



**BELLEVUE  
COLLEGE**



# **Board of Trustees**

## **Community College District VIII**

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**REGULAR MEETING**  
**September 16, 2020**



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**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 16, 2020. The business session will begin at 2:00 PM. In accordance with Governor Inslee's Proclamation 20-28.5, which continues the prohibition on in-person meetings, this meeting will be conducted virtually. The meeting will be accessible to the public via Zoom. A telephone line will also be available. Greg Dietzel, Chair, will preside.

**Meeting Call-In Details:**

Please click the link below to join:

<https://bellevuecollege.zoom.us/j/92584779612>

Or iPhone one-tap: +12532158782, 92584779612#

Or dial in by telephone: +1 253 215 8782 Webinar ID: 925 8477 9612

International numbers available: <https://bellevuecollege.zoom.us/j/92584779612>

**Providing a Public Comment:**

Students, faculty, staff, and community members may provide remarks to the Board during the "Public Comment" period of the meeting. All public comments are limited to two minutes. It is not the practice of the Board to respond directly to questions or comments during this portion of the meeting. You can provide your two-minute comment to the Board by accessing the meeting via the Zoom link or dialing the phone number listed above. You can indicate you want to provide a public comment by a "raised hand" within the Zoom meeting. To raise your hand when accessing the meeting by computer, click "Raise Hand" in your Zoom control bar. To raise your hand when accessing the meeting by telephone, enter \*9. Meeting attendees who indicate they want to provide a public comment will be unmuted one at a time to provide their comment to the Board.

**AGENDA**

- 2:00 PM BUSINESS SESSION
- I. Call to Order
  - II. Agenda and Minutes

- A. Approval of Agenda for September 16, 2020
- B. Approval of Minutes from July 16, 2020; July 17, 2020; and August 4, 2020

2:10 PM	III.	<ul style="list-style-type: none"> <li>Constituent Reports               <ul style="list-style-type: none"> <li>A. Classified</li> <li>B. College Assembly</li> <li>C. Faculty</li> <li>D. Foundation</li> <li>E. Student</li> </ul> </li> </ul>	
2:40 PM	IV.	<ul style="list-style-type: none"> <li>First Read Items               <ul style="list-style-type: none"> <li>A. Off-Cycle Tenure Candidate</li> <li>B. Policy 6380, Security Camera Use</li> <li>C. Policy 6420, Weapons and Fireworks</li> <li>D. Policy 5100, Software Licensing Compliance</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Viens</li> <li>Curran</li> <li>Curran</li> <li>Harrison</li> </ul>
3:00 PM	V.	<ul style="list-style-type: none"> <li>Quarterly Report               <ul style="list-style-type: none"> <li>A. Enrollment</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Jones</li> </ul>
3:30 PM	VI.	<ul style="list-style-type: none"> <li>President's Report</li> </ul>	
3:40 PM	VII.	<ul style="list-style-type: none"> <li>Board Report</li> </ul>	
3:50 PM	VIII.	<ul style="list-style-type: none"> <li>Unscheduled Business or Public Comment</li> </ul>	
4:00 PM		<p>EXECUTIVE SESSION</p> <p>The Board will be meeting in executive session to evaluate the performances of public employees and discuss matters with legal counsel regarding potential litigation and collective bargaining.</p>	
5:00 PM		<ul style="list-style-type: none"> <li>Adjournment</li> </ul>	

*Please note: Time and order are estimates only and are subject to change.*



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

A special meeting of the Board of Trustees of Community College District VIII, state of Washington, was held on July 16, 2020. In accordance with Governor Inslee's Proclamation 20-28.5, which continues the prohibition on in-person meetings, this meeting was conducted virtually. The meeting was accessible to the public via Zoom. A telephone line was also available. Greg Dietzel, Chair, presided.

**MINUTES**

The business session was called to order at 2:04 PM.

I. **ROLL CALL**

Chair Greg Dietzel, Vice Chair Richard Leigh, Merisa Heu-Weller, Richard Fukutaki, Gary Locke, and Bruce Marvin were present.

II. **AGENDA**

Trustee Heu-Weller made a motion to approve the agenda (July 16, 2020) and meeting minutes (June 17, 2020). Trustee Fukutaki seconded.

The motion passed unanimously.

III. **ACTION ITEM**

Motion 28.20

Trustee Leigh moved that the Board of Trustees of Community College District VIII hereby amend the first sentence, clause 4 of Article X of the Interim Presidential Contract dated on or about May 28, 2020 to provide that the Board Officers are authorized to review and pre-approve any requests by the Interim President to accept outside compensation. The motion was seconded by Trustee Heu-Weller.

The motion passed unanimously.

IV. **UNSCHEDULED BUSINESS/COMMUNITY TESTIMONY**

There was no unscheduled business or community testimony.

V. **EXECUTIVE SESSION**

At 2:11 PM, Chair Dietzel announced there would be an executive session for approximately 20 minutes to discuss matters with legal counsel regarding potential litigation and collective bargaining. The Board returned to regular session at 2:30 PM.

VI. **STUDENT SUCCESS**

Kristen Jones, Provost, led a presentation on Student Success, which also included the following presenters: Rob Viens, Associate Vice President of Academic Affairs; Brenda Ivelisse, Associate Vice President of Student Affairs; Jonathan Molinaro, Director of the Academic Success Center; Melissa Martinez, Program Specialist in Academic Advising, and Esteban Maldonado, Title III Director. The presentation focused on the College's efforts to maintain student success while managing a pandemic.

VII. **FINANCIAL STABILITY**

Jim Craswell, Interim Executive Director of Finance and Auxiliary Services, led a presentation on Financial Stability, which also included the following presenters: Dennis Curran, Vice President of Administrative Services and Sharon Kussy, Budget Director. The presentation provided updates on the end of the year budget, COVID budget reduction, and the fund balance.

VIII. **ADJOURNMENT**

There being no further business, Chair Dietzel adjourned the Board of Trustees meeting at 5:30 PM.

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Greg Dietzel, Chair  
Board of Trustees

ATTEST:

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Alicia Keating Polson  
Secretary, Board of Trustees  
Community College District VIII



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

A special meeting of the Board of Trustees of Community College District VIII, state of Washington, was held on July 17, 2020. In accordance with Governor Inslee's Proclamation 20-28.5, which continues the prohibition on in-person meetings, this meeting was conducted virtually. The meeting was accessible to the public via Zoom. A telephone line was also available. Greg Dietzel, Chair, presided.

**MINUTES**

The business session was called to order at 9:02 AM.

I. **ROLL CALL**

Chair Greg Dietzel, Vice Chair Richard Leigh, Lisa Chin, Merisa Heu-Weller, Richard Fukutaki, Gary Locke, and Bruce Marvin were present.

II. **AGENDA**

Trustee Leigh made a motion to approve the agenda (July 17, 2020). Trustee Heu-Weller seconded.

The motion passed unanimously.

III. **UNSCHEDULED BUSINESS/COMMUNITY TESTIMONY**

There was no unscheduled business or no community testimony.

IV. **EXECUTIVE SESSION**

At 2:10 PM, Chair Dietzel announced there would be an executive session for approximately 20 minutes to discuss goals for evaluation of the President and discuss matters with legal counsel regarding potential litigation and collective bargaining. The Board returned to regular session at 9:31 AM.

V. **DIVERSITY, EQUITY, AND INCLUSION**

Gilbert Villalpando, Interim Vice President of Diversity, Equity, and Inclusion, presented the Equity and Social Justice Plan to the Board.

VI. **EXECUTIVE SESSION**

At 11:05 AM, Chair Dietzel announced there would be an executive session for approximately 3 hours to evaluate the performances of public employees, discuss goals for evaluation of the

President, review the Board self-evaluation, and discuss matters with legal counsel regarding potential litigation and collective bargaining. The Board returned to regular session at 2:00 PM.

VII. **ADJOURNMENT**

There being no further business, Chair Fukutaki adjourned the Board of Trustees meeting at 2:01 PM.

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Greg Dietzel, Chair  
Board of Trustees

ATTEST:

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Alicia Keating Polson  
Secretary, Board of Trustees  
Community College District VIII



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

A special meeting of the Board of Trustees of Community College District VIII, 3000 Landerholm Circle SE, state of Washington, was held on Tuesday, August 4, 2020. In accordance with Governor Inslee's Proclamation 20-28.5, which continues the prohibition on in-person meetings, this meeting was conducted virtually. The meeting was accessible to the public via Zoom. A telephone line was also available. Greg Dietzel, Chair, presided.

**MINUTES**

**I. EXECUTIVE SESSION**

At 4:00 PM, Chair Dietzel announced there would be an executive session for approximately 20 minutes to discuss matters with legal counsel regarding potential litigation and collective bargaining. The Board returned to regular session at 4:21 PM.

The business session was called to order at 4:22 PM.

**II. ROLL CALL**

Chair Greg Dietzel, Vice Chair Richard Leigh, Lisa Chin, Richard Fukutaki, and Gary Locke were present.

**III. AGENDA**

Trustee Leigh made a motion to approve the agenda (August 4, 2020). Trustee Fukutaki seconded.

The motion passed unanimously.

**IV. ACTION ITEM**

Motion 29.20

Trustee Leigh moved that the Board of Trustees of Community College District VIII approve the revisions to WAC 132H-126 (BC Policy 2050 Student Conduct Code) for emergency submission to the WA State Office of the Code Revisor. The motion was seconded by Trustee Fukutaki.

The motion passed unanimously.

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Motion 30.20



Trustee Fukutaki moved that the Board of Trustees of Community College District VIII approve the Letter of Agreement to extend the 2017-2020 Collective Bargaining Agreement between Bellevue College and the Bellevue College Association of Higher Education. The motion was seconded by Trustee Leigh.

The motion passed unanimously.

V. **UNSCHEDULED BUSINESS/COMMUNITY TESTIMONY**

There was no unscheduled business or public comment.

VI. **ADJOURNMENT**

There being no further business, Chair Dietzel adjourned the Board of Trustees meeting at 4:39 PM.

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Greg Dietzel, Chair  
Board of Trustees

ATTEST:

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Alicia Keating Polson  
Secretary, Board of Trustees  
Community College District VIII



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## REGULAR MEETING AGENDA ITEM

### OFF-CYCLE TENURE CANDIDATE REVIEW

INFORMATION

FIRST READ

ACTION

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#### Description

A recommendation from the Tenure Review Committee regarding tenure appointment for the full-time faculty member listed below has been submitted to the College President, in accordance with the "Agreement Between the Board of Trustees of Community College District VIII and the Bellevue College Association of Higher Education."

#### Third-Year Candidate Recommended for Tenure

Sharon Walia

Marketing Management

#### Key Questions

- \* What is the reason for granting tenure to faculty?
- \* Has a process for granting tenure been followed for each candidate under consideration, and what elements are included in the process?

#### Analysis

According to the Tenure Guidelines, the reason for tenure, as stated in the Revised Code of Washington, is to protect faculty employment rights. Further, tenure protects academic freedom and promotes collegiality and professionalism among faculty.

The candidate will be presented for Board action at the October 7, 2020 meeting. The candidate has participated in a rigorous tenure process as outlined in the college's tenure guidelines. A recommendation has been forwarded to the Board of Trustees and the President by the Tenure Review Committee (TRC) to grant tenure to the candidate listed above.

As outlined in the Tenure Guidelines, the tenure process at Bellevue College normally consists of a three-year probationary period for each candidate, and includes three levels of review.

- 1) A Tenure Evaluation Subcommittee (TES), composed of members elected within the candidate's division and chosen by the candidate and approved by the Tenure Review Committee (TRC), is formed for each candidate. This group gathers information and data in support of the

candidate's tenure, and provides mentoring and assists the candidate throughout the three-year process.

- 2) The Tenure Review Committee, including six members elected by the faculty, reviews the documentation prepared by the TES to ensure that college and program standards and expectations are met across the many disciplines. The TRC provides an objective look at each document to make sure that the case supporting the recommendations of the TES is sound, and provides a recommendation each year to the President.
- 3) During the first two years of a candidate's employment, the President uses the recommendation of the TRC to decide whether or not to continue the probationary period. In the third year, the President considers the recommendation of the TRC in formulating her/his recommendation to the Board of Trustees to grant tenure or to extend the probationary period.

Finally, the Board of Trustees, giving serious consideration to the recommendation of the President and the TRC, decides to grant or not grant tenure.

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

An electronic notebook in .pdf format has been assembled for the tenure candidate, and all pertinent documents will be included for review by members of the Board of Trustees.

#### **Recommendation/Outcomes**

This item will be presented for board action at the October 7, 2020 meeting.



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## REGULAR MEETING AGENDA ITEM

### POLICY 6380, SECURITY CAMERA USE, REVISION

INFORMATION

FIRST READ

ACTION

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#### Description

Policy 6380, Security Camera Use, has been revised in anticipation of additional camera installations on campus. The revised policy clarifies the purpose of cameras and the commitment of the college to individual privacy. The policy was also shortened, with specifics about the decision-making process to install cameras, identify locations, and ensure privacy moved to associated procedures ([6380P Security Camera Use \[Procedures\]](#)), which were approved on August 4, 2020.

#### Key Questions

- \* How does this policy ensure that campus security cameras respect individual privacy?
- \* Why was this policy revised now?

#### Analysis

This policy was revised in order to move the specifics of installing and managing cameras to associated procedures. These procedures updated the information to reflect current practices and clarify to the college community how decisions are made regarding security cameras. These decisions include placement, access, storage and retention, and privacy concerns.

#### Background/Supplemental Information

[Washington State Government General Records Retention Schedule](#)

[Revised Code of Washington 42.56.420 Security](#)

[Revised Code of Washington 42.56.050 Invasion of privacy, when](#)

#### Recommendation/Outcomes

That the Board of Trustees of Community College District VIII approves the revision of Policy 6380 Security Camera Use.

Prepared by: Dennis Curran, Vice President, Administrative Services  
[Dennis.curran@bellevuecollege.edu](mailto:Dennis.curran@bellevuecollege.edu)

## **6380 SECURITY CAMERA USE**

Original Date: 5/10/2005 \* Last Revision Effective: 10/15/2015  
Policy Contact: Vice President, Administrative Services

### **POLICY**

Bellevue College uses closed-circuit video camera systems (security cameras) to increase campus safety and security. They are intended to deter crime, assist in the investigation of crimes and recovery of property, and enforce college policy.

The college protects individual privacy rights by following state and federal laws for the installation of security cameras and the handling, viewing, retention, dissemination, and destruction of recordings. BC security cameras are not actively monitored. Authorized and unauthorized uses of BC security cameras are described in this policy's associated procedures.

### **RELEVANT LAWS AND OTHER RESOURCES**

[BC Policy #6380P Security Camera Use \(Procedures\)](#)

### **REVISION HISTORY**

Original 5/10/2005  
Revisions 5/21/2009; 10/15/2015

### **APPROVED BY**

Board of Trustees

## 6380 SECURITY CAMERA USE

Original Date: 5/10/2005 \* Last Revision Effective: 10/15/2015  
Policy Contact: Vice President, Administrative Services

### POLICY

Bellevue College uses closed-circuit video camera systems (security cameras) to increase campus safety and security. They are intended to deter crime, assist in the investigation of crimes and recovery of property, and enforce college policy.

The college protects individual privacy rights by following state and federal laws for the installation of security cameras and the handling, viewing, retention, dissemination, and destruction of recordings. BC security cameras are not actively monitored. Authorized and unauthorized uses of BC security cameras are described in this policy's associated procedures.

Bellevue College uses technology to improve security on the campus grounds. Such technology includes video cameras in several public and open areas. Security cameras may be connected to several different control rooms that are accessible to public safety. The purpose for using the cameras is to reduce incidents of crime by providing detailed recorded actions that occurred within the cameras field of view. Signs should be posted indicating that cameras are not monitored continuously and neither Bellevue College nor its employees shall be held liable of actions that do occur within the cameras' field of view.

The following outlines where and when the college may employ security cameras. These uses do not apply to legitimate academic uses of video cameras for instructional or research purposes:

- Security cameras may be used in public and open areas for safety and security purposes only. College administration will approve where cameras will be installed and will review the actions recorded should the need arise. The cameras will be in plain view. Areas being recorded will be marked with appropriate signs. The cameras will not record sound.
- Cameras shall NOT be used to observe any private areas or employee work areas without prior notification of employees, with the exception of public safety investigations of criminal activity. A private area or employee work area may be recorded for a work-related purpose, such as to study a work process or to record financial transactions or cash handling. Any recording of a private area or an employee work area must be approved in advance by the Bellevue College administration.
- Recording of any location on campus grounds may be conducted, in accordance with state and federal laws, to detect and record criminal activity. Such recordings shall be coordinated and conducted ONLY by public safety or other law enforcement agencies.
- Use of security cameras or their recordings for any non official purpose is strictly forbidden. Any person utilizing security cameras for any illegal or prohibited purpose may be subject to disciplinary or legal actions.
- Cameras are forbidden to be used in any restroom public or private, locker room, changing area or shower.

Questions about this security program or the law enforcement elements of such plans or policies should be directed to the director of public safety. Inquiries about the use of cameras to observe employee work areas, as outlined above, should be directed to the vice president of administrative services:

### DEFINITIONS

(If applicable)

#### Administration

- The president or designee authorized to make decisions pursuant to the use of cameras at Bellevue College.

#### Campus

- Bellevue College owned and controlled properties.

#### College

- Bellevue College

#### Employee

- Any person employed, or contracted by Bellevue College.

#### Public Areas

- Areas accessible to the general public, students, and or employees of Bellevue College.

~~Private Areas~~

- ~~• Areas that are assigned to or controlled by an individual or a select group of individuals such as, private offices, semi-private offices, or work areas.~~

~~Public Safety~~

- ~~• Applies to any person employed by the public safety office.~~

~~Surveillance~~

- ~~• The act of watching, listening or tracking live action through the use of electronic devices.~~

**RELEVANT LAWS AND OTHER RESOURCES**

[BC Policy #6380P Security Camera Use \(Procedures\)](#)

**REVISION HISTORY**

Original 5/10/2005

Revisions 5/21/2009; 10/15/2015

**APPROVED BY**

~~President's Cabinet~~ [Board of Trustees](#)



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REGULAR MEETING AGENDA ITEM

**POLICY 6420, WEAPONS AND FIREWORKS, REVISION**

INFORMATION

FIRST READ

ACTION

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**Description**

Policy 6420, Weapons and Fireworks, has been updated to bring it into compliance with other BC policies as well as city and state law. Exceptions to the prohibition on objects that could be construed as weapons have been clarified.

**Key Questions**

- \* Why is this policy being updated now?
- \* What are the exceptions to this policy?

**Analysis**

This policy has been revised to reflect the BC Student Conduct Code, changes to the Revised Code of Washington regarding concealed weapons permits, and City of Bellevue ordinances prohibiting the discharge of fireworks within the city limits.

Exceptions have been clarified, including exemptions for knives used for cooking and for religious ceremonial daggers.

**Background/Supplemental Information**

NA

**Recommendation/Outcomes**

That the Board of Trustees of Community College District VIII approves the revision of Policy 6420 Weapons and Fireworks.

Prepared by: Dennis Curran, Vice President, Administrative Services  
[Dennis.curran@bellevuecollege.edu](mailto:Dennis.curran@bellevuecollege.edu)



## 6420 WEAPONS AND FIREWORKS

Original Date: 7/7/1970 \* Last Revision Effective: 10/15/2015  
Policy Contact: Vice President, Administrative Services

### POLICY

#### Weapons

This policy sets forth restrictions on the ability to carry firearms or weapons, concealed or otherwise, on all college property.

Possessing, holding, wearing, transporting, storing, or exhibiting 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 campuses, subject to the following exceptions:

- Commissioned law enforcement personnel or legally authorized military personnel are not subject to these restrictions while in performance of their duties;
- Bank-related security personnel required by their office to carry such weapons or devices;
- Licensed and bonded third-party security personnel hired for hosted events, subject to approval by the director of public safety;
- An individual with a valid concealed weapons permit may store a pistol in their vehicle parked on college property in accordance with RCW 9.41.050, provided the vehicle is locked and the weapon is concealed from view;
- The president or their designee may grant permission to bring a weapon on campus upon a determination that the weapon is reasonable related to a legitimate pedagogical purpose. Such permission shall be in writing and shall be subject to such terms or conditions incorporated in the written permission.
- Possession of a knife or ceremonial dagger for religious purposes is not prohibited. Maximum length of the knife or ceremonial dagger should not exceed seven (7) inches in length.
- Possession and/or use of disabling chemical sprays for purposes of self-defense is not prohibited.
- Possession of knives for cooking or cutting instruments used for the purposes of work on campus is not prohibited.

#### Fireworks

The possession, distribution, or discharge of fireworks is prohibited on Bellevue College property. The City of Bellevue prohibits the discharge of fireworks by ordinance within city limits.

### RELEVANT LAWS AND OTHER RESOURCES

- [City of Bellevue – Fire Code: 23.11.5608.2 Fireworks Discharge Prohibited.](#)
- [Revised Code of Washington 9.41.010 Terms Defined](#)
- [Revised Code of Washington 9.41.050 Carrying Firearms](#)

### REVISION HISTORY

Original 7/7/1990

Revisions 5/10/2005; 5/21/2009; 9/7/2011; 10/15/2015

### APPROVED BY

Board of Trustees

# 6420 WEAPONS AND FIREWORKS

Original Date: 7/7/1970 \* Last Revision Effective: 10/15/2015  
Policy Contact: Vice President, Administrative Services

## POLICY

### Weapons

This policy sets forth restrictions on the ability to carry firearms or weapons, concealed or otherwise, on all college property.

Possessing, holding, wearing, transporting, storing, or exhibiting 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 campuses, subject to the following exceptions:

- Commissioned law enforcement personnel or legally authorized military personnel are not subject to these restrictions while in performance of their duties;
- Bank-related security personnel required by their office to carry such weapons or devices;
- Licensed and bonded third-party security personnel hired for hosted events, subject to approval by the director of public safety;
- An individual with a valid concealed weapons permit may store a pistol in their vehicle parked on college property in accordance with RCW 9.41.050, provided the vehicle is locked and the weapon is concealed from view;
- The president or their designee may grant permission to bring a weapon on campus upon a determination that the weapon is reasonable related to a legitimate pedagogical purpose. Such permission shall be in writing and shall be subject to such terms or conditions incorporated in the written permission.
- Possession of a knife or ceremonial dagger for religious purposes is not prohibited. Maximum length of the knife or ceremonial dagger should not exceed seven (7) inches in length.
- Possession and/or use of disabling chemical sprays for purposes of self-defense is not prohibited.
- Possession of knives for cooking or cutting instruments used for the purposes of work on campus is not prohibited.

### Fireworks

The possession, distribution, or discharge of fireworks is prohibited on Bellevue College property. The City of Bellevue prohibits the discharge of fireworks by ordinance within city limits.

~~It shall be the policy of the college that carrying, exhibiting, displaying, or drawing any firearm, dagger, sword, knife, or any other cutting or stabbing instrument or club or incendiary device, or explosive, or any facsimile weapons, or any other weapon apparently capable of producing bodily harm and/or property damage, is prohibited on college property; provided, however that this regulation shall not apply to law enforcement or bank-related security personnel required by their office to carry such weapons or devices. Possession of fireworks and/or use of fireworks anywhere on campus are not permitted per City of Bellevue ordinance. Possession of a concealed weapons permit is not an exemption from this policy.~~

## RELEVANT LAWS AND OTHER RESOURCES

- [City of Bellevue – Fire Code: 23.11.5608.2 Fireworks Discharge Prohibited.](#)
- [Revised Code of Washington 9.41.010 Terms Defined](#)
- [Revised Code of Washington 9.41.050 Carrying Firearms](#)

## REVISION HISTORY

Original 7/7/1990  
Revisions 5/10/2005; 5/21/2009; 9/7/2011; 10/15/2015

## APPROVED BY

Board of Trustees  
President's Cabinet



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## REGULAR MEETING AGENDA ITEM

### 5100, SOFTWARE LICENSING COMPLIANCE, REVISION

INFORMATION

FIRST READ

ACTION

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#### Description

BC Information Technology Services (ITS) is currently reviewing all policies and procedures with the goal of removing repetition and outdated material. ITS is also identifying information that is more appropriate for internal ITS use and moving that information out of the policies and procedures. This will allow for more timely updates given the rapidly changing nature of technology.

#### Key Questions

- \* Where is the information that was removed from this policy?
- \* With what laws and policies is BC required to comply regarding software licensing?

#### Analysis

Extraneous material has been removed from 5100, Software Licensing Compliance, to bring it into alignment with BC policy style. Relevant material has been moved to internal ITS documentation. Policy 5100's associated procedures (5100P) have already been deleted by President's Cabinet, with current information moved to a more appropriate location.

The revised policy 5100 establishes the laws and regulations that guide the college's software licensing practices. It clarifies software ownership and prohibitions related to software use.

#### Background/Supplemental Information

- OCIO policy #141.10 – [Securing Information Technology Assets Standards](#)
- [Title 17, United States Code \(Copyright Act\)](#)
- Policy #3600 – [Copyright and the Right of Fair Use](#)
- Policy #4400 – [Acceptable Use of State Resources](#)

#### Recommendation/Outcomes

That the Board of Trustees of Community College District VIII approves the revision of Policy 5100, Software Licensing Compliance.

Prepared by: Rodger Harrison, Vice President, Information Technology Services  
[Rodger.harrison@bellevuecollege.edu](mailto:Rodger.harrison@bellevuecollege.edu)

# 5100 SOFTWARE LICENSING COMPLIANCE

Original Date: 6/10/2003 \* Last Revision Effective: 04/28/2015

Policy Contact: Vice President, Information Technology Services

## POLICY

Bellevue College expects all users of college technology to comply with applicable federal, state, and local laws governing copyrighted material, including computer software applications. The college complies with [OCIO security policies](#); [Title 17 U.S.C.](#) (the Copyright Act); and all related laws, amendments and policies as they apply to software licensing and copyright.

### Scope

This policy applies to all employees, students and non-employees who are authorized to use college technology assets. This includes the use of any computing systems and networks belonging to the college, to the state of Washington, and to any other systems entrusted to the institution by other organizations.

The use of college information technology assets, including software, is strictly for the purpose of facilitating the exchange of information and furtherance of the educational, research, public service and administrative missions of the college.

This policy is not intended to limit academic freedom in any way, nor is it the intent of this policy to impinge on individual intellectual property rights or the rights of authorized software users. This policy and its procedures provide an appropriate framework for the proper exercise of those freedoms and supplements college policy #3600 – [Copyright and the Right of Fair Use](#).

### Software Ownership

Bellevue College is the sole licensee of all software purchased using state funds or grants where the college is the fiscal agent. The purchasing authority for technology, including software, has been delegated to the vice president of administrative services or their designee, who is authorized to negotiate and sign software licensing agreements on behalf of the college.

### Prohibitions

Software may not be copied, reproduced or transmitted through or onto Bellevue College information technology assets unless allowed by this policy. Installations of software for which legitimate verification of ownership or license cannot be documented, software that is unlawfully obtained or is not permitted by the software license is strictly prohibited.

## DEFINITIONS

All definitions pertaining to this policy, and to all information security policies, procedures and standards, are centralized in the ITS - [Information Security Definitions](#) document.

## RELEVANT LAWS AND OTHER RESOURCES

- OCIO policy #141.10 – [Securing Information Technology Assets Standards](#)
- [Title 17, United States Code \(Copyright Act\)](#)
- Policy #3600 – [Copyright and the Right of Fair Use](#)
- Policy #4400 – [Acceptable Use of State Resources](#)

## **REVISION HISTORY**

Original 6/10/2003

Revision 11/24/2008; 5/21/2009; 07/28/2012; 9/11/2012; 4/28/2015

## **APPROVED BY**

Board of Trustees

# 5100 SOFTWARE LICENSING COMPLIANCE

Original Date: 6/10/2003 \*~~---~~\*~~---~~ Last Revision Effective: 04/28/2015

Policy Contact: Vice President, Information Technology Services

## Policy

### POLICY

Bellevue College ~~respects the individual initiative and innovation exercised in the creation of intellectual property, whatever form it takes.~~ Bellevue College, ~~and~~ expects all students, faculty, and staff members ~~users of college campus technology~~ to comply with applicable federal, state, and local laws governing copyrighted material. ~~This policy ensures that Bellevue College and all its individual units, employees, students and guests follow the letter and spirit of both state and federal law regarding, including computer software licensing and copyright applications.~~ The college complies

### Applicability

~~To this end, the college will establish operating procedures as needed to ensure college compliance wWith OCIO security policies; Title 17 U.S.C. (the Copyright Act); and all related laws, amendments and policies as they apply to software licensing and copyright.~~

### Scope

This policy ~~applies and its subordinate procedures apply~~ applies to all Bellevue College employees, students and ~~or~~ non-employees who ~~may be~~ are authorized to use Bellevue College computing systems and networks. It informs campus users of their obligations regarding copyrighted and licensed software applications, and provides guidelines for responsible and appropriate utilization of these materials. In addition, it ~~applies to college technology assets.~~ This includes the use of any computing systems and networks belonging to the ~~college, to the state of Washington, and to Bellevue College, and any that are other systems~~ entrusted to the institution by other organizations.

### Authority

The provisions of RCW 43.105.041 detail the powers and duties of the state of Washington information services board (ISB), including the authority to develop statewide or interagency information services and technical policies, standards, and procedures. This policy is intended to be in compliance with current OCIO security policies, Title 17 U.S.C. (the Copyright Act), and related laws and amendments. Additionally, the BC Copyright and the Right of Fair Use policy contains many of the policies and procedures related to this policy. None of its stipulations are replaced by this policy, which is intended to augment the provisions articulated there.

These licensing and copyright laws and policies govern the purchase, lease, license and use of copyrighted materials such as computer software, audio and video recordings, printed matter and data captured in various other media. Specific Bellevue College policies defining the acceptable use of state resources, the acceptable use of Bellevue College networks and systems, the acceptable use of Bellevue College computers and the Bellevue College information technology (IT) security policy all supplement this policy, and additional policies, procedures and standards may also apply.

General Technology Use

The use of Bellevue College computing and networking resources Permitted Use

The use of college information technology assets, including software, is strictly for the purpose of facilitating the exchange of information and furtherance of the educational, research, public service and administrative missions of the college.

This policy is not intended to limit academic freedom in any way, nor is it the intent of this policy to impinge on individual intellectual property rights or the rights of authorized software users. This policy

and its procedures provide an appropriate framework for the proper exercise of those freedoms and supplements college policy #3600 – Copyright and the Right of Fair Use.

### **Software Ownership**

Bellevue College is the sole licensee of all software purchased using state funds or grants where the college is the fiscal agent. -The purchasing authority for technology, including software, has been delegated to the vVice- pPresident of aAdministrative sServices or their designee, who is authorized to negotiate and sign software licensing agreements on behalf of the college.

### **Prohibitions**

Software may not be copied, reproduced or transmitted through or onto Bellevue College information technology assets unless allowed by this policy ~~and/or its associated procedures~~. -Installations of software for which legitimate verification of ownership or license cannot be documented, software that is unlawfully obtained; or is not permitted by the software license is strictly prohibited.

### **Academic Freedom**

~~This policy is not intended to limit academic freedom in any way, nor is it the intent of this policy to impinge on the individual intellectual property rights or the rights of authorized software users. This policy provides~~and its procedures provide an appropriate framework for the proper exercise of those freedoms. and supplements college policy #3600 – Copyright and the Right of Fair Use.

### **Permission**

~~Bellevue College must generally obtain written permission from the copyright owner or licensor before allowing the use or copying of software. This is usually in the form of a licensing agreement, but may take the form of licensing information disseminated~~

## **DEFINITIONS**

~~All definitions pertaining to the institution on the official letterhead of the copyright holder. The college may also enter into written agreements with software licensors which spell out the rights and limitations regarding the appropriate use of the software.~~

~~Faculty and staff members with questions about the interpretation of copyright law may contact the campus copyright officer. If assistance is needed with a specific software license agreement, the point of contact will be the Bellevue College IT security administrator or his/her designee.~~

### **Prohibitions**

~~It is prohibited to copy, reproduce, or transmit software on Bellevue College computing equipment, except as allowed by this policy or permitted by the software license. It is also prohibited to install, or cause to be installed, on any Bellevue College computing equipment, software for which legitimate verification of ownership cannot be documented. Furthermore, any unlawfully obtained software is prohibited from being installed on any Bellevue College computing equipment.~~

### **Ownership**

~~Bellevue College is the sole owner of all software purchased using state funds or grants where Bellevue College is the fiscal agent. The vice president of information resources or his/her authorized designee is authorized to sign license agreements on behalf of the college.~~

~~Bellevue College retains ownership of all data and/or software created or modified by ~~and its~~ employees as a part of their regularly assigned job duties. Programs written by Bellevue College employees on personal home computers for their own use are not covered by this policy. Exemptions would need to be negotiated by the employee through the vice president of administrative services prior to the start of any data or applications development.~~

## Violation Indemnification

Bellevue College reserves the right to refuse to defend or indemnify any faculty member, student or staff member named in a lawsuit arising from alleged copyright infringement activity, and to refuse to pay any damages awarded by a court of law against such person if the violation resulted from willful negligence. Any fines assessed to the college because of the illegal use of software by an individual will be passed on to the user responsible for the misuse.

## Responsibilities

### Institutional Responsibility

- Bellevue College has vested in ITS the primary responsibility for establishing the subordinate procedures, and processes to ensure that the use of software on campus complies with the law. These responsibilities include:
  - Monitoring compliance with this policy and all related expectations;
  - Preparing inventories of Bellevue College-owned software installed on computers for use in work-related activities both on and off-campus;
  - Maintaining inventories and documentation related to the lawful use of individually-owned software on Bellevue College-owned computers;
  - Establishing and maintaining a centralized software and license repository;
  - Assisting Bellevue College and its technology users in obtaining and documenting that software which may legally be used; and
  - Developing and maintaining adequate record-keeping systems.
- Bellevue College has also established the office of the Bellevue College IT security administrator to manage all aspects of information technology security on campus. With regards to software licensing compliance, the Bellevue College IT security administrator will ensure that:
  - Only authorized software is acquired and used on Bellevue College computers;
  - Bellevue College employees are educated regarding copyrights protecting software, as well as the security policies and procedures adopted to honor those protections, in compliance with the Bellevue College IT security standard addressing employee security training;
  - Bellevue College has adequate policies, procedures, and practices to protect software copyrights; and
  - All provisions of this policy and its procedures are fully implemented.
- Furthermore, in carrying out the requirements of these responsibilities, the Bellevue College IT security administrator is authorized to conduct periodic internal software audits on campus in addition to sanctioning the active monitoring and scanning of Bellevue College systems, as described in this policy.
- Bellevue College, through its employees, will actively cooperate with any state agency in implementing the provisions of this policy and Washington State Executive Order 00-02, and shall share information with such agency which may be useful in combating the unlawful use of software and other copyrighted material.
- If Bellevue College becomes aware that its contractors or financial assistance recipients are using state funds to acquire, operate, or maintain software in violation of the law, appropriate measures, including requiring the use of certifications or written assurances, shall be taken. This is in specific compliance with the requirements of state law.



## **Employee Responsibility**

- Employees shall comply with the terms and conditions of all licensing agreements and the provisions of the copyright act and other applicable laws. Employees have an individual responsibility for familiarizing themselves with their obligations under this policy and for understanding the license and copyright obligations related to software they are using.
- State technology resources authorized for an employee to use at home for official purposes are subject to the same expectations of copyright and licensing compliance as would be applicable if the employee were located in a Bellevue College facility or other official duty station. No employee will use unauthorized copies of software on Bellevue College-owned computers, whether the equipment is located at the workplace or in the employee's home.

## **Policy Maintenance**

- and standards, are centralized in the ITS - [Information Technology Services \(ITS\)](#)

The primary responsibility for maintenance and administration of this policy rests with the vice president of information technology services. ITS is responsible for drafting any updates and changes to the policies and procedures, with input from the technology advisory committee and the campus copyright officer. After appropriate campus review and final approval by the college president, IR will publish the new or revised policy to the campus, providing a brief description of the policy and its implications for employees and other affected individuals or groups.

- Technology Advisory Committee (TAC)

The technology advisory committee (TAC) is responsible for reviewing Bellevue College technology strategies and serving as a conduit for dialogue between ITS and the campus regarding all technology policies and procedures. Membership of this group is representative of the campus, and supports the vice president of information technology services by advocating for and presenting the campus technology needs.

- Campus Copyright Officer (CCO)

The director of the library media center is designated as the Bellevue College campus copyright officer. The CCO will have responsibility for reviewing this policy and related procedures and advising the vice president of information technology services with regards to any updating and maintenance required to keep it current.

- Human Resources (HR)

The vice president of human resources is responsible for reviewing any updates and changes to this policy and procedures in light of current policies, providing input on the policy and its implications for employees and other affected individuals or groups.

[Security Definitions](#) document.

## **Copying**

- For purposes of computer software, copying includes loading the software into the random access memory (RAM) when the computer is booted up, downloading software from an internet website, creating a duplicate of any medium upon which software is stored, saving software from its original media onto the hard drive of a computing system, or any other potentially permanent duplication.

## **Software**

- This term includes any material or product fixed on any medium that is accessed using a computer.

## **Relevant Laws and Other Resources**

- Revised Code of Washington
- Washington Administrative Code
- Title 17, United States Code (Copyright Act)
- Washington State Executive Order 00-02
- Bellevue College Policy # 3600 Copyright and the Right of Fair Use
- Bellevue College Policy # 4400 Acceptable Use of State Resources
- Bellevue College Policy # 5000 Acceptable Use of Bellevue College Computers
- Bellevue College Policy # 5150 Acceptable Use of Bellevue College Networks and Systems
- Bellevue College Policy # 5250 Information Technology (IT) Security
- Bellevue College Procedure # 5100P Software Licensing Compliance Procedures
- Bellevue College IT Security Standard: Employee Security Training
- Bellevue College IT Security Standard: Software Management

## **Revision History**

### **RELEVANT LAWS AND OTHER RESOURCES**

- OCIO policy #141.10 – Securing Information Technology Assets Standards
- Title 17, United States Code (Copyright Act)
- Policy #3600 – Copyright and the Right of Fair Use
- Policy #4400 – Acceptable Use of State Resources

### **REVISION HISTORY**

Original 6/10/2003

Revision 11/24/2008; 5/21/2009; 07/28/2012; 9/11/2012<sup>2</sup>; 4/28/2015; ~~XX/XX/20XX~~

## **Approved By**

### **ENDORSED BY**

~~College Assembly (pending)~~

~~President's Cabinet (pending)~~

### **APPROVED BY**

Board of Trustees



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## REGULAR MEETING AGENDA ITEM

### ENROLLMENT REPORT

INFORMATION

FIRST READ

ACTION

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#### Description

This is a report on current enrollment trends affected Bellevue College. The report will look particularly at Running Start, International, Bachelor of Applied Science (BAS), and State Support enrollments. It will also evaluate state support enrollments relative to state allocations.

#### Key Questions

- \* How is Bellevue College's enrollment changing?
- \* How does Bellevue College stand with regard to enrollment at other Washington community and technical colleges?

#### Analysis

Overall, enrollments dropped by about 5% from around 12,000 FTE in 2018-19, to 11,500 FTE in 2019-20. State supported enrollment dropped a bit more, by 7%, while Running Start enrollment increased by an additional 5%, and BAS enrollment increased by 10%. International enrollment has been decreasing over the last three years, and continued that pattern, decreasing by 8% versus the prior year.

#### Background/Supplemental Information

College enrollment data can be found [here](#).

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