



PROPOSED RULE MAKING

CR-102 (June 2024)
(Implements RCW 34.05.320)
Do NOT use for expedited rule making

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: September 17, 2024
TIME: 9:14 AM

WSR 24-19-080

Agency: Bellevue College

- Original Notice
- Supplemental Notice to WSR _____
- Continuance of WSR _____

- Preproposal Statement of Inquiry was filed as WSR 24-17-078 ; or
- Expedited Rule Making--Proposed notice was filed as WSR _____; or
- Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or
- Proposal is exempt under RCW _____.

Title of rule and other identifying information: (describe subject) Student Conduct Code, policy 2050

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
October 22, 2024	2:00pm-2:45pm	Zoom	<p>Topic: WAC 132H-126 Public Hearing Time: Oct 22, 2024 02:00 PM Pacific Time (US and Canada)</p> <p>Join Zoom Meeting https://bellevuecollege.zoom.us/j/81112531610</p> <p>Meeting ID: 811 1253 1610</p> <p>---</p> <p>One tap mobile +12532050468,,81112531610# US +12532158782,,81112531610# US (Tacoma)</p>

Date of intended adoption: 12/5/2024 (Note: This is NOT the effective date)

<p>Submit written comments to:</p> <p>Name Loreen McRea Keller</p> <p>Address 3000 Landerholm Circle SE Bellevue WA 98007</p> <p>Email loreen.keller@bellevuecollege.edu</p> <p>Fax _____</p> <p>Other _____</p> <p>Beginning (date and time) _____</p> <p>By (date and time) _____</p>	<p>Assistance for persons with disabilities:</p> <p>Contact Disability Resource Center</p> <p>Phone _____</p> <p>Fax _____</p> <p>TTY _____</p> <p>Email _____</p> <p>Other _____</p> <p>By (date) _____</p>
--	---

Purpose of the proposal and its anticipated effects, including any changes in existing rules: Final Title IX regulations provide greater clarity regarding: the definition of “sex-based harassment”; the scope of sex discrimination, including schools’ obligations not to discriminate based on sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity; and schools’ obligations to provide an educational environment free from discrimination based on sex. Two additional clarifications were made, around document delivery methods and adding artificial intelligence to academic plagiarism.

Reasons supporting proposal: On April 19, 2024, the U.S. Department of Education released its final rule to fully effectuate Title IX’s promise that no person experiences sex discrimination in federally funded education. Before issuing the proposed regulations, the Department received feedback on its Title IX regulations, as amended in 2020, from a wide variety of stakeholders. The final regulations strengthen several major provisions from the current regulations and provide schools with information to meet their Title IX obligations while providing appropriate discretion and flexibility to account for variations in school size, student populations, and administrative structures. The final regulations are effective on August 1, 2024, and apply to complaints of sex discrimination regarding alleged conduct that occurs on or after that date. Existing policies and procedures will remain in place for complaints of alleged conduct that occurs prior to August 1, 2024..

Statutory authority for adoption: Chapter 34.05 RCW and RCW 28B.50.140

Statute being implemented: RCW 34.05.020

Is rule necessary because of a:

Federal Law? Yes No

Federal Court Decision? Yes No

State Court Decision? Yes No

If yes, CITATION: 34 C.F.R. 106.1

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Name of proponent: (person or organization) Bellevue College

Type of proponent: Private. Public. Governmental.

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting	Megan Kaptik	Bellevue College U-219	(425) 564-2757
Implementation	Megan Kaptik	Bellevue College U-219	(425) 564-2757
Enforcement	Megan Kaptik	Bellevue College U-219	(425) 564-2757

Is a school district fiscal impact statement required under [RCW 28A.305.135](#)? Yes No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name

Address

Phone

Fax

TTY

Email

Other

Is a cost-benefit analysis required under [RCW 34.05.328](#)?

Yes: A preliminary cost-benefit analysis may be obtained by contacting:

Name

Address

Phone

Fax

TTY

Email

Other

No: Please explain: Bellevue College is not one of the enumerated agencies required to conduct cost benefit analyses under RCW 34.05.328(5)

Regulatory Fairness Act and Small Business Economic Impact Statement

Note: The [Governor's Office for Regulatory Innovation and Assistance \(ORIA\)](#) provides support in completing this part.

(1) Identification of exemptions:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see [chapter 19.85 RCW](#)). For additional information on exemptions, consult the [exemption guide published by ORIA](#). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.061](#) because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description: 34 C.F.R. 106.1 Nondiscrimination on the basis of sex

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by [RCW 34.05.313](#) before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of [RCW 15.65.570\(2\)](#) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(3\)](#). Check all that apply:

- [RCW 34.05.310](#) (4)(b) (Internal government operations)
- [RCW 34.05.310](#) (4)(c) (Incorporation by reference)
- [RCW 34.05.310](#) (4)(d) (Correct or clarify language)
- [RCW 34.05.310](#) (4)(e) (Dictated by statute)
- [RCW 34.05.310](#) (4)(f) (Set or adjust fees)
- [RCW 34.05.310](#) (4)(g) ((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(4\)](#). (Does not affect small businesses).

This rule proposal, or portions of the proposal, is exempt under RCW _____.

Explanation of how the above exemption(s) applies to the proposed rule:

(2) Scope of exemptions: *Check one.*

- The rule proposal: Is fully exempt. (*Skip section 3.*) Exemptions identified above apply to all portions of the rule proposal.
- The rule proposal: Is partially exempt. (*Complete section 3.*) The exemptions identified above apply to portions of the rule proposal, but less than the entire rule proposal. Provide details here (consider using [this template from ORIA](#)):
- The rule proposal: Is not exempt. (*Complete section 3.*) No exemptions were identified above.

(3) Small business economic impact statement: *Complete this section if any portion is not exempt.*

If any portion of the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

- No Briefly summarize the agency's minor cost analysis and how the agency determined the proposed rule did not impose more-than-minor costs. _____
- Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses and a small business economic impact statement is required. Insert the required small business economic impact statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

- Name
- Address
- Phone
- Fax
- TTY
- Email
- Other

Date: September 16, 2024

Name: Loreen McRea Keller

Title: Associate Director, Policies & Special Projects

Signature:

A handwritten signature in black ink, appearing to read "Loreen McRea Keller". The signature is written in a cursive style with a large initial "L" and "M".