

WAC 132B-120-040 Authority. The board of trustees, acting pursuant to RCW 28B.50.140(14), delegates to the president of the college the authority to administer disciplinary action. Administration of the disciplinary procedures is the responsibility of the vice president for student affairs or designee. The vice president for student services shall serve as the principal investigator and administrator for alleged violations of this code.

Prohibited conduct. Prohibited student conduct for which the college may impose sanctions includes, but is not limited to, any of the following:

(1) Tobacco, electronic cigarettes and related products. The use of tobacco, electronic cigarettes and related products in any building owned, leased or operated by the college or in any location where such use is prohibited. "Related products" includes, but is not limited to, cigarettes, pipes, bidi, clove cigarettes, waterpipes, hookahs, chewing tobacco and snuff.

(2) Alcohol. The use, possession, delivery, sale, or being visibly under the influence of any alcoholic beverage, except as permitted by law or at sanctioned events approved by the president or designee and in compliance with state law.

(3) Marijuana. The use, possession, delivery, sale, or being visibly under the influence of marijuana or the psychoactive compounds found in marijuana and intended for human consumption, regardless of form. While state law permits the recreational use of marijuana, federal law prohibits such use on college premises or in connection with college activities.

(4) Being observably under the influence of any legend drug, narcotic drug or controlled substance as defined in chapters 69.41 and 69.50 RCW, as now or hereafter amended, or otherwise using, possessing, delivering, or selling any such drug or substance, except in accordance with a lawful prescription for that student by a licensed health care professional.

(5) Conduct which is disorderly, lewd, indecent, or obscene.

(6) Sexual violence. The term "sexual violence" incorporates the definition of "sexual harassment" and means a physical sexual act perpetrated without clear, knowing, and voluntary consent such as committing a sexual act against a person's will, exceeding the scope of consent, or where the person is incapable of giving consent; including, but not limited to, rape, sexual assault, sexual batter, sexual exploitation, gender- or sex-based stalking, and sexual coercion, regardless of the relationship between the perpetrator and the victim. The term further includes acts of dating or domestic violence. A person may be incapable of giving consent by reason of age, threat or intimidation, lack of opportunity to object, disability, drug or alcohol consumption or other cause.

(7) Sexual harassment. Conduct includes, but is not limited to, engaging in unwelcome sexual advances, requests for sexual favors, or other sexual conduct, including verbal, nonverbal, electronic or social media communication, or physical touching that would substantially interfere with a reasonable person's work or educational performance, or to create an intimidating, hostile or offensive educational environment.

(8) Other harassment. Unwelcome and offensive conduct, including verbal, nonverbal, or physical conduct, that is directed at a person because of such person's protected status and that is sufficiently serious as to deny or limit, and that does deny or limit, the ability of a student to participate in or benefit from the college's educational

program or that creates an intimidating, hostile or offensive environment for other campus community members.

Protected status includes a person's race; color; national origin; sensory, mental or physical disability; use of a service animal; gender, including pregnancy; marital status; age (40+); religion; creed; genetic information; sexual orientation; gender identity; veteran's status; or any other legally protected classification. Harassing conduct may include, but is not limited to, physical conduct, verbal, written, social media, and electronic communications.

(9) Assault, physical abuse, verbal abuse, threat(s), intimidation, harassment, bullying, stalking or other conduct which harms, threatens, or is reasonably perceived as threatening the health or safety of another person or another person's property. For purposes of this subsection:

(a) Bullying is physical or verbal abuse, repeated over time, and involving a power imbalance between the aggressor and victim.

(b) Stalking is intentional and repeated harassment or following of another person, which places that person in reasonable fear that the stalker intends to injure the person, another person, or the property of the person or another person, and the stalker either intends to frighten, intimidate, or harass the person, or knows or reasonably should know that the person is frightened, intimidated or harassed, even if the stalker lacks such an intent.

(10) Cyberstalking, cyberbullying or online harassment. Use of electronic communications including, but not limited to, electronic mail, instant messaging, electronic bulletin boards, and social media sites, to harass, abuse, bully or engage in other conduct which harms, threatens or is reasonably perceived as threatening the health or safety of another person. Prohibited activities include, but are not limited to, unauthorized monitoring of another's email communications directly or through spyware, sending threatening emails, disrupting electronic communications with spam or by sending a computer virus, sending false messages to third parties using another's email identity, nonconsensual recording of sexual activity and nonconsensual distribution of a recording of sexual activity.

(11) Participation in any activity which unreasonably disrupts the operations of the college or infringes on the rights of a member of the college community, or leads or incites another person to engage in such an activity.

(12) Obstruction or disruption of:

(a) Any instruction, learning environment, service, research, administration, disciplinary proceeding, or college activity; or

(b) Any activity that is authorized to occur on college property, whether or not actually conducted or sponsored by the college.

(13) Classroom conduct that seriously interferes with either the instructor's ability to conduct the class or the ability of other students to profit from the instructional program.

(a) Faculty have the authority to take appropriate action to maintain proper conduct in the classroom and to maintain the effective cooperation of the class in fulfilling the objectives of the course.

(b) A faculty member may remove a student for the single class session in which disruptive conduct occurs. The instructor will report any such exclusion from the class to the vice president for student services or designee who may initiate further conduct proceedings as provided in this procedure.

(c) The vice president for student services or designee may set conditions for the student to meet upon return to the classroom or may

enforce a continued removal from class pending an investigation. The student may appeal the disciplinary sanction according to appeal procedures.

(14) Obstruction of the free flow of pedestrian or vehicular movement on college property or at a college activity.

(15) Breach of the peace.

(16) Discriminatory conduct which harms or adversely affects any member of the college community because of her/his race; color; national origin; sensory, mental or physical disability; use of a service animal; gender, including pregnancy; marital status; age (40+); religion; creed; genetic information; sexual orientation; gender identity; veteran's status; or any other legally protected classification.

(17) Any person, thing or object brought into college facilities, without prior approval of an appropriate college official, that causes a disruption to the classroom or campus environment or causes a safety hazard.

(18) Conducting or participating in an assembly that violates the guidelines and procedures established in Administrative Procedure 516.03.

(19) All forms of student academic dishonesty including, but not limited to, cheating, falsification, plagiarism or facilitating, aiding and abetting academic dishonesty or engaging in any conduct specifically prohibited by a faculty member in the course syllabus or class discussion.

(a) Cheating includes any attempt to give or obtain unauthorized assistance relating to the completion of an academic assignment.

(b) Plagiarism includes taking and using as one's own, without proper attribution, the ideas, writings, or work of another person in completing an academic assignment. Prohibited conduct may also include the unauthorized submission for credit of academic work that has been submitted for credit in another course.

(c) Fabrication includes falsifying data, information, or citations in completing an academic assignment and also includes providing false or deceptive information to an instructor concerning the completion of an assignment.

(d) This section shall not be construed as preventing an instructor from taking immediate disciplinary action as provided herein where the instructor is required to act upon such breach of academic dishonesty in order to preserve order and prevent disruptive conduct in the classroom.

(e) This section shall also not be construed as preventing an instructor from adjusting the student's grade on a particular project, paper, test, or class grade for academic dishonesty.

(20) Any other acts of dishonesty, such as, but not limited to:

(a) Forgery, alteration, submission of falsified documents or misuse of any college document, record or instrument of identification;

(b) Tampering with an election conducted by or for college students; or

(c) Furnishing false information, or failing to furnish correct information, in response to the request or requirement of a college officer or employee.

(21) Attempted or actual damage to, or theft or misuse of, real or personal property or money of the college or state; any student or college officer, employee or organization; any other person or organization; or possession of such property or money after it has been stolen.

(22) Failure to comply with the direction of college employees acting in the legitimate performance of their duties, including failure to properly identify oneself to such a person when requested to do so.

(23) Possession, holding, wearing, transporting, storage or presence of any firearm, explosive, dangerous chemical or other weapon, device or substance apparently capable of producing bodily harm or damage real or personal property, subject to the following exceptions:

(a) Commissioned law enforcement personnel or legally authorized military personnel while in performance of their duties; or

(b) A student with a valid concealed weapons permit may store a pistol in his or her vehicle parked on campus in accordance with RCW 9.41.050, provided the vehicle is locked and the weapon is concealed from view; or

(c) The president may authorize possession of a weapon on campus upon a showing that the weapon is reasonably related to a legitimate pedagogical purpose.

(24) 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.

(25) Unauthorized possession, duplication, or other use of a key, keycard, code or other restricted means of access to college property, or unauthorized entry onto or into college property.

(26) Theft or misuse of computer time or other electronic information resources of the college. Such misuse includes, but is not limited to:

(a) Unauthorized use of such resources or opening of a file, message or other item;

(b) Unauthorized duplication, transfer, or distribution of a computer program, file, message or other item;

(c) Unauthorized use or distribution of someone else's password or other identification;

(d) Use of such time or resources to interfere with someone else's work;

(e) Use of such time or resources to send, display, or print an obscene, abusive, threatening, or harassing message, text, or image;

(f) Use of such time or resources to interfere with normal operation of the college's computing system or other electronic information resources;

(g) Use of such time or resources in violation of applicable copyright or other law;

(h) Adding to or otherwise altering the infrastructure of the college's electronic information resources without authorization;

(i) Use of college electronic resources to intentionally disseminate viruses, destructive, malicious or invasive programs;

(j) Failure to comply with the college's electronic use policy;

or
(k) Illegal peer-to-peer file sharing or distribution of copyrighted works using campus resources. In addition to code of conduct sanctions, students may be subject to criminal and civil penalties if they engage in such unauthorized activity.

(27) Hazing includes, but is not limited to, any initiation into a student organization or any pastime or amusement engaged in with respect to such an organization that causes, or is likely to cause, bodily danger or physical harm, or serious mental or emotional harm to any student.

(28) The breach of any generally recognized and published code of ethics or standards of professional practice that governs the conduct of a particular trade, skill, craft or profession for which the student is taking courses or is pursuing as their educational goal or major.

(29) Entering or remaining in any closed college facility or entering after closing time of the college facility without permission of a college official.

(30) Unauthorized use of college equipment, facilities or supplies. Use of college equipment, facilities, supplies, or computer systems for personal gain without proper authority.

(31) Operation of any motor vehicle on college property in an unsafe manner or in a manner which is reasonably perceived as threatening the health or safety of another person.

(32) Abuse or misuse of any of the procedures relating to student complaints or misconduct including, but not limited to:

(a) Failure to obey a subpoena;

(b) Falsification or misrepresentation of information;

(c) Disruption or interference with the orderly conduct of a proceeding;

(d) Interfering with someone else's proper participation in a proceeding;

(e) Destroying or altering potential evidence, or attempting to intimidate or otherwise improperly pressure a witness or potential witness;

(f) Attempting to influence the impartiality of, or harassing or intimidating, a student conduct committee member;

(g) Failure to comply with any disciplinary sanction(s) imposed under this student conduct code; or

(h) Retaliating against witnesses or accusers of prohibited conduct.

(33) Violation of any federal, state or local law, rule or regulation or other college rules or policies, including college traffic and parking rules.

(34) Intentionally encouraging, compelling, attempting, aiding, abetting, conspiring, hiring or being an accessory to commit any of the foregoing acts of misconduct.

(35) Students who participate in any college sponsored or sanctioned international study program shall observe the following:

(a) The laws of the host country;

(b) The academic and disciplinary regulations of the educational institution or residential housing program where the student is studying;

(c) Any other agreements related to the student's study program in another county;

(d) The GHC standards of conduct for students.

(36) Violation of federal, state or local law in college facilities or at college-sponsored or supervised activities.

[Statutory Authority: RCW 28B.50.140(13). WSR 14-15-156, § 132B-120-040, filed 7/23/14, effective 8/23/14; WSR 10-17-031, § 132B-120-040, filed 8/9/10, effective 9/9/10. Statutory Authority: RCW 28B.50.140. WSR 04-01-100, § 132B-120-040, filed 12/16/03, effective 1/16/04. Statutory Authority: RCW 28B.50.140(13). WSR 98-09-012, § 132B-120-040, filed 4/6/98, effective 5/7/98; WSR 80-10-053 (Order 80-1, Resolution No. 10-80), § 132B-120-040, filed 8/6/80.]