



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: December 02, 2020
TIME: 3:07 PM

WSR 21-01-008

Agency: Bellevue College

Effective date of rule:

Permanent Rules

- 31 days after filing.
- Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes No If Yes, explain:

Purpose: On May 19, 2020, the Federal Register printed amendments to Title IX regulations [85 FR 30575]. The new regulations address the grievance process for formal complaints of sexual harassment and required changes to the Student Conduct Code to be compliant with federal regulations. These permanent rule changes add a supplementary process to address reported Title IX student misconduct. Additional changes to the existing language were made to match terminology in the supplemental procedures for consistency.

Citation of rules affected by this order:

New: Supplemental Title IX Student Conduct Procedures, WAC 132H-126-400, 132H-126-410, 132H-126-420, 132H-126-430, 132H-126-440, 132H-126-450, 132H-126-460, 132H-126-470, 132H-126-480

Repealed:

Amended: 132H-126-040, 132H-126-100, 132H-126-120, 132H-126-130, 132H-126-140, 132H-126-160, 132H-126-170, 132H-126-200, 132H-126-210, 132H-126-300, 132H-126-310, 132H-126-320, 132H-126-330, 132H-126-340

Suspended:

Statutory authority for adoption: Chapter 34.05 RCW and RCW 28B.50.140(13); P.L. 113-4, 20 U.S.C. § 1092(f); Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. WSR 19-01-082, § 132H-126-010, filed 12/17/18, effective 1/17/19.

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 20-19 on 9/21/2020 (date).

Describe any changes other than editing from proposed to adopted version: The permanent rule change includes clarifying language to address academic dishonesty concerns based on recent case law.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

- Name:
- Address:
- Phone:
- Fax:
- TTY:
- Email:
- Web site:
- Other:

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	<u>9</u>	Amended	<u>15</u>	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___

The number of sections adopted at the request of a nongovernmental entity:

New	___	Amended	___	Repealed	___
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The number of sections adopted on the agency's own initiative:

New	___	Amended	<u>15</u>	Repealed	___
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	<u>9</u>	Amended	<u>15</u>	Repealed	___
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The number of sections adopted using:

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

Date Adopted: 12/2/20

Name: Tracy Biga MacLean

Title: Associate Director

Signature:

