

Chapter 132Q-30 WAC

STANDARDS OF CONDUCT FOR STUDENTS

WAC

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WAC 132Q-30-101 Standards of conduct for students—Preamble. (1) Community Colleges of Spokane (CCS), a multicollege district, provides its community and students with education and services of the highest quality. We do this in a manner which exhibits concern and sensitivity to students, faculty, staff and others who utilize our services and facilities. It is essential that members of CCS exhibit appropriate and conscientious behavior in dealing with others.

(2) CCS expects all students to conduct themselves in a manner consistent with its high standards of scholarship and conduct. Student conduct, which distracts from or interferes with accomplishment of these purposes, is not acceptable. Students are expected to comply with these standards of conduct for students both on and off campus and acknowledge the college's authority to take disciplinary action.

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

(4) It is assumed that students are and wish to be treated as adults. As such, students are responsible for their conduct. These standards of conduct for students promote CCS' educational purposes and provide students a full understanding of their rights and responsibilities. Sanctions for violations of the standards of conduct for students will be administered under this chapter. When violations of laws of the state of Washington and/or the United States are also involved, the college may refer such matters to proper authorities and in the case of minors, this conduct may be referred to parents or legal guardians.

(5) This chapter, chapter 132Q-30 WAC, constitutes the Community Colleges of Spokane standards of conduct for students.

[Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-101, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-105 Definitions. For the purposes of this chapter, the following terms shall mean:

(1) "Accused student" means any student accused of violating the standards of conduct for students.

(2) "Appeal board" is a district-wide board composed of one administrator from each college appointed by the chief executive of that college. The appeal board considers appeals from a student conduct board's determination or from the sanctions imposed by the chief student services officer. The board is convened by the chief student services officer.

(3) The "chief student services officer" is that person designated by the college president/executive vice-president to be responsible for the administration of the standards of conduct for students. The term also includes a college official designated by the chief student services officer to act on his/her behalf in matters related to this chapter.

(4) "College" means Spokane Community College, Spokane Falls Community College, or the Institute for Extended Learning, at all locations of Community Colleges of Spokane (CCS).

(5) "College official" includes any person employed by the college performing assigned duties.

(6) "College premises" includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the Community Colleges of Spokane (including adjacent streets and sidewalks).

(7) "Complainant" means any member of CCS who submits a charge alleging that a student violated the standards of

conduct for students. When students believe they have been victimized by someone's misconduct, they have the same rights under these standards as are provided to the complainant, even if another member of CCS submitted the charge itself.

(8) "Faculty member" means a teacher, counselor, or librarian or person who is otherwise considered by the college to be a member of its faculty.

(9) "Instructional day" means Monday through Friday, except for federal or state holidays, when students are in attendance for instructional purposes.

(10) "Member of CCS" includes any person who is a student, faculty member, college official, or any other person employed by CCS. A person's status in a particular situation is determined by the chief student services officer.

(11) "Student" includes a person taking courses at the college, either full-time or part-time. The term also includes persons who withdraw after allegedly violating the standards of conduct for students, who are not officially enrolled for a particular quarter but have a continuing relationship with the college (including suspended students), students on study abroad programs or who have been notified of their acceptance for admission. "Student" also includes "student organization."

(12) "Student organization" means any number of persons who have complied with the formal requirements for college recognition, such as clubs and associations, and are recognized by the college as such.

(13) "Student conduct board" is a board appointed by the chief executive officer of the college to hear complaints referred by the chief student services officer to determine whether a student has violated the standards of conduct for students, and to impose sanctions when a violation has been committed. The board shall have at least one member from the respective groups: Faculty, students, administration. The chief student services officer convenes the board and appoints the chair.

[Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-105, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-110 Interpretations. Any question of interpretation or application of the standards of conduct for students shall be determined by the chief student services officer.

[Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-110, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-115 Decisions and appeals. Decisions made by a student conduct board or chief student services officer remain in effect during the appeal processes provided in this chapter. Appeals will comply with this chapter.

[Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-115, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-120 Jurisdiction of the standards of conduct for students. The standards of conduct for students apply to conduct that occurs on college premises, at college-sponsored activities, and to off-campus conduct that adversely affects CCS and/or the pursuit of its objectives. Jurisdiction extends to locations in which students are

engaged in official college activities including, but not limited to, athletic events, training internships, cooperative and distance education, practicums, supervised work experiences or any other college-sanctioned social or club activities. Students are responsible for their conduct from the time of application for admission through the actual receipt of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment. These standards shall apply to a student's conduct even if the student withdraws from college while a disciplinary matter is pending. The college has sole discretion to determine what conduct occurring off campus adversely impacts the college and/or the pursuit of its objectives.

[Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-120, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-125 Violation of law and standards of student conduct.

(1) College disciplinary proceedings may be instituted against a student charged with conduct that potentially violates both the criminal law and the standards of conduct for students without regard to pending criminal litigation in court or criminal arrest and prosecution. Proceedings under these standards of conduct may be carried out prior to, simultaneously with, or following civil or criminal proceedings at the discretion of the chief student services officer. Determinations made or sanctions imposed under these standards of conduct are not subject to change because criminal charges were dismissed, reduced or resolved in favor of or against the criminal law defendant. Students in this circumstance who remain silent should recognize that they give up their opportunity to explain their side of the story and that a decision will be made based on the information presented.

(2) When a student is charged by federal, state or local authorities with a violation of law, the college does not request or agree to special consideration for that student because he or she is a student. If the alleged offense also is being processed under the standards of conduct for students, the college may advise off-campus authorities of the existence of the standards and of how such matters are typically handled within CCS. The college cooperates with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators provided that the conditions do not conflict with college rules or sanctions. Members of CCS, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

[Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-125, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-130 Responsibility for guests. A student or student organization is responsible for the conduct of guests on or in college premises and at functions sponsored by the college or sponsored by a recognized student organization. Bringing any person including children to a teaching environment without the express approval of the faculty member or other authorized official is prohibited.

[Statutory Authority: RCW 28B.50.140, 11-20-023, § 132Q-30-130, filed 9/23/11, effective 10/24/11. Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-130, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-135 Students studying abroad. Students who participate in any college-sponsored or sanctioned international study program shall observe the following:

- (1) The laws of the host country;
- (2) The academic and disciplinary regulations of the educational institution or residential housing program where the student is studying;
- (3) Any other agreements related to the student's study program in another country; and
- (4) The CCS standards of conduct for students.

[Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-135, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-140 Group conduct. Student organizations are expected to comply with the standards of conduct for students and with CCS policies and procedures. When a member or members of a student organization violates the standards of conduct for students or CCS policies or procedures, the student organization or individual members may be subject to appropriate sanctions.

[Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-140, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-145 Records. (1) Disciplinary records are maintained in accordance with the records retention schedule.

- (2) The disciplinary record is confidential.
- (3) Students may request a copy of their own disciplinary record at their own reasonable expense by making a written request to the chief student services officer.
- (4) Personally identifiable student information is redacted to protect another student's privacy.
- (5) Students may authorize release of their own disciplinary record to a third party in compliance with the Family Educational Rights and Privacy Act (FERPA) by making a written request to the chief student services officer.
- (6) The college may inform the complainant of the outcome of any disciplinary proceeding involving a crime of violence as defined at Section 16 of Title 18 of FERPA.

(7) The college may not communicate a student's disciplinary record to any person or agency outside the college without the prior written consent of the student, except as required or permitted by law. Exceptions include:

- (a) The student's parents or legal guardians may review these records, if the student is a minor or a dependent for tax purposes as permitted by FERPA.
- (b) To another educational institution, upon request, where the student seeks or intends to enroll.

[Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-145, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-200 Misconduct—Violations of the standards of conduct for students. A student or student organization found to have committed or to have attempted to commit misconduct specified in WAC 132Q-30-210 through 132Q-30-299 is subject to the disciplinary process of WAC

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132Q-30-300 through 132Q-30-399 and to the disciplinary sanctions in WAC 132Q-30-400.

[Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-200, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-210 Academic dishonesty. Acts of academic dishonesty include the following:

- (1) Cheating, which includes:
 - (a) Use of unauthorized assistance in taking quizzes, tests, or examinations.
 - (b) Acquisition, without permission, of tests or other academic material belonging to a member of the college faculty or staff.
 - (c) Fabrication, which is the intentional invention or counterfeiting of information in the course of an academic activity. Fabrication includes:
 - (i) Counterfeiting data, research results, information, or procedures with inadequate foundation in fact;
 - (ii) Counterfeiting a record of internship or practicum experiences;
 - (iii) Submitting a false excuse for absence or tardiness;
 - (iv) Unauthorized multiple submission of the same work; sabotage of others' work.
 - (d) Engaging in any behavior specifically prohibited by a faculty member in the course syllabus or class discussion.
 - (e) Plagiarism which includes the use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgment. It also includes the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials.
 - (f) Facilitation of dishonesty, including not challenging academic dishonesty.

(2) Knowingly furnishing false information to any college official, faculty member, or office including submission of fraudulent transcripts from other institutions.

(3) Forgery, alteration or misuse of any college document, record or instrument of identification.

(4) Acts of academic dishonesty will be reported by the faculty member to the chief student services officer.

[Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-210, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-212 Disruption or obstruction. Students have the right to freedom of speech, including the right to dissent or protest, but this expression may not interfere with the rights of other members of CCS or disrupt college activities. Prohibited behavior includes disruption or obstruction of teaching, administration, disciplinary proceedings, other college activities, or authorized noncollege activities when the conduct occurs on college premises. Obstructing the free flow of pedestrian or vehicular traffic on college premises or at college-sponsored events is prohibited.

[Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-212, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-214 Abuse of self or others. Physical abuse, threats, intimidation and/or other conduct, which threatens or endangers the health or safety of any person, including one's self.

[Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-214, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-216 Theft or damage to property.

Theft of, and/or damage to, property of the college or property of a member of CCS or other personal or public property, on or off campus.

[Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-216, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-218 Hazing. (1) Conspiring to engage in hazing or participating in hazing of another.

(a) Hazing means any activity expected of someone joining a group (or maintaining full status in a group) that causes or is likely to cause a risk of mental, emotional and/or physical harm, regardless of the person's willingness to participate.

(b) Hazing activities may include the following: Abuse of alcohol during new member activities; striking another person whether by use of any object or one's body; creation of excessive fatigue; physical and/or psychological shock; and morally degrading or humiliating games or activities that create a risk of bodily, emotional, or mental harm.

(c) Hazing does not include practice, training, conditioning and eligibility requirements for customary athletic events such as intramural or club sports and intercollegiate athletics, or other similar contests or competitions, but gratuitous hazing activities occurring as part of such customary athletic event or contest are prohibited.

(2) Washington state law prohibits hazing which may subject violators to criminal prosecution under RCW 28B.10.901.

(3) Washington state law (RCW 28B.10.901) provides sanctions for hazing.

[Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-218, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-220 Failure to comply with college officials. Failure to comply with directions of college officials acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.

[Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-220, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-222 Unauthorized keys or unauthorized entry. Unauthorized possession, duplication, or use of keys to any college premises, or unauthorized entry to or use of college premises.

[Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-222, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-224 Violation of CCS policy, procedure, rule, or regulation. Violation of policies, procedures, rules, or regulations of CCS, its colleges and departments.

[Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-224, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-226 Violation of law. Violation of any federal, state, or local law.

[Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-226, filed 4/25/07, effective 6/25/07.]

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WAC 132Q-30-228 Drugs and drug paraphernalia.

Use, possession, manufacture, or distribution of marijuana, narcotics, or other controlled substances, and drug paraphernalia except as expressly permitted by federal, state, and local law.

[Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-228, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-230 Alcohol. Use, possession, manufacture, or distribution of alcoholic beverages (except as expressly permitted by college rules), or public intoxication are prohibited. Alcoholic beverages may not, in any circumstance, be used by, possessed by, or distributed to any person under twenty-one years of age.

[Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-230, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-231 Smoking and tobacco use. Smoking and tobacco use are prohibited in all Community Colleges of Spokane facilities and motor pool vehicles with no exception.

(1) Smoking and tobacco use are also prohibited:

(a) Within twenty-five feet of entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking and tobacco use are prohibited; and

(b) Where designated on college premises.

(2) "Smoking" means:

(a) Inhaling, exhaling, burning, carrying or possessing any lighted tobacco product, including cigarettes, cigars, pipe tobacco, and any other lit tobacco products; or

(b) Use of electronic nicotine delivery devices including, but not limited to, electronic cigarettes, vapor cigarettes, or similar products.

(3) "Tobacco use" means the personal use of:

(a) Any tobacco product, which shall include smoking, as defined in subsection (2) of this section, as well as use of an electronic cigarette or any other device intended to simulate smoking;

(b) Smokeless tobacco, including snuff, chewing tobacco, smokeless pouches, or any other form of loose-leaf, smokeless tobacco.

(4) "Facilities" means a district owned or controlled property, building, or component of that property/building.

(5) "Motor pool vehicles" means vehicles assigned to specific college departments or programs; vehicles used for instructional purposes; vehicles dispatched to staff and students on a reserved, single-use basis; and vehicles assigned to specific faculty and staff.

[Statutory Authority: RCW 28B.50.140. 11-20-023, § 132Q-30-231, filed 9/23/11, effective 10/24/11.]

WAC 132Q-30-232 Firearms and dangerous weapons. No student may carry, possess, or use any firearm, explosive (including fireworks), dangerous chemical, or any dangerous weapon on college premises. Paintball guns, air guns and any other items that shoot projectiles are not permitted on college premises.

[Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-232, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-234 Disorderly conduct. Conduct that is disorderly, lewd, or indecent, disturbing the peace, or assisting or encouraging another person to disturb the peace.

[Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-234, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-236 Unauthorized use of electronic or other devices. Making an audio or video record of any person while on college premises without his/her prior knowledge, or without his/her effective consent, when such a recording is likely to cause injury or distress. This includes surreptitiously taking pictures of another person in a gym, locker room, or restroom.

[Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-236, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-238 Abuse or theft of CCS information technology. Theft or abuse of computer facilities, equipment and information technology resources including:

- (1) Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
- (2) Unauthorized transfer of a file.
- (3) Use of another individual's identification and/or password.
- (4) Use of computing facilities and resources to interfere with the work of another student, faculty member, or college official.
- (5) Use of computing facilities and resources to send obscene, harassing, or threatening messages.
- (6) Use of computing facilities and resources to interfere with normal operation of the college computing system.
- (7) Use of computing facilities and resources in violation of copyright laws.
- (8) Any violation of the CCS Acceptable Use of Information Technology Resources policy.

[Statutory Authority: RCW 28B.50.140. 11-20-023, § 132Q-30-238, filed 9/23/11, effective 10/24/11. Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-238, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-240 Abuse of the student conduct system. Abuse of the student conduct system, including:

- (1) Failure to obey the notice from a student conduct board or college official to appear for a meeting or hearing as part of the student conduct system.
- (2) Willful falsification, distortion, or misrepresentation of information before a student conduct board.
- (3) Disruption or interference with the orderly conduct of a student conduct board proceeding.
- (4) Filing fraudulent charges or initiating a student conduct proceeding in bad faith.
- (5) Attempting to discourage an individual's proper participation in, or use of, the student conduct system.
- (6) Attempting to influence the impartiality of a member of a student conduct board prior to or during the course of the student conduct board proceeding.
- (7) Harassment (verbal or physical) or intimidation of a member of a student conduct board prior to, during, or after a student conduct code proceeding.
- (8) Failure to comply with the sanction(s) imposed under the standards of conduct for students.

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(9) Influencing or attempting to influence another person to commit an abuse of the student conduct code system.

[Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-240, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-242 Discrimination. Discrimination on the basis of race, national or ethnic origin, creed, age, sex, marital status, veteran status, sexual orientation or disability is prohibited in conformity with federal and state laws. Discrimination includes conduct that is severe, persistent or pervasive, and objectively offensive as to substantially disrupt or undermine a person's ability to participate in or to receive the benefits, services or opportunities of Community Colleges of Spokane and includes conduct that:

- (1) Is sexually or racially motivated and has the purpose or effect of unreasonably interfering with a person's work or educational performance; and/or
- (2) Creates an intimidating, hostile, or offensive environment.

[Statutory Authority: RCW 28B.50.140. 10-06-012, § 132Q-30-242, filed 2/19/10, effective 3/22/10. Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-242, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-244 Sexual misconduct. Sexual misconduct of any kind including rape, indecent liberties, assault of a sexual nature, voyeurism, or unwanted sexual contact is prohibited.

(1) Rape is sexual intercourse with a person who did not consent by his or her words or conduct. Consent to sexual activity means actual words or conduct indicating the person has freely and voluntarily agreed to have sexual intercourse.

(a) Silence or mere passivity from a state of intoxication or unconsciousness does not imply consent to sexual intercourse.

(b) Lack of consent is implied if force or blackmail is threatened or used.

(2) Indecent liberties means knowingly causing sexual contact with a person by forcible compulsion or when the person is incapable of consent by reason of mental defect, mental incapacitation, or physical helplessness. Sexual contact is defined as any nonconsensual touching of the sexual or other intimate parts of a person done for the purpose of gratifying the sexual desire of either party.

(3) Voyeurism is arousing or gratifying sexual desire by viewing, photographing, or filming another person without that person's knowledge and consent and/or while the person being viewed, photographed, or filmed is in a place where he or she has a reasonable expectation of privacy.

[Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-244, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-246 Harassment. Conduct by any means that is sufficiently severe, pervasive or persistent, and objectively offensive so as to threaten an individual or limit the individual's ability to work, study, or participate in the activities of the college.

[Statutory Authority: RCW 28B.50.140. 10-06-012, § 132Q-30-246, filed 2/19/10, effective 3/22/10. Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-246, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-248 Stalking. Intentionally and repeatedly harassing or following a person and placing the person being followed or harassed in fear of physical harm to one's self or property or physical harm to another person or another's property.

[Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-248, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-250 Reckless endangerment. Engaging in conduct that creates an unreasonable risk of harm to another person or property.

[Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-250, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-252 Trespassing. Any person who has been given written notice, served by a college official, excluding him or her from college property is not licensed, invited, or otherwise privileged to enter or remain on college property, unless given explicit written permission by a college official.

[Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-252, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-254 Violation of a disciplinary sanction. Violation of any term or condition of any disciplinary sanction constitutes a new violation and may subject the student to additional sanctions.

[Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-254, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-305 Complaints. Members of CCS may file with the chief student services officer a written complaint against a student for violation of the standards of conduct for students. Complaints are to be submitted as soon as possible after the event takes place, preferably within thirty calendar days after the event.

[Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-305, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-310 Disposition of complaints by the chief student services officer. The chief student services officer determines if the complaint has merit. If the complaint has merit the chief student services officer meets with the student to discuss the complaint and an agreed upon resolution. If an agreed upon resolution cannot be reached the chief student services officer may:

- (1) Dismiss the complaint;
- (2) Determine the appropriate sanctions to be imposed on the student; or
- (3) Send the matter to the student conduct board.

[Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-310, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-315 Notice to the accused student of complaint. (1) All complaints deemed by the chief student service officer to have merit are presented to the accused student in written form, in person, by regular mail or electronic mail. Notice by mail is sent to the student's last known local address. If the student no longer is enrolled at the time notice is sent, the notice is sent to the student's permanent address.

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The student is responsible for providing the college the current address.

(2) The written notice shall include:

- (a) The specific complaint, including the policy, procedure, rule or standard of conduct allegedly violated;
- (b) The approximate time and place of the alleged act;
- (c) The time and place of the meeting with the chief student services officer. A time for the meeting is set not less than five nor more than ten instructional days after the student has been notified. Time limits may be altered by the chief student services officer at the written request of the accused student.

[Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-315, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-320 Interim suspension. (1) In certain circumstances, the chief student services officer may impose an interim suspension from college prior to the student conduct board hearing. Interim suspension may be imposed only:

- (a) In situations involving an immediate danger to the health, safety, or welfare of members of CCS or the public at large;
- (b) To ensure the student's own physical safety and well-being; or
- (c) If the student poses an ongoing threat of disruption to, or interference with, the operations of the college.

(2) During the interim suspension, a student may be denied access to classes, activities and privileges, as the chief student services officer determines.

(3) The interim suspension shall not replace the regular discipline process, which shall proceed as quickly as feasible in light of the interim suspension.

[Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-320, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-325 Student conduct board hearings. Student conduct board hearings are conducted as follows:

(1) Hearings will take place between five and ten instructional days from the date of the meeting with the chief student services officer. The chief student services officer will notify the student of the time and place of the hearing.

(2) Hearings are conducted in private.

(3) The complainant, the accused student, and their respective advisors may attend the portion of the hearing at which information is received, but may not attend the board's deliberations. Admission of any other person to the hearing is at the discretion of the student conduct board chair or the chief student services officer.

(4) In circumstances involving more than one accused student, the chief student services officer may permit joint or separate hearings.

(5) The complainant and the accused student have the right to be assisted by an advisor they choose, at their own expense. The complainant and the accused student are responsible for presenting their own information. Advisors are not permitted to address the board or participate directly in the hearing. An advisor may communicate only with the person they are advising. The board chair may call recesses to facilitate this communication. A student should select as an advisor a person whose schedule allows attendance at the

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scheduled date and time for the hearing. Delays are not normally allowed due to the scheduling conflicts of an advisor.

(6) The complainant, the accused student, and the board chair may arrange for witnesses to present pertinent information to the student conduct board. Witnesses may provide written statements in lieu of their attendance at the hearing. The accused student is responsible for informing his/her witnesses of the time and place of the hearing. Witnesses provide information to, and answer questions from, the student conduct board. To preserve the educational tone of the hearing and to avoid an adversarial environment, questions are directed to the chair, rather than to the witness directly. Questions concerning whether potential information may be received are resolved by the chair.

(7) The board chair determines which records, exhibits and written statements may be accepted as information for consideration by the board.

(8) Formal rules of process, procedure and technical rules of evidence, such as are applied in criminal or civil court, are not used in board proceedings.

(9) Questions related to the order of the proceedings are determined by the board chair.

(10) If an accused student, with notice, does not appear before a student conduct board hearing, the information in support of the complaint is presented and considered in the absence of the accused student.

(11) The board chair may accommodate concerns for the personal safety, well-being or fears of confrontation during the hearing by providing separate facilities, or by permitting participation by telephone, audio tape, written statement, or other means.

(12) There is a single verbatim record, such as a tape recording or transcript, of the information gathering portion of student conduct board hearings. Board deliberations are not recorded. The record is the property of the college.

[Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-325, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-330 Student conduct board decision and notification. (1) At the conclusion of the hearing and deliberations the student conduct board determines by majority vote whether the accused student has violated the standards of conduct for students (WAC 132Q-30-200 through 132Q-30-299). If so, the board determines and imposes the appropriate sanctions from WAC 132Q-30-400.

(2) The burden of proof that guides the board's decision is the preponderance of evidence, whether it is more likely than not that the accused student violated the standards of conduct for students.

(3) The chief student services officer notifies the student in writing, in person, by mail or electronic mail of the board's decision. Notice is sent within ten calendar days from the hearing date. If the college is not in session, this period may be reasonably extended. The chief student services officer includes in the written notice of the decision the reasons for the decision, the sanctions, and information about the appeal process. The chief student services officer may notify the student prior to receipt of the formal written notice. The notice, if sent by mail, is sent to the student's last known address.

(4) The written decision is the college's initial order. Appeals are governed by WAC 132Q-30-335.

(5) If the student does not appeal the board's decision within twenty-one calendar days from the date of the decision, it becomes the college's final order.

[Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-330, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-335 Appeals—Review of decision. (1) A decision reached by the student conduct board or a sanction imposed by the chief student services officer may be appealed by the accused students in writing to the chief student services officer within twenty-one calendar days of the date of the decision.

(2) Appeals are reviewed by the appeals board. Except as required to explain the basis of new information, an appeal is limited to a review of the verbatim record of the student conduct board hearing and supporting documents for one or more of the following purposes:

(a) Determine whether the student conduct board hearing was conducted fairly in light of the charges, and whether information was presented in conformity with prescribed procedures giving the accused student a reasonable opportunity to prepare and to present a response to those allegations. Deviations from designated procedures are not a basis for sustaining an appeal unless significant prejudice is evident.

(b) Determine whether the decision is supported by the evidence.

(c) Determine whether the sanctions imposed are appropriate for the violation which the student was found to have committed.

(d) Consider new information, sufficient to alter a decision, or other relevant facts not disclosed in the original hearing, because such information and/or facts were not known to the student appealing at the time of the chief student services officer's decision or the student conduct board hearing.

(3) The appeal board shall review the record and make one of the following determinations:

(a) Affirm the decision and uphold sanctions; or

(b) Reverse the decision; or

(c) Affirm the decision and modify the sanctions imposed.

(4) The student is notified of the appeal board's decision within twenty calendar days from the date of the appeal letter. If the college is not in session, this period may be reasonably extended. The appeal board's decision is the college's final order and may not be appealed.

[Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-335, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-400 Disciplinary sanctions. (1) The following sanctions may be imposed by the chief student services officer or the student conduct board on a student found to have violated the standards of conduct for students.

(a) Warning. A notice in writing to the student that the student is violating or has violated standards of conduct for students and a disciplinary record has been created.

(b) Probation. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to violate any standards of conduct for students during the probationary period.

(c) Loss of privileges. Denial of specified privileges for a designated period of time.

(d) Restitution or compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.

(e) Education. The college may require the student to complete an educational project or attend sessions, at the student's expense, which address the student's behavior such as anger management or counseling.

(f) Fines may be imposed by the college.

(g) College suspension. Separation of the student from the college for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.

(h) College expulsion. Permanent separation of the student from the college.

(i) Revocation of admission or degree. Admission to or a degree awarded from the college may be revoked for fraud, misrepresentation, or other violation of standards of conduct for students in obtaining the degree, or for other serious violations committed by a student prior to graduation.

(j) Withholding degree. The college may withhold awarding a degree otherwise earned until the completion of the process set forth in this chapter, including the completion of all sanctions imposed.

(k) No trespass order. A student may be restricted from college property based on his/her misconduct.

(l) Assessment. The student may be required to have an assessment, such as alcohol/drug or anger management, by a certified professional, and complete the recommended treatment.

(m) Loss of recognition. A student organization's recognition may be withheld permanently or for a specific period of time. Loss of recognition is defined as withholding college services or administrative approval from a student organization. Services and approval to be withdrawn include intramural sports, information technology services, college facility use and rental, and involvement in organizational activities.

(n) Hold on transcript or registration. This is a temporary measure restricting release of a student's transcript or access to registration. Upon satisfactory completion of the conditions of the sanction, the hold is released.

(o) No contact order. A prohibition of direct or indirect physical, verbal, and/or written contact with another individual or group.

(2) A sanction may be made effective for the entire district or the student's college. If only to the student's college, the chief student services officers at the other colleges may enforce the disciplinary action at their respective college.

(3) More than one of the sanctions listed in subsection (1) of this section may be imposed for any single violation.

(4) Other than college expulsion or revocation or withholding of a degree, disciplinary sanctions are not made part of the student's academic record, but are part of the student's disciplinary record.

(5) If a student's behavior is found to have been motivated by another's race, color, religion, ancestry, national origin, gender, sexual orientation, or mental, physical, sensory handicap, or veteran's status, such finding is considered an aggravating factor in determining a sanction for such conduct.

[Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-400, filed 4/25/07, effective 6/25/07.]

WAC 132Q-30-500 Classroom misconduct and authority to suspend for up to three days. (1) Faculty members have the authority to take appropriate action to maintain order and proper conduct in the classroom and to maintain the effective cooperation of students in fulfilling the objectives of the course.

(2) Bringing any person, thing or object to a teaching and learning environment that may disrupt the environment or cause a safety or health hazard, without the express approval of the faculty member is expressly prohibited.

(3) Faculty members or college administrators have the right to suspend any student from any single class or program, up to three instructional days, if the student's misconduct creates disruption to the point that it is difficult or impossible to maintain the decorum of the class, program or the learning and teaching environment. The faculty member or college administrator shall report this suspension to the chief student services officer who may set conditions for the student upon return to the class or program.

(4) The student may appeal the classroom suspension to the chief student services officer who may authorize an earlier return by the student only after consultation with the faculty member or appropriate administrator. The chief student services officer's decision is final.

[Statutory Authority: Chapter 28B.50 RCW. 07-10-042, § 132Q-30-500, filed 4/25/07, effective 6/25/07.]