

Chapter 132S-200 WAC
HEALTH AND SAFETY REGULATIONS

Last Update: 1/9/20

WAC

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PART I

WAC 132S-200-110 Animal control on campus. In order to maintain the administrative and education operations of Columbia Basin College, and the health and safety of all persons on properties owned or controlled by the college, the following rules and regulations regarding animals are hereby promulgated:

(1) Except for natural wildlife inhabiting college property, animals are prohibited from being in or upon any property owned or controlled by the college, and from entering college buildings, with the following exceptions:

(a) Service animals as defined by RCW 70.84.021 that are being used by person with disabilities;

(b) Events at which animals are participants as authorized by the college;

(c) Animals that are part of an academic program as authorized by the college;

(d) Animals otherwise authorized by college policy; and

(e) A dog trained to aid and under the control of law enforcement officers while being used for law enforcement purposes or during demonstrations to illustrate the dog's capabilities.

(2) With the exception of dogs trained to aid law enforcement officers while in the performance of their duties, and except as otherwise provided by college policy, such animals as are permitted shall be under the immediate direct physical control of their owner or handler while on the grounds of Columbia Basin College.

(3) No animal shall be permitted to enter any fountain or pond or other water feature located on college property.

(4) No animal which emits frequent or long-continued noise or activity so as to disturb or disrupt normal administrative or educational functions shall be permitted on college property. Any animal that places human and/or animal life in danger shall be immediately removed from college property.

(5) Organic matter deposited by animals, such as feces, blood, or urine must be removed immediately and properly disposed of by the animal's owner or handler.

(6) Exceptions to this section may be authorized by the college president or his or her designee(s).

(7) All animals brought onto college property are subject to applicable city, county or state health, safety, license and leash laws.

[Statutory Authority: RCW 28B.50.140. WSR 20-03-046, § 132S-200-110, filed 1/9/20, effective 2/9/20; WSR 16-12-039, § 132S-200-110, filed 5/25/16, effective 6/25/16.]

WAC 132S-200-120 Penalties for violations of animal control regulations. Any animal found in or on college property under conditions that violate any provision of this chapter shall be subject to apprehension and impoundment in accordance with applicable college, city, county or state rules, laws, or regulations. Persons violating this chapter may be trespassed from the college campus, otherwise subject to disciplinary action in accordance with applicable college policies, rules, laws or regulations, and/or referred by administration or campus security to the appropriate police agency for prosecution under the applicable city, county or state animal control rules, laws or regulations.

[Statutory Authority: RCW 28B.50.140. WSR 20-03-046, § 132S-200-120, filed 1/9/20, effective 2/9/20; WSR 16-12-039, § 132S-200-120, filed 5/25/16, effective 6/25/16.]

PART II

WAC 132S-200-130 Smoke and tobacco-free environment. (1) Smoking and tobacco products are not allowed inside any building or vehicle operated by Columbia Basin College (CBC).

(2) Smoking materials and related tobacco supplies will not be available for sale or vended on the campuses.

(3) Smoking and tobacco use by staff, students and nonstudents, including visitors, are prohibited within at least fifty feet of building openings (i.e., doors, air intakes, windows) and spaces near outdoor work areas.

(4) Smoking is prohibited in any location where the airflow carries smoke directly into a facility work area.

(5) Smokers must dispose of smoking and tobacco refuse in ash cans or other containers specifically designed and placed for such disposal.

(6) CBC shall ensure through proper posting that outside smoking and tobacco use areas are at least fifty feet from doorways and air intakes.

(7) Any student, staff, or faculty member who violates the college smoking and tobacco-free policy may be subject to disciplinary action. In addition, violations of the college smoking and tobacco-free policy by the public may subject the violator to trespass from campus and/or enforcement by a local law enforcement agency.

[Statutory Authority: RCW 28B.50.140. WSR 16-12-039, § 132S-200-130, filed 5/25/16, effective 6/25/16.]

PART III

WAC 132S-200-140 Regulations governing firearms and weapons on or in college facilities. (1) It shall be the policy of this college that possession of weapons apparently capable of producing bodily harm and/or property damage is prohibited on or in college facilities or college-leased facilities.

(2) Explosives are prohibited on or in college facilities or leased college facilities.

(3) Carrying of firearms on or in college facilities or college-leased facilities is prohibited except when the concealed permit carrier registers his or her intent to lawfully carry a legal firearm with the campus security office for a specified period of time.

(4) The aforementioned regulations shall not apply to equipment or materials owned, used or maintained by the college; nor will they apply to law enforcement officers while on campus.

(5) Violations of these rules may be grounds for immediate suspension for student, staff or faculty pending a hearing. In addition, violations of this policy by a member of the public may subject the violator to trespass from the campus and/or enforcement by a local law enforcement agency.

[Statutory Authority: RCW 28B.50.140. WSR 16-12-039, § 132S-200-140, filed 5/25/16, effective 6/25/16.]

WAC 132S-200-150 Trespass. Columbia Basin College campuses are open to the public, as are the buildings during business hours. To ensure safety of all on the campuses, the office of student conduct or the campus security office may at times need to issue a trespass notice to an individual, restricting a person and/or their vehicle from access to college property or activities. All illegal activity shall be referred to the local law enforcement agency.

Trespass notices may be issued to an individual who has violated college regulations specified in Title 132S WAC, college policies, state law or municipal codes, has jeopardized the safety of others.

A copy of the notice will be kept on file at the campus security office and may be shown to the local law enforcement agencies if an arrest for violation of the trespass order is necessary in the future.

(1) **Temporary trespass notice.**

(a) A temporary trespass notice of up to twenty-four hours can be issued, without a right to appeal, to any person for whom the college has received a complaint or who has been observed doing any of the following:

(i) Causing harm or inflicting injury to college community members;

(ii) Threatening or intimidating members of the community;

(iii) Disrupting academic and administrative business of the college;

(iv) Causing damage to college or personal property; and/or

(v) Violating college policy, college regulation or the student code of conduct.

(b) A temporary trespass notice will be personally delivered to the recipient at the time of the incident or as soon as possible if the recipient has left college grounds. Copies of all written notices are kept on file with the campus security office.

(c) Students who violate a temporary trespass notice will be referred to the office of student conduct for disciplinary action pursuant to the student code of conduct.

(d) If a nonstudent violates the temporary trespass notice, the campus security officer can extend the terms of trespass notice.

(e) Individuals have the right to appeal a trespass that is longer than twenty-four hours.

(2) **Permanent trespass notice.**

(a) Individuals who are not current students of the college can be issued a permanent trespass by the campus security office if deemed necessary to protect the campus community. Permanent trespass notices will be personally delivered or sent via U.S. mail (certified receipt) to the individual.

(b) A permanent trespass can be simultaneously administered with the assistance of local law enforcement agencies and their official trespass notification.

(c) Individuals have a right to appeal a permanent trespass.

(3) **Trespass appeals process.**

(a) A trespass notice that is in effect for twenty-four hours or less cannot be appealed.

(b) Students, whose access to college property or activities has been restricted (trespassed) through the student code of conduct process will be notified according to the process of the student code of conduct.

(4) Persons who are not currently enrolled who wish to appeal a trespass notice must contact the office for the vice president of administrative services.

(5) The criteria used for the appeals review include, but are not limited to:

(a) Determination of the threat posed by the individual to the community;

(b) Review of the individual's need to be present on campus (with adjustments when decided as appropriate); and

(c) Review of the incident or supporting documentation that resulted in the trespass notice being issued.

(6) The vice president for administrative services will review one appeal or request from the trespassed individual for modification per year and reserves the right to deny any appeal based on the safety of the campus community.

(7) The vice president of administrative services may consult with other college personnel, such as the student conduct officer or the vice president for human resources and legal affairs as part of the appeal review process.

(8) Notification of the outcome of the appeal will be sent to the requestor within thirty days of the request via U.S. mail (certified receipt).

[Statutory Authority: RCW 28B.50.140. WSR 20-03-046, § 132S-200-150, filed 1/9/20, effective 2/9/20; WSR 16-12-039, § 132S-200-150, filed 5/25/16, effective 6/25/16.]