

**BELLEVEUE**  
COLLEGE

Board of Trustees  
Community College District VIII

Regular Meeting

September 10, 2014

### **Vision**

Bellevue College is the region's college of choice, based on its excellence, innovation, and national recognition for exemplary programs.

### **Core Values**

We, the Board of Trustees, faculty, staff and administration of Bellevue College, place students at the center of all we do and support and promote the excellence of their efforts. We affirm and embody pluralism; value collaboration and shared decision making; and honor creativity and innovation. We consider it our duty to anticipate changing demands in education and welcome the opportunity to shape its future. We acknowledge our responsibility to society and embrace the belief that widespread access to excellent postsecondary education is the cornerstone of a democratic society.

### **Mission**

Bellevue College is a student-centered, comprehensive and innovative college, committed to teaching excellence, that advances the life-long educational development of its students while strengthening the economic, social and cultural life of its diverse community. The college promotes student success by providing high-quality, flexible, accessible educational programs and services; advancing pluralism, inclusion and global awareness; and acting as a catalyst and collaborator for a vibrant region.

### **Core Themes: *Mission Alignment***

#### ***Student Success***

BC supports the success of all students in meeting their educational goals through its commitments to open access learning; to offer a portfolio of appropriate and well-chosen educational programs, services, and activities; and to its ongoing attention to student persistence and educational attainment.

#### ***Teaching and Learning Excellence***

BC prepares and enables excellence in teaching and learning through its commitments to ensure relevance, responsiveness, and inclusiveness of curriculum; to maintain an effective teaching environment by supporting the teaching and professional achievement of all faculty; to provide for the accessibility of quality learning support services; and to monitor the academic and professional success of all students.

#### ***College Life and Culture***

BC values a learning and working environment through its commitments to support a campus environment that is diverse, inclusive, open, safe, and accessible; to model a college community that affirms and embodies pluralism and values collaboration and shared decision making; and to honor and practice sustainability, creativity and innovation.

#### ***Community Engagement and Enrichment***

BC strives to be a leader and partner in building a strong and vibrant region through its commitments to collaborate with businesses, industries, local school districts, primary transfer institutions, alumni, donors, and governmental and social services organizations to develop and refine educational programs that prepare individuals for academic success, employment, and lifelong learning; and to provide programs and space for use by the community at large.

**BOARD OF TRUSTEES  
COMMUNITY COLLEGE DISTRICT VIII  
BELLEVUE, WASHINGTON**



A regular meeting of the Board of Trustees of Community College District VIII, 3000 Landerholm Circle SE, state of Washington, will be held on Wednesday, September 10, 2014. The business session will begin at 2:00 pm in room B201. Steve Miller, Chair, will preside.

**AGENDA**

12:00 PM	LUNCH (A201)		
12:30 PM	STUDY SESSION Baccalaureate Degree Development		
1:15 PM	STUDY SESSION Tour of "T" Building site	White	
2:00 PM	BUSINESS SESSION (B201)		
	I. Call to Order		
	II. Roll Call and Introductions		
	III. Consent Agenda		
	A. Approval of Agenda for September 10, 2014		3
	B. Meeting Minutes from June 11, 2014		5
2:10 PM	IV. Constituent Reports		
	A. Faculty	Brown	
	B. Classified Staff	Turnbull	
	C. Student	Mayo	
	D. Foundation	King	
2:50 PM	V. Monitoring Reports (reports for this meeting in bold)		
	A. <b>Student Success</b>	All	10
	B. <b>Instruction</b>	All	11
	C. <b>Economic and Workforce Development</b>	All	14
	D. <b>Student Services</b>	All	15
	E. <b>Equity and Pluralism</b>	All	16
	F. <b>Foundation</b>	All	17
	G. Technology	Quarterly	
	H. Capital Facilities	Quarterly	
	I. <b>Finance</b>	Quarterly	18
	J. Human Resources	Quarterly	
	K. <b>Enrollment Report</b>	Quarterly	20
	L. Budget and Legislative Developments	As needed	
	M. Marketing and Public Relations	As needed	

**BOARD OF TRUSTEES  
COMMUNITY COLLEGE DISTRICT VIII  
BELLEVUE, WASHINGTON**

3:00 PM	VI. Information Items A. Open Meetings Act	Marvin	
3:15 PM	VII. First Read A. 2015-2016 Board of Trustees Meeting Dates	Corcoran	23
3:20 PM	VIII. Action Items A. Student Code of Conduct Policy B. Board Policies	Karim Miller	25 51
3:30 PM	IX. Board Reports A. TACTC Board of Directors B. TACTC and BC Legislative Committees C. Foundation Liaison D. Individual Member Reports	Orrico Miller/Orrico Heu-Weller	
3:35 PM	X. President's Report	Rule	
3:45 PM	XI. Unscheduled Business/Community Testimony		
4:00 PM	EXECUTIVE SESSION (A201) There will be an executive session to discuss collective bargaining and to discuss the evaluation of state employees.		
5:00 PM	XII. Adjournment <i>Time and order are estimates only and subject to change.</i>		

**BOARD OF TRUSTEES**  
**COMMUNITY COLLEGE DISTRICT VIII**  
**BELLEVUE, WASHINGTON**

A regular meeting of the Board of Trustees of Community College District VIII, state of Washington, was held June 11, 2014 in room B201, Bellevue College, 3000 Landerholm Circle SE, Bellevue, Washington. Ms. Marie Gunn, Chair, presided.

**EXECUTIVE SESSION**

The executive session was called to order at 11:09 am. Marie Gunn announced that there would be an executive session for approximately 60 minutes to discuss with legal counsel representing the agency litigation or potential litigation, collective bargaining and the evaluation of state employees. The executive session was extended and adjourned at 1:30 p.m.

**STUDY SESSION**

The study session on the board policy manual was cancelled.

**STUDY SESSION**

Tom Nielsen, Vice President of instruction, presented the draft Academic Master Plan to the board.

**BUSINESS SESSION**

The business session was called to order at 2:05 p.m.

I. **ROLL CALL**

Ms. Gunn, Mr. Miller, Ms. Orrico, Ms. Heu-Weller Dr. Chin and Ms. Dzhuraeva were present.

II. **CONSENT AGENDA**

Vicki Orrico moved to approve the consent agenda as amended. Lisa Chin seconded.

The consent agenda was approved unanimously.

III. **CONSTITUENT REPORTS**

Faculty Report

Doug Brown, Bellevue College Association of Higher Education (BCAHE) President, discussed the following:

- Faculty compensation
- Acknowledged Marika Reinke and Denise Vaughn
- Acknowledged faculty contribution to academic master plan
- Thanked board for using local funds, but expressed concerns regarding the amount

Classified Staff Report

Becky Turnbull, representing classified staff, reported on the following items:

- Accomplishments
- Robin Bridges completed an M.S. in psychology from Walden University
- Jin Wang graduated with honors from Bellevue College

- Teresa Descher's photo was selected as photo of the week for the Cornell Lab of Ornithology
- Expressed support for faculty

Shared story regarding appreciation

ASG Report

Leslie Mayo, ASG President, reported on the following items:

- Funded students to attend ten conferences, cultural and leadership
- \$134,018 was allocated to clubs and programs
- Students rallied in Olympia and spoke out against metro bus cut
- Students were present for Real Hope Act signing ceremony

Foundation Report

Sarah Langton, President of the Bellevue College Foundation, reported on the following items:

- Ways for donors and potential donors to connect with the college
- Sculpture pour event
- Hosted veterans' dinner
- Read day
- Looking for ways to expand unrestricted support
- Hosting reception after commencement

IV. **MONITORING REPORTS**

Patricia James shared additional data regarding the Voluntary Framework of Accountability reporting.

V. **INFORMATION ITEMS**

A. Accreditation Report

Patricia James presented the draft of the accreditation mid cycle report. Acknowledged Tracy Biga Maclean and Robin Jeffers for their assistance with the report and visit planning. The accreditation visit is scheduled in October.

B. Employee recognition

Bellevue employees Dale Hoffman and Robin Jeffers were acknowledged. Dale Hoffman received a lifetime achievement award by the Washington state 2 year College Mathematics Conference and Robin Jeffers received the Anna Sue McNeill Assessment, Teach & Learning award for her contributions to assessment, teaching, and student learning.

VI. **FIRST READ**

A. Student Code of Conduct

Dr. Ata Karim and Ana Blackstad were available to answer questions regarding the revised student code of conduct. Discussion included how this policy coordinates with sexual assault issues and concerns that the language may be ambiguous. Bruce Marvin will work with Dr. Karim and Ms. Blackstad to clarify language and address any concerns.

VII. **ACTION**

A. 2014-15 International Student Contract

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Motion 14:14

It was moved by Vicki Orrico and seconded by Merisa Heu-Weller that:

The Board of Trustees of Community College District VIII approve the contractual relationship with the Bellevue College Foundation for International Student Programs for FY 2014-15.

The motion passed unanimously.

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B. 2014-15 College Budget

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Motion 15:14

It was moved by Vicki Orrico and seconded by Lisa Chin that:

The Board of Trustees of Community College District VIII approve the presented budget plan for the fiscal period 2014-2015.

The motion passed unanimously.

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C. 2014-15 Services and Activities Budget

Faisal Jaswal presented the services and activities fee budget

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Motion 16:14

It was moved by Vicki Orrico and seconded by Steve Miller that:

The Board of Trustees of Community College District VIII approve the Services and Activities budget for 2014-2015.

The motion passed unanimously.

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D. Board Elections – Chair and Vice Chair

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Motion 17:14

Vicki Orrico moved to nominate Steve Miller as Chair and Lisa Chin as Vice Chair for the 2014-2015 term commencing on July 1, 2014 and ending on June 30, 2015. Merisa Heu-Weller seconded the motion.

The motion passed with one abstention.

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E. Sabbatical Leave Authorization

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Motion 18:14

It was moved by Vicki Orrico and seconded by Lisa Chin that:

The Board of Trustees of Community College District VIII concurs with the recommendation of the president and authorizes sabbatical leaves equivalent to 4.99 FTEF, at the cost of \$98,171 for the 2014-15 academic year.

The motion passed unanimously.

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F. Tenure Recommendations for 2014-15

Tom Nielsen presented two additional tenure recommendations for 2014-15. The two faculty candidates, Anne Mary Nash-Haruna and Megan Hansen are off-cycle due to approved leaves.

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Motion 19:14

It was moved by Steve Miller and seconded by Lisa Chin that:

The Board of Trustees of Community College District VIII hereby grants tenure for the 2014-15 academic year to Anne Mary Nash-Haruna, Institute for Business and Information Technology

The motion passed unanimously.

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Motion 20:14

It was moved by Lisa Chin and seconded by Merisa Heu-Weller that:

The Board of Trustees of Community College District VIII hereby grants tenure for the 2014-15 academic year to Megan Hansen, Arts and Humanities (English).

The motion passed unanimously.

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VIII. **BOARD REPORTS**

TACTC – Vicki Orrico has been appointed to the task force for student success in Math. Marie Gunn and Vicki Orrico attended the TACTC conference. They highlighted the relationship between a community college and an underperforming high school.

TACTC Legislative Committee – Steve Miller commented on the various committees that are meeting right now. The upcoming session is a biennial budget year. All agencies are required to provide a budget with a 15% cut.

Foundation Liaison – Merisa Heu-Weller expressed her appreciation to Sarah Langton.

Individual Member Reports – There were no individual member reports.

IX. **PRESIDENT'S REPORT**

President Rule updated the board on the following items:

- Issues with the Metro bus stop and service.



- The employee appreciation year end event.
- Dr. Karim's participation in the Washington Executive Leadership Academy
- Yoshiko Harden's participation in the Leadership Eastside training
- Larry Herron's retirement
- NAFSA Conference

Dr. Rule and the board expressed their appreciation to Takhmina Dzhuraeva for her service on the board.

X. **UNSCHEDULED BUSINESS**

Alex Clark testified regarding student support for faculty and staff.

Rosemary Richardson spoke on faculty issues and the Metro bus concern.

Faisal Jaswal recommended that the focus should be on seeking support from the state legislature to gain assistance for these issues.

XI. **ADJOURNMENT**

There being no further business, the meeting of the Board of Trustees adjourned at 4:32 p.m.

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Marie Gunn, Chair  
Board of Trustees

ATTEST:

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Lisa Corcoran  
Secretary, Board of Trustees  
Community College District VIII

## STUDENT SUCCESS



### BC's FALL 2014 STUDENTS IN NUMBERS<sup>1</sup>

Although students will continue to register for credit classes into the first week of the quarter, and non-credit programs will register students for classes throughout the quarter, following is a snapshot of the *postsecondary students* registered for classes as of August 28, 2014.

**10,366**

Number of students registered for at least one class<sup>2</sup>

Percentage of students enrolled for 12 or more credits

**33**

**23.17**

Percentage of students attending BC for the first time

**35**

Percentage of students enrolled in at least one distance education class

**Sixty-one**

Percentage of spring 2014 students returning this fall

**578**

Number of international students registered<sup>3</sup>

**Thirty-eight**

Percentage of students who have earned 45 or more credits at BC

**2,983**

Number of students pursuing a professional-technical certificate or associate degree

**1503**

Number of Running Start students enrolled

**160**

**applied baccalaureate program students**

Report by: Patty James, Associate Vice President, Effectiveness and Strategic Planning  
[patricia.james@bellevuecollege.edu](mailto:patricia.james@bellevuecollege.edu)

<sup>1</sup> Data reported are as of 8/28/2014 and are subject to change.

<sup>2</sup> Courses include only postsecondary classes. *Postsecondary* is defined as any course that meets criteria for federal financial aid funding. This includes a limited number of developmental courses in math and English as well as all courses numbered 100 or higher.

<sup>3</sup> Data do not include international students who enroll through the English Language Institute.

## NEW FULL-TIME TENURE TRACK FACULTY

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### *Key Points*

The Office of Instruction would like to take this opportunity to celebrate and briefly introduce the newest tenure-track faculty hires.

#### **Kyle Barber/ Institute for Business and Information Technology/Marketing Management**

With his professional background including executive level positions at several prestigious global advertising agencies, Kyle brings to Bellevue College a strong network of potential industry partners. Kyle earned his Master's in Education from University of Phoenix and his Bachelor's in Speech Communication from George Mason University. His teaching experience includes courses in communications at Renton Technical College.

#### **Catherine Berkenfield, Arts and Humanities/English**

Serving as an adjunct instructor at Bellevue College since 2012, Catherine has taken a leadership role with her peers on campus as advocate for the Bellevue College Adjunct Support Group. She earned her Master's in Linguistics from University of New Mexico and graduated Cum Laude with her Bachelor's in English from University of Montana. She has taught courses in English, women's studies and adult education in New Mexico.

#### **Mari Brunson, Arts and Humanities/World Languages - Japanese**

Serving as an adjunct instructor at Bellevue College since 2009, Mari brings her Master's degree in Linguistics, and Bachelor's degree in Japanese Language and Studies from Sophia University in Tokyo. Along with her years of teaching experience in Japan, Mari has served as a professional consultant and taught courses at several community colleges in Washington.

#### **Debby Casson, Science/Mathematics**

Along with her Master's in Education from Princeton Theological Seminary and her Bachelor's in Mathematics from Colorado College, Debby brings to Bellevue College experience in developing and teaching online algebra courses and a background in advocating for underrepresented student populations. She taught, tutored, and developed curriculum at the University of New Mexico and served as Advocate for First Generation and Disabled Students at Southwest Indian Polytechnic Institute.

#### **Carrie Colbert, Institute for Business and Information Technology/Marketing Management**

Carrie earned her Ph.D. in Management from University of Maryland, where she has served as an adjunct instructor since 2008. She received her Master's in Business Administration, Bachelor of Science in Marketing Management, and Certificate of Retailing from California State University. Along with her teaching experience, she has a strong professional background and is owner of a strategic marketing consulting business.

**Eric Davis, Social Science/Sociology**

Eric has been a member of Bellevue College's affiliated adjunct faculty since 2009. Prior to that, he served as Director of Diversity Initiatives at North Seattle Community Colleges and taught courses including Race and Ethnicity, Culture and Society, and American Diversity at several local community colleges. Eric earned his Master's degree in Student Development from Seattle University and his Bachelor's in Afro American Studies and Political Science from University of California.

**Natalia Dunn, Science/Chemistry**

Natalia has taught courses in chemistry at San Bernardino Valley College, Whatcom Community College and Skagit Valley College. She earned her Doctorate in Educational Leadership and Management from Capella University and her Master's and Bachelor's degrees in Chemistry from Western Washington University. Natalia has significant research experience and has published papers on education topics such as Moving the Laboratory Online and Making a Big Class Small.

**Reza Forough, Science/Biology**

A recipient of numerous honors and awards, Reza has served as an adjunct instructor at Bellevue College since 2007, teaching courses in life sciences and providing research support for several grants. He has taught courses at South Seattle Community College, Lake Washington Technical College, and Texas A&M University. He earned his Ph.D. in Genetics from George Washington University, his Master's in Microbiology from Southern Illinois University and his Bachelor of Science from Northern Illinois University.

**Robert Guyton, Science/Mathematics**

Serving for the last ten years as Assistant Professor of Mathematics at University of Georgia, where he earned his tenure in 2009. Robert brings to Bellevue College professional experience that includes an impressive list of service in instruction, curriculum development, student advising, and college governance including faculty senate. He received his Master's and Bachelor's degrees in Mathematics from Baylor University.

**Craig Hurd-McKenney, Arts and Humanities/English**

A published author and creator of courses such as Graphic Novel as Literature and LGBTQIA Literature, Craig earned his Ph.D. in Technical Communication & Rhetoric from Texas Tech University and holds Master's and Bachelor's degrees in English from Texas A&M University and Southern Methodist University respectively. Craig was a founding faculty member at Puget Sound Early College and has taught courses at several Washington State community colleges.

**Stefan Ignatovski, Institute for Business and Information Technology/Accounting**

Owner/Founder of Stigna LLC, an accounting and financial firm, Stefan earned his Master's in Accounting from Roosevelt University and his Bachelor's in Accounting from Indiana State University. He served as Interim Associate Dean, School of Business at World Education University in Palm Springs, California and taught courses in Accounting at Mohave Community College in Arizona and Ivy Tech Community College in Indiana.

**Jennifer Le, Social Science/Psychology**

By the time Jennifer begins her tenure track at Bellevue College, she will have earned her Ph.D. in Sociology from Texas A&M University, where she received her Master's degree in Sociology and served as Graduate Lecturer since 2011. She earned her Bachelor's in Sociology from the University of St. Thomas. She has taught courses in Gender and Society, Race and Ethnic Relations, and Intro to Sociology.

**Diana Lesniewski, Health Sciences, Education & Wellness Institute/Neurodiagnostic Technology**

Diana is a highly qualified technologist with expertise in nerve conduction studies who comes to Bellevue College from Phoenix, Arizona with 15 years clinical experience. She earned her Bachelor's in English Literature from City College of New York. She holds her certification from Presbyterian School of EEG Technology and Board Registrations in three modalities.

**Ann Minks, Health Sciences, Education & Wellness Institute/Allied Health**

Ann has served as HPRO instructor, Online Pedagogy Lead, and HEET Grant Coordinator since starting at Bellevue College in 2001. She currently serves as an executive board member, and is a certified Fellow, with the Association for Healthcare Documentation Integrity for Washington State. She has taught courses at Lake Washington Institute of Technology and Central Texas College. She received her Bachelor's in Health Informatics from Western Governor's University Washington and her Associate's degree from Edmonds Community College.

**Cynthia Northrup, Science/Mathematics**

Cynthia earned her Master's in Mathematics from University of California, Irvine where she also taught courses in calculus. She received her Bachelor's in Mathematics from California State University, Northridge. She is the recipient of numerous awards and fellowships and has volunteered many hours in service to the community with outreach involving students from 6<sup>th</sup> grade to graduate level.

**Caleb Teel, Science/Physics**

Caleb earned his Associate of Applied Science at Bellevue College in 2003. He went on to earn his Bachelor of Science and Master of Science in Physics from the University of Washington. He has served as an adjunct physics instructor at Bellevue College since 2012 and has also taught courses at Green River Community College.

**Jozef Engel Szwaja-Franken, Arts and Humanities/World Languages – Spanish**

Jozef earned his Doctorate in Comparative Literature from University of California, Irvine and his Bachelor's degree in History and Comparative Literature from University of Wisconsin-Madison. He has taught courses in Spanish at Seattle Central Community College and the University of South Carolina-Upstate. The recipient of many fellowships, grants and awards, Jozef speaks fluent Spanish, English and French, and is proficient in Portugese, Italian and German.

*Next Steps:*

- Faculty have been invited to the SBCTC New Faculty Institute, September 4-5, 2014
- Faculty have also been invited to the Faculty Commons Teaching Institute, September 16, 2014

Report by: Tom Nielsen, Vice President of Instruction

[tom.nielsen@bellevuecollege.edu](mailto:tom.nielsen@bellevuecollege.edu)

## ECONOMIC AND WORKFORCE DEVELOPMENT



### INTERIM REPORTING STRUCTURE

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#### *Key Points*

Due to the recent departure of Paula Boyum, Vice President of Economic & Workforce Development (VPEWD), President Rule has designated the following temporary reporting lines:

- Continuing Education, the Center of Excellence in IT, Tech Prep College Connections, Workforce Education and the assistant to the vice president for economic and workforce development will report to Tom Nielsen, Vice President of Instruction.
- The Center for Career Connections, the Women's Resource Center and the Veterans' programs will report to Dr. Ata Karim, Vice President of Student Services.
- Grant development and curriculum design will be under the supervision of Patricia James, Associate Vice President for Effectiveness and Strategic Planning.
- The National Information Security & Geospatial Technologies Consortium grant will report to Jody Laflen, Dean of the Institute for Business and Information Technologies.
- The Life Science Informatics Center will report to Leslie Heizer-Newquist, Dean of the Health Sciences Education and Wellness Institute.

#### *Next Steps*

Review applications and interview candidates for the interim Vice President for Economic and Workforce Development.

Report by: Kyra Olson, Assistant to the Vice President of Economic & Workforce Development  
kyra.olson@bellevuecollege.edu

## STUDENT SERVICES



### 2013- 2014: ACCOMPLISHMENTS

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**Athletics:** Women's Tennis Northwest Athletic Conference (NWAC) Championship. Jason Chapman was named NWAC Coach of the Year Women's Tennis. Men's tennis is being added to the roster of sports.

**Counseling Center** served 3456 students through individual sessions, outreach activities and classroom instruction. Belle Nishioka: Tenure faculty January 2014

**Dean of Student Success Office** processed 194 conduct related cases. 129 were for conduct and 55 for academic integrity.

**Disability Resource Center** served 949 unduplicated students. Autism Spectrum Navigator Program continues to grow with projected 100 students enrolled in 2014-15. Susan Gjolmesli, Director of the Disability Resource Center, received the Do It Trailblazer Award for her work.

**Enrollment Services:** Processed applications from 13,582 students and 21,591 official transcript requests; answered a total of **54,151** phone calls; and had 16,878 in-person interactions at ERS front desk.

**Entry & Academic Advising Services** assisted total of duplicated students served 21,735 via multiple modalities. Launched Bellevue Advising and Registration Kickoff (BARK).

**Evaluations** processed 1100 credit review requests; 2823 graduation applications and 6000 prerequisite checks.

**Financial Aid** - Unduplicated files reviewed: 6,864 numbers were stable from prior year. Unduplicated files packaged: 4,646 numbers were stable from prior year. Average processing time: 60 days during peak (half the time from last year).

**International Student Programs:** Served 1758 unduplicated students. 68% of the total ISP academic students' GPAs were above 3.00 including 18% with 4.0.

**Multicultural Services** served 466 unduplicated students. Average GPA: 3.2 with 53% of MCS students earning a B- or higher. 191 MC Coded students graduated in 2013-14.

**Student Programs & Activities** offered 349 programs and activities covering a large diversity of topical areas. Allocated annual budget of \$150,000 from Student Environmental Sustainability Fund in grants to variety of applicants.

**Testing** served 12,366 students including 9814 COMPASS assessments. Additional services included Test of Essential Academic Skills (TEAS) CHEM% 161 placement BTS Competency-based online makeup exams GED special request proctoring

**TRiO** served 196 students and reported a 70% graduation rate, 60% transfer rate, 93% good academic standing. Leadership role in supporting expansion of Bridge to Success (previously Math & English Boot Camp) from 54 to 250 individuals for summer 2014.

Report by: Ata U. Karim, Vice President of Student Services

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## COMPLIANCE AND TITLE IX UPDATE

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In July 2014, the college hired Rachel Wellman to serve as the Compliance and Title IX Coordinator. Rachel is charged with building and implementing processes and procedures to meet the required mandates. The significant difference between Title IX (prohibits sex discrimination in education) and Violence Against Women’s Reauthorization Act (VAWA)/Campus Sexual Violence Act (SaVE ) is that where Title IX *recommends* training, VAWA/SaVE *requires* it. Changes also include:

### 1. Reporting requirements

- a. The additional categories of domestic violence, dating violence and stalking become Clery reportable.
- b. Hate crime categories now include “national origin” and “gender identity”.
- c. Victims’ names must be withheld for crimes that are considered a threat to other students/employees.

### 2. Victim’s rights

That information should now include the following:

- a. Victims have a choice whether or not to formally report to police or campus authorities
- b. How to obtain orders of protection
- c. Written notification of support
- d. Written explanation of rights and options regardless of whether crime was on or off campus
- e. How to preserve evidence
- f. To whom and how to formally report

### 3. Institutional policies

- a. Include a statement of the standard of evidence used in investigations
- b. Identify the sanctions or protective measures the institution may impose
- c. Articulate how victims’ confidentiality will be protected, including how personally-identifiable information will be excluded from records
- d. Include a Title IX policy with specific information regarding who determines confidentiality

### 4. Institutional procedures

- a. Adopt and publish Title IX grievance procedures

### 5. Training

- a. Employees involved in student conduct and investigative processes must receive annual training
- b. New students and new employees must be offered training in “prevention and awareness programs”. VAWA has a specific list of things to be included in such training.
- c. Counselors should have cultural competency training that includes LGBTQIA

Report by: Yoshiko Harden, Vice President of Diversity  
yoshiko.harden@bellevuecollege.edu



## FOUNDATION



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The Foundation Board of Directors is excited to build on the success of last year. Significant planning efforts and activities were conducted over the summer.

The Foundation Board of Directors updated the BC Foundation Strategic Plan which supports the Foundation's mission to "raise funds to provide quality education and learning opportunities for all Bellevue College students" and its vision to "through the Foundation's unique blend of cutting edge, innovative and exemplary programs, enable Bellevue College to attract—without financial barriers—the best and brightest students."

The plan addresses five objectives in three primary directions. The first primary direction is to "grow our capacity as a Foundation" with the objectives to 1.) "significantly increase the amount of unrestricted private money we raise yearly" and 2.) "restructure our work and attitude to focus on abundance versus scarcity." The second direction is to "review an expand our role" with the objectives to 1.) "keep the best and brightest here at home" and 2.) "grow the Foundation infrastructure to enable enhanced capacity. The third direction is to "further develop the relationship with BC" with the objective to "enhance and strengthen our role within the college." The new action items for this fiscal year includes "executing the Foundation's development plan"; "raising the Foundation's and college's visibility in the community (in partnership with the college)"; "enhance donor relations, engagement, and recognition"; "leverage the 50<sup>th</sup> anniversary planning to expand fundraising capacity"; "interface with college administration to aid in the development of a robust alumni program."

The Foundation Board of Directors installed new Officers and elected new Directors to join the membership. Dale King, Vice President of GLY Construction, has been named President for a one-year term to coincide with the 2014-2015 school year. King succeeds Sarah Langton, Founder and Partner at Langton Spieth LLC, who continues to serve on the board's Executive Committee. Other officers elected for 2014-15 are Secretary, Jim Coughlin, Principal at Coughlin Porter Lundeen and Treasurer, Chad Wall, Director & Vice President at BNY Mellon Wealth Management.

New members elected to the Foundation Board are Scott Dean, President & General Manager at Pacifica Engineering, Inc.; Curt Pederson, Owner & Wealth Manager at Mass Mutual-Pederson Financial; Karen Porterfield, Principal at Porterfield Management Consultants; and Sharon Thomson, Principal & Senior Consultant at Team Priorities, Inc.

Report by: Rebecca Chawgo, Director of Development  
rebecca.chawgo@bellevuecollege.edu

## FINANCIAL REPORT



FOR PERIOD JULY 1, 2013 TO JUNE 30, 2014

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### *Key Points*

State operating fund revenues and expenses are consistent with expectations. Significant or notable elements of the year's financial performance include the following:

- **Local Operating revenue** is slightly down from last year-to-date due to a slightly lower state FTE allocation for FY1314 versus FY1213.
- **Dedicated local revenues** reflect transfers for a network upgrade project, a shift in network IT staff expense from the computer service fund, and increased funding for international and new Bachelor's programs.
- **Dedicated local expenses** are higher mainly due to higher excess enrollment transfer to fund operating expenses, new Bachelor's program expenses, network upgrade and computer lab expenses, and transfers of expenses for network IT staff from the computer services fund to the local dedicated fund.
- **Grants and Contracts** Expenses are up due to the new Department of Labor grant and increases in running start and International Student Program expenses. Expenses also increased with larger support from the Running Start program to fund operating expenses.
- Proprietary funds:
  - The **computer service fund** shows reclassification of funding for servers from the computer service fund to dedicated local fund and a reclassification of network IT staff from the computer services fund to the local dedicated fund.
  - The **Bookstore** reflects lower sales partially due to a temporary location during the Bookstore remodel as well as higher salary expenses due to the 3% salary restoration and expenses associated with closing the 21st Century Bookstore grant.
  - **Parking** revenues are lower due to a budgeted transfer to fund a Campus Master Plan and lower parking permit revenues. Parking expenses were also higher due to bus pass subsidies and other parking-related expenses.

<b>Analysis Operating Funds</b>					
For the Period Ending JUNE 30, 2014					
		FY 14 BUDGET	FY 14 ACTUAL	%	FY 13 ACTUAL
<b>OPERATING FUND:</b>					
STATE ALLOCATION					
	ALLOCATION	\$29,314,848	<b>\$29,196,044</b>	99.6%	\$26,319,340
	EXPENSE		<b>\$29,196,044</b>	99.6%	\$26,319,340
NET GAIN(LOSS) STATE ALLOCATION			<b>\$0</b>		\$0
LOCAL OPERATING					
	REVENUE	\$22,247,835	<b>\$22,586,217</b>	101.5%	\$22,365,853
	RESERVE		<b>\$423,748</b>		\$1,147,233
	EXPENSE		<b>\$21,811,329</b>	98.0%	\$23,089,364
NET GAIN(LOSS) LOCAL OPERATING			<b>\$1,198,636</b>		\$423,722
DEDICATED LOCAL FUND					
	REVENUE	\$19,796,377	<b>\$17,748,737</b>	89.7%	\$15,586,522
	EXPENSE		<b>\$16,206,572</b>	81.9%	\$11,930,459
NET GAIN(LOSS) DEDICATED LOCAL FUND			<b>\$1,542,165</b>		\$3,656,063
GRANTS & CONTRACTS					
	REVENUE	\$30,544,803	<b>\$21,411,292</b>	70.1%	\$21,839,190
	EXPENSE		<b>\$15,237,177</b>	49.9%	\$13,007,535
NET GAIN(LOSS) GRANTS & CONTRACTS			<b>\$6,174,115</b>		\$8,831,655
<b>NET GAIN(LOSS) OPERATING FUNDS:</b>			<b>\$8,914,916</b>		\$12,911,440

<b>Net Income-Proprietary Funds</b>		
For the Period Ending JUNE 30, 2014		
	FY 14	FY 13
<b>PROPRIETARY FUNDS:</b>		
STORES FUND	-\$12,839	-\$5,982
COMPUTER SERVICE FUND	-\$1,816,028	\$824,147
PRINTING FUND	\$83,992	\$28,188
MOTOR POOL	\$0	-\$626
ASSOCIATED STUDENTS	\$798,814	\$461,550
BOOKSTORE	\$112,395	\$415,006
PARKING	\$201,778	\$752,639
FOOD SERVICES	\$2,825	\$2,629
OTHER AUXILIARY ENTERPRISES	\$51,257	\$23,300
<b>NET GAIN(LOSS) PROPRIETARY FUNDS:</b>	<b>-\$577,806</b>	<b>\$2,500,851</b>

Report by: Ray White, Vice President of Administrative Services  
ray.white@bellevuecollege.edu



## ENROLLMENT

### SPRING QUARTER 2014

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#### *Description*

The college continually monitors and analyzes enrollment statistics and trends, particularly during registration and enrollment periods. Enrollment updates are regularly provided to the entire college during that time. Downward and upward trends are analyzed, and strategies are put into place to address areas of concern.

As part of the strategic enrollment and planning process, each quarter, an enrollment report for all fund sources (state-funded, self-support and other) is compiled for review and discussion. The final spring enrollment report is being presented to the Board of Trustees as a monitoring report.

#### *Analysis*

The 2014 spring quarter enrollment report indicates that Bellevue College's performance experienced an upturn when compared to the previous year. Targets for the quarter, which were largely based on the previous year's performance, were exceeded in all but two divisions. Arts & Humanities division experienced the largest shortfall from expectations, as students continued to shift their focus toward business-related and professional-technical programs. The report also documents continued growth in the English Language Institute's University Preparation program and in College in the High School enrollments.

The numbers in the report reflect performance against internal targets only; Bellevue College easily exceeded the state-funded enrollment target for 2013-14.

For Spring 2014, targets were exceeded by 89.5 FTES or 0.9%

- Arts and Humanities Division were down from their target by 141.2 FTES or 4.6%
- IBIT (Business) Division exceeded the target by 99.4 FTES or 9.7%
- Health Science Division exceeded the target by 36.4 FTES or 4.8%
- Science Division were down from the target by 1.2 FTES or 0.0%
- Social Science Division exceeded the target by 41.6 FTES or 2.3%
- Other programs exceeded the target by 54.4 FTES or 12.9%

#### **Background/Supplemental Information**

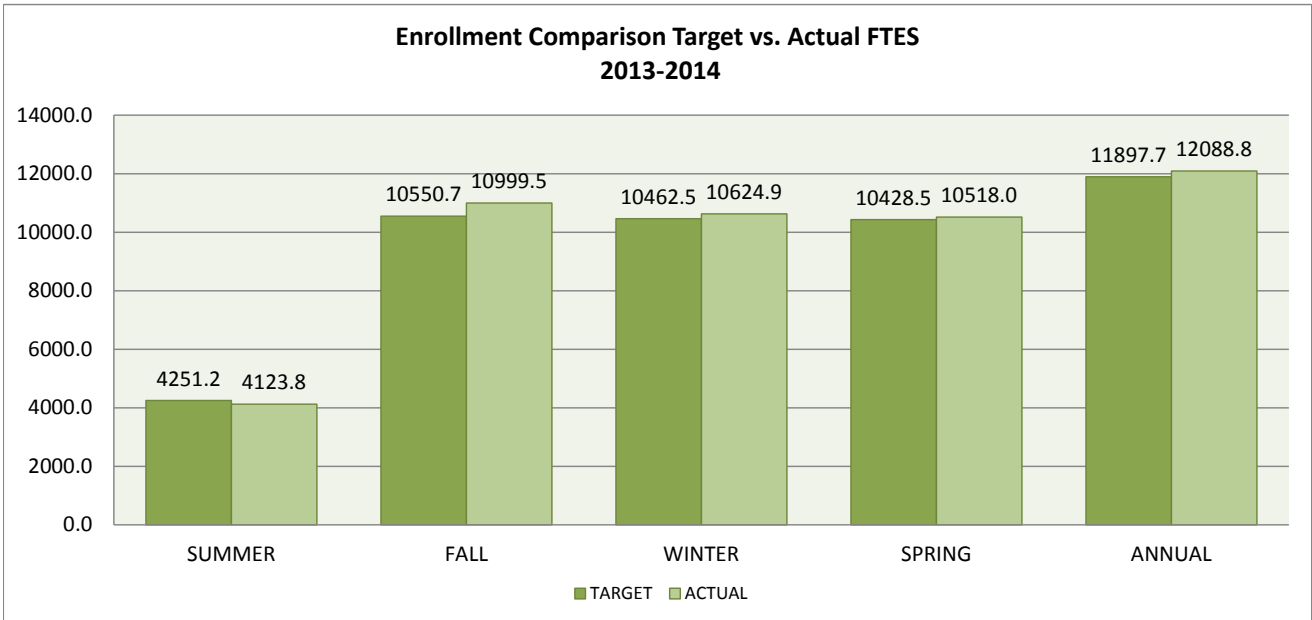
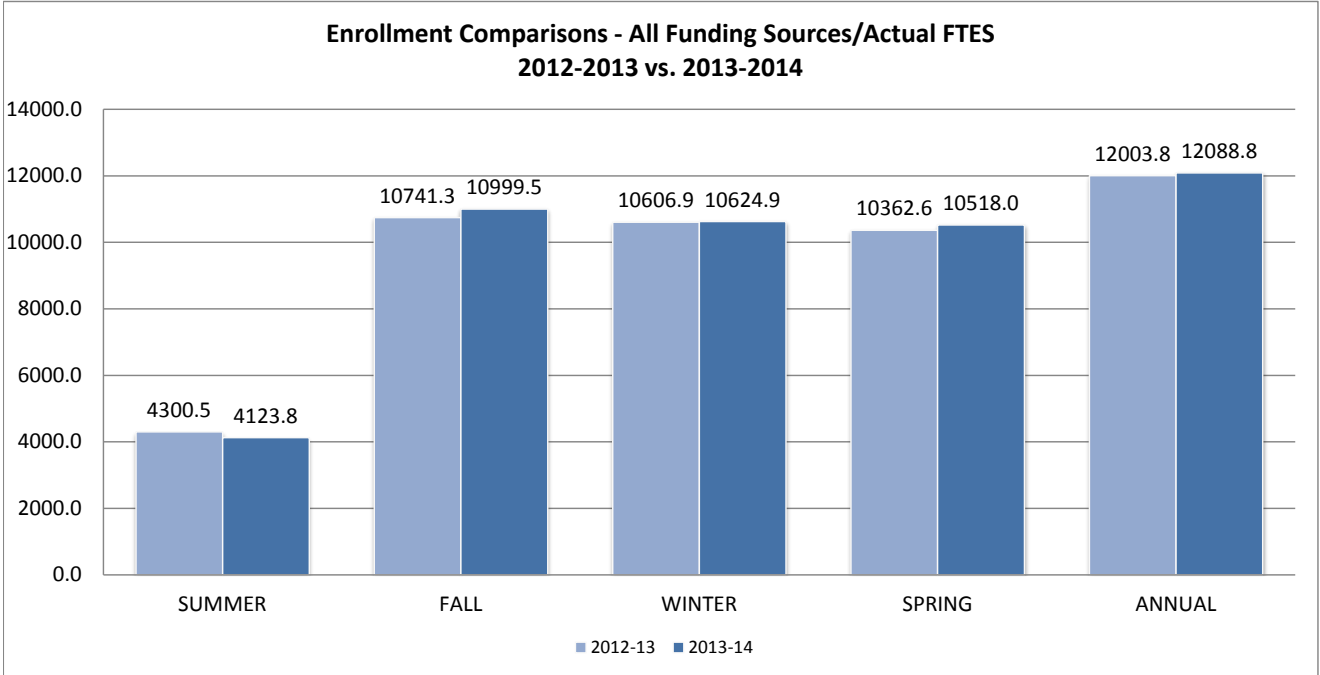
- Enrollment Comparison: Target vs. Actual FTES – Spring Quarter 2014
- Enrollment Comparison For All Funding Sources: Actual FTES 2013-2014 vs. 2012-2013

Report by: Tom Nielsen, Vice President of Instruction  
[tom.nielsen@bellevuecollege.edu](mailto:tom.nielsen@bellevuecollege.edu)

All Divisions & Miscellaneous Programs	TOTAL COLLEGE				Spring 2013 FTEs	# Difference	% Difference	# Difference	% Difference
	Spring FTEs Target	Spring 2014 FTEs	# Difference	% Difference					
Miscellaneous Programs	10429	10518	89.5	0.9%	10363	155.4	1.5%		
<b>Division</b>	<b>Spring FTEs Target</b>	<b>Spring 2014 FTEs</b>	<b># Difference</b>	<b>% Difference</b>	<b>Spring 2013 FTEs</b>	<b># Difference</b>	<b>% Difference</b>	<b># Difference</b>	<b>% Difference</b>
<b>Arts &amp; Humanities</b>	<b>3055</b>	<b>2914</b>	<b>-141.2</b>	<b>-4.6%</b>	<b>3040</b>	<b>-125.8</b>	<b>-4.1%</b>		
Humanities	0	0	0.0	0.0%	0	0.0	0.0%		
Art	218	222	4.3	2.0%	202	19.7	9.3%		
Applied Linguistics	0	0	0.0	0%	0	0.0	0%		
Communications	383	440	57.3	15.0%	437	3.6	0.8%		
Dance	30	11	-19.0	-63.5%	14	-3.30	-23.4%		
Drama	47	54	6.8	14.6%	37	17.03	46.5%		
English	947	905	-42.7	-4.5%	1018	-113.25	-11.1%		
World Language	391	289	-101.9	-26.1%	346	-56.97	-16.5%		
Interdisciplinary	0	0	0.0	0.0%	0	0.00	0.0%		
Interior Design	107	84	-22.5	-21.1%	76	8.53	11.3%		
Music	194	143	-50.9	-26.2%	178	-34.85	-19.5%		
Philosophy	205	185	-20.5	-10.0%	190	-5.47	-2.9%		
ABE/GED	120	136	15.9	13.2%	116	20.20	17.4%		
DEVED/JID	10	0	-10.2	-100.0%	11	-11.13	-100.0%		
Experiential Learning	26	37	10.8	41.4%	23	13.88	60.0%		
ESI	376	408	31.3	8.3%	392	15.97	4.1%		
<b>Health Sciences</b>	<b>751</b>	<b>788</b>	<b>36.4</b>	<b>4.8%</b>	<b>751</b>	<b>36.4</b>	<b>4.8%</b>		
Diagnostic Ultrasound	31	42	11.2	36%	31	11.20	35.8%		
Early Childhood Educ	33	27	-6.2	-19%	33	-6.17	-18.6%		
Education	10	23	13.1	129%	10	13.15	129.0%		
Health	41	40	-0.9	-2%	41	-0.93	-2.3%		
Indiv Studies	1	0	-1.1	-100%	1	-1.07	-100.0%		
Imaging	0	0	0.0	0%	0	0.00	0.0%		
Nursing	111	117	5.6	5%	111	5.56	5.0%		
Nuclear Medicine Tech	7	6	-0.2	-4%	7	-0.24	-3.6%		
Parent Ed	1	0	-1.1	-100%	1	-1.07	-100.0%		
Physical Development	112	108	-4.5	-4%	112	-4.53	-4.0%		
Radiologic Technology	56	52	-4.0	-7%	56	-4.03	-7.1%		
Radiation Therapy	21	20	-1.1	-5%	21	-1.08	-5.1%		
Recreation Education	2	2	-0.5	-22%	2	-0.53	-22.1%		
Health Professions	133	153	20.2	15%	133	20.16	15.2%		
Radiation Mgmt/Tech	25	43	18.0	71%	25	17.96	71.0%		
Neuro Diagnostic Tech	19	14	-4.6	-24%	19	-4.63	-24.4%		
Medical Informatics	0	0	0.0	0%	0	0.00	0.0%		
Parent Education	146	139	-7.3	-5%	146	-7.31	-5.0%		
<b>Social Science</b>	<b>1831</b>	<b>1873</b>	<b>41.6</b>	<b>2.3%</b>	<b>1831</b>	<b>41.6</b>	<b>2.3%</b>		
Criminal Justice	74	78	4.0	5.4%	74	4.00	5.4%		
Anthropology	149	145	-3.9	-2.6%	149	-3.86	-2.6%		
Economics	227	209	-18.0	-7.9%	227	-17.97	-7.9%		
Geography	123	117	-6.5	-5.2%	123	-6.48	-5.2%		
History	231	205	-25.7	-11.1%	231	-25.75	-11.1%		
International Studies	9	20	11.4	134%	9	11.45	133.8%		
Political Science	96	97	0.7	1%	96	0.69	0.7%		
Psychology	358	356	-2.8	-0.8%	358	-2.83	-0.8%		
Business Admin Trans	212	266	54.2	25.5%	212	54.17	25.5%		
Sociology	273	288	14.6	5.4%	273	14.64	5.4%		
Cultural and Ethnic Studies	79	92	13.6	17.3%	79	13.60	17.3%		

Division	Spring FTEs Target	Spring FTEs	# Difference	% Difference	Spring 2014 FTEs	# Difference	% Difference	Spring 2013 FTEs	# Difference	% Difference
<b>Business (IBIT)</b>	<b>1028</b>	<b>1128</b>	<b>108</b>	<b>9.7%</b>	<b>1032</b>	<b>95.4</b>	<b>9.2%</b>			
Accounting-Paraprofessional	108	108	0	0.1%	108	-0.1	-0.1%	108	-0.08	-0.1%
Sustainable Business Practices	19	14	-5.1	-27.3%	11	2.88	26.7%	11	2.88	26.7%
Information Tech	19	72	52.4	273.3%	11	60.38	540.9%	11	60.38	540.9%
Business Management	222	207	-15.7	-7.0%	222	-15.68	-7.0%	222	-15.68	-7.0%
Marketing	76	67	-9.3	-12.2%	76	-9.28	-12.2%	76	-9.28	-12.2%
Business Tech System	194	209	15.5	8.0%	194	15.47	8.0%	194	15.47	8.0%
Business Intelligence	11	47	35.6	321.0%	31	15.58	50.1%	31	15.58	50.1%
Network Services	53	37	-15.6	-29.5%	53	-15.60	-29.5%	53	-15.60	-29.5%
Programming	95	141	45.9	48.3%	95	45.90	48.3%	95	45.90	48.3%
Database Admin	0	0	0.0	0.0%	0	0.00	0.0%	0	0.00	0.0%
Technical Support	63	78	15.6	24.9%	63	15.63	24.9%	63	15.63	24.9%
Digital Media Arts	168	148	-19.8	-11.8%	168	-19.84	-11.8%	168	-19.84	-11.8%
<b>Science</b>	<b>2864</b>	<b>2863</b>	<b>-1.2</b>	<b>0.0%</b>	<b>2864</b>	<b>-1.2</b>	<b>0.0%</b>	<b>2864</b>	<b>-1.2</b>	<b>0.0%</b>
Astronomy	198	169	-29.0	-14.7%	198	-28.97	-14.7%	198	-28.97	-14.7%
Biology	566	609	42.5	7.5%	566	42.48	7.5%	566	42.48	7.5%
Botany	18	24	5.5	30.6%	18	5.53	30.6%	18	5.53	30.6%
Chemistry	379	422	43.3	11.4%	379	43.28	11.4%	379	43.28	11.4%
Computer Science	81	111	29.7	36.5%	81	29.71	36.5%	81	29.71	36.5%
Environmental Science	51	43	-7.8	-15.3%	51	-7.81	-15.3%	51	-7.81	-15.3%
Engineering	41	39	-2.4	-5.8%	41	-2.39	-5.8%	41	-2.39	-5.8%
Geology	81	60	-20.8	-26%	81	-20.82	-25.6%	81	-20.82	-25.6%
I.D. Math	451	350	-100.7	-22.3%	451	-100.68	-22.3%	451	-100.68	-22.3%
Math	733	795	61.5	8.4%	733	61.55	8.4%	733	61.55	8.4%
Meteorology	36	32	-4.8	-13.0%	36	-4.75	-13.0%	36	-4.75	-13.0%
Oceanography	36	38	1.8	5.1%	36	1.83	5.1%	36	1.83	5.1%
Physics	191	171	-20.1	-10.5%	191	-20.14	-10.5%	191	-20.14	-10.5%
<b>Other Programs</b>	<b>898</b>	<b>953</b>	<b>54.4</b>	<b>6.1%</b>	<b>844</b>	<b>109.0</b>	<b>12.9%</b>			
Alcohol/Drug	42	42	0.27	0.6%	42	0.27	0.6%	42	0.27	0.6%
BAA Interior Design (FSS)	83	52	-31.07	-37.3%	59	-6.78	-11.5%	59	-6.78	-11.5%
BAS Radiation (FSS)	2	4	2.54	131.3%	2	2.54	131.3%	2	2.54	131.3%
BAS Hlthcr Tech Mng (FSS)	0	16	16.33	0.0%	0	16.33	0.0%	0	16.33	0.0%
BAS Info Sys/Info Tech	0	6	6.32	0.0%	0	6.32	0.0%	0	6.32	0.0%
BSN Nursing (FSS)	0	6	6.40	0.0%	0	6.40	0.0%	0	6.40	0.0%
Career Education Opt	100	101	1.28	1.3%	100	1.28	1.3%	100	1.28	1.3%
ELI Internl Bus Prof	93	58	-34.20	-37.0%	82	-23.43	-28.7%	82	-23.43	-28.7%
ELI University Prep	240	303	62.30	25.9%	274	28.05	10.2%	274	28.05	10.2%
Fire Science	15	11	-4.23	-28.1%	15	-4.23	-28.1%	15	-4.23	-28.1%
Human Development	45	46	1.03	2.3%	45	1.03	2.3%	45	1.03	2.3%
Cont Nurs Educ (FS 5)	30	27	-3.2693324	-10.8%	30	-3.27	-10.8%	30	-3.27	-10.8%
College in the High School	248	278	29.75	12.0%	194	83.46	43.0%	194	83.46	43.0%
Study Abroad	0	1	0.99	0.0%	0	0.99	0.0%	0	0.99	0.0%
Tech Prep (Summer only)	0	0	0.00	0.0%	0	0.00	0.0%	0	0.00	0.0%

**COMMUNITY COLLEGE DISTRICT VIII  
BELLEVUE COLLEGE  
FALL 2013**





## REGULAR MEETING AGENDA ITEM

### PROPOSED BOARD OF TRUSTEES MEETING DATES

INFORMATION

FIRST READ

ACTION

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#### Description

The Washington Administrative Code (W.A.C.) requires that a list of Board meeting dates be filed with the Code Revisers Office each calendar year so that the appropriate notice of meeting dates can be given to the public.

The following dates are being submitted for the Board's consideration as regular meeting dates for the 2015-16 academic year.

#### **2015-16 Academic Year**

Wednesday, September 9, 2015

Wednesday, October 22, 2014 (tentatively scheduled as an all day retreat, time and location may vary)

Wednesday, November 18, 2015

Wednesday, January 27, 2016 or February 3, 2016

Wednesday, March 2, 2016 or March 9, 2016

Wednesday, April 27, 2016

Wednesday, June 8, 2016

Wednesday, June 22, 2016 (tentative, pending budget process needs)

#### **Key Questions**

- \* Do the proposed dates meet the needs of the college in maintaining its administrative and contractual obligations?
- \* Do the proposed dates conflict with any major religious or secular holidays or other dates that might cause key personnel to be unavailable?
- \* Do the proposed dates meet the needs of the individual trustees?

#### **Analysis**

The proposed dates meet the needs of the college in maintaining its administrative and contractual obligations and do not conflict with any major religious or secular holidays. The Bellevue School District, Issaquah School District and Mercer Island School District calendars have also been taken into consideration and none of the proposed dates conflict with school breaks during the 2015-16 academic year.

### **Background/Supplemental Information**

The September meeting should be scheduled for the first or second Wednesday of the month to allow any negotiated changes in faculty salary to be implemented by the September 25 paycheck. This assumes that a tentative agreement has been reached that may have salary implications.

The October meeting is an ideal time for a retreat to review the college's strategic planning for the coming year. Other considerations for September and October include the Jewish observance of Sukkot September 27- October 4, 2015, the Hindu observance of Navaratri October 13-21, 2015, and the Islam observance of Eid al Adha September 23-26, 2015. The Interfaith calendar at <http://www.interfaithcalendar.org/index.htm> was used to determine primary sacred times for world religions.

The first meeting of the year should be scheduled as late as possible in January or early February to allow the Tenure Review Committee (TRC) as much time as possible to complete their recommendations. The TACTC Winter Conference in Olympia, WA has not yet been determined for 2016.

State law requires that a tenure decision be made before the start of the candidate's 9<sup>th</sup> consecutive quarter (not counting summer) and the timing is such that a meeting needs to be scheduled at the beginning of March. In addition, the BCAHE negotiated contract requires that, if the Board disagrees with the recommendations of the TRC, this disagreement must be determined in open session and that the Board must then meet with the TRC at least five days before they make their final decision. In order to allow for this possibility and to avoid meeting during finals week, the March meeting should occur prior to March 2 or 9, 2015. Finals are anticipated for March 21-23, 2015.

The April/May board meeting is usually scheduled to accommodate any tuition recommendations from the SBCTC and any budget information from the legislature.

The budget must be approved in June and a second tentative meeting is typically scheduled to accommodate a late decision by the legislature. The year-end event is scheduled for June 1, 2015.

### **Recommendation/Outcomes**

That the Board of Trustees of Community College District VIII review the proposed schedule of meeting dates for 2015-2016 and that the proposed meeting dates be presented for approval at the November 19, 2014 meeting.

Prepared by: Lisa Corcoran, Executive Assistant to the President  
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## REGULAR MEETING AGENDA ITEM

### REVISIONS TO STUDENT CODE OF CONDUCT AND STUDENT CODE OF CONDUCT PROCEDURES

INFORMATION

FIRST READ

ACTION

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#### Description

The BC Student Code of Conduct Policy and Procedures need to be updated to meet the requirements imposed by the Violence Against Women Act (VAWA) Reauthorization signed by President Obama in 2013 and the Campus Sexual Violence Elimination Act (SaVE Act).

#### Key Questions

- \* Will the new code ensure that the College meets its obligations under VAWA and SaVE?
- \* Does the new code adequately explain violations, due process, sanctions and appeal rights?
- \* Does the new code address comments made by students and the public?

#### Analysis

The current Student Code of Conduct Policy and Procedures, although updated fairly recently, are not compliant with the requirements of the VAWA Reauthorization. Under VAWA, the College is required to: report domestic violence, dating violence, and stalking, beyond crime categories the Clery Act already mandates; adopt certain student discipline procedures, such as for notifying purported victims of their rights; and adopt institutional policies to address and prevent campus sexual violence, such as to train pertinent institutional personnel. Furthermore, VAWA prescribes standards for investigation and conduct of student discipline proceedings in domestic violence, dating violence, sexual assault, and stalking cases.

Specifically, this version:

- (1) Updates the student conduct code to reflect recent changes in the law regarding personal use of marijuana, bullying, and sexual violence and to bring the code into compliance with requirements imposed by the Violence Against Women Act (VAWA).
- (2) Updates and clarifies disciplinary sanctions and terms and conditions that the college can impose against students who are found to have violated the student conduct code.
- (3) Updates the student conduct procedures and bring them into compliance with VAWA.
- (4) Expands the jurisdiction of the student conduct code to include off campus conduct.
- (5) Makes appeals from disciplinary reprimands and disciplinary probation to Brief Adjudicative Proceedings.
- (6) Retains review by the Student Conduct Committee for appeals from disciplinary suspensions and dismissals.
- (7) Makes the preponderance of the evidence the applicable standard of proof for disciplinary matters.
- (8) Makes available the same procedural rights to alleged victims of sexual misconduct as are available to student respondents accused of sexual misconduct.
- (9) Takes into account suggestions for changes from student and public feedback sessions.

**Background/Supplemental Information**

Three information and feedback sessions for students were held on May 6, 8 and 14, 2014. The required Public Hearing was held on July 23, 2014, although no members of the public attended. The Code draft in this packet includes AAG's suggested edits, summarized in the "Rulemaking Summary" document.

**Recommendation/Outcomes**

That the Board of Trustees of Community College District VIII approves the updated Student Code of Conduct Policy and Student Code of Conduct Procedures for immediate implementation.

Prepared by: Ana Hernandez Blackstad, Dean of Student Success  
ana.blackstad@bellevuecollege.edu

**Proposed Rules Under Consideration:** WAC 132H-125-005 (Student Conduct Code of Bellevue College)

**Authority:** RCW 34.05.325 requires state agencies and institutions to provide for oral and written comments in response to proposed rules and to provide a summary of those comments to the Board of Trustees.

WAC 131-12-060 requires college districts to involve students in the promulgation, amendment and revocation of rules defining student rights and responsibilities. At a minimum, students should be afforded a reasonable opportunity to review and express opinions regarding a college's proposed exercise of rule-making authority.

The College presented proposed revisions to the Student Conduct Code and the Student Conduct Code Procedures to students on May 6, 8, and 14, 2014, and received six (6) oral comments.

The College presented proposed revisions to the Student Conduct Code and the Student Conduct Code Procedures to the Bellevue College Board of Trustees on June 11, 2014 and received three (2) oral comments and two (2) written comments.

The College received one (1) comment via email.

The College also held a rulemaking hearing on July 23, 2014, and received 0 oral comments and 0 written comments.

**Summary:** The purpose of this rulemaking hearing was to solicit comment on changes relating to the Student Conduct Code and the Student Conduct Code Procedures. The proposed revisions would:

- (1) Update the student conduct code to reflect recent changes in the law regarding personal use of marijuana, bullying, and sexual violence and to bring the code into compliance with requirements imposed by the Violence Against Women Act (VAWA).
- (2) Update and clarify disciplinary sanctions and terms and conditions that the college can impose against students who are found to have violated the student conduct code.
- (3) Update the student conduct procedures and bring them into compliance with VAWA.
- (4) Expand the jurisdiction of the student conduct code to include off campus conduct.
- (5) Make appeals from disciplinary reprimands and disciplinary probation to Brief Adjudicative Proceedings.
- (6) Retain review by the Student Conduct Committee for appeals from disciplinary suspensions and dismissals.
- (7) Make the preponderance of the evidence the applicable standard of proof for disciplinary matters.
- (8) Make available the same procedural rights to alleged victims of sexual misconduct as are available to student respondents accused of sexual misconduct.

<b>Proposed Action</b>	<b>Comment</b>	<b>Response</b>	<b>Change</b>
Student Conduct Code (SCC) - Definition of "Bullying"	The term "power imbalance" is vague and needs further definition.	Bullying occurs when there is (1) conduct that harms, threatens or is reasonably perceived as threatening the health or safety of another and (2) there is a power imbalance between the perpetrator and the victim. The term "power imbalance" is meant to identify situations in which one person has more actual or perceived power over another. This imbalance could be a physical imbalance or a mental (e.g., high functioning/low functioning) or situational (e.g. employer/employee) imbalance.	No change.
SCC - Prohibition against use of "Legend Drugs"	"Legend drugs" should be changed to "illegal drugs." Student concerned that this term would prohibit use of legal drugs like ibuprofen	Under Washington law, "legend drugs" means "any drugs which are required by state law or regulation of the pharmacy quality assurance commission to be dispensed on prescription only or are restricted to use by practitioners only." RCW 69.41.040(12). Ibuprofen is not a legend drug and its possession and use is not prohibited by the code. Valium is a legend drug. A person with a legal prescription to use Valium may possess and use Valium under the code. A	No change.

		person who does not have a valid prescription for Valium is prohibited from possessing or using Valium by the code.	
SCC - Definition of discriminatory conduct	The definition states that age discrimination against persons 40 years or older is prohibited. Are there special protections for persons under the age of 18?	Students under the age of 18 are “minors” under Washington law and are subject to special legal protection not otherwise applicable to adults.	Remove “40+” from provision
SCC - Definition of “Retaliation”	Students want to be sure that they are protected from retaliation by faculty and staff.	This is an employee conduct issue and falls outside the scope of the SCC. The College does, however, have a separate anti-discrimination policy that prohibits faculty and staff from retaliating against students for filing a complaint, exercising their rights and responsibilities, or otherwise being involved in the process of responding to, or responding to violations of law or college policies.	No change.
SCC - General Concerns	Student asked whether they could be held accountable for violating student conduct code if they came to aid of a fellow student having a medical crisis.	This comment is difficult to respond to without a specific set of facts. At a minimum, a student could argue that such a situation is a mitigating factor that justifies imposition of a lighter sanction. If the facts are sufficiently compelling, the college decline to impose disciplinary action if the	No change.

		student’s violation of the code resulted from his or her efforts to assist a fellow student in a medical emergency.	
Student Conduct Code Procedures (SCCP) - WAC 132H-125-015(4)(c)	The procedures provide that the student conduct officer can “refer” a disciplinary matter directly to the student conduct committee for disciplinary action. Can a student request that their case be heard by the student conduct committee?	The student conduct officer has discretion to refer a particular case to the student conduct committee. A student may request that the student conduct officer exercise this discretion, but the student does not have a right to have his or her disciplinary matter decided by the student conduct committee.	No change
SCC – General Concerns	Trustee asked if proposed Code updates bring the college into compliance with changes required by VAWA.	Yes, current code does comply.	No change.
WAC 132H-125-030(13)(c)	Trustee requested a more specific definition for "sexual act." Without a more specific definition, there is concern that it may be perceived to be broader.	“Sexual act” is vague enough to cause misunderstanding and not adequately defined.	Modify WAC 132H-125-030(13)(c) to definition in addendum.
WAC 132H-125-030(13)(c)	Trustee asked where the language “without clear, knowing, and voluntary consent, such as committing a sexual act [against a person’s will], exceeding the scope of consent” came from and how it fits	This section is vague and not adequately defined.	Modify WAC 132H-125-030(13)(c) to definition in addendum.

	into the definition of sexual violence.		
SCC - General Concerns	Student expressed a wish to “find clear language in the proposed draft Student Code of Conduct that assures equality and safety for men on the Bellevue College campus.”	Code does not include gender-specific language. Code extends same protections to people of all genders.	No change.

ADDENDUM

WAC 132H-125-030(13)(c) **Sexual violence.** "Sexual violence" is a type of sexual harassment and includes non-consensual intercourse, non-consensual sexual contact, sexual coercion, sexual exploitation, and stalking. The term further includes acts of dating or domestic violence.

(i) Consent requires knowing, voluntary and clear permission by word or action, to engage in mutually agreed upon sexual activity. Each party has the responsibility to make certain that the other has consented before engaging in the activity. For consent to be valid, there must be at the time of the act of sexual intercourse or sexual contact actual words or conduct indicating freely given agreement to have sexual intercourse or sexual contact. A person may be incapable of giving consent by reason of age, threat or intimidation, lack of opportunity to object, disability, drug or alcohol consumption, or other cause.

(ii) Nonconsensual sexual intercourse is any sexual intercourse (anal, oral, or vaginal), however slight, with any object, by a person upon another person, that is without consent and/or by force. Sexual intercourse includes anal or vaginal penetration by a penis, tongue, finger, or object, or oral copulation by mouth to genital contact or genital to mouth contact.

(iii) Nonconsensual sexual contact is any intentional sexual touching, however slight, with any object, by a person upon another person that is without consent and/or by force. Sexual touching includes any bodily contact with the breasts, groin, mouth, or other bodily orifice of another individual, or any other bodily contact in a sexual manner.

(iv) Domestic violence includes asserted violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.

(v) Dating violence means violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such relationship will be gauged by its length, type, and frequency of interaction.

(vi) Stalking means intentional and repeated harassment or following of another person, which places that person in reasonable fear that the perpetrator intends to injure, intimidate or harass that person. Stalking also includes instances where the perpetrator knows or reasonably should know that the person is frightened, intimidated or harassed, even if the perpetrator lacks such intent.



### **132H-125-005 Title**

This chapter shall be known as the Student Conduct Code of Bellevue College.

### **132H-125-010 Authority**

The board of trustees, acting pursuant to RCW 28B.50.140, delegates to the president of Bellevue College the authority to administer disciplinary action. Administration of the disciplinary procedures is the responsibility of the vice-president of student services and/or designated student conduct officer. The student conduct officer shall serve as the principal investigator and administrator for alleged violations of this code.

### **132H-125-020 Statement of Student Rights**

As members of the academic community, students are encouraged to develop the capacity for critical judgment and to engage in an independent search for truth. Freedom to teach and freedom to learn are inseparable facets of academic freedom. The freedom to learn depends upon appropriate opportunities and conditions in the classroom, on the campus, and in the larger community. Students should exercise their freedom with responsibility. The responsibility to secure and to respect general conditions conducive to the freedom to learn is shared by all members of the college community.

The following enumerated rights are guaranteed to each student within the limitations of statutory law and college policy which are deemed necessary to achieve the educational goals of the college:

- (1) Academic freedom.
  - (a) Students are guaranteed the rights of free inquiry, expression, and assembly upon and within college facilities that are generally open and available to the public.
  - (b) Students are free to pursue appropriate educational objectives from among the college's curricula, programs, and services, subject to the limitations of RCW 28B.50.090 (3)(b).
  - (c) Students shall be protected from academic evaluation which is arbitrary, prejudiced, or capricious, but are responsible for meeting the standards of academic performance established by each of their instructors.
  - (d) Students have the right to a learning environment which is free from unlawful discrimination, inappropriate and disrespectful conduct, and any and all harassment, including sexual harassment.
- (2) Due process.
  - (a) The rights of students to be secure in their persons, quarters, papers, and effects against unreasonable searches and seizures is guaranteed.
  - (b) No disciplinary sanction may be imposed on any student without notice to the accused of the nature of the charges.
  - (c) A student accused of violating this code of student conduct is entitled, upon request, to procedural due process as set forth in this chapter.

### **132H-125-030 Prohibited Student Conduct**

The college may impose disciplinary sanctions against a student who commits, or aids, abets, incites, encourages or assists another person to commit, an act(s) of misconduct, which include, but are not limited to the following:

- (1) Academic Dishonesty.** Any act of academic dishonesty, including but not limited to cheating, plagiarism, and fabrication.

  - (a) **Cheating** includes any attempt to give or obtain unauthorized assistance relating to the completion of an academic assignment.
  - (b) **Plagiarism** includes taking and using as one's own, without proper attribution, the ideas, writings, or work of another person in completing an academic assignment. May also include the unauthorized submission for credit of academic work that has been submitted for credit in another course.
  - (c) **Fabrication** includes falsifying data, information, or citations in completing an academic assignment and also includes providing false or deceptive information to an instructor concerning the completion of an assignment.
  
- (2) Other Dishonesty.** Any other acts of dishonesty. Such acts include, but are not limited to:

  - (a) Forgery, alteration, submission of falsified documents or misuse of any college document, record, or instrument of identification;
  - (b) Tampering with an election conducted by or for college students; or
  - (c) Furnishing false information, or failing to furnish correct information, in response to the request or requirement of a college officer or employee.
  
- (3) Obstruction or Disruption.** Obstruction or disruption of (a) any instruction, research, administration, disciplinary proceeding, or other college activity, including the obstruction of the free flow of pedestrian or vehicular movement on college property or at a college activity or (b) any activity that is authorized to occur on college property, whether or not actually conducted or sponsored by the college.
  
- (4) Assault.** Assault, physical abuse, verbal abuse, threat(s), intimidation, harassment, bullying, stalking or other conduct which harms, threatens, or is reasonably perceived as threatening the health or safety of another person or another person's property. For purposes of this paragraph:

  - (a) **Bullying** is physical or verbal abuse, repeated over time, and involving a power imbalance between the aggressor and victim.
  - (b) **Stalking** is intentional and repeated following of another person, which places that person in reasonable fear that the perpetrator intends to injure, intimidate or harass that person. Stalking also includes instances where the perpetrator knows or reasonably should know that the person is frightened, intimidated or harassed, even if the perpetrator lacks such an intent.
  
- (5) Cyber-Misconduct.** Cyber-stalking, cyber-bullying or online harassment. Use of electronic communications, including, but not limited to, electronic mail, instant messaging, electronic bulletin boards, and social media sites, to harass, abuse, bully or engage in other conduct which harms, threatens, or is reasonably perceived as threatening the health or safety of another person. Prohibited activities include, but are not limited to, unauthorized monitoring of another's email communications directly or through spyware, sending threatening emails, disrupting electronic communications with spam or by sending a computer virus, sending false messages to third parties using another's email identity, non-consensual recording of sexual activity, and non-consensual

distribution of a recording of sexual activity.

- (6) Property Violation.** Damage to, or theft or misuse of, real or personal property or money of
- (a) the college or state;
  - (b) any student or college officer, employee, or organization; or
  - (c) any other member of the college community or organization; or
  - (d) possession of such property or money after it has been stolen.
- (7) Failure to Comply with Directive.** Failure to comply with the direction of a college officer or employee who is acting in the legitimate performance of his or her duties, including failure to properly identify oneself to such a person when requested to do so.
- (8) Weapons.** Possession, holding, wearing, transporting, storage or presence of any firearm, dagger, sword, knife or other cutting or stabbing instrument, club, explosive device, or any other weapon apparently capable of producing bodily harm is prohibited on the college campus, subject to the following exceptions:
- (a) Commissioned law enforcement personnel or legally-authorized military personnel while in performance of their duties, or
  - (b) Students with legally issued concealed weapons permits may store their weapons in vehicles parked in accordance with RCW 9.41.050 on campus provided the vehicle is locked and the weapon is concealed from view, or
  - (c) The president or his delegate may authorize possession of a weapon on campus upon a showing that the weapon is reasonably related to a legitimate pedagogical purpose. Such permission shall be in writing and shall be subject to any terms or conditions incorporated therein.
- (9) Hazing.** Hazing includes, but is not limited to, any initiation into a student organization or any pastime or amusement engaged in with respect to such an organization that causes, or is likely to cause, bodily danger or physical harm, or serious mental or emotional harm, to any student.
- (10) Alcohol, Drug, and Tobacco Violations.**
- (a) **Alcohol.** The use, possession, delivery, sale, or being visibly under the influence of any alcoholic beverage, except as permitted by law and applicable college policies.
  - (b) **Marijuana.** The use, possession, delivery, sale, or being visibly under the influence of marijuana or the psychoactive compounds found in marijuana and intended for human consumption, regardless of form. While state law permits the recreational use of marijuana, federal law prohibits such use on college premises or in connection with college activities.
  - (c) **Drugs.** The use, possession, delivery, sale, or being under the influence of any legend drug, including anabolic steroids, androgens, or human growth hormones as defined in RCW 69.41, or any other controlled substance under RCW 69.50, except as prescribed for a student's use by a licensed practitioner.
  - (d) **Tobacco, electronic cigarettes and related products.** Tobacco, electronic cigarettes, and related products: The use of tobacco, electronic cigarettes, and related products in any building owned, leased or operated by the college or in any location where such use is prohibited, including twenty-five feet from entrances, exits, windows that open, and ventilation intakes of any building owned, leased or operated by the college. "Related products" include, but are not limited to cigarettes, pipes, bidi, clove cigarettes, waterpipes, hookahs, chewing tobacco, and snuff.

**(11) Lewd Conduct.** Conduct which is lewd or obscene.

**(12) Discriminatory conduct.** Discriminatory conduct which harm or adversely affect any member of the college community because of her/his race; color; national origin; sensory, mental or physical disability; use of a service animal; gender, including pregnancy; marital status; age ~~(40+)~~; religion; creed; genetic information; sexual orientation; gender identity; veteran status; or any other legally protected classification.

**(13) Sexual Misconduct.** The term "sexual misconduct" includes sexual harassment, sexual intimidation, and sexual violence.

(a) **Sexual Harassment.** The term "sexual harassment" means unwelcome conduct of a sexual nature, including unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature that is sufficiently serious as to deny or limit, and that does deny or limit, based on sex, the ability of a student to participate in or benefit from the college's educational program or that creates an intimidating, hostile, or offensive environment for other campus community members.

(b) **Sexual Intimidation.** The term "sexual intimidation" incorporates the definition of "sexual harassment" and means threatening or emotionally distressing conduct based on sex, including, but not limited to, nonconsensual recording of sexual activity or the distribution of such recording.

(c) **Sexual violence.** "Sexual violence" is a type of sexual harassment and includes non-consensual intercourse, non-consensual sexual contact, sexual coercion, sexual exploitation, and stalking. The term further includes acts of dating or domestic violence.

(i) Consent requires knowing, voluntary and clear permission by word or action, to engage in mutually agreed upon sexual activity. Each party has the responsibility to make certain that the other has consented before engaging in the activity. For consent to be valid, there must be at the time of the act of sexual intercourse or sexual contact actual words or conduct indicating freely given agreement to have sexual intercourse or sexual contact. A person may be incapable of giving consent by reason of age, threat or intimidation, lack of opportunity to object, disability, drug or alcohol consumption, or other cause.

(ii) Nonconsensual sexual intercourse is any sexual intercourse (anal, oral, or vaginal), however slight, with any object, by a person upon another person, that is without consent and/or by force. Sexual intercourse includes anal or vaginal penetration by a penis, tongue, finger, or object, or oral copulation by mouth to genital contact or genital to mouth contact.

(iii) Nonconsensual sexual contact is any intentional sexual touching, however slight, with any object, by a person upon another person that is without consent and/or by force. Sexual touching includes any bodily contact with the breasts, groin, mouth, or other bodily orifice of another individual, or any other bodily contact in a sexual manner.

(iv) Domestic violence includes asserted violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, person

similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.

(v) Dating violence means violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such relationship will be gauged by its length, type, and frequency of interaction.

(vi) Stalking means intentional and repeated harassment or following of another person, which places that person in reasonable fear that the perpetrator intends to injure, intimidate or harass that person. Stalking also includes instances where the perpetrator knows or reasonably should know that the person is frightened, intimidated or harassed, even if the perpetrator lacks such intent.

**Sexual Violence.** ~~The term "sexual violence" incorporates the definition of "sexual harassment" and means a physical sexual act perpetrated without clear, knowing, and voluntary consent, such as committing a sexual act against a person's will, exceeding the scope of consent, or where the person is incapable of giving consent, including rape, sexual assault, sexual battery, sexual coercion, sexual exploitation, gender or sex based stalking. The term further includes acts of dating or domestic violence. A person may be incapable of giving consent by reason of age, threat or intimidation, lack of opportunity to object, disability, drug or alcohol consumption, or other cause.~~

**(14) Harassment.** Unwelcome and offensive conduct, including verbal, nonverbal, or physical conduct, that is directed at a person because of such person's protected status and that is sufficiently serious as to deny or limit, and that does deny or limit, the ability of a student to participate in or benefit from the college's educational program or that creates an intimidating, hostile, or offensive environment for other campus community members. Protected status includes a person's race; color; national origin; sensory, mental or physical disability; use of a service animal; gender, including pregnancy; marital status; age (40+); religion; creed; genetic information; sexual orientation; gender identity; veteran status; or any other legally protected classification. See "Sexual Misconduct" for the definition of "sexual harassment." Harassing conduct may include, but is not limited to, physical conduct, verbal, written, social media and electronic communications.

**(15) Retaliation.** Retaliation against any individual for reporting, providing information, exercising one's rights or responsibilities, or otherwise being involved in the process of responding to, investigating, or addressing allegations or violations of federal, state or local law, or college policies, including, but not limited to, student conduct code provisions prohibiting discrimination and harassment.

**(16) Misuse of Electronic Resources.** Theft or other misuse of computer time or other electronic information resources of the college. Such misuse includes but is not limited to:

- (a) Unauthorized use of such resources or opening of a file, message, or other item;
- (b) Unauthorized duplication, transfer, or distribution of a computer program, file, message, or other item;
- (c) Unauthorized use or distribution of someone else's password or other identification;
- (d) Use of such time or resources to interfere with someone else's work;
- (e) Use of such time or resources to send, display, or print an obscene or abusive message, text, or image;

- (f) Use of such time or resources to interfere with normal operation of the college's computing system or other electronic information resources;
- (g) Use of such time or resources in violation of applicable copyright or other law;
- (h) Adding to or otherwise altering the infrastructure of the college's electronic information resources without authorization; or
- (i) Failure to comply with the college's electronic use policy.

**(17)Unauthorized Access.** Unauthorized possession, duplication, or other use of a key, keycard, or other restricted means of access to college property, or unauthorized entry onto or into college property.

**(18)Safety Violations.** Safety violation includes any non-accidental conduct that interferes with or otherwise compromises any college policy, equipment, or procedure relating to the safety and security of the campus community, including tampering with fire safety equipment and triggering false alarms or other emergency response systems.

**(19)Violation of Other Laws or Policies.** Violation of any federal, state, or local law, rule, or regulation or other college rules or policies, including college traffic and parking rules.

**(20)Ethical Violation.** The breach of any generally recognized and published code of ethics or standards of professional practice that governs the conduct of a particular profession for which the student is taking a course or is pursuing as an educational goal or major.

In addition to initiating discipline proceedings for violation of the student conduct code, the college may refer any violations of federal, state or local laws to civil and criminal authorities for disposition. The college shall proceed with student disciplinary proceedings regardless of whether the underlying conduct is subject to civil or criminal prosecution.

### **132H-125-040 Disciplinary Sanctions and Terms and Conditions**

The following disciplinary sanctions may be imposed upon students found to have violated the student conduct code.

- (1) **Disciplinary Warning:** A verbal statement to a student that there is a violation and that continued violation may be cause for further disciplinary action.
- (2) **Written Reprimand:** Notice in writing that the student has violated one or more terms of this code of conduct and that continuation of the same or similar behavior may result in more severe disciplinary action.
- (3) **Disciplinary Probation:** Formal action placing specific conditions and restrictions upon the student's continued attendance depending upon the seriousness of the violation and which may include a deferred disciplinary sanction. If the student subject to a deferred disciplinary sanction is found in violation of any college rule during the time of disciplinary probation, the deferred disciplinary sanction, which may include, but is not limited to, a suspension or a dismissal from the college, shall take effect immediately without further review. Any such sanction shall be in addition to any sanction or conditions arising from the new violation. Probation may be for a limited period of time or may be for the duration of the student's attendance at the college.

- (4) **Disciplinary suspension:** Dismissal from the college and from the student status for a stated period of time. There will be no refund of tuition or fees for the quarter in which the action is taken.
- (5) **Dismissal:** The revocation of all rights and privileges of membership in the college community and exclusion from the campus and college-owned or controlled facilities without any possibility of return. There will be no refund of tuition or fees for the quarter in which the action is taken.

Disciplinary terms and conditions that may be imposed in conjunction with the imposition of a disciplinary sanction include, but are not limited to, the following:

- (1) **Restitution:** Reimbursement for damage to or misappropriation of property, or for injury to persons, or for reasonable costs incurred by the college in pursuing an investigation or disciplinary proceeding. This may take the form of monetary reimbursement, appropriate service, or other compensation.
- (2) **Professional evaluation:** Referral for drug, alcohol, psychological or medical evaluation by an appropriately certified or licensed professional may be required. The student may choose the professional within the scope of practice and with the professional credentials as defined by the college. The student will sign all necessary releases to allow the college access to any such evaluation. The student's return to college may be conditioned upon compliance with recommendations set forth in such a professional evaluation. If the evaluation indicates that the student is not capable of functioning within the college community, the student will remain suspended until future evaluation recommends that the student is capable of reentering the college and complying with the rules of conduct.
- (3) **Not in Good Standing:** A student may be deemed "not in good standing" with the college. If so the student shall be subject to the following restrictions:
  - (a) Ineligible to hold an office in any student organization recognized by the college or to hold any elected or appointed office of the college.
  - (b) Ineligible to represent the college to anyone outside the college community in any way, including representing the college at any official function, or any forms of intercollegiate competition or representation.

#### **WAC 132H -125-200 - STATEMENT OF JURISDICTION**

The student conduct code shall apply to student conduct that occurs on college premises, to conduct that occurs at or in connection with college sponsored activities, or to off-campus conduct that in the judgment of the college adversely affects the college community or the pursuit of its objectives.

Jurisdiction extends to, but is not limited to, locations in which students are engaged in official college activities including, but not limited to, foreign or domestic travel, activities funded by the associated students, athletic events, training internships, cooperative and distance education, on-line 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, on a case by case basis, to determine whether the student conduct code will be applied to conduct that occurs off-campus.

#### **WAC 132H -125-210 - DEFINITIONS**

The following definitions shall apply for purpose of this student conduct code:

- (1) **“Student conduct officer”** is a college administrator designated by the president or vice president of student services to be responsible for implementing and enforcing the student conduct code. The president or vice president of student services is authorized to reassign any and all of the student conduct officer’s duties or responsibilities as set forth in this Chapter as may be reasonably necessary.
- (2) **“Conduct review officer”** is the vice president of student services or other college administrator designated by the president to be responsible for receiving and for reviewing or referring appeals of student disciplinary actions in accordance with the procedures of this code. The president is authorized to reassign any and all of the conduct review officer’s duties or responsibilities as set forth in this Chapter as may be reasonably necessary.
- (3) **“The president”** is the president of the college. The president is authorized to delegate any and of his or her responsibilities as set forth in this Chapter as may be reasonably necessary.
- (4) **“Disciplinary action”** is the process by which the student conduct officer imposes discipline against a student for a violation of the student conduct code.
- (5) **“Disciplinary appeal”** is the process by which an aggrieved student can appeal the discipline imposed by the student conduct officer. Disciplinary appeals from a suspension in excess of ten (10) instructional days or an expulsion are heard by the student conduct committee. Appeals of all other appealable disciplinary action shall be reviewed through brief adjudicative proceedings.
- (6) **“Respondent”** is the student against whom disciplinary action is initiated.
- (7) **“Service”** is the process by which a document is officially delivered to a party. Service is deemed complete upon hand-delivery of the document or upon the date the document is emailed and deposited in the mail. Unless otherwise provided, service upon a party shall be accomplished by:
  - (a) hand-delivery of the document to the party; or
  - (b) by sending the document by email and by certified mail or first class mail to the party’s last known address.
- (8) **“Filing”** is the process by which a document is officially delivered to a college official responsible for facilitating a disciplinary review. Papers required to be filed shall be deemed filed upon actual receipt during office hours at the office of the specified college official. Unless otherwise provided, filing shall be accomplished by:
  - (a) Hand delivery of the document to the specified college official or college official’s assistant; or
  - (b) by sending the document by email and first class mail to the specified college official’s office and college email address
- (9) **“College premises”** shall include all campuses of the college, wherever located, and includes all land, buildings, facilities, vehicles, equipment, and other property owned, used, or controlled by the college.
- (10) **“Student”** includes all persons taking courses at or through the college, whether on a full-time or part-time basis, and whether such courses are credit courses, non-credit courses, on-line courses, or otherwise. Persons who withdraw after allegedly violating the code, who are not officially enrolled for particular term but who have a continuing relationship with the college, or who have been notified of their acceptance for admission are considered “students.”



(11) “**Business day**” means a week-day, excluding weekends and college holidays.

### **WAC 132H -125-220 - INITIATION OF DISCIPLINARY ACTION**

- (1) All disciplinary actions will be initiated by the student conduct officer. If that officer is the subject of a complaint initiated by the respondent, the president shall, upon request and when feasible, designate another person to fulfill any such disciplinary responsibilities relative to the complainant.
- (2) The student conduct officer shall initiate disciplinary action by serving the respondent with written notice directing him or her to attend a disciplinary meeting. The notice shall briefly describe the factual allegations, the provision(s) of the conduct code the respondent is alleged to have violated, the range of possible sanctions for the alleged violation(s), and specify the time and location of the meeting. At the meeting, the student conduct officer will present the allegations to the respondent and the respondent shall be afforded an opportunity to explain what took place. If the respondent fails to attend the meeting the student conduct officer may take disciplinary action based upon the available information.
- (3) Within ten days of the initial disciplinary meeting, and after considering the evidence in the case, including any facts or argument presented by the respondent, the student conduct officer shall serve the respondent with a written decision setting forth the facts and conclusions supporting his or her decision, the specific student conduct code provisions found to have been violated, the discipline imposed (if any), and a notice of any appeal rights with an explanation of the consequences of failing to file a timely appeal.
- (4) The student conduct officer may take any of the following disciplinary actions:
  - (a) Exonerate the respondent and terminate the proceedings.
  - (b) Impose a disciplinary sanction(s), as described in WAC 132H-125-040 and BC Policy 2050.
  - (c) Refer the matter directly to the student conduct committee for such disciplinary action as the committee deems appropriate. Such referral shall be in writing, to the attention of the chair of the student conduct committee, with a copy served on the respondent.

### **WAC 132H -125-230 - APPEAL FROM DISCIPLINARY ACTION**

- (1) The respondent may appeal a disciplinary action by filing a written notice of appeal with the conduct review officer within twenty-one (21) days of service of the student conduct officer’s decision. Failure to timely file a notice of appeal constitutes a waiver of the right to appeal and the student conduct officer’s decision shall be deemed final.
- (2) The notice of appeal must include a brief statement explaining why the respondent is seeking review.
- (3) The parties to an appeal shall be the respondent and the conduct review officer.
- (4) A respondent, who timely appeals a disciplinary action or whose case is referred to the student conduct committee, has a right to a prompt, fair, and impartial hearing as provided for in these procedures.

- (5) On appeal, the college bears the burden of establishing the evidentiary facts underlying the imposition of a disciplinary sanction by a preponderance of the evidence.
- (6) Imposition of disciplinary action for violation of the student conduct code shall be stayed pending appeal, unless respondent has been summarily suspended.
- (7) The student conduct committee shall hear appeals from:
  - (a) the imposition of disciplinary suspensions in excess of ten (10) instructional days;
  - (b) dismissals; and
  - (c) discipline cases referred to the committee by the student conduct officer, the conduct review officer, or the president.
- (8) Student conduct appeals from the imposition of the following disciplinary sanctions shall be reviewed through a brief adjudicative proceeding:
  - (a) suspensions of ten instructional days or less;
  - (b) disciplinary probation;
  - (c) written reprimands; and
  - (d) any conditions or terms imposed in conjunction with one of the foregoing disciplinary actions.
- (9) Except as provided elsewhere in these rules, disciplinary warnings and dismissals of disciplinary actions are final action and are not subject to appeal.

#### **WAC 132H-125-240 - BRIEF ADJUDICATIVE PROCEEDINGS – INITIAL HEARING**

- (1) Brief adjudicative proceedings shall be conducted by a conduct review officer designated by the president. The conduct review officer shall not participate in any case in which he or she is a complainant or witness, or in which they have direct or personal interest, prejudice, or bias, or in which they have acted previously in an advisory capacity.
- (2) Before taking action, the conduct review officer shall conduct an informal hearing and provide each party (a) an opportunity to be informed of the agency's view of the matter and (b) an opportunity to explain the party's view of the matter.
- (3) The conduct review officer shall serve an initial decision upon both the parties within ten (10) days of consideration of the appeal. The initial decision shall contain a brief written statement of the reasons for the decision and information about how to seek administrative review of the initial decision. If no request for review is filed within twenty-one (21) days of service of the initial decision, the initial decision shall be deemed the final decision.
- (4) If the conduct review officer upon review determines that the respondent's conduct may warrant imposition of a disciplinary suspension of more than ten (10) instructional days or expulsion, the matter shall be referred to the student conduct committee for a disciplinary hearing.

#### **WAC 132H-125-250 - BRIEF ADJUDICATIVE PROCEEDINGS - REVIEW OF AN INITIAL DECISION**

- (1) An initial decision is subject to review by the president, provided the respondent files a written request for review with the conduct review officer within twenty-one (21) days of service of the initial decision.
- (2) The president shall not participate in any case in which he or she is a complainant or witness, or in which he/she has direct or personal interest, prejudice, or bias, or in which he/she has acted previously in an advisory capacity.
- (3) During the review, the president shall give each party an opportunity to file written responses explaining their view of the matter and shall make any inquiries necessary to determine whether the sanctions should be modified or whether the proceedings should be referred to the student conduct committee for a formal adjudicative hearing.
- (4) The decision on review must be in writing and must include a brief statement of the reasons for the decision and must be served on the parties within twenty (20) days of the initial decision or of the request for review, whichever is later. The decision on review will contain a notice that judicial review may be available. A request for review may be deemed to have been denied if the president does not make a disposition of the matter within twenty (20) days after the request is submitted.
- (5) If the president upon review determines that the respondent's conduct may warrant imposition of a disciplinary suspension of more than ten (10) instructional days or expulsion, the matter shall be referred to the student conduct committee for a disciplinary hearing.

#### **WAC 132H -125-260 - STUDENT CONDUCT COMMITTEE**

- (1) The student conduct committee shall consist of six members:
  - (a) Two full-time students appointed by the student government;
  - (b) Two faculty members appointed by the president;
  - (c) Two administrative staff members (other than an administrator serving as a student conduct or conduct review officer) appointed by the president prior to the beginning of the academic year for alternating two-year terms.
- (2) One of the administrative staff members shall serve as the chair of the committee and may take action on preliminary hearing matters prior to convening the committee. The administrative staff members shall receive annual training on protecting victims and promoting accountability in cases involving allegations of sexual misconduct.
- (3) Hearings may be heard by a quorum of three members of the committee so long as one faculty member, one student and one administrative staff member are included on the hearing panel. Committee action may be taken upon a majority vote of all committee members attending the hearing.
- (4) Members of the student conduct committee shall not participate in any case in which they are a party, complainant, or witness, in which they have direct or personal interest, prejudice, or bias, or in which they have acted previously in an advisory capacity. Any party may petition for disqualification of a committee member pursuant to [RCW 34.05.425\(4\)](#).

## **WAC 132H-125-270 - APPEAL - STUDENT CONDUCT COMMITTEE**

- (1) Proceedings of the student conduct committee shall be governed by the Administrative Procedures Act, Chapter 34.05 RCW, and by the Model Rules of Procedure, Chapter 10-08 WAC. To the extent there is a conflict between these rules and Chapter 10-08 WAC, these rules shall control.
- (2) The student conduct committee chair shall serve all parties with written notice of the hearing not less than seven days in advance of the hearing date, as further specified in [RCW 34.05.434](#) and [WAC 10-08-040](#) and [10-08-045](#). The chair may shorten this notice period if both parties agree, and also may continue the hearing to a later time for good cause shown.
- (3) The committee chair is authorized to conduct prehearing conferences and/or to make prehearing decisions concerning the extent and form of any discovery, issuance of protective decisions, and similar procedural matters.
- (4) Upon request filed at least five days before the hearing by any party or at the direction of the committee chair, the parties shall exchange, no later than the third day prior to the hearing, lists of potential witnesses and copies of potential exhibits that they reasonably expect to present to the committee. Failure to participate in good faith in such a requested exchange may be cause for exclusion from the hearing of any witness or exhibit not disclosed, absent a showing of good cause for such failure.
- (5) The committee chair may provide to the committee members in advance of the hearing copies of (a) the conduct officer's notification of imposition of discipline (or referral to the committee) and (b) the notice of appeal (or any response to referral) by the respondent. If doing so, however, the chair should remind the members that these "pleadings" are not evidence of any facts they may allege.
- (6) The parties may agree before the hearing to designate specific exhibits as admissible without objection and, if they do so, whether the committee chair may provide copies of these admissible exhibits to the committee members before the hearing.
- (7) The student conduct officer, upon request, shall provide reasonable assistance to the respondent in obtaining relevant and admissible evidence that is within the college's control.
- (8) Communications between committee members and other hearing participants regarding any issue in the proceeding, other than procedural communications that are necessary to maintain an orderly process, are generally prohibited without notice and opportunity for all parties to participate, and any improper "ex parte" communication shall be placed on the record, as further provided in RCW 34.05.455.
- (9) Each party may be accompanied at the hearing by a non-attorney assistant of his/her choice. A respondent may elect to be represented by an attorney at his or her own cost, but will be deemed to have waived that right unless, at least four (4) business days before the hearing, written notice of the attorney's identity and participation is filed with the committee chair with a copy to the student conduct officer. The committee will ordinarily be advised by an assistant attorney general. If the respondent is represented by an attorney, the student conduct officer may also be represented by a second, appropriately screened assistant attorney general.

## **WAC 132H-125-280 - STUDENT CONDUCT COMMITTEE HEARINGS — PRESENTATIONS OF EVIDENCE**

- (1) Upon the failure of any party to attend or participate in a hearing, the student conduct committee may either (a) proceed with the hearing and issuance of its decision or (b) serve a decision of default in accordance with [RCW 34.05.440](#).
- (2) The hearing will ordinarily be closed to the public. However, if all parties agree on the record that some or all of the proceedings be open, the chair shall determine any extent to which the hearing will be open. If any person disrupts the proceedings, the chair may exclude that person from the hearing room.
- (3) The chair shall cause the hearing to be recorded by a method that he/she selects, in accordance with [RCW 34.05.449](#). That recording, or a copy, shall be made available to any party upon request. The chair shall assure maintenance of the record of the proceeding that is required by [RCW 34.05.476](#), which shall also be available upon request for inspection and copying by any party. Other recording shall also be permitted, in accordance with [WAC 10-08-190](#).
- (4) The chair shall preside at the hearing and decide procedural questions that arise during the hearing, except as overridden by majority vote of the committee.
- (5) The student conduct officer (unless represented by an assistant attorney general) shall present the case for imposing disciplinary sanctions.
- (6) All testimony shall be given under oath or affirmation. Evidence shall be admitted or excluded in accordance with [RCW 34.05.452](#).

## **WAC 132H-125-290 - STUDENT CONDUCT COMMITTEE—INITIAL DECISION**

- (1) At the conclusion of the hearing, the student conduct committee shall permit the parties to make closing arguments in whatever form it wishes to receive them. The committee also may permit each party to propose findings, conclusions, and/or a proposed decision for its consideration.
- (2) Within twenty days following the later of the conclusion of the hearing or the committee's receipt of closing arguments, the committee shall issue an initial decision in accordance with [RCW 34.05.461](#) and [WAC 10-08-210](#). The initial decision shall include findings on all material issues of fact and conclusions on all material issues of law, including which, if any, provisions of the student conduct code were violated. Any findings based substantially on the credibility of evidence or the demeanor of witnesses shall be so identified.
- (3) The committee's initial order shall also include a determination on appropriate discipline, if any. If the matter was referred to the committee by the student conduct officer, the committee shall identify and impose disciplinary sanction(s) or conditions (if any) as authorized in the student code. If the matter is an appeal by the respondent, the committee may affirm, reverse, or modify the disciplinary sanction and/or conditions imposed by the student conduct officer and/or impose additional disciplinary sanction(s) or conditions as authorized herein.

- (4) The committee chair shall cause copies of the initial decision to be served on the parties and their legal counsel of record. The committee chair shall also promptly transmit a copy of the decision and the record of the committee's proceedings to the president.

#### **WAC 132H-125-300 - APPEAL FROM STUDENT CONDUCT COMMITTEE INITIAL DECISION**

- (1) A respondent who is aggrieved by the findings or conclusions issued by the student conduct committee may appeal the committee's initial decision to the president by filing a notice of appeal with the president's office within twenty-one (21) days of service of the committee's initial decision. Failure to file a timely appeal constitutes a waiver of the right and the initial decision shall be deemed final.
- (2) The notice of appeal must identify the specific findings of fact and/or conclusions of law in the initial decision that are challenged and must contain argument why the appeal should be granted. The president's review shall be restricted to the hearing record made before the student conduct committee and will normally be limited to a review of those issues and arguments raised in the notice of appeal.
- (3) The president shall provide a written decision to all parties within forty-five (45) days after receipt of the notice of appeal. The president's decision shall be final and shall include a notice of any rights to request reconsideration and/or judicial review.
- (4) The president may, at his or her discretion, suspend any disciplinary action pending review of the merits of the findings, conclusions, and disciplinary actions imposed.
- (5) The president shall not engage in an ex parte communication with any of the parties regarding an appeal.

#### **WAC 132H-125-310 - SUMMARY SUSPENSION**

- (1) Summary suspension is a temporary exclusion from specified college premises or denial of access to all activities or privileges for which a respondent might otherwise be eligible, while an investigation and/or formal disciplinary procedures are pending.
- (2) The student conduct officer may impose a summary suspension if there is probable cause to believe that the respondent:
  - (a) Has violated any provision of the code of conduct; and
  - (b) Presents an immediate danger to the health, safety or welfare of members of the college community; or
  - (c) Poses an ongoing threat of substantial disruption of, or interference with, the operations of the college.
- (3) Notice. Any respondent who has been summarily suspended shall be served with oral or written notice of the summary suspension. If oral notice is given, a written notification shall be served on the respondent within two business days of the oral notice.

- (4) The written notification shall be entitled "Notice of Summary Suspension" and shall include:
  - (a) The reasons for imposing the summary suspension, including a description of the conduct giving rise to the summary suspension and reference to the provisions of the student conduct code or the law allegedly violated;
  - (b) The date, time, and location when the respondent must appear before the conduct review officer for a hearing on the summary suspension; and
  - (c) The conditions, if any, under which the respondent may physically access the campus or communicate with members of the campus community. If the respondent has been trespassed from the campus, a notice against trespass shall be included that warns the student that his or her privilege to enter into or remain on college premises has been withdrawn, that the respondent shall be considered trespassing and subject to arrest for criminal trespass if the respondent enters the college campus other than to meet with the student conduct officer or conduct review officer, or to attend a disciplinary hearing.
  
- (5) The conduct review officer shall conduct a hearing on the summary suspension as soon as practicable after imposition of the summary suspension.
  - (a) During the summary suspension hearing, the issue before the conduct review officer is whether there is probable cause to believe that the summary suspension should be continued pending the conclusion of disciplinary proceedings and/or whether the summary suspension should be less restrictive in scope.
  - (b) The respondent shall be afforded an opportunity to explain why summary suspension should not be continued while disciplinary proceedings are pending or why the summary suspension should be less restrictive in scope.
  - (c) If the respondent fails to appear at the designated hearing time, the conduct review officer may order that the summary suspension remain in place pending the conclusion of the disciplinary proceedings.
  - (d) As soon as practicable following the hearing, the conduct review officer shall issue a written decision which shall include a brief explanation for any decision continuing and/or modifying the summary suspension and notice of any right to appeal.
  - (e) To the extent permissible under applicable law, the conduct review officer shall provide a copy of the decision to all persons or offices who may be bound or protected by it.

#### **WAC 132H-125-320 - DISCIPLINE PROCEDURES FOR CASES INVOLVING ALLEGATIONS OF SEXUAL MISCONDUCT**

Both the respondent and the complainant in cases involving allegations of sexual misconduct shall be provided the same procedural rights to participate in student discipline matters, including the right to participate in the initial disciplinary decision-making process and to appeal any disciplinary decision.

Application of the following procedures is limited to student conduct code proceedings involving allegations of sexual misconduct by a student. In such cases, these procedures shall supplement the student disciplinary procedures in WAC 132H-125-005 through -060. In the event of conflict between the sexual misconduct procedures and the student disciplinary procedures, the sexual misconduct procedures shall take precedence.

#### **WAC 132H-125-330 - SUPPLEMENTAL DEFINITIONS**

The following supplemental definitions shall apply for purposes of student conduct code proceedings involving allegations of sexual misconduct by a student:

- (1) A “**complainant**” is an alleged victim of sexual misconduct, as defined in subsection (2) of this section.
- (2) “**Sexual misconduct**” is prohibited sexual or gender-based conduct by a student, including, but not limited to:
  - (a) sexual activity for which clear and voluntary consent has not been given in advance;
  - (b) sexual activity with someone who is incapable of giving valid consent because, for example, she or he is underage, sleeping or otherwise incapacitated due to alcohol or drugs;
  - (c) sexual harassment;
  - (d) sexual violence, which includes, but is not limited to, sexual assault, domestic violence, intimate violence, and sexual or gender-based stalking;
  - (e) non-physical conduct such as sexual or gender-based digital media stalking, sexual or gender based on-line harassment, sexual or gender-based cyber-bullying, nonconsensual recording of a sexual activity, and nonconsensual distribution of a recording of a sexual activity.

#### **WAC 132H-125-340 - SUPPLEMENTAL COMPLAINT PROCESS**

- (1) The following supplemental procedures shall apply with respect to complaints or other reports of alleged sexual misconduct by a student.
- (2) The college’s Title IX compliance officer shall investigate complaints or other reports of alleged sexual misconduct by a student. Investigations will be completed in a timely manner and the results of the investigation shall be referred to the student conduct officer for disciplinary action.
- (3) Informal dispute resolution shall not be used to resolve sexual misconduct complaints without written permission from both the complainant and the respondent. If the parties elect to mediate a dispute, either party shall be free to discontinue mediation at any time. In no event shall mediation be used to resolve complaints involving allegations of sexual violence.
- (4) College personnel will honor requests to keep sexual misconduct complaints confidential to the extent this can be done without unreasonably risking the health, safety and welfare of the complainant or other members of the college community or compromising the college’s duty to investigate and process sexual harassment and sexual violence complaints.
- (5) The student conduct officer, prior to initiating disciplinary action, will make a reasonable effort to contact the complainant to discuss the results of the investigation and possible disciplinary sanctions and/or conditions (if any) that may be imposed upon the respondent if the allegations of sexual misconduct are found to have merit.
- (6) The student conduct officer, on the same date that a disciplinary decision is served on the respondent, will serve a written notice informing the complainant whether the allegations of sexual misconduct were found to have merit and describing any disciplinary sanctions and/or conditions imposed upon the respondent for the complainant’s protection, including disciplinary suspension or dismissal of the respondent. The notice will also inform the complainant of his or her appeal rights. If protective sanctions and/or conditions are imposed, the student conduct officer shall make a reasonable effort to contact the complainant to ensure that prompt notice of the protective disciplinary sanctions and/or conditions.



## **WAC 132H-125-350 - SUPPLEMENTAL APPEAL RIGHTS**

- (1) The following actions by the student conduct officer may be appealed by the complainant:
  - (a) the dismissal of a sexual misconduct complaint; or
  - (b) any disciplinary sanction(s) and conditions imposed against a respondent for a sexual misconduct violation, including a disciplinary warning.
- (2) A complainant may appeal a disciplinary decision by filing a notice of appeal with the conduct review officer within twenty-one (21) days of service of the notice of the discipline decision provided for in WAC 132H-125-110(5). The notice of appeal may include a written statement setting forth the grounds of appeal. Failure to file a timely notice of appeal constitutes a waiver of this right and the disciplinary decision shall be deemed final.
- (3) If the respondent timely appeals a decision imposing discipline for a sexual misconduct violation, the college shall notify the complainant of the appeal and provide the complainant an opportunity to intervene as a party to the appeal.
- (4) Except as otherwise specified in this supplemental procedure, a complainant who timely appeals a disciplinary decision or who intervenes as a party to respondent's appeal of a disciplinary decision shall be afforded the same procedural rights as are afforded the respondent.
- (5) An appeal by a complainant from the following disciplinary actions involving allegations of sexual misconduct against a student shall be handled as a brief adjudicative proceeding:
  - (a) exoneration and dismissal of the proceedings;
  - (b) an disciplinary warning;
  - (c) a written reprimand;
  - (d) disciplinary probation;
  - (e) suspensions of ten instructional days or less; and/or
  - (f) any conditions or terms imposed in conjunction with one of the foregoing disciplinary actions.
- (6) An appeal by a complainant from disciplinary action imposing a suspension in excess of ten (10) instructional days or an expulsion shall be reviewed by the student conduct committee.
- (7) In proceedings before the student conduct committee, respondent and complainant shall have the right to be accompanied by a non-attorney assistant of their choosing during the appeal process. Complainant may choose to be represented at the hearing by an attorney at his or her own expense, but will be deemed to have waived that right unless, at least four (4) business days before the hearing, he or she files a written notice of the attorney's identity and participation with the committee chair, and with copies to the respondent and the student conduct officer.
- (8) In proceedings before the student conduct committee, complainant and respondent shall not directly question or cross examine one another. All questions shall be directed to the committee chair, who will act as an intermediary and pose questions on the parties' behalf.
- (9) Student conduct hearings involving sexual misconduct allegations shall be closed to the public, unless respondent and complainant both waive this requirement in writing and request that the hearing be open to the public. Complainant, respondent and their respective non-attorney assistants and/or attorneys may attend portions of the hearing where argument, testimony and/or evidence are

presented to the student conduct committee.

- (10) The chair of the student conduct committee, on the same date as the initial decision is served on the respondent, will serve a written notice upon complainant informing the complainant whether the allegations of sexual misconduct were found to have merit and describing any disciplinary sanctions and/or conditions imposed upon the respondent for the complainant's protection, including suspension or dismissal of the respondent. The notice will also inform the complainant of his or her appeal rights.
- (11) The complainant may appeal the student conduct committee's initial decision to the president subject to the same procedures and deadlines applicable to other parties.
- (12) The president, on the same date that the final decision is served upon the respondent, shall serve a written notice informing the complainant of the final decision. This notice shall inform the complainant whether the sexual misconduct allegation was found to have merit and describe any disciplinary sanctions and/or conditions imposed upon the respondent for the complainant's protection, including suspension or dismissal of the respondent.



**REGULAR MEETING AGENDA ITEM**

**POLICY 1100 - DELEGATION OF AUTHORITY TO THE PRESIDENT**

**POLICY 1650 - NAMED FACILITIES**

INFORMATION

FIRST READ

ACTION

**Description**

The Board of Trustees is currently reviewing board operating policies. In reviewing policies, Policy 1100 – Delegation of Authority to the President and Policy 1650 – Named Facilities were identified for revision. The revisions are provided in the attached documents.

**Key Questions**

- \* Do the proposed revisions reflect the appropriate level of delegation of authority to maintain the operations of the college?
- \* Do the proposed revisions reflect the requirements of the board?

**Analysis**

The current policies are being reviewed as part of an in depth review of the board’s operating policies. Based upon discussions at the board’s study session earlier this year, the policy revisions reflect the recommended changes.

**Background/Supplemental Information**

Attachment 1 - Policy 1100 Delegation of Authority to President

Attachment 2 - Policy 1650 Named Facilities

**Recommendation/Outcomes**

That the Board of Trustees of Community College District VIII approve the proposed revisions to Policy 1100 and Policy 1650 as shown.

Prepared by: Lisa Corcoran, Executive Assistant to the President  
lisa.corcoran@bellevuecollege.edu

# Policy 1100 Delegation of Authority to President

Original Date: 4/9/1996 \* Last Revision Effective: TBD  
Policy Contact: President

## POLICY

- (1) Delegation of Authority: In accordance with RCW 28B.10.528 and ~~28B50.140-Board of Trustees Resolution 246~~, the board of trustees delegates to the president of Bellevue College all powers and duties and all expressed or implied authority to carry out the administration and operation of Bellevue College, ~~except as provided in sections (2) and (3).except the authority to hire the college president and the authority to grant tenure. All these delegated powers and duties may be exercised by the president in the name of Bellevue College.~~
- (2) Reservation of powers: Notwithstanding this broad delegation of authority to the president, the board of trustees reserves authority over the following matters:
  - a. Hiring and retention of the president and setting the president's salary and working conditions;
  - b. Granting or denying tenure to faculty;
  - c. Approval of employee collective bargaining agreements;
  - d. Approval of requests for employee indemnification and representation;-
  - e. Naming of college property.
- (3) Fiscal limitations on delegation: Notwithstanding the board delegation of authority to the president of Bellevue College, the board of trustees reserves to itself the authority over the following matters when the dollar value is in excess of the following limits:
  - a. Approval of preliminary and final design of capital projects over 5 million dollars;
  - b. To authorize every sale or purchase of real property over one million dollars,
  - c. ~~and~~To authorize every lease of real property which is for a term of three years or more and requires payment by the district of one million or more in any fiscal year.
  - d. Modifications to the operating budget in excess of one million dollars;
  - e. To be consulted by the president prior to entering into settlement agreements that involve payment by the district of a total amount of one hundred thousand dollars or more in any fiscal year, except settlements involving public works projects that are managed by another state agency.
- (4) All prior delegations and reservations of authority, either express or implied, previously adopted by the board of trustees are hereby rescinded.

## RELEVANT LAWS AND OTHER RESOURCES

~~{Click Here to Insert Resources}~~[RCW 28B.10.528 and RCW 28B.50.140](#)

## REVISION HISTORY

[For Policy Coordinator's Use Only]

## APPROVED BY

[Click Here to Insert Text - i.e. President's Staff, Board of Trustees]

## Policy 1650 Named Facilities

Original Date: 9/22/1993 \* Last Revision Effective: TBD  
Policy Contact: President

### POLICY

The board of trustees of Bellevue College ~~delegates to the president~~retains the authority to name individual college buildings, portions of buildings, rooms and/or labs, fixed furniture, equipment, open spaces, pathways, fields, etc. Approval is required before the naming of any campus property is official. ~~facilities after consultation with the chairman of the board of trustees or his/her designee, as a special feature of the Bellevue College Foundation's major gift campaign.~~

### RELEVANT LAWS AND OTHER RESOURCES

[Click Here to Insert Resources]

### REVISION HISTORY

[For Policy Coordinator's Use Only]

### APPROVED BY

[Click Here to Insert Text - i.e. President's Staff, Board of Trustees]