

AMENDATORY SECTION (Amending WSR 21-22-004, filed 10/20/21, effective 11/20/21)

WAC 132H-140-020 Statement of purpose. The purpose of this chapter is to establish procedures and reasonable controls for the use of and access to college property by all college and noncollege groups. Bellevue College is an educational institution provided and maintained by the people of the state of Washington. The college reserves its property for activities that are related to its broad educational mission. When not being used for those purposes, college property may be made available and accessible to other individuals and organizations.

Consistent with RCW 28B.50.140(7) and 28B.50.140(9), college property should be available for a variety of uses which are of benefit to either the college community or the general public if such uses substantially relate to and do not interfere with the mission of the college. However, a state agency is under no obligation to make its property available to the general public for private purposes.

When determining whether to authorize a particular use, primary consideration shall be given at all times to activities related to the college's mission, and no arrangements shall be made that may interfere with, or operate to the detriment of, the college's own teaching, student programming, or other college-sponsored programs.

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WAC 132H-140-022 Definitions. For the purposes of this chapter, the following definition shall apply:

"College property" shall include, but not be limited to, all campuses of the college, wherever located, and all college-controlled, owned, rented, leased, occupied, or used land, buildings, ~~((facilities))~~ structures, property, vehicles, equipment, office space, parking lots, and any other property ~~((owned or used by the college, including study abroad, retreat, and conference sites))~~ and/or college hosted online platforms utilized by the college for any education programs and activities.

"Nonpublic areas" include, but are not limited to: Classrooms while classes are in session, offices, meeting rooms, labs, shops, closets, and other workspaces primarily dedicated to college operations, and other areas designated by the college as a restricted access area to prevent disruption of the educational process and business of the institution, and protect safety, security, or confidentiality.

"Public area" refers to spaces on BC property and grounds that are generally open to the public, such as primary public entrance lobbies of buildings, rotundas and adjoining public mezzanines, and exterior plazas and lawns.

WAC 132H-140-065 Limitations and denial of use. Bellevue College is a state agency and exists to serve the public. However, the college may deny use of its property to any individual, group or organization if the requested use would:

- (1) Interfere or conflict with the college's mission including, but not limited to, instruction, student services, support programs, research, or public service programs;
- (2) Interfere with the free flow of pedestrian or vehicular traffic on campus;
- (3) Involve illegal activity or fail to comply with college policies, procedures, contracts, or the Washington Administrative Code;
- (4) Create a hazard or result in damage to college property; or
- (5) Create undue stress on college resources.

Where college space is used for an authorized function, groups must obey or comply with directions of college officials.

Any individual or group granted permission to use college property shall agree in advance to abide by all college rules and regulations. Use of college property by college personnel, students, college organizations and the general public is also subject to local, state, and federal laws.

The college reserves the right to deny use of college property to any individual or group whose past conduct indicates a likelihood that college rules and regulations will not be obeyed. The college may also deny use to a requesting individual or organization that used college property in the past and caused damage, left college buildings and grounds in excessive disorder, or failed to cooperate with college officials concerning use of the property.

College property may be used for purposes of political campaigning by or for candidates who have filed for public office, if the campaigning is directed to members of the public, and only when the full fee for the property is paid. Use of state funds to pay for or subsidize a political campaign's use of college property is prohibited.

If at any time actual use of college property by an individual or group constitutes an unreasonable disruption of the normal operation of the college, such use shall immediately terminate; all persons engaged in such use shall immediately vacate the premises and leave the college property upon direction of a designated college official.

Advertising or promotional materials for any event being held on or in college property must comply with college policies and procedures.

Use of audio amplifying equipment is permitted only in locations and at times that will not disrupt, or disturb, or interfere with the normal conduct of college affairs including, but not limited to, the use of classrooms, offices, libraries, and laboratories; and previously scheduled college events or activities.

Use of college property for commercial purposes must be preapproved by the vice president of administrative services and comply with (~~WAC 132H-133-050~~) chapter 132H-133 WAC.

Alcoholic beverages will not be served without the approval of the provost or designee. It shall be the responsibility of the event sponsor to obtain all necessary licenses from the Washington state liquor and cannabis board and adhere to their regulations and those of Bellevue College.

WAC 132H-140-120 Trespass. (~~(1)~~) Individuals or groups who are not students or members of the faculty or staff and who violate these rules or whose conduct jeopardizes the health or safety of others, or whose conduct unreasonably impedes the college in pursuit of its educational mission will be advised of the specific nature of the violation, and if they persist in the violation, (~~they~~) will be requested by the college president or designee to leave the college property. Such a request prohibits the entry of and withdraws the license or privilege to enter onto or remain upon any portion of the college property by the person or group of persons requested to leave. Such person(s) shall be subject to arrest under the criminal trespass provisions of chapter 9A.52 RCW or Bellevue city code. (~~Individuals requested to leave college property~~)

When the college revokes the license or privilege of any person(s) to be on college property, temporarily or for a stated period of time, that person(s) may appeal that decision by submitting to the college president by certified mail, return receipt requested, a letter stating the reasons the (~~persons~~) person(s) should not be barred from college property. The college president or designee shall respond in writing within (~~fifteen~~) 15 calendar days with a final decision of the college. (~~Persons~~) Absent exceptional circumstances as determined by the college president or designee, person(s) shall continue to be barred from college property while an appeal is pending.

(~~2~~) Students, faculty, and staff of the college who do not comply with these regulations will be reported to the appropriate college office or agency for action in accordance with this chapter or with other applicable rules, regulations, or policies.