

WSR 22-20-013

PERMANENT RULES

COLUMBIA BASIN COLLEGE

[Filed September 22, 2022, 12:11 p.m., effective October 23, 2022]

Effective Date of Rule: Thirty-one days after filing.

Purpose: The student code of conduct under WAC 132S-100-235 needs amending as a result of a recent change in Washington state law. Sam's Law expanded the legal definition of hazing under RCW 28B.10.900 and with the start of the 2022-23 academic year, colleges and universities must incorporate hazing education into new student orientation programs, have a hazing prevention committee, and publicly report findings of hazing. The student code of conduct must prohibit hazing as defined by Sam's Law, and maintain and report violations of the code of conduct, antihazing policies, or state or federal laws relating to hazing or offenses related to alcohol, drugs, sexual assault, or physical assault.

Citation of Rules Affected by this Order: Amending WAC 132S-100-235.

Statutory Authority for Adoption: RCW 28B.50.140.

Adopted under notice filed as WSR 22-13-119 on June 17, 2022.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 1, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 28, 2022.

Amber Martinez, Director  
Human Resources and Special Projects

OTS-3894.1

AMENDATORY SECTION (Amending WSR 20-03-046, filed 1/9/20, effective 2/9/20)

**WAC 132S-100-235 Hazing.** (1) Any ((method of)) act, described in Washington statute, RCW 28B.10.900 committed as part of a person's recruitment, initiation ((into)), pledging, admission into or affiliation with a student ((club or)) organization, athletic team, or living group, or any pastime or amusement engaged in with respect to ((a group or)) such an organization, athletic team, or living group that causes, or is likely to cause, bodily danger or physical harm, or serious ((mental)) psychological or emotional harm, to any student or other person attending the college ((as described in Washington statute, RCW 28B.10.900)), including causing, directing, coercing, or

forcing a person to consume any food, liquid, alcohol, drug, or other substance which subjects the person to risk of such harm, regardless of the person's willingness to participate. Hazing does not include customary athletic events or other similar contests or competitions.

(2) A person who witnesses hazing or has reasonable cause to believe hazing has occurred or will occur and makes a report in good faith may not be sanctioned or punished for violation of hazing unless the person is directly engaged in the planning, directing, or act of hazing reported.

[Statutory Authority: RCW 28B.50.140. WSR 20-03-046, § 132S-100-235, filed 1/9/20, effective 2/9/20; WSR 16-12-039, § 132S-100-235, filed 5/25/16, effective 6/25/16.]