

(1) To provide student applicants with that information which will assist them in determining their residency status, 

(2) To assist nonresident student applicants who may qualify for residency tuition and fees regardless of age or domicile, 

(3) To provide student applicants information as it applies to veterans of Southeast Asia.

[Order 15, § 132H-160-340, filed 4/18/73.]

WAC 132H-160-360 Residency application form. Nonresident students who desire to apply for change of residency status must complete and submit an "application for change in residency status" to the Residency Assistant, Registration Center A111, 3000 - 145th Place S.E., Bellevue, Washington 98007. Application and instructions are available at the above stated registration center.

[Order 15, § 132H-160-360, filed 4/18/73.]

WAC 132H-160-370 Nonresidents entitled to pay resident tuition and fees. As found in RCW 28B.15.014 as last amended by section 4, chapter 273, Laws of 1971 1st ex. sess. [RCW 28B.15.014], the following are entitled to classification as resident students regardless of age or domicile:

(1) Any person who is employed not less than twenty hours per week at an institution, and the children and spouses of such person.

(2) Military personnel and federal employees residing or stationed in the state of Washington, and the children and spouses of such military personnel and federal employees.

(3) All veterans, as defined in RCW 41.04.005, whose final permanent duty station was in the state of Washington so long as such veteran is receiving federal vocational or educational benefits conferred by virtue of his military service.

[Order 15, § 132H-160-370, filed 4/18/73.]

WAC 132H-160-380 Verification classification. Employees of Washington institutions of higher education, military personnel, federal employees and veterans receiving educational benefits whose last permanent duty station was in the state must verify their enrollment status quarterly. Appropriate forms are available at the registration center.

[Order 15, § 132H-160-380, filed 4/18/73.]

(2005 Ed.)
WAC 132H-160-500 Military withdrawal. Students submitting proof of being drafted or voluntary enlistment in the armed forces may receive credit and/or refund of fees as follows:

(1) During first one-third of course, full refund of fees and no credit.

(2) During second one-third of course, one-half credit, without letter grade and with courses unspecified. Unspecified credit may later be converted to specific credit and grade by examination. One-half of fees refunded.

(3) Withdrawal during last one-third of course, full credit, no letter grade may be earned by examination upon recommendation of the instructor. No money refunded.

(4) A student who is drafted in the last one-half of his final quarter and who would obviously have earned his degree if he had not been drafted, whose earned grade average is "C" or better, and who is recommended by his department chairman and the dean, may be granted a degree prior to his induction into the armed forces by action of the graduation committee.

[Order 15, § 132H-160-500, filed 4/18/73.]

WAC 132H-160-530 Special instructional programs. Community College District VIII offers special classes which may not coincide with the normal quarter and because of the nature and content of these programs, special rules and regulations may be developed to implement them. These rules and regulations are made available to students at such time as the class is scheduled. Students interested in special class offerings should contact the registrar's office.

[Order 15, § 132H-160-530, filed 4/18/73.]

WAC 132H-160-550 Comprehensive fee. Students attending Bellevue Community College will be charged a fee based on a per credit hour (or the equivalent of a credit hour), in return for services including but not limited to, parking, transcripts, catalogs, graduation, and health services. The amount of the comprehensive fee shall be determined by the board of trustees.

[Statutory Authority: RCW 28B.50.140. 86-18-038 (Order 93, Resolution No. 172), § 132H-160-550, filed 8/28/86.]

Chapter 132H-169 WAC

ACCESS TO PUBLIC RECORDS AT BELLEVUE COMMUNITY COLLEGE
(Formerly chapter 132H-168 WAC)

WAC

132H-169-010 Title. This chapter shall be known as access to public records at Bellevue Community College.

132H-169-020 Purpose. The purpose of this chapter is to ensure compliance with the provisions of the Washington state public disclosure laws (RCW 42.17.250 ff.) governing access to public records, while at the same time preserving the right to privacy for college students and employees and minimizing disruption to the operation of college programs and services.

132H-169-030 Definitions. (1) "Public record" as defined by RCW 42.17.020(36) means "any writing containing information relating to the conduct of government 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." All public records of Bellevue Community College, Community College District VIII, are considered to be available for public access except as exempted or limited by WAC 132H-169-070.

(2) "Writing" as defined by RCW 42.17.020(42) includes all means of recording any form of communication or representation, including documents, pictures, computer tapes or disks, and sound recordings.

132H-169-040 Requests for access. Requests for access to and/or copies of public records maintained at Bellevue Community College shall be made in writing to the Vice President for Administrative Services, 3000 Landerholm Circle SE, Bellevue, Washington, 98007. Requesters should submit form BCC 010-072, "Request for Public Records," or write a letter to the vice president for administrative services which:

(1) Provides the requester's name, full mailing address, and telephone number;

(2) States whether the requester is representing himself/herself or is representing an agency or company, and if so, gives the agency or company name;

(3) For records concerning a past or present Bellevue Community College student, provides the name, student identification number, and last date of attendance (if known) of that student;

(4) For records concerning a past or present Bellevue Community College employee, provides the name, job title or department, and last date of employment (if known) of that employee;

(5) Provides a specific and detailed description of the record being requested;

(6) States whether the requester wishes only to examine the record and will come to the college to do so or, instead, wishes to obtain a copy of the record;

(7) Certifies that the requester

(a) Will not use the information obtained through the request for public records for commercial purposes,
(b) Has read and understood chapter 132H-169 WAC, and
(c) Agrees to return the record in its original condition if the requester examines the record on campus or to pay the cost of having the copy made.


WAC 132H-169-050 Response to requests. (1) The vice president for administrative services or his/her designee will respond to the request within five business days after receiving it.

(2) Depending on the nature of the request and of the record concerned, the vice president for administrative services will respond in one of the following ways:

(a) Make the record available or provide a copy as requested;

(b) State that the record as described does not exist at Bellevue Community College at this time;

(c) Acknowledge the request and ask for additional descriptive information, in cases where the description provided is incomplete or unclear;

(d) Acknowledge the request and state a date by which the record(s) will be provided, for example in cases where the request is for large numbers of documents or records in out-of-the-ordinary formats, or when the request has been made at peak periods such as registration or the first week of instruction;

(e) Deny the request in whole or in part and indicate the specific reason for the denial.


WAC 132H-169-060 Appeal after request is denied. If a request for access to public records is submitted according to WAC 132H-169-040 and is denied, the college is required to conduct an internal review of the denial and the requester has the right to appeal the decision to deny access. The requester should address his/her reason for appeal in writing to the college president who, after consulting with the vice president for administrative services, other college administrators, and legal counsel as appropriate, shall respond in writing within five business days after receiving the appeal. The president's decision is considered final.


WAC 132H-169-070 Exemptions and limitations. (1) Certain public records are exempt from public access according to RCW 42.17.310. Access to these records will not be granted unless the vice president for administrative services determines that disclosure would not affect any vital governmental interest. If the interest can be protected by deletion of personal references, access shall be granted following deletion of such material, and a reasonable time shall be allowed for deleting the material.

(2) Student educational records are available only in accordance with the federal Family Educational Rights and Privacy Act of 1974 (20 USC 1232g), which establishes that the education records of students attending or having attended the college are confidential and can be released only with written permission of the student.

(3) Records concerning applicants to and employees of Bellevue Community College are available only to such faculty and staff members, including supervisory personnel, who must have access to certain records in order to carry out the business of the college. The only information contained in an individual's employee file which shall be available for public inspection shall be the name, status, salary, and teaching duties of the employee. The employee, however, shall have full access to his/her personnel file as provided by the pertinent bargaining unit agreement.


WAC 132H-169-080 Notification of affected persons. If the requested record is not exempt from release under WAC 132H-169-070 and contains information which could identify an individual or agency, Bellevue Community College may notify the individual or agency thus identified that release of the record has been requested. In such cases the college's initial response to the request under WAC 132H-169-050 (2)(d) will allow a reasonable time for the identified individual or agency to seek court protection from release of the record.


WAC 132H-169-090 Protest concerning access. Any student, employee, or applicant who believes that a record has been or is about to be released and who believes that his/her right to privacy will be infringed by public inspection of the record may file a protest with the vice president for administrative services, who will review the initial request and the protest. If the vice president for administrative services determines that access to the record should then be denied, he/she shall take appropriate and timely action, including a request for an injunction if justified.


WAC 132H-169-100 Requests for review only. A requester may choose to review the public record in person. In this case, a mutually agreeable time and place will be arranged, during normal business hours on the college campus. The requester is expected to handle the materials carefully and return them undamaged and in order. In certain instances, at the discretion of the vice president for administrative services, a staff member must be present as the requester reviews the materials.


WAC 132H-169-110 Requests for copies. A requester may choose to ask for a copy of the public record. In this case, the requester shall reimburse Bellevue Community College for the cost of reproducing the record before receiving the record. In certain instances, at the discretion of the vice president for administrative services, the reproduction charge may be waived.

[Title 132H WAC—p. 34]
Chapter 132H-204 WAC

VEHICLE USE POLICY

WAC 132H-204-010 Title.

WAC 132H-204-020 Objective. To promote the most efficient and safe utilization of all state-owned vehicles.

WAC 132H-204-030 Policy of use. State vehicles shall be used for official state business only.

WAC 132H-204-040 Use of motor pool vehicles. All users of motor pool vehicles shall be in the employment of the college or a student of the college.

WAC 132H-204-050 Use of motor pool vehicles—Permission required. Written permission of organizational head shall precede the use of any vehicle.

WAC 132H-204-060 Use of motor pool vehicles—Time limitation. The user shall not be allowed to keep the vehicle overnight at his/her residence.

WAC 132H-204-070 Use of motor pool vehicles—Notification of state patrol—When needed. While on a trip and when vehicle is left in a public place for extended (over 24 hours) periods of time, the Washington state patrol shall be notified of placement, by the operator.

WAC 132H-204-080 Use of motor pool vehicles—Accidents—Notification. If involved in any accident, the operator shall notify the authority of jurisdiction immediately and file an accident report with the college motor pool office.

WAC 132H-204-090 Use of motor pool vehicles—Returning vehicle—Requirements. Whenever possible, the vehicle shall be returned in good condition, full of gas and with interior clean.

WAC 132H-204-100 Use of motor pool vehicles—Use priority. Vehicles shall be issued on a first come - first serve basis.

WAC 132H-204-110 Use of motor pool vehicles—Valid Washington state driver's license required. All operators shall have a valid Washington state driver's license.

WAC 132H-204-120 Use of motor pool vehicles—Current vehicle permit required. All operators shall have a current state vehicle permit, which is issued at the motor pool office, in addition to the state license.
WAC 132H-204-130 Use of motor pool vehicles—Must obey all laws. All rules and regulations of the state of Washington shall be obeyed while operating the vehicle.

WAC 132H-204-140 Use of motor pool vehicles—Citations responsibility of operator. Any citation for violation of said rules and regulations shall be the sole responsibility of the operator.

WAC 132H-204-150 Use of motor pool vehicles—Use of vehicle limited to specified time. Vehicles shall be used within the time arranged for at time of checkout.

WAC 132H-204-160 Use of motor pool vehicles—Trip ticket—Completion and return. Trip ticket shall be completed with all information asked and left with the motor pool office on return to the campus (or security).

Chapter 132H-400 WAC

STUDENT ATHLETIC PARTICIPATION

WAC
132H-400-005 Title.
132H-400-010 Grounds for ineligibility.
132H-400-020 Suspension procedure—Right to informal hearing.
132H-400-030 Hearing.
132H-400-040 Decision.

WAC 132H-400-005 Title. Chapter 132H-400 WAC will be known as Student athletic participation.

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

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

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

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

Chapter 132H-410 WAC

FAMILY EDUCATION RIGHTS AND PRIVACY ACT

WAC
132H-410-020 Definitions.
132H-410-030 Annual notification of rights.
132H-410-040 Primary rights of students.
132H-410-050 Inspection of education records.
132H-410-060 Limitation on right of access.
132H-410-070 Refusal to provide copies.
132H-410-080 Types, locations, and custodians of education records.
132H-410-100 Directory information.
132H-410-110 Correction of education records.

WAC 132H-410-010 Family Education Rights and Privacy Act—General policy. Bellevue Community College implements policy contained in this chapter in compliance with Public Law 93-380, the Family Educational Rights and Privacy Act of 1974 ("FERPA"). This law establishes that the education records of students attending or having attended the college are confidential and can be released only with written permission of the student. The Family Educational Rights and Privacy Act also authorizes the college to release so-called "directory information" without that prior written permission.
The college has adopted procedures to implement the Family Educational Rights and Privacy Act. Questions pertaining to the procedures and their implementation should be directed to the associate dean of enrollment services.


**WAC 132H-410-020 Definitions.** For the purposes of this policy, the following definitions apply:

1. **Student.** Any person who attends or has attended Bellevue Community College.
2. **Education records.** Any record (in handwriting, print, tapes, film, computer, e-mail, or other medium) maintained by Bellevue Community College or an agent of the college which is directly related to a student, except:
   a. A personal record kept by a staff member if it is kept in the sole possession of the maker of the record and is not accessible or revealed to any other person except a temporary substitute for the maker of the record.
   b. Records created and maintained by campus security for law enforcement purposes.
   c. An employment record of an individual whose employment is not contingent on the fact that he or she is a student (work-study employment is not an exception), provided that the record is used only in relation to the individual's employment.
   d. Records made or maintained by the student health center or the human development center, if the records are used only for treatment of a student and are made available only to those persons providing the treatment.
   e. Alumni records which only contain information about a student after he or she is no longer in attendance at the college and which information does not relate to the person as a student.
3. **Directory Information.** Directory information is that information routinely released without the student's permission. This includes: name of student, student's email address, degree or certificate awarded, dates of attendance, athletic statistics, scholarships received, membership or office in BCC student government or honor society, part-time or full-time student status, and previous schools attended.


**WAC 132H-410-030 Annual notification of rights.** Bellevue Community College will provide students annual notification of their rights as defined by FERPA by publication in the student handbook and college catalog and by posting information in the student services building.


**WAC 132H-410-040 Primary rights of students.** The primary rights of students under FERPA are:

1. To inspect and review their education records;
2. To request amendment of their education records; and
3. To have some control over the disclosure of information from their education records.


(2005 Ed.)

**WAC 132H-410-050 Inspection of education records.** Students may inspect and review their education records upon written request to the associate dean of enrollment services identifying the record(s) the student wishes to inspect.

The associate dean of enrollment services will make the needed arrangements for access within forty-five days from the receipt of the student's written request. If the requested records are not maintained by the office of the associate dean, then the associate dean shall forward the request to the appropriate college official. If the requested records contain information about more than one student, the student may inspect and review only the records or portions of records which relate to him or her.


**WAC 132H-410-060 Limitation on right of access.** Bellevue Community College reserves the right to refuse to permit a student to inspect the following records:

1. The financial statement of the student's parents;
2. Letters and statements of recommendation for which the student has waived his or her right of access, or which were maintained before January 1, 1975;
3. Records connected with an application to attend Bellevue Community College or a component unit of BCC if that application was denied; and
4. Those records which are excluded from the FERPA definition of education records.


**WAC 132H-410-070 Refusal to provide copies.** Bellevue Community College reserves the right to deny copies of records, including transcripts, not required to be made available by FERPA in any of the following situations:

1. The student has an unpaid financial obligation to the college.
2. There is an unresolved disciplinary action against the student.
3. The education record requested is an exam or set of standardized test questions.


**WAC 132H-410-080 Types, locations, and custodians of education records.** The following is a list of the types, locations, and custodians of education records the college maintains. The length of time the records are kept is indicated in parentheses. Requests for specific education records should be sent to the custodian and location indicated, at Bellevue Community College, 3000 Landerholm Circle SE, Bellevue, WA, 98007.

<table>
<thead>
<tr>
<th>Type (retention period)</th>
<th>Location</th>
<th>Custodian</th>
</tr>
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<tbody>
<tr>
<td>Admissions records (1 year after last date of attendance)</td>
<td>Admissions office</td>
<td>Associate dean of enrollment services</td>
</tr>
<tr>
<td>Cumulative academic transcript (75 years after last date of attendance)</td>
<td>Records office</td>
<td>Associate dean of enrollment services</td>
</tr>
<tr>
<td>Disciplinary records (5 years after resolution of disciplinary action)</td>
<td>Student services office</td>
<td>Dean of student services</td>
</tr>
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(2005 Ed.)
The college will disclose information from a student's education records only with the written consent of the student except that records may be disclosed without consent when the disclosure is:

(1) To school officials who have a legitimate educational interest in the records.
   (a) A school official is:
      (i) A person employed by the college in an administrative, supervisory, academic or research, or support staff position, including health center staff.
      (ii) A person appointed to the board of trustees.
      (iii) A person employed by or under contract to the college to perform a special task, such as an attorney or auditor.
      (iv) A person who is employed by campus security.
      (v) A student serving on an official committee, such as a disciplinary or grievance committee, or who is assisting another school official in performing his or her tasks.
   (b) A school official has a legitimate educational interest if the official is:
      (i) Performing a task that is specified in his or her position description or contract agreement.
      (ii) Performing a task related to a student's education.
      (iii) Performing a task related to the discipline of a student.
      (iv) Providing a service or benefit relating to the student or student's family, such as health education, counseling, advising, student employment, financial aid, or other student service related assistance.
      (v) Maintaining the safety and security of the campus.

(2) To school officials of another school, upon request by that school, in which a student seeks or intends to enroll.

(3) To certain officials of the U.S. Department of Education, the comptroller general, and to state and local educational authorities, in connection with audit or evaluation of certain state-or federally-supported education programs.

(4) In connection with a student's request for or receipt of financial aid to determine the eligibility, amount, or conditions of the financial aid, or to enforce the terms and conditions of the aid.

(5) To state and local officials or authorities if specifically required by a state law that was adopted before November 19, 1974.

(6) To organizations conducting certain studies for or on behalf of the college.

(7) To accrediting organizations to carry out their functions.

(8) To parents of an eligible student who is claimed as a dependent for income tax purposes.

(9) To comply with a judicial order or a lawfully-issued subpoena.

(10) To appropriate parties in a health or safety emergency.

(11) To individuals requesting directory information so designated by the college.

(12) The results of any disciplinary proceeding conducted by the college against an alleged perpetrator of a crime of violence to the alleged victim of that crime.

WAC 132H-410-100 Directory information. Bellevue Community College designates the following items as directory information, which may be disclosed without the student's prior written consent, unless the student notifies the college to the contrary in writing by September 15 of the academic year:

(1) Name of student
(2) Student's email address
(3) Degree or certificate awarded
(4) Dates of attendance
(5) Athletic statistics
(6) Scholarships received
(7) Membership or office in BCC student government or honor society
(8) Part time or full time student status
(9) Previous schools attended

WAC 132H-410-110 Correction of education records. Students have the right to ask that records be corrected if they believe those records are inaccurate, misleading, or in violation of their privacy rights. The following procedures are in place for correcting education records.

(1) The student must formally ask the associate dean of enrollment services to amend a record. The request should identify the specific record, the part or the record to be amended, and the reason why the student believes it is inaccurate, misleading, or in violation of his or her privacy rights.

(2) The college decides whether or not to comply with the student's request.
   (a) If the college decides that the information is indeed inaccurate, misleading, or in violation of the student's privacy rights, it will amend the record and notify the student in writing that it has done so.
   (b) If the college decides to deny the request, the college will notify the student of that decision and advise the student of his or her further rights.
      (i) The student has the right to place in the record a statement commenting on the challenged information and/or a statement of the student's reasons for disagreeing with the college's decision. This statement will be maintained as part of the student's education record as long as the contested portion is maintained. If BCC discloses the contested portion of the record, it must also disclose the student's statement.
      (ii) The student has the right to request a hearing to challenge the information which the student believed to be inaccurate, misleading, or in violation of privacy rights.
(3) If the student so requests, the college will arrange a hearing and notify the student reasonably in advance of the date, place, and time of the hearing.

(4) The hearing will be conducted by a hearing officer who is a disinterested party. This hearing officer may be a college official. The student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend an education record. The student may be assisted at the hearing by one or more individuals, including an attorney.

(5) The hearing officer will prepare a written decision based solely on the evidence presented at the hearing. The decision will include a summary of the evidence presented and the reasons for the decision.